



PRELIMINARY DRAFT
No. 3008

PREPARED BY
LEGISLATIVE SERVICES AGENCY
2014 GENERAL ASSEMBLY

DIGEST

Citations Affected: Numerous citations throughout the Indiana Code.

Synopsis: Technical corrections. Resolves: (1) technical conflicts between differing 2013 amendments to Indiana Code sections; and (2) other technical problems in the Indiana Code, including incorrect statutory references, nonstandard tabulation, and various grammatical problems.

Effective: Upon passage; January 1, 2014; July 1, 2014.



A BILL FOR AN ACT to amend the Indiana Code concerning general provisions.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 2-5-36-9, AS ADDED BY P.L.119-2013,
2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 UPON PASSAGE]: Sec. 9. The commission shall do the following:

- 4 (1) Study and evaluate the following:
5 (A) Access to services for vulnerable youth.
6 (B) Availability of services for vulnerable youth.
7 (C) Duplication of services for vulnerable youth.
8 (D) Funding of services available for vulnerable youth.
9 (E) Barriers to service for vulnerable youth.
10 (F) Communication and cooperation by agencies concerning
11 vulnerable youth.
12 (G) Implementation of programs or laws concerning
13 vulnerable youth.
14 (H) The consolidation of existing entities that serve vulnerable
15 youth.
16 (I) Data from state agencies relevant to evaluating progress,
17 targeting efforts, and demonstrating outcomes **concerning**
18 **vulnerable youth**.
19 (2) Review and make recommendations concerning pending
20 legislation.
21 (3) Promote information sharing concerning vulnerable youth
22 across the state.
23 (4) Promote best practices, policies, and programs.
24 (5) Cooperate with:
25 (A) other child focused commissions;
26 (B) the judicial branch of government;
27 (C) the executive branch of government;
28 (D) stakeholders; and
29 (E) members of the community.
30 (6) Submit a report not later than July 1 of each year regarding the
31 commission's work during the previous year. The report shall be



1 submitted to the legislative council, the governor, and the chief
2 justice of Indiana. The report to the legislative council must be in
3 an electronic format under IC 5-14-6.

4 SECTION 2. IC 3-7-38.2-5, AS AMENDED BY P.L.258-2013,
5 SECTION 60, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
6 UPON PASSAGE]: Sec. 5. (a) To assist in performing voter list
7 maintenance under this chapter, the NVRA official shall submit the
8 names of all registered voters in Indiana to the United States Postal
9 Service National Change of Address Service. The submission under
10 this chapter shall be compiled from the county voter registration
11 information submitted to the election division under IC 3-7-26.3.

12 (b) This subsection does not require the NVRA official to request
13 voter registration data from a state listed in this subsection if the
14 NVRA official will be receiving voter registration data from that state
15 under the memorandum of understanding described in subsection (d).
16 To assist in performing voter list maintenance under this chapter, not
17 later than December 31 of each calendar year the NVRA official shall
18 request that the chief state election official who is responsible for the
19 coordination of state responsibilities under NVRA in each of the
20 following states provide a list of the registered voters in that state:

- 21 (1) Florida.
- 22 (2) Illinois.
- 23 (3) Kentucky.
- 24 (4) Michigan.
- 25 (5) Ohio.

26 (c) The NVRA official shall request a list of registered voters from
27 any other state in which the NVRA official determines there is a
28 reasonable possibility that a significant number of individuals who
29 have registered to vote in Indiana may also be registered to vote in that
30 state.

31 (d) Not later than August 1, 2013, the NVRA official shall execute
32 a memorandum of understanding with the Kansas Secretary of State.
33 Notwithstanding any limitation under IC 3-7-26.4 regarding the
34 availability of certain information from the computerized list, on
35 January 15 of each year, the NVRA official shall provide data from the
36 statewide voter registration list without cost to the Kansas Secretary of
37 State to permit the comparison of voter registration data in the
38 statewide voter registration list with registration data from all other
39 states participating in this memorandum of understanding and to
40 identify any cases in which a voter cast a ballot in more than one (1)
41 state during the same election. Not later than thirty (30) days following
42 the receipt of information under this subsection indicating that a voter
43 of Indiana may also be registered to vote in another state, the NVRA
44 official shall provide the appropriate county voter registration office
45 with the name of and any other information obtained under this
46 subsection concerning that voter. The county voter registration office



1 shall determine whether the individual:

- 2 (1) identified in the report provided by the NVRA official under
 3 this subsection is the same individual who is a registered voter of
 4 the county;
 5 (2) registered to vote in another state on a date following the date
 6 that voter registered in Indiana; and
 7 (3) authorized the cancellation of any previous registration by the
 8 voter when the voter registered in another state.

9 (e) If the county voter registration office determines that the voter
 10 is described by subsection (d)(1) through (d)(3), the county voter
 11 registration office shall cancel the voter registration of that voter. If the
 12 county voter registration office determines that the voter is described
 13 by subsection (d)(1) and (d)(2), but has not authorized the cancellation
 14 of any previous registration, the county voter registration office shall
 15 send an address confirmation notice to the Indiana address of the voter.

16 SECTION 3. IC 3-7-48-7, AS AMENDED BY P.L.164-2006,
 17 SECTION 54, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 18 UPON PASSAGE]: Sec. 7. (a) A voter shall be permitted to vote in a
 19 precinct upon written affirmation of the voter's residence in the precinct
 20 if:

- 21 (1) the voter produces a registration receipt indicating that the
 22 voter completed a registration **form application** at a license
 23 branch or voter registration agency under this article on a date
 24 within the registration period;
 25 (2) the county voter registration office advises the precinct
 26 election board that the office:
 27 (A) approved the application; or
 28 (B) has no record of either approving or rejecting the
 29 application; and
 30 (3) the voter completes a registration application **form** and
 31 provides the completed **form application** to the precinct election
 32 board before voting.

33 (b) A county election board shall provide each precinct election
 34 board with a sufficient number of the registration **forms applications**
 35 for the purposes described in subsection (a). The precinct election
 36 board shall attach the completed registration **forms applications** to the
 37 poll list for processing by the county voter registration office under
 38 IC 3-10-1-31.1.

39 SECTION 4. IC 3-8-2.5-2, AS AMENDED BY P.L.194-2013,
 40 SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 41 UPON PASSAGE]: Sec. 2. (a) A candidate for a school board office
 42 must file a petition of nomination in accordance with IC 3-8-6 and as
 43 required under IC 20-23 or IC 20-25. The petition of nomination, once
 44 filed, serves as the candidate's declaration of candidacy for a school
 45 board office.

46 (b) A candidate may be nominated for a school board office by



1 petition of voters who are:

2 (1) registered to vote at the residence address set forth on the
3 petition on the date ~~the county voter registration office certifies~~
4 ~~the petition is certified~~ under ~~section 5~~ of this chapter; and

5 (2) qualified to vote for the candidate.

6 (c) The petition of nomination must be signed by the number of
7 voters required for the school board office under IC 20-23 or IC 20-25.

8 (d) Except as provided in this subsection, the signature, printed
9 name, and residence address of the petitioner must be made in writing
10 by the petitioner. If a petitioner with a disability is unable to write this
11 information on the petition, the petitioner may authorize an individual
12 to do so on the petitioner's behalf. The individual acting under this
13 subsection shall execute an affidavit of assistance for each such
14 petitioner, in a form prescribed by the commission. The form must set
15 forth the name and address of the individual providing assistance, and
16 the date the individual provided the assistance. The form must be
17 submitted with the petition.

18 SECTION 5. IC 3-11-3-11, AS AMENDED BY P.L.271-2013,
19 SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
20 UPON PASSAGE]: Sec. 11. (a) Except as provided in subsection (b),
21 the county election board shall deliver the following to each inspector
22 or the inspector's representative:

23 (1) The supplies provided for the inspector's precinct by the
24 election division.

25 (2) The local sample ballots, the ballot labels, if any, and all poll
26 lists, registration lists, and other supplies considered necessary to
27 conduct the election in the inspector's precinct.

28 (3) The local ballots printed under the direction of the county
29 election board as follows:

30 (A) In those precincts where ballot card voting systems are to
31 be used, the number of ballots at least equal to one hundred
32 percent (100%) of the number of voters in the inspector's
33 precinct, according to the poll list.

34 (B) In those precincts where electronic voting systems are to
35 be used, the number of ballots that will be required to be
36 printed and furnished to the precincts for emergency purposes
37 only.

38 (C) Provisional ballots in the number considered necessary by
39 the county election board.

40 (4) Twenty (20) ink pens suitable for printing the names of
41 write-in candidates on the ballot or ballot envelope.

42 (5) Copies of the voter's bill of rights for posting as required by 42
43 U.S.C. 15482.

44 (6) Copies of the instructions for a provisional voter required by
45 42 U.S.C. 15482. The county election board shall provide at least
46 the number of copies of the instructions as the number of



- 1 provisional ballots provided under subdivision (3).
 2 (7) Copies of the notice for posting as required by IC 3-7-29-1(f).
 3 (8) The blank voter registration applications required to be
 4 provided under IC 3-7-48-7(b).
 5 (b) This subsection applies to a county that:
 6 (1) has adopted an order under ~~section 6 of this chapter;~~
 7 **IC 3-7-29-6;** or
 8 (2) is a vote center county under IC 3-11-18.1.
 9 The county election board shall deliver and install the hardware,
 10 firmware, and software necessary to use an electronic poll list in each
 11 precinct or vote center.
 12 SECTION 6. IC 3-11-8-10.3, AS AMENDED BY P.L.219-2013,
 13 SECTION 40, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 14 UPON PASSAGE]: Sec. 10.3. (a) As used in this section, "electronic
 15 poll list" refers to a poll list that is maintained in a computer data base.
 16 (b) An electronic poll list must satisfy all of the following:
 17 (1) An electronic poll list must be programmed so that the
 18 coordinated action of two (2) election officers who are not
 19 members of the same political party is necessary to access the
 20 electronic poll list.
 21 (2) An electronic poll list may not be connected to a voting
 22 system.
 23 (3) An electronic poll list may not permit access to voter
 24 information other than:
 25 (A) information provided on the certified list of voters
 26 prepared under IC 3-7-29-1; or
 27 (B) information concerning any of the following received or
 28 issued after the electronic poll list has been downloaded by the
 29 county election board under IC 3-7-29-6:
 30 (i) The county's receipt of an absentee ballot from the voter.
 31 (ii) The county's receipt of additional documentation
 32 provided by the voter to the county voter registration office.
 33 (iii) The county's issuance of a certificate of error.
 34 (4) The information contained on an electronic poll list must be
 35 encrypted and placed on a dedicated, private server to secure
 36 connectivity between a precinct polling place or satellite absentee
 37 office and the county election board. The electronic poll book
 38 must have the capability of:
 39 (A) storing (in external or internal memory) a local version of
 40 the data base; and
 41 (B) producing a list of audit records that reflect all of the
 42 idiosyncrasies of the system, including in-process audit
 43 records that set forth all transactions.
 44 (5) The electronic poll list must permit a poll clerk to enter
 45 information regarding an individual who has appeared to vote to
 46 verify whether the individual is eligible to vote, and if so, whether



- 1 the voter has:
- 2 (A) already cast a ballot at the election;
- 3 (B) returned an absentee ballot; or
- 4 (C) submitted any additional documentation required under
- 5 IC 3-7-33-4.5.
- 6 (6) After the voter has been provided with a ballot, the electronic
- 7 poll list must permit a poll clerk to enter information indicating
- 8 that the voter has voted at the election.
- 9 (7) The electronic poll list must transmit the information in
- 10 subdivision (6) to the county election board so that the board may
- 11 transmit the information immediately to every other polling place
- 12 or satellite absentee office in the county in which an electronic
- 13 poll list is being used.
- 14 (8) The electronic poll list must permit reports to be:
- 15 (A) generated by a county election board for a watcher
- 16 appointed under IC 3-6-8 at any time during election day; and
- 17 (B) electronically transmitted by the county election board to
- 18 a political party or independent candidate who has appointed
- 19 a watcher under IC 3-6-8.
- 20 (9) On each day after absentee ballots are cast before an absentee
- 21 voter board in the circuit court clerk's office, a satellite office, or
- 22 a vote center, and after election day, the electronic poll list must
- 23 permit voter history to be quickly and accurately uploaded into
- 24 the computerized list.
- 25 (10) The electronic poll list must be able to display an electronic
- 26 image of the signature of a voter taken from the voter's
- 27 registration application, if available.
- 28 (11) The electronic poll list must be used with a signature pad,
- 29 tablet, or other signature capturing device that permits the voter
- 30 to make an electronic signature for comparison with the signature
- 31 displayed under subdivision (10). An image of the electronic
- 32 signature made by the voter on the signature pad, tablet, or other
- 33 signature capturing device must be retained and identified as the
- 34 signature of the voter for the period required for retention under
- 35 IC 3-10-1-31.1.
- 36 (12) The electronic poll list must include a bar code reader or
- 37 tablet that:
- 38 (A) permits a voter who presents an Indiana driver's license or
- 39 a state identification card issued under IC 9-24-16 to scan the
- 40 license or card through the bar code reader or tablet; and
- 41 (B) has the capability to display the voter's registration record
- 42 upon processing the information contained within the bar code
- 43 on the license or card.
- 44 (13) The electronic poll list must be compatible with:
- 45 (A) any hardware attached to the poll book, such as signature
- 46 pads, bar code scanners, and network cards;



- 1 (B) the statewide voter registration system; and
 2 (C) any software system used to prepare voter information to
 3 be included on the electronic poll list.
 4 (14) The electronic poll list must have the ability to be used in
 5 conformity with this title for:
 6 (A) any type of election conducted in Indiana; or
 7 (B) any combination of elections held concurrently with a
 8 general election, municipal election, primary election, or
 9 special election.
 10 (15) The procedures for setting up, using, and shutting down an
 11 electronic poll list must:
 12 (A) be reasonably easy for a precinct election officer to learn,
 13 understand, and perform; and
 14 (B) not require a significant amount of training in addition to
 15 the training required by IC 3-6-6-40.
 16 (16) The electronic poll list must enable a precinct election officer
 17 to verify that the electronic poll list:
 18 (A) has been set up correctly;
 19 (B) is working correctly so as to verify the eligibility of the
 20 voter;
 21 (C) is correctly recording that a voter has voted; and
 22 (D) has been shut down correctly.
 23 (17) The electronic poll list must include the following
 24 documentation:
 25 (A) Plainly worded, complete, and detailed instructions
 26 sufficient for a precinct election officer to set up, use, and shut
 27 down the electronic poll list.
 28 (B) Training materials that:
 29 (i) may be in written or video form; and
 30 (ii) must be in a format suitable for use at a polling place,
 31 such as simple "how to" guides.
 32 (C) Failsafe data recovery procedures for information included
 33 in the electronic poll list.
 34 (D) Usability tests:
 35 (i) that are conducted by the manufacturer of the electronic
 36 poll list using individuals who are representative of the
 37 general public;
 38 (ii) that include the setting up, using, and shutting down of
 39 the electronic poll list; and
 40 (iii) that report their results using the ANSI/INCITS -354
 41 Common Industry Format (CIF) for Usability Test Reports
 42 approved by the American National Standards Institute
 43 (ANSI) on December 12, 2001.
 44 (E) A clear model of the electronic poll list system architecture
 45 and the following documentation:
 46 (i) End user documentation.



- 1 (ii) System-level documentation.
 2 (iii) Developer documentation.
 3 (F) Detailed information concerning:
 4 (i) electronic poll list consumables; and
 5 (ii) the vendor's supply chain for those consumables.
 6 (G) Vendor internal quality assurance procedures and any
 7 internal or external test data and reports available to the
 8 vendor concerning the electronic poll list.
 9 (H) Repair and maintenance policies for the electronic poll
 10 list.
 11 (I) As of the date of the vendor's application for approval of
 12 the electronic poll list by the secretary of state as required by
 13 ~~IC 3-11-18.1-12(2)~~, **IC 3-11-18.1-12**, the following:
 14 (i) A list of customers who are using or have previously used
 15 the vendor's electronic poll list.
 16 (ii) A description of any known anomalies involving the
 17 functioning of the electronic poll list, including how those
 18 anomalies were resolved.
 19 (18) The electronic poll list and any hardware attached to the poll
 20 book must be designed to prevent injury or damage to any
 21 individual or the hardware, including fire and electrical hazards.
 22 (19) The electronic poll list must demonstrate that it correctly
 23 processes all activity regarding each voter registration record
 24 included on the list, including the use, alteration, storage, and
 25 transmittal of information that is part of the record. Compliance
 26 with this subdivision requires the mapping of the data life cycle
 27 of the voter registration record as processed by the electronic poll
 28 list.
 29 (20) The electronic poll list must successfully perform in
 30 accordance with all representations concerning functionality,
 31 usability, security, accessibility, and sustainability made in the
 32 vendor's application for approval of the electronic poll list by the
 33 secretary of state as required by ~~IC 3-11-18.1-12(2)~~.
 34 **IC 3-11-18.1-12.**
 35 (21) The electronic poll list must have the capacity to transmit all
 36 information generated by the voter or poll clerk as part of the
 37 process of casting a ballot, including the time and date stamp
 38 indicating when the voter voted, and the electronic signature of
 39 the voter, for retention on the dedicated private server maintained
 40 by the county election board for the period required by Indiana
 41 and federal law.
 42 (22) The electronic poll list must:
 43 (A) permit a voter to sign the poll list even when there is a
 44 temporary interruption in connectivity to the Internet; and
 45 (B) provide for the uploading of each signature and its
 46 assignment to the voter's registration record.



1 SECTION 7. IC 4-33-6-18 IS AMENDED TO READ AS
 2 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 18. (a) This
 3 subsection applies to cities described in section 1(a)(1) through 1(a)(4)
 4 ~~or section 1(b)~~ of this chapter. The commission may not issue a
 5 license authorizing a riverboat to dock in a city unless the legislative
 6 body of the city has approved an ordinance permitting the docking of
 7 riverboats in the city.

8 (b) This subsection applies to a county described in section 1(a)(5)
 9 of this chapter if the largest city in the county is contiguous to the Ohio
 10 River. The commission may not issue a license authorizing a riverboat
 11 to dock in the county unless an ordinance permitting the docking of
 12 riverboats in the county has been approved by the legislative body of
 13 the largest city in the county. The license must specify that the home
 14 dock of the riverboat is to be located in the largest city in the county.

15 (c) This subsection applies to a county described in section 1(a)(5)
 16 of this chapter if the largest city in the county is not contiguous to the
 17 Ohio River. The commission may not issue a license authorizing a
 18 riverboat to dock in the county unless an ordinance permitting the
 19 docking of riverboats in the county has been approved by the county
 20 fiscal body.

21 (d) This subsection applies to a county in which a historic hotel
 22 district is located. The commission may not enter into a contract under
 23 IC 4-33-6.5 for the operation of a riverboat in the county unless an
 24 ordinance permitting the docking of riverboats in the county has been
 25 approved by the county fiscal body.

26 SECTION 8. IC 4-33-12-6, AS AMENDED BY P.L.229-2013,
 27 SECTION 17, AND AS AMENDED BY P.L.205-2013, SECTION 67,
 28 IS CORRECTED AND AMENDED TO READ AS FOLLOWS
 29 [EFFECTIVE UPON PASSAGE]: Sec. 6. (a) The department shall
 30 place in the state general fund the tax revenue collected under this
 31 chapter.

32 (b) Except as provided by subsections (c) and (d) and IC 6-3.1-20-7,
 33 the treasurer of state shall quarterly pay the following amounts:

34 (1) Except as provided in subsection (k), one dollar (\$1) of the
 35 admissions tax collected by the licensed owner for each person
 36 embarking on a gambling excursion during the quarter or
 37 admitted to a riverboat that has implemented flexible scheduling
 38 under IC 4-33-6-21 during the quarter shall be paid to:

39 (A) the city in which the riverboat is docked, if the city:

40 (i) is located in a county having a population of more than
 41 one hundred eleven thousand (111,000) but less than one
 42 hundred fifteen thousand (115,000); or

43 (ii) is contiguous to the Ohio River and is the largest city in
 44 the county; and

45 (B) the county in which the riverboat is docked, if the
 46 riverboat is not docked in a city described in clause (A).



- 1 (2) Except as provided in subsection (k), one dollar (\$1) of the
 2 admissions tax collected by the licensed owner for each person:
 3 (A) embarking on a gambling excursion during the quarter; or
 4 (B) admitted to a riverboat during the quarter that has
 5 implemented flexible scheduling under IC 4-33-6-21;
 6 shall be paid to the county in which the riverboat is docked. In the
 7 case of a county described in subdivision (1)(B), this one dollar
 8 (\$1) is in addition to the one dollar (\$1) received under
 9 subdivision (1)(B).
- 10 (3) Except as provided in subsection (k), ten cents (\$0.10) of the
 11 admissions tax collected by the licensed owner for each person:
 12 (A) embarking on a gambling excursion during the quarter; or
 13 (B) admitted to a riverboat during the quarter that has
 14 implemented flexible scheduling under IC 4-33-6-21;
 15 shall be paid to the county convention and visitors bureau or
 16 promotion fund for the county in which the riverboat is docked.
- 17 (4) Except as provided in subsection (k), fifteen cents (\$0.15) of
 18 the admissions tax collected by the licensed owner for each
 19 person:
 20 (A) embarking on a gambling excursion during the quarter; or
 21 (B) admitted to a riverboat during a quarter that has
 22 implemented flexible scheduling under IC 4-33-6-21;
 23 shall be paid to the state fair commission, for use in any activity
 24 that the commission is authorized to carry out under IC 15-13-3.
- 25 (5) Except as provided in subsection (k), ten cents (\$0.10) of the
 26 admissions tax collected by the licensed owner for each person:
 27 (A) embarking on a gambling excursion during the quarter; or
 28 (B) admitted to a riverboat during the quarter that has
 29 implemented flexible scheduling under IC 4-33-6-21;
 30 shall be paid to the division of mental health and addiction. The
 31 division shall allocate at least twenty-five percent (25%) of the
 32 funds derived from the admissions tax to the prevention and
 33 treatment of compulsive gambling.
- 34 (6) Except as provided in subsection (k), *and section 7 of this*
 35 *chapter*, sixty-five cents (\$0.65) of the admissions tax collected
 36 by the licensed owner for each person embarking on a gambling
 37 excursion during the quarter or admitted to a riverboat during the
 38 quarter that has implemented flexible scheduling under
 39 IC 4-33-6-21 shall be paid to the *Indiana horse racing*
 40 *commission to be distributed as follows, in amounts determined*
 41 *by the Indiana horse racing commission, for the promotion and*
 42 *operation of horse racing in Indiana:*
 43 (A) *To one (1) or more breed development funds established*
 44 *by the Indiana horse racing commission under IC 4-31-11-10.*
 45 (B) *To a racetrack that was approved by the Indiana horse*
 46 *racing commission under IC 4-31. The commission may make*



1 *a grant under this clause only for purses, promotions, and*
 2 *routine operations of the racetrack. No grants shall be made*
 3 *for long term capital investment or construction, and no*
 4 *grants shall be made before the racetrack becomes*
 5 *operational and is offering a racing schedule. state general*
 6 *fund.*

7 (c) With respect to tax revenue collected from a riverboat located in
 8 a historic hotel district, the treasurer of state shall quarterly pay the
 9 following:

10 (1) With respect to admissions taxes collected for a person
 11 admitted to the riverboat before July 1, 2010, the following
 12 amounts:

13 (A) Twenty-two percent (22%) of the admissions tax collected
 14 during the quarter shall be paid to the county treasurer of the
 15 county in which the riverboat is located. The county treasurer
 16 shall distribute the money received under this clause as
 17 follows:

18 (i) Twenty-two and seventy-five hundredths percent
 19 (22.75%) shall be quarterly distributed to the county
 20 treasurer of a county having a population of more than forty
 21 thousand (40,000) but less than forty-two thousand (42,000)
 22 for appropriation by the county fiscal body after receiving a
 23 recommendation from the county executive. The county
 24 fiscal body for the receiving county shall provide for the
 25 distribution of the money received under this item to one (1)
 26 or more taxing units (as defined in IC 6-1.1-1-21) in the
 27 county under a formula established by the county fiscal body
 28 after receiving a recommendation from the county executive.

29 (ii) Twenty-two and seventy-five hundredths percent
 30 (22.75%) shall be quarterly distributed to the county
 31 treasurer of a county having a population of more than ten
 32 thousand seven hundred (10,700) but less than twelve
 33 thousand (12,000) for appropriation by the county fiscal
 34 body. The county fiscal body for the receiving county shall
 35 provide for the distribution of the money received under this
 36 item to one (1) or more taxing units (as defined in
 37 IC 6-1.1-1-21) in the county under a formula established by
 38 the county fiscal body after receiving a recommendation
 39 from the county executive.

40 (iii) Fifty-four and five-tenths percent (54.5%) shall be
 41 retained by the county where the riverboat is located for
 42 appropriation by the county fiscal body after receiving a
 43 recommendation from the county executive.

44 (B) Five percent (5%) of the admissions tax collected during
 45 the quarter shall be paid to a town having a population of more
 46 than two thousand (2,000) but less than three thousand five



- 1 hundred (3,500) located in a county having a population of
2 more than nineteen thousand five hundred (19,500) but less
3 than twenty thousand (20,000). At least twenty percent (20%)
4 of the taxes received by a town under this clause must be
5 transferred to the school corporation in which the town is
6 located.
- 7 (C) Five percent (5%) of the admissions tax collected during
8 the quarter shall be paid to a town having a population of more
9 than three thousand five hundred (3,500) located in a county
10 having a population of more than nineteen thousand five
11 hundred (19,500) but less than twenty thousand (20,000). At
12 least twenty percent (20%) of the taxes received by a town
13 under this clause must be transferred to the school corporation
14 in which the town is located.
- 15 (D) Twenty percent (20%) of the admissions tax collected
16 during the quarter shall be paid in equal amounts to each town
17 that:
- 18 (i) is located in the county in which the riverboat is located;
 - 19 and
 - 20 (ii) contains a historic hotel.
- 21 At least twenty percent (20%) of the taxes received by a town
22 under this clause must be transferred to the school corporation
23 in which the town is located.
- 24 (E) Ten percent (10%) of the admissions tax collected during
25 the quarter shall be paid to the Orange County development
26 commission established under IC 36-7-11.5. At least one-third
27 (1/3) of the taxes paid to the Orange County development
28 commission under this clause must be transferred to the
29 Orange County convention and visitors bureau.
- 30 (F) Thirteen percent (13%) of the admissions tax collected
31 during the quarter shall be paid to the West Baden Springs
32 historic hotel preservation and maintenance fund established
33 by IC 36-7-11.5-11(b).
- 34 (G) Twenty-five percent (25%) of the admissions tax collected
35 during the quarter shall be paid to the Indiana economic
36 development corporation to be used by the corporation for the
37 development and implementation of a regional economic
38 development strategy to assist the residents of the county in
39 which the riverboat is located and residents of contiguous
40 counties in improving their quality of life and to help promote
41 successful and sustainable communities. The regional
42 economic development strategy must include goals concerning
43 the following issues:
- 44 (i) Job creation and retention.
 - 45 (ii) Infrastructure, including water, wastewater, and storm
46 water infrastructure needs.



- 1 (iii) Housing.
 2 (iv) Workforce training.
 3 (v) Health care.
 4 (vi) Local planning.
 5 (vii) Land use.
 6 (viii) Assistance to regional economic development groups.
 7 (ix) Other regional development issues as determined by the
 8 Indiana economic development corporation.
- 9 (2) With respect to admissions taxes collected for a person
 10 admitted to the riverboat after June 30, 2010, the following
 11 amounts:
- 12 (A) Twenty-nine and thirty-three hundredths percent (29.33%)
 13 to the county treasurer of Orange County. The county treasurer
 14 shall distribute the money received under this clause as
 15 follows:
- 16 (i) Twenty-two and seventy-five hundredths percent
 17 (22.75%) to the county treasurer of Dubois County for
 18 distribution in the manner described in subdivision
 19 (1)(A)(i).
 20 (ii) Twenty-two and seventy-five hundredths percent
 21 (22.75%) to the county treasurer of Crawford County for
 22 distribution in the manner described in subdivision
 23 (1)(A)(ii).
 24 (iii) Fifty-four and five-tenths percent (54.5%) to be retained
 25 by the county treasurer of Orange County for appropriation
 26 by the county fiscal body after receiving a recommendation
 27 from the county executive.
- 28 (B) Six and sixty-seven hundredths percent (6.67%) to the
 29 fiscal officer of the town of Orleans. At least twenty percent
 30 (20%) of the taxes received by the town under this clause must
 31 be transferred to Orleans Community Schools.
- 32 (C) Six and sixty-seven hundredths percent (6.67%) to the
 33 fiscal officer of the town of Paoli. At least twenty percent
 34 (20%) of the taxes received by the town under this clause must
 35 be transferred to the Paoli Community School Corporation.
- 36 (D) Twenty-six and sixty-seven hundredths percent (26.67%)
 37 to be paid in equal amounts to the fiscal officers of the towns
 38 of French Lick and West Baden Springs. At least twenty
 39 percent (20%) of the taxes received by a town under this
 40 clause must be transferred to the Springs Valley Community
 41 School Corporation.
- 42 (E) Thirty and sixty-six hundredths percent (30.66%) to the
 43 Indiana economic development corporation to be used in the
 44 manner described in subdivision (1)(G).
- 45 (d) With respect to tax revenue collected from a riverboat that
 46 operates from a county having a population of more than four hundred



1 thousand (400,000) but less than seven hundred thousand (700,000),
2 the treasurer of state shall quarterly pay the following amounts:

3 (1) Except as provided in subsection (k), one dollar (\$1) of the
4 admissions tax collected by the licensed owner for each person:

5 (A) embarking on a gambling excursion during the quarter; or

6 (B) admitted to a riverboat during the quarter that has
7 implemented flexible scheduling under IC 4-33-6-21;

8 shall be paid to the city in which the riverboat is docked.

9 (2) Except as provided in subsection (k), one dollar (\$1) of the
10 admissions tax collected by the licensed owner for each person:

11 (A) embarking on a gambling excursion during the quarter; or

12 (B) admitted to a riverboat during the quarter that has
13 implemented flexible scheduling under IC 4-33-6-21;

14 shall be paid to the county in which the riverboat is docked.

15 (3) Except as provided in subsection (k), nine cents (\$0.09) of the
16 admissions tax collected by the licensed owner for each person:

17 (A) embarking on a gambling excursion during the quarter; or

18 (B) admitted to a riverboat during the quarter that has
19 implemented flexible scheduling under IC 4-33-6-21;

20 shall be paid to the county convention and visitors bureau or
21 promotion fund for the county in which the riverboat is docked.

22 (4) Except as provided in subsection (k), one cent (\$0.01) of the
23 admissions tax collected by the licensed owner for each person:

24 (A) embarking on a gambling excursion during the quarter; or

25 (B) admitted to a riverboat during the quarter that has
26 implemented flexible scheduling under IC 4-33-6-21;

27 shall be paid to the northwest Indiana law enforcement training
28 center.

29 (5) Except as provided in subsection (k), fifteen cents (\$0.15) of
30 the admissions tax collected by the licensed owner for each
31 person:

32 (A) embarking on a gambling excursion during the quarter; or

33 (B) admitted to a riverboat during a quarter that has
34 implemented flexible scheduling under IC 4-33-6-21;

35 shall be paid to the state fair commission for use in any activity
36 that the commission is authorized to carry out under IC 15-13-3.

37 (6) Except as provided in subsection (k), ten cents (\$0.10) of the
38 admissions tax collected by the licensed owner for each person:

39 (A) embarking on a gambling excursion during the quarter; or

40 (B) admitted to a riverboat during the quarter that has
41 implemented flexible scheduling under IC 4-33-6-21;

42 shall be paid to the division of mental health and addiction. The
43 division shall allocate at least twenty-five percent (25%) of the
44 funds derived from the admissions tax to the prevention and
45 treatment of compulsive gambling.

46 (7) Except as provided in subsection (k), *and section 7 of this*



1 ~~chapter~~, sixty-five cents (\$0.65) of the admissions tax collected
 2 by the licensed owner for each person embarking on a gambling
 3 excursion during the quarter or admitted to a riverboat during the
 4 quarter that has implemented flexible scheduling under
 5 IC 4-33-6-21 shall be paid to the *Indiana horse racing*
 6 *commission to be distributed as follows; in amounts determined*
 7 *by the Indiana horse racing commission; for the promotion and*
 8 *operation of horse racing in Indiana:*

9 *(A) To one (1) or more breed development funds established*
 10 *by the Indiana horse racing commission under IC 4-31-11-10:*

11 *(B) To a racetrack that was approved by the Indiana horse*
 12 *racing commission under IC 4-31. The commission may make*
 13 *a grant under this clause only for purses, promotions, and*
 14 *routine operations of the racetrack. No grants shall be made*
 15 *for long term capital investment or construction; and no*
 16 *grants shall be made before the racetrack becomes*
 17 *operational and is offering a racing schedule: state general*
 18 *fund.*

19 (e) Money paid to a unit of local government under subsection (b),
 20 (c), or (d):

21 (1) must be paid to the fiscal officer of the unit and may be
 22 deposited in the unit's general fund or riverboat fund established
 23 under IC 36-1-8-9, or both;

24 (2) may not be used to reduce the unit's maximum levy under
 25 IC 6-1.1-18.5 but may be used at the discretion of the unit to
 26 reduce the property tax levy of the unit for a particular year;

27 (3) may be used for any legal or corporate purpose of the unit,
 28 including the pledge of money to bonds, leases, or other
 29 obligations under IC 5-1-14-4; and

30 (4) is considered miscellaneous revenue.

31 (f) Money paid by the treasurer of state under subsection (b)(3) or
 32 (d)(3) shall be:

33 (1) deposited in:

34 (A) the county convention and visitor promotion fund; or

35 (B) the county's general fund if the county does not have a
 36 convention and visitor promotion fund; and

37 (2) used only for the tourism promotion, advertising, and
 38 economic development activities of the county and community.

39 (g) Money received by the division of mental health and addiction
 40 under subsections (b)(5) and (d)(6):

41 (1) is annually appropriated to the division of mental health and
 42 addiction;

43 (2) shall be distributed to the division of mental health and
 44 addiction at times during each state fiscal year determined by the
 45 budget agency; and

46 (3) shall be used by the division of mental health and addiction



1 for programs and facilities for the prevention and treatment of
 2 addictions to drugs, alcohol, and compulsive gambling, including
 3 the creation and maintenance of a toll free telephone line to
 4 provide the public with information about these addictions. The
 5 division shall allocate at least twenty-five percent (25%) of the
 6 money received to the prevention and treatment of compulsive
 7 gambling.

8 (h) This subsection applies to the following:

9 (1) Each entity receiving money under subsection ~~(b)~~ (b)(1)
 10 through (b)(5).

11 (2) Each entity receiving money under subsection (d)(1) through
 12 (d)(2).

13 (3) Each entity receiving money under subsection (d)(5) through
 14 ~~(d)(7)~~ (d)(6).

15 The treasurer of state shall determine the total amount of money paid
 16 by the treasurer of state to an entity subject to this subsection during
 17 the state fiscal year 2002. The amount determined under this subsection
 18 is the base year revenue for each entity subject to this subsection. The
 19 treasurer of state shall certify the base year revenue determined under
 20 this subsection to each entity subject to this subsection.

21 (i) This subsection applies to an entity receiving money under
 22 subsection (d)(3) or (d)(4). The treasurer of state shall determine the
 23 total amount of money paid by the treasurer of state to the entity
 24 described in subsection (d)(3) during state fiscal year 2002. The
 25 amount determined under this subsection multiplied by nine-tenths
 26 (0.9) is the base year revenue for the entity described in subsection
 27 (d)(3). The amount determined under this subsection multiplied by
 28 one-tenth (0.1) is the base year revenue for the entity described in
 29 subsection (d)(4). The treasurer of state shall certify the base year
 30 revenue determined under this subsection to each entity subject to this
 31 subsection.

32 (j) This subsection does not apply to an entity receiving money
 33 under subsection (c). *For state fiscal years beginning after June 30;*
 34 ~~2002~~; The total amount of money distributed to an entity under this
 35 section during a state fiscal year may not exceed the entity's base year
 36 revenue as determined under subsection (h) or (i). If the treasurer of
 37 state determines that the total amount of money distributed to an entity
 38 under this section during a state fiscal year is less than the entity's base
 39 year revenue, the treasurer of state shall make a supplemental
 40 distribution to the entity under ~~IC 4-33-13-5(g)~~ IC 4-33-13-5.

41 (k) This subsection does not apply to an entity receiving money
 42 under subsection (c). *For state fiscal years beginning after June 30;*
 43 ~~2002~~; The treasurer of state shall pay that part of the riverboat
 44 admissions taxes that:

45 (1) exceeds a particular entity's base year revenue; and

46 (2) would otherwise be due to the entity under this section;



1 to the state general fund instead of to the entity.

2 SECTION 9. IC 4-33-13-5, AS AMENDED BY P.L.229-2013,
3 SECTION 21, AND AS AMENDED BY P.L.205-2013, SECTION 70,
4 IS CORRECTED AND AMENDED TO READ AS FOLLOWS
5 [EFFECTIVE UPON PASSAGE]: Sec. 5. (a) This subsection does not
6 apply to tax revenue remitted by an operating agent operating a
7 riverboat in a historic hotel district. After funds are appropriated under
8 section 4 of this chapter, each month the treasurer of state shall
9 distribute the tax revenue deposited in the state gaming fund under this
10 chapter to the following:

11 (1) The first thirty-three million dollars (\$33,000,000) of tax
12 revenues collected under this chapter shall be set aside for
13 revenue sharing under subsection (e).

14 (2) Subject to subsection (c), twenty-five percent (25%) of the
15 remaining tax revenue remitted by each licensed owner shall be
16 paid:

17 (A) to the city that is designated as the home dock of the
18 riverboat from which the tax revenue was collected, in the case
19 of:

20 (i) a city described in IC 4-33-12-6(b)(1)(A); or

21 (ii) a city located in a county having a population of more
22 than four hundred thousand (400,000) but less than seven
23 hundred thousand (700,000); or

24 (B) to the county that is designated as the home dock of the
25 riverboat from which the tax revenue was collected, in the case
26 of a riverboat whose home dock is not in a city described in
27 clause (A).

28 (3) Subject to subsection (d), the remainder of the tax revenue
29 remitted by each licensed owner shall be paid to the state general
30 fund. In each state fiscal year, the treasurer of state shall make the
31 transfer required by this subdivision not later than the last
32 business day of the month in which the tax revenue is remitted to
33 the state for deposit in the state gaming fund. However, if tax
34 revenue is received by the state on the last business day in a
35 month, the treasurer of state may transfer the tax revenue to the
36 state general fund in the immediately following month.

37 (b) This subsection applies only to tax revenue remitted by an
38 operating agent operating a riverboat in a historic hotel district. After
39 funds are appropriated under section 4 of this chapter, each month the
40 treasurer of state shall distribute the tax revenue remitted by the
41 operating agent under this chapter as follows:

42 (1) Thirty-seven and one-half percent (37.5%) shall be paid to the
43 state general fund.

44 (2) Nineteen percent (19%) shall be paid to the West Baden
45 Springs historic hotel preservation and maintenance fund
46 established by IC 36-7-11.5-11(b). However, at any time the



1 balance in that fund exceeds twenty million dollars
2 (\$20,000,000), the amount described in this subdivision shall be
3 paid to the state general fund.

4 (3) Eight percent (8%) shall be paid to the Orange County
5 development commission established under IC 36-7-11.5.

6 (4) Sixteen percent (16%) shall be paid in equal amounts to each
7 town that is located in the county in which the riverboat is located
8 and contains a historic hotel. The following apply to taxes
9 received by a town under this subdivision:

10 (A) At least twenty-five percent (25%) of the taxes must be
11 transferred to the school corporation in which the town is
12 located.

13 (B) At least twelve and five-tenths percent (12.5%) of the
14 taxes imposed on adjusted gross receipts received after June
15 30, 2010, must be transferred to the Orange County
16 development commission established by IC 36-7-11.5-3.5.

17 (5) Nine percent (9%) shall be paid to the county treasurer of the
18 county in which the riverboat is located. The county treasurer
19 shall distribute the money received under this subdivision as
20 follows:

21 (A) Twenty-two and twenty-five hundredths percent (22.25%)
22 shall be quarterly distributed to the county treasurer of a
23 county having a population of more than forty thousand
24 (40,000) but less than forty-two thousand (42,000) for
25 appropriation by the county fiscal body after receiving a
26 recommendation from the county executive. The county fiscal
27 body for the receiving county shall provide for the distribution
28 of the money received under this clause to one (1) or more
29 taxing units (as defined in IC 6-1.1-1-21) in the county under
30 a formula established by the county fiscal body after receiving
31 a recommendation from the county executive.

32 (B) Twenty-two and twenty-five hundredths percent (22.25%)
33 shall be quarterly distributed to the county treasurer of a
34 county having a population of more than ten thousand seven
35 hundred (10,700) but less than twelve thousand (12,000) for
36 appropriation by the county fiscal body after receiving a
37 recommendation from the county executive. The county fiscal
38 body for the receiving county shall provide for the distribution
39 of the money received under this clause to one (1) or more
40 taxing units (as defined in IC 6-1.1-1-21) in the county under
41 a formula established by the county fiscal body after receiving
42 a recommendation from the county executive.

43 (C) Fifty-five and five-tenths percent (55.5%) shall be retained
44 by the county in which the riverboat is located for
45 appropriation by the county fiscal body after receiving a
46 recommendation from the county executive.



- 1 (6) Five percent (5%) shall be paid to a town having a population
 2 of more than two thousand (2,000) but less than three thousand
 3 five hundred (3,500) located in a county having a population of
 4 more than nineteen thousand five hundred (19,500) but less than
 5 twenty thousand (20,000). At least forty percent (40%) of the
 6 taxes received by a town under this subdivision must be
 7 transferred to the school corporation in which the town is located.
- 8 (7) Five percent (5%) shall be paid to a town having a population
 9 of more than three thousand five hundred (3,500) located in a
 10 county having a population of more than nineteen thousand five
 11 hundred (19,500) but less than twenty thousand (20,000). At least
 12 forty percent (40%) of the taxes received by a town under this
 13 subdivision must be transferred to the school corporation in which
 14 the town is located.
- 15 (8) Five-tenths percent (0.5%) of the taxes imposed on adjusted
 16 gross receipts received after June 30, 2010, shall be paid to the
 17 Indiana economic development corporation established by
 18 IC 5-28-3-1.
- 19 (c) For each city and county receiving money under subsection
 20 (a)(2), the treasurer of state shall determine the total amount of money
 21 paid by the treasurer of state to the city or county during the state fiscal
 22 year 2002. The amount determined is the base year revenue for the city
 23 or county. The treasurer of state shall certify the base year revenue
 24 determined under this subsection to the city or county. The total
 25 amount of money distributed to a city or county under this section
 26 during a state fiscal year may not exceed the entity's base year revenue.
 27 For each state fiscal year, the treasurer of state shall pay that part of the
 28 riverboat wagering taxes that:
- 29 (1) exceeds a particular city's or county's base year revenue; and
 - 30 (2) would otherwise be due to the city or county under this
 31 section;
- 32 to the state general fund instead of to the city or county.
- 33 (d) Each state fiscal year the treasurer of state shall transfer from the
 34 tax revenue remitted to the state general fund under subsection (a)(3)
 35 to the build Indiana fund an amount that when added to the following
 36 may not exceed two hundred fifty million dollars (\$250,000,000):
- 37 (1) Surplus lottery revenues under IC 4-30-17-3.
 - 38 (2) Surplus revenue from the charity gaming enforcement fund
 39 under IC 4-32.2-7-7.
 - 40 (3) Tax revenue from pari-mutuel wagering under IC 4-31-9-3.
- 41 The treasurer of state shall make transfers on a monthly basis as needed
 42 to meet the obligations of the build Indiana fund. If in any state fiscal
 43 year insufficient money is transferred to the state general fund under
 44 subsection (a)(3) to comply with this subsection, the treasurer of state
 45 shall reduce the amount transferred to the build Indiana fund to the
 46 amount available in the state general fund from the transfers under



1 subsection (a)(3) for the state fiscal year.

2 (e) Before August 15 of each year, the treasurer of state shall
3 distribute the wagering taxes set aside for revenue sharing under
4 subsection (a)(1) to the county treasurer of each county that does not
5 have a riverboat according to the ratio that the county's population
6 bears to the total population of the counties that do not have a
7 riverboat. Except as provided in subsection (h), the county auditor shall
8 distribute the money received by the county under this subsection as
9 follows:

10 (1) To each city located in the county according to the ratio the
11 city's population bears to the total population of the county.

12 (2) To each town located in the county according to the ratio the
13 town's population bears to the total population of the county.

14 (3) After the distributions required in subdivisions (1) and (2) are
15 made, the remainder shall be retained by the county.

16 (f) Money received by a city, town, or county under subsection (e)
17 or (h) may be used for any of the following purposes:

18 (1) To reduce the property tax levy of the city, town, or county for
19 a particular year (a property tax reduction under this subdivision
20 does not reduce the maximum levy of the city, town, or county
21 under IC 6-1.1-18.5).

22 (2) For deposit in a special fund or allocation fund created under
23 IC 8-22-3.5, IC 36-7-14, IC 36-7-14.5, IC 36-7-15.1, and
24 IC 36-7-30 to provide funding for debt repayment.

25 (3) To fund sewer and water projects, including storm water
26 management projects.

27 (4) For police and fire pensions.

28 (5) To carry out any governmental purpose for which the money
29 is appropriated by the fiscal body of the city, town, or county.
30 Money used under this subdivision does not reduce the property
31 tax levy of the city, town, or county for a particular year or reduce
32 the maximum levy of the city, town, or county under
33 IC 6-1.1-18.5.

34 (g) This subsection does not apply to an entity receiving money
35 under IC 4-33-12-6(c). Before September 15 of each year, the treasurer
36 of state shall determine the total amount of money distributed to an
37 entity under IC 4-33-12-6 during the preceding state fiscal year. If the
38 treasurer of state determines that the total amount of money distributed
39 to an entity under IC 4-33-12-6 during the preceding state fiscal year
40 was less than the entity's base year revenue (as determined under
41 IC 4-33-12-6), the treasurer of state shall make a supplemental
42 distribution to the entity from taxes collected under this chapter and
43 deposited into the state general fund. *Except as provided in subsection*
44 *(i) or (j)*, the amount of an entity's supplemental distribution is equal to:

45 (1) the entity's base year revenue (as determined under
46 IC 4-33-12-6); minus



- 1 (2) the sum of:
 2 (A) the total amount of money distributed to the entity during
 3 the preceding state fiscal year under IC 4-33-12-6; plus
 4 (B) any amounts deducted under IC 6-3.1-20-7.
- 5 (h) This subsection applies only to a county containing a
 6 consolidated city. The county auditor shall distribute the money
 7 received by the county under subsection (e) as follows:
 8 (1) To each city, other than a consolidated city, located in the
 9 county according to the ratio that the city's population bears to the
 10 total population of the county.
 11 (2) To each town located in the county according to the ratio that
 12 the town's population bears to the total population of the county.
 13 (3) After the distributions required in subdivisions (1) and (2) are
 14 made, the remainder shall be paid in equal amounts to the
 15 consolidated city and the county.
- 16 *(i) This subsection applies only to the Indiana horse racing*
 17 *commission. For each state fiscal year the amount of the Indiana horse*
 18 *racing commission's supplemental distribution under subsection (g)*
 19 *must be reduced by the amount required to comply with*
 20 *IC 4-33-12-7(a).*
- 21 *(j) (i) This subsection applies to a supplemental distribution made*
 22 *after June 30, 2013. The maximum amount of money that may be*
 23 *distributed under subsection (g) in a state fiscal year is forty-eight*
 24 *million dollars (\$48,000,000). If the total amount determined under*
 25 *subsection (g) exceeds forty-eight million dollars (\$48,000,000), the*
 26 *amount distributed to an entity under subsection (g) must be reduced*
 27 *according to the ratio that the amount distributed to the entity under*
 28 *IC 4-33-12-6 bears to the total amount distributed under IC 4-33-12-6*
 29 *to all entities receiving a supplemental distribution.*
- 30 SECTION 10. IC 5-1-17.5-16, AS ADDED BY P.L.233-2013,
 31 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 32 UPON PASSAGE]: Sec. 16. (a) The board of directors of the
 33 commission is composed of the following five (5) directors, who serve
 34 at the pleasure of the governor and must be residents of Indiana:
 35 (1) The budget director, or the budget director's designee, who
 36 shall serve as chair of the commission.
 37 (2) Four (4) directors appointed by the governor. The president
 38 pro tempore of the senate and the speaker of the house of
 39 representatives may each make one (1) recommendation to the
 40 governor concerning the appointment of a director under this
 41 subdivision.
 42 (b) The commission shall be governed by the board. The directors
 43 may not be elected public officials of the state or any political
 44 subdivision. Except for the budget director, the directors first appointed
 45 continue in office for terms expiring on July 1, 2014, July 1, 2015, July
 46 1, 2016, and July 1, 2017, and until their respective successors are duly



1 appointed and qualified.

2 (c) Except for the budget director, the term of any director first
3 appointed must be designated by the governor. If a vacancy occurs on
4 the board, the governor shall fill the vacancy by appointing a new
5 director. The successor of each such director is appointed for a term of
6 four (4) years, except that any person appointed to fill a vacancy is
7 appointed to serve only for the unexpired term and until a successor is
8 duly appointed and qualified. A director is eligible for reappointment.

9 (d) The directors shall hold an initial organizational meeting within
10 thirty (30) days after the board's appointment and after public notice
11 given by the budget director in accordance with IC 5-3-1-4. As soon as
12 practicable after January 15 of each year, the board shall hold its
13 annual organizational meeting. The board shall elect one (1) of the
14 directors as vice chair and another director as secretary-treasurer to
15 perform the duties of those offices. These officers serve from the date
16 of their election and until their successors are elected and qualified.
17 Special meetings may be called by the chair or any two (2) directors of
18 the board.

19 (e) Three (3) directors constitute a quorum of the ~~commission;~~
20 **board**, and the affirmative vote of at least three (3) directors is
21 necessary for any official action taken by the board. A vacancy in the
22 membership of the board does not impair the rights of a quorum to
23 exercise all the rights and perform all the duties of the board.

24 (f) Except for the budget director, the directors are entitled to
25 reimbursement for traveling expenses and other expenses actually
26 incurred in connection with their duties as provided by law. Directors
27 are not entitled to the salary per diem provided by IC 4-10-11-2.1(b) or
28 any other compensation while performing their duties.

29 (g) All expenses incurred in carrying out the provisions of this
30 chapter shall be payable solely from funds provided under this chapter
31 or from the proceeds of bonds issued by the authority under this
32 chapter, and no liability or obligation shall be incurred by the
33 commission or the authority under this chapter beyond the extent to
34 which money shall have been provided under the authority of this
35 chapter.

36 (h) The board:

37 (1) is responsible for implementing the powers and duties of the
38 commission under this chapter;

39 (2) may adopt bylaws for the regulation of the affairs of the board,
40 the conduct of the business of the commission, and the
41 safeguarding of the funds and property entrusted to the
42 commission; and

43 (3) shall, without complying with IC 4-22-2, adopt the code of
44 ethics specified in executive order 05-12 for its members and
45 employees.

46 SECTION 11. IC 5-1-17.5-18, AS ADDED BY P.L.233-2013,



1 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 2 UPON PASSAGE]: Sec. 18. The authority shall provide staff support
 3 for the commission and pay all expenses of the commission from funds
 4 transferred to the commission from the motorsports investment district
 5 fund established under section 30 of this chapter. In providing such
 6 staff, the authority may employ, without the approval of the attorney
 7 general or any other state officer, any accounting and technical experts,
 8 attorneys, and other officers, employees, and agents, permanent or
 9 temporary, as may be necessary in the authority's judgment to carry out
 10 the efficient operation of the commission, including professionals who
 11 can prepare a report on the matters to be considered in making the
 12 findings of the ~~board~~ **commission** set forth in section 24 of this chapter,
 13 and the commission may fix their compensation and title. Employees
 14 of the authority employed under this section shall not be considered
 15 employees of the state.

16 SECTION 12. IC 5-2-10.1-10, AS AMENDED BY P.L.205-2013,
 17 SECTION 74, AND AS AMENDED BY P.L.172-2013, SECTION 4,
 18 IS CORRECTED AND AMENDED TO READ AS FOLLOWS
 19 [EFFECTIVE UPON PASSAGE]: Sec. 10. (a) A county may establish
 20 a county school safety commission.

21 (b) The members of the commission are as follows:

22 (1) The school safety specialist for each school corporation
 23 located in whole or in part in the county.

24 (2) The judge of the court having juvenile jurisdiction in the
 25 county or the judge's designee.

26 (3) The sheriff of the county or the sheriff's designee.

27 (4) The chief officer of every other law enforcement agency in the
 28 county, or the chief officer's designee.

29 (5) A representative of the juvenile probation system, appointed
 30 by the judge described under subdivision (2).

31 (6) Representatives of community agencies that work with
 32 children within the county.

33 (7) A representative of the Indiana state police district that serves
 34 the county.

35 (8) A representative of the prosecuting attorneys council of
 36 Indiana who specializes in the prosecution of juveniles.

37 (9) Other appropriate individuals selected by the commission.

38 (c) If a commission is established, the school safety specialist of the
 39 school corporation having the largest ADM (as defined in
 40 IC 20-18-2-2), *as determined in the fall count of ADM in the school*
 41 *year ending in the current calendar year*, in the county shall convene
 42 the initial meeting of the commission.

43 (d) The members shall annually elect a chairperson.

44 (e) A commission shall perform the following duties:

45 (1) Perform a cumulative analysis of school safety needs within
 46 the county.



- 1 (2) Coordinate and make recommendations for the following:
 2 (A) Prevention of juvenile offenses and improving the
 3 reporting of juvenile offenses within the schools.
 4 (B) Proposals for identifying and assessing children who are
 5 at high risk of becoming juvenile offenders.
 6 (C) Methods to meet the educational needs of children who
 7 have been detained as juvenile offenders.
 8 (D) Methods to improve communications among agencies that
 9 work with children.
 10 (E) Methods to improve security and emergency preparedness.
 11 (F) Additional equipment or personnel that are necessary to
 12 carry out safety plans.
 13 (G) Any other topic the commission considers necessary to
 14 improve school safety within the school corporations within
 15 the commission's jurisdiction.
- 16 (3) Provide assistance to the school safety specialists on the
 17 commission in developing and requesting grants for safety plans.
- 18 (4) Provide assistance to the school safety specialists on the
 19 commission and the participating school corporations in
 20 developing and requesting grants for school safe haven programs
 21 under section 7 of this chapter.
- 22 (5) Assist each participating school corporation in carrying out
 23 the school corporation's safety plans.
- 24 (f) The affirmative votes of a majority of the voting members of the
 25 commission are required for the commission to take action on a
 26 measure.
- 27 (g) *A commission shall receive the school safety plans described in*
 28 ~~IC 20-26-18.2-2(c)~~ **IC 20-26-18.2-2** *for the schools and school*
 29 *corporations located in the county. The commission may share the*
 30 *school safety plans with law enforcement agencies.*
- 31 SECTION 13. IC 5-2-10.1-12, AS AMENDED BY P.L.172-2013,
 32 SECTION 5, AS AMENDED BY P.L.285-2013, SECTION 1, AND
 33 AS AMENDED BY P.L.190-2013, SECTION 3, IS CORRECTED
 34 AND AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON
 35 PASSAGE]: Sec. 12. (a) Each school within a school corporation shall
 36 establish a safe school committee. The committee may be a
 37 subcommittee of the committee that develops the strategic and
 38 continuous school improvement and achievement plan under
 39 IC 20-31-5.
- 40 (b) The department of education, ~~and~~ the school corporation's
 41 school safety specialist, *and, upon request, a school resource officer*
 42 *(as described in IC 20-26-18.2-1)* shall provide materials *and*
 43 *guidelines* to assist a safe school committee in developing a plan *and*
 44 *policy* for the school that addresses the following issues:
- 45 (1) Unsafe conditions, crime prevention, school violence,
 46 bullying, *criminal gang activity*, and other issues that prevent the



- 1 maintenance of a safe school.
- 2 (2) Professional development needs for faculty and staff to
- 3 implement methods that decrease problems identified under
- 4 subdivision (1).
- 5 (3) Methods to encourage:
- 6 (A) involvement by the community and students;
- 7 (B) development of relationships between students and school
- 8 faculty and staff; and
- 9 (C) use of problem solving teams.
- 10 (c) As a part of the plan developed under subsection (b), each safe
- 11 school committee shall provide a copy of the floor plans for each
- 12 building located on the school's property that clearly indicates each
- 13 exit, the interior rooms and hallways, and the location of any hazardous
- 14 materials located in the building to the law enforcement agency and the
- 15 fire department that have jurisdiction over the school.
- 16 (d) *The guidelines developed under subsection (b) must include age*
- 17 *appropriate, research based information that assists school*
- 18 *corporations and safe school committees in:*
- 19 (1) *developing and implementing bullying prevention programs;*
- 20 (2) *establishing investigation and reporting procedures related*
- 21 *to bullying; and*
- 22 (3) *adopting discipline rules that comply with IC 20-33-8-13.5.*
- 23 (e) *In addition to developing guidelines under subsection (b), the*
- 24 *department of education shall establish categories of types of bullying*
- 25 *incidents to allow school corporations to use the categories in making*
- 26 *reports under IC 20-20-8-8 and IC 20-34-6-1.*
- 27 SECTION 14. IC 5-10.2-4-8, AS AMENDED BY P.L.195-2013,
- 28 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 29 UPON PASSAGE]: Sec. 8. (a) Subject to subsection (g), if a member
- 30 who is receiving retirement benefits becomes reemployed in a position
- 31 covered by this article more than thirty (30) days after the member's
- 32 retirement, the member's retirement benefit payments continue.
- 33 (b) This subsection applies only to a retired member of the public
- 34 employees' retirement fund who, before July 1, 2013, begins a period
- 35 of reemployment in a covered position more than thirty (30) days after
- 36 the member's retirement. The member shall begin making contributions
- 37 as required in IC 5-10.2-3-2, and the member's employer shall make
- 38 contributions throughout the member's period of reemployment.
- 39 (c) If a member who is receiving retirement benefits is reemployed
- 40 in a position covered by this article not more than thirty (30) days after
- 41 the member's retirement, the member's retirement benefits shall stop,
- 42 the member shall begin making contributions as required by
- 43 IC 5-10.2-3-2, and employer contributions shall be made throughout
- 44 the period of reemployment.
- 45 (d) This subsection applies only to a retired member of the public
- 46 employees' retirement fund who, before July 1, 2013, begins a period



1 of ~~reemployment~~ **reemployment** in a covered position more than thirty
 2 (30) days after the member's retirement. If a retired member is
 3 reemployed in a position covered by this article, section 10 of this
 4 chapter applies to the member upon the member's retirement from
 5 reemployment.

6 (e) Subject to subsection (g), and except for a member described in
 7 IC 5-10.2-3-3(a)(2), the following apply to a retired member who
 8 begins a period of reemployment in a covered position more than thirty
 9 (30) days after the member's retirement:

10 (1) The member's retirement benefit payments continue during the
 11 member's period of reemployment without regard to the amount
 12 of the member's earnings from the covered position.

13 (2) The member may not make contributions under IC 5-10.2-3-2,
 14 IC 5-10.3-7-9, or IC 5-10.4-4-11 during the member's period of
 15 reemployment.

16 (3) The member's employer may not make contributions under
 17 IC 5-10.2-2-11, IC 5-10.3-7-9, or IC 5-10.4-4-11 for or on behalf
 18 of the member during the member's period of reemployment.

19 (4) The member does not earn creditable service under
 20 IC 5-10.2-3-1 for the member's period of reemployment.

21 (5) The member is not entitled to an additional benefit under
 22 sections 9 and 10 of this chapter for the member's period of
 23 reemployment.

24 (f) The thirty (30) day period provided for in this section may be
 25 implemented unless the board receives a determination from the
 26 Internal Revenue Service prohibiting the implementation.

27 (g) After July 31, 2009, if, on or before the date the member files an
 28 application for retirement benefits under this article, a member has a
 29 formal or informal agreement with an employer covered by this article
 30 to become reemployed in a position covered by this article after the
 31 member's retirement, regardless of the time frame between the
 32 member's retirement and the member's reemployment, the member's
 33 application for retirement benefits is void, and the following apply to
 34 the member's continued employment:

35 (1) If a member has received a retirement benefit:

36 (A) the member's retirement benefit shall stop; and

37 (B) the member shall repay the amount of the retirement
 38 benefit received.

39 (2) The member shall make contributions as required by
 40 IC 5-10.2-3-2 throughout the period of the member's continued
 41 employment.

42 (3) Employer contributions shall be made throughout the period
 43 of the member's continued employment.

44 (4) The member shall earn creditable service under IC 5-10.2-3-1
 45 for the member's continued employment.

46 (5) When the period of the member's continued employment



1 terminates, the member may again file an application for
2 retirement benefits under this chapter.

3 SECTION 15. IC 5-22-14-11, AS ADDED BY P.L.90-2013,
4 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
5 UPON PASSAGE]: Sec. 11. (a) The Indiana department of
6 administration shall adopt rules under IC 4-22-2 to do the following:

7 (1) Increase contracting opportunities for Indiana veteran owned
8 small businesses described in section 3.5 of this chapter with a
9 goal to procure in each state fiscal year at least three percent (3%)
10 percent of state contracts with Indiana veteran owned small
11 businesses.

12 (2) Develop procurement policies and procedures to accomplish
13 the goal described in subdivision (1), including guidelines to be
14 followed by the Indiana department of administration in
15 conducting the department's procurement efforts.

16 These procurement policies do not apply to a procurement of supplies
17 and services to address immediate and serious government needs at a
18 time of emergency, including a threat to the public health, welfare, or
19 safety that may arise by reason of floods, epidemics, riots, acts of
20 terrorism, major power failures, a threat proclaimed by the President of
21 the United States or the governor, or a threat declared by the
22 commissioner of the Indiana department of administration.

23 (b) The Indiana department of administration shall annually
24 evaluate its progress in meeting the goal described in this section for
25 the previous state fiscal year. Beginning in 2014, after June 30 and
26 before November 1 of each year, the Indiana department of
27 administration shall submit a report to the governor, the Indiana
28 department of veterans' affairs, the commission on military and
29 veterans affairs, and, in an electronic format under IC 5-14-6, the
30 legislative council. The report must include:

31 (1) the percentage goal obtained by the Indiana department of
32 administration during the previous state fiscal year; and

33 (2) a summary of why the Indiana department of administration
34 failed to meet the goal and what actions are being taken by the
35 Indiana department of administration to meet the goal in the
36 current state fiscal year.

37 (c) The Indiana department of administration shall post the report
38 described in subsection (b) on the department's Internet web site not
39 later than thirty (30) days after the report is submitted. The Indiana
40 department of veterans' affairs shall post the report described in
41 subsection (b) on the department's Internet web site not later than thirty
42 (30) days after the report is submitted by the Indiana department of
43 administration.

44 SECTION 16. IC 5-28-28-6, AS AMENDED BY P.L.175-2013,
45 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
46 UPON PASSAGE]: Sec. 6. The economic incentives and compliance



1 report required under section 5 of this chapter must include at least the
2 following:

3 (1) The total **amount of for** each of the following:

4 (A) **The number and amount of** tax credits, loans, and grants
5 contractually awarded by the corporation.

6 (B) **The amount of** investments made by the recipients of the
7 tax credits, loans, and grants.

8 (C) **The number of** actual jobs created and the number of jobs
9 expected through the reporting year, as reviewed by an
10 independent auditing firm chosen by the corporation.

11 (D) **The amount of** recaptured incentives for the reporting
12 year and the total number of recipients.

13 (E) **The number and amount of** tax credits claimed for the
14 reporting year, as reported by the department of state revenue
15 to the corporation by December 31 of each year.

16 (2) With respect to each recipient of a tax credit, loan, or grant
17 referred to in subdivision (1), **the following:**

18 (A) The name, county, and municipality (if any) of the
19 recipient.

20 (B) The amount of tax credits certified to ~~each~~ **the** recipient,
21 and the amount of grants and loans actually paid out, during
22 the term of the agreement.

23 (C) The purpose of the tax credit, loan, or grant.

24 (D) The performance goals for the reporting year, including
25 the following:

26 (i) Numbers of employees to be hired, retained, or trained.

27 (ii) If a financial investment by ~~a~~ **the** recipient was a
28 condition for providing an incentive, the amount of the
29 financial investment that the recipient expects to make in
30 Indiana as a result of the project for which the incentive was
31 granted.

32 (E) Certification by the corporation that ~~each~~ **the** recipient is
33 complying with the terms of the incentive agreement.

34 SECTION 17. IC 6-1.1-8-3, AS AMENDED BY P.L.168-2013,
35 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
36 UPON PASSAGE]: Sec. 3. (a) Except as provided in subsection (c),
37 the following companies are subject to taxation under this chapter:

38 (1) Each company which is engaged in the business of
39 transporting persons or property.

40 (2) Each company which is engaged in the business of selling or
41 distributing electricity, gas, steam, or water.

42 (3) Each company which is engaged in the business of
43 transmitting messages for the general public by wire or airwaves.

44 (4) Each company which is engaged in the business of operating
45 a sewage system or a sewage treatment plant.

46 (b) The companies which are subject to taxation under this chapter



- 1 include, but are not limited to:
- 2 (1) bridge companies;
 - 3 (2) bus companies;
 - 4 (3) express companies;
 - 5 (4) light, heat, or power companies;
 - 6 (5) pipeline companies;
 - 7 (6) railroad companies;
 - 8 (7) railroad car companies;
 - 9 (8) sleeping car companies;
 - 10 (9) street railway companies;
 - 11 (10) telephone, telegraph, or cable companies;
 - 12 (11) tunnel companies; and
 - 13 (12) water distribution companies.
- 14 (c) The following **companies persons** are not subject to taxation
- 15 under this chapter:
- 16 (1) Aviation companies.
 - 17 (2) Broadcasting companies.
 - 18 (3) Television companies.
 - 19 (4) Water transportation companies.
 - 20 (5) Companies which are operated by a municipality or a
 - 21 municipal corporation, except those utility companies owned or
 - 22 held in trust by a first class city.
 - 23 (6) A taxpayer that:
 - 24 (A) is described in subsection (b);
 - 25 (B) owns definite situs property that is located in only one (1)
 - 26 taxing district; and
 - 27 (C) files a personal property tax return for the definite situs
 - 28 property with the county assessor or (if applicable) the
 - 29 township assessor.

30 A taxpayer that meets the requirements of clauses (A) and (B)

31 may elect to file a personal property tax return for the definite

32 situs property with the county assessor or (if applicable) the

33 township assessor, instead of filing a return for the definite situs

34 property under this chapter.
 - 35 (7) A taxpayer that:
 - 36 (A) is participating in a net metering program under 170
 - 37 IAC 4-4.2 or in a feed-in-tariff program offered by a company
 - 38 described in subsection (b)(4); and
 - 39 (B) files a personal property tax return for the property with
 - 40 the county assessor or (if applicable) the township assessor.
- 41 SECTION 18. IC 6-1.1-12-37, AS AMENDED BY P.L.288-2013,
- 42 SECTION 3, AND AS AMENDED BY P.L.203-2013, SECTION 4, IS
- 43 CORRECTED AND AMENDED TO READ AS FOLLOWS
- 44 [EFFECTIVE UPON PASSAGE]: Sec. 37. (a) The following
- 45 definitions apply throughout this section:
- 46 (1) "Dwelling" means any of the following:



- 1 (A) Residential real property improvements that an individual
 2 uses as the individual's residence, including a house or garage.
 3 (B) A mobile home that is not assessed as real property that an
 4 individual uses as the individual's residence.
 5 (C) A manufactured home that is not assessed as real property
 6 that an individual uses as the individual's residence.
 7 (2) "Homestead" means an individual's principal place of
 8 residence:
 9 (A) that is located in Indiana;
 10 (B) that:
 11 (i) the individual owns;
 12 (ii) the individual is buying under a contract; recorded in the
 13 county recorder's office, that provides that the individual is
 14 to pay the property taxes on the residence;
 15 (iii) the individual is entitled to occupy as a
 16 tenant-stockholder (as defined in 26 U.S.C. 216) of a
 17 cooperative housing corporation (as defined in 26 U.S.C.
 18 216); or
 19 (iv) is a residence described in section 17.9 of this chapter
 20 that is owned by a trust if the individual is an individual
 21 described in section 17.9 of this chapter; and
 22 (C) that consists of a dwelling and the real estate, not
 23 exceeding one (1) acre, that immediately surrounds that
 24 dwelling.
 25 Except as provided in subsection (k), the term does not include
 26 property owned by a corporation, partnership, limited liability
 27 company, or other entity not described in this subdivision.
 28 (b) Each year a homestead is eligible for a standard deduction from
 29 the assessed value of the homestead for an assessment date. *Except as*
 30 *provided in subsection (p)*, the deduction provided by this section
 31 applies to property taxes first due and payable for an assessment date
 32 only if an individual has an interest in the homestead described in
 33 subsection (a)(2)(B) on:
 34 (1) the assessment date; or
 35 (2) any date in the same year after an assessment date that a
 36 statement is filed under subsection (e) or section 44 of this
 37 chapter, if the property consists of real property.
 38 Subject to subsection (c), the auditor of the county shall record and
 39 make the deduction for the individual or entity qualifying for the
 40 deduction.
 41 (c) Except as provided in section 40.5 of this chapter, the total
 42 amount of the deduction that a person may receive under this section
 43 for a particular year is the lesser of:
 44 (1) sixty percent (60%) of the assessed value of the real property,
 45 mobile home not assessed as real property, or manufactured home
 46 not assessed as real property; or



- 1 (2) forty-five thousand dollars (\$45,000).
- 2 (d) A person who has sold real property, a mobile home not assessed
3 as real property, or a manufactured home not assessed as real property
4 to another person under a contract that provides that the contract buyer
5 is to pay the property taxes on the real property, mobile home, or
6 manufactured home may not claim the deduction provided under this
7 section with respect to that real property, mobile home, or
8 manufactured home.
- 9 (e) Except as provided in sections 17.8 and 44 of this chapter and
10 subject to section 45 of this chapter, an individual who desires to claim
11 the deduction provided by this section must file a certified statement in
12 duplicate, on forms prescribed by the department of local government
13 finance, with the auditor of the county in which the homestead is
14 located. The statement must include:
- 15 (1) the parcel number or key number of the property and the name
16 of the city, town, or township in which the property is located;
- 17 (2) the name of any other location in which the applicant or the
18 applicant's spouse owns, is buying, or has a beneficial interest in
19 residential real property;
- 20 (3) the names of:
- 21 (A) the applicant and the applicant's spouse (if any):
- 22 (i) as the names appear in the records of the United States
23 Social Security Administration for the purposes of the
24 issuance of a Social Security card and Social Security
25 number; or
- 26 (ii) that they use as their legal names when they sign their
27 names on legal documents;
- 28 if the applicant is an individual; or
- 29 (B) each individual who qualifies property as a homestead
30 under subsection (a)(2)(B) and the individual's spouse (if any):
- 31 (i) as the names appear in the records of the United States
32 Social Security Administration for the purposes of the
33 issuance of a Social Security card and Social Security
34 number; or
- 35 (ii) that they use as their legal names when they sign their
36 names on legal documents;
- 37 if the applicant is not an individual; and
- 38 (4) either:
- 39 (A) the last five (5) digits of the applicant's Social Security
40 number and the last five (5) digits of the Social Security
41 number of the applicant's spouse (if any); or
- 42 (B) if the applicant or the applicant's spouse (if any) ~~do~~ **does**
43 not have a Social Security number, any of the following for
44 that individual:
- 45 (i) The last five (5) digits of the individual's driver's license
46 number.



1 (ii) The last five (5) digits of the individual's state
2 identification card number.

3 (iii) If the individual does not have a driver's license or a
4 state identification card, the last five (5) digits of a control
5 number that is on a document issued to the individual by the
6 federal government and determined by the department of
7 local government finance to be acceptable.

8 If a form or statement provided to the county auditor under this section,
9 IC 6-1.1-22-8.1, or IC 6-1.1-22.5-12 includes the telephone number or
10 part or all of the Social Security number of a party or other number
11 described in subdivision (4)(B) of a party, the telephone number and
12 the Social Security number or other number described in subdivision
13 (4)(B) included are confidential. The statement may be filed in person
14 or by mail. If the statement is mailed, the mailing must be postmarked
15 on or before the last day for filing. The statement applies for that first
16 year and any succeeding year for which the deduction is allowed. With
17 respect to real property, the statement must be completed and dated in
18 the calendar year for which the person desires to obtain the deduction
19 and filed with the county auditor on or before January 5 of the
20 immediately succeeding calendar year. With respect to a mobile home
21 that is not assessed as real property, the person must file the statement
22 during the twelve (12) months before March 31 of the year for which
23 the person desires to obtain the deduction.

24 (f) If an individual who is receiving the deduction provided by this
25 section or who otherwise qualifies property for a deduction under this
26 section:

27 (1) changes the use of the individual's property so that part or all
28 of the property no longer qualifies for the deduction under this
29 section; or

30 (2) is no longer eligible for a deduction under this section on
31 another parcel of property because:

32 (A) the individual would otherwise receive the benefit of more
33 than one (1) deduction under this chapter; or

34 (B) the individual maintains the individual's principal place of
35 residence with another individual who receives a deduction
36 under this section;

37 the individual must file a certified statement with the auditor of the
38 county, notifying the auditor of the change of use, not more than sixty
39 (60) days after the date of that change. An individual who fails to file
40 the statement required by this subsection is liable for any additional
41 taxes that would have been due on the property if the individual had
42 filed the statement as required by this subsection plus a civil penalty
43 equal to ten percent (10%) of the additional taxes due. The civil penalty
44 imposed under this subsection is in addition to any interest and
45 penalties for a delinquent payment that might otherwise be due. One
46 percent (1%) of the total civil penalty collected under this subsection



1 shall be transferred by the county to the department of local
2 government finance for use by the department in establishing and
3 maintaining the homestead property data base under subsection (i) and,
4 to the extent there is money remaining, for any other purposes of the
5 department. This amount becomes part of the property tax liability for
6 purposes of this article.

7 (g) The department of local government finance shall adopt rules or
8 guidelines concerning the application for a deduction under this
9 section.

10 (h) This subsection does not apply to property in the first year for
11 which a deduction is claimed under this section if the sole reason that
12 a deduction is claimed on other property is that the individual or
13 married couple maintained a principal residence at the other property
14 on March 1 in the same year in which an application for a deduction is
15 filed under this section or, if the application is for a homestead that is
16 assessed as personal property, on March 1 in the immediately
17 preceding year and the individual or married couple is moving the
18 individual's or married couple's principal residence to the property that
19 is the subject of the application. Except as provided in subsection (n),
20 the county auditor may not grant an individual or a married couple a
21 deduction under this section if:

22 (1) the individual or married couple, for the same year, claims the
23 deduction on two (2) or more different applications for the
24 deduction; and

25 (2) the applications claim the deduction for different property.

26 (i) The department of local government finance shall provide secure
27 access to county auditors to a homestead property data base that
28 includes access to the homestead owner's name and the numbers
29 required from the homestead owner under subsection (e)(4) for the sole
30 purpose of verifying whether an owner is wrongly claiming a deduction
31 under this chapter or a credit under IC 6-1.1-20.4, IC 6-1.1-20.6, or
32 IC 6-3.5.

33 (j) A county auditor may require an individual to provide evidence
34 proving that the individual's residence is the individual's principal place
35 of residence as claimed in the certified statement filed under subsection
36 (e). The county auditor may limit the evidence that an individual is
37 required to submit to a state income tax return, a valid driver's license,
38 or a valid voter registration card showing that the residence for which
39 the deduction is claimed is the individual's principal place of residence.
40 The department of local government finance shall work with county
41 auditors to develop procedures to determine whether a property owner
42 that is claiming a standard deduction or homestead credit is not eligible
43 for the standard deduction or homestead credit because the property
44 owner's principal place of residence is outside Indiana.

45 (k) As used in this section, "homestead" includes property that
46 satisfies each of the following requirements:



- 1 (1) The property is located in Indiana and consists of a dwelling
 2 and the real estate, not exceeding one (1) acre, that immediately
 3 surrounds that dwelling.
- 4 (2) The property is the principal place of residence of an
 5 individual.
- 6 (3) The property is owned by an entity that is not described in
 7 subsection (a)(2)(B).
- 8 (4) The individual residing on the property is a shareholder,
 9 partner, or member of the entity that owns the property.
- 10 (5) The property was eligible for the standard deduction under
 11 this section on March 1, 2009.
- 12 (l) If a county auditor terminates a deduction for property described
 13 in subsection (k) with respect to property taxes that are:
- 14 (1) imposed for an assessment date in 2009; and
 15 (2) first due and payable in 2010;
- 16 on the grounds that the property is not owned by an entity described in
 17 subsection (a)(2)(B), the county auditor shall reinstate the deduction if
 18 the taxpayer provides proof that the property is eligible for the
 19 deduction in accordance with subsection (k) and that the individual
 20 residing on the property is not claiming the deduction for any other
 21 property.
- 22 (m) For ~~assessments~~ *assessment* dates after 2009, the term
 23 "homestead" includes:
- 24 (1) a deck or patio;
 25 (2) a gazebo; or
 26 (3) another residential yard structure, as defined in rules adopted
 27 by the department of local government finance (other than a
 28 swimming pool);
 29 that is assessed as real property and attached to the dwelling.
- 30 (n) A county auditor shall grant an individual a deduction under this
 31 section regardless of whether the individual and the individual's spouse
 32 claim a deduction on two (2) different applications and each
 33 application claims a deduction for different property if the property
 34 owned by the individual's spouse is located outside Indiana and the
 35 individual files an affidavit with the county auditor containing the
 36 following information:
- 37 (1) The names of the county and state in which the individual's
 38 spouse claims a deduction substantially similar to the deduction
 39 allowed by this section.
- 40 (2) A statement made under penalty of perjury that the following
 41 are true:
- 42 (A) That the individual and the individual's spouse maintain
 43 separate principal places of residence.
- 44 (B) That neither the individual nor the individual's spouse has
 45 an ownership interest in the other's principal place of
 46 residence.



1 (C) That neither the individual nor the individual's spouse has,
 2 for that same year, claimed a standard or substantially similar
 3 deduction for any property other than the property maintained
 4 as a principal place of residence by the respective individuals.
 5 A county auditor may require an individual or an individual's spouse to
 6 provide evidence of the accuracy of the information contained in an
 7 affidavit submitted under this subsection. The evidence required of the
 8 individual or the individual's spouse may include state income tax
 9 returns, excise tax payment information, property tax payment
 10 information, driver license information, and voter registration
 11 information.

12 (o) If:
 13 (1) a property owner files a statement under subsection (e) to
 14 claim the deduction provided by this section for a particular
 15 property; and
 16 (2) the county auditor receiving the filed statement determines
 17 that the property owner's property is not eligible for the deduction;
 18 the county auditor shall inform the property owner of the county
 19 auditor's determination in writing. If a property owner's property is not
 20 eligible for the deduction because the county auditor has determined
 21 that the property is not the property owner's principal place of
 22 residence, the property owner may appeal the county auditor's
 23 determination to the county property tax assessment board of appeals
 24 as provided in IC 6-1.1-15. The county auditor shall inform the
 25 property owner of the owner's right to appeal to the county property tax
 26 assessment board of appeals when the county auditor informs the
 27 property owner of the county auditor's determination under this
 28 subsection.

29 (p) *An individual is entitled to the deduction under this section for*
 30 *a homestead for a particular assessment date if:*

31 (1) *either:*
 32 (A) *the individual's interest in the homestead as described in*
 33 *subsection (a)(2)(B) is conveyed to the individual after the*
 34 *assessment date, but within the calendar year in which the*
 35 *assessment date occurs; or*
 36 (B) *the individual contracts to purchase the homestead after*
 37 *the assessment date, but within the calendar year in which the*
 38 *assessment date occurs;*
 39 (2) *on the assessment date:*
 40 (A) *the property on which the homestead is currently located*
 41 *was vacant land; or*
 42 (B) *the construction of the dwelling that constitutes the*
 43 *homestead was not completed;*
 44 (3) *either:*
 45 (A) *the individual files the certified statement required by*
 46 *subsection (e) on or before December 31 of the calendar year*



- 1 in which the assessment date occurs to claim the deduction
2 under this section; or
- 3 (B) a sales disclosure form that meets the requirements of
4 section 44 of this chapter is submitted to the county assessor
5 on or before December 31 of the calendar year for the
6 individual's purchase of the homestead; and
- 7 (4) the individual files with the county auditor on or before
8 December 31 of the calendar year in which the assessment date
9 occurs a statement that:
- 10 (A) lists any other property for which the individual would
11 otherwise receive a deduction under this section for the
12 assessment date; and
- 13 (B) cancels the deduction described in clause (A) for that
14 property.
- 15 An individual who satisfies the requirements of subdivisions (1)
16 through (4) is entitled to the deduction under this section for the
17 homestead for the assessment date, even if on the assessment date the
18 property on which the homestead is currently located was vacant land
19 or the construction of the dwelling that constitutes the homestead was
20 not completed. The county auditor shall apply the deduction for the
21 assessment date and for the assessment date in any later year in which
22 the homestead remains eligible for the deduction. A homestead that
23 qualifies for the deduction under this section as provided in this
24 subsection is considered a homestead for purposes of section 37.5 of
25 this chapter and IC 6-1.1-20.6. The county auditor shall cancel the
26 deduction under this section for any property that is located in the
27 county and is listed on the statement filed by the individual under
28 subdivision (4). If the property listed on the statement filed under
29 subdivision (4) is located in another county, the county auditor who
30 receives the statement shall forward the statement to the county
31 auditor of that other county, and the county auditor of that other
32 county shall cancel the deduction under this section for that property.
- 33 ~~(p)~~ **(q)** This subsection applies to an application for the deduction
34 provided by this section that is filed for an assessment date occurring
35 after December 31, 2013. Notwithstanding any other provision of this
36 section, an individual buying a mobile home that is not assessed as
37 real property or a manufactured home that is not assessed as real
38 property under a contract providing that the individual is to pay the
39 property taxes on the mobile home or manufactured home is not
40 entitled to the deduction provided by this section unless the parties to
41 the contract comply with IC 9-17-6-17.
- 42 ~~(q)~~ **(r)** This subsection:
- 43 (1) applies to an application for the deduction provided by this
44 section that is filed for an assessment date occurring after
45 December 31, 2013; and
- 46 (2) does not apply to an individual described in subsection ~~(p)~~.



- 1 **(g).**
 2 *The owner of a mobile home that is not assessed as real property or a*
 3 *manufactured home that is not assessed as real property must attach*
 4 *a copy of the owner's title to the mobile home or manufactured home*
 5 *to the application for the deduction provided by this section.*
 6 SECTION 19. IC 6-1.1-18-12, AS AMENDED BY P.L.218-2013,
 7 SECTION 4, AND AS AMENDED BY P.L.257-2013, SECTION 10,
 8 IS CORRECTED AND AMENDED TO READ AS FOLLOWS
 9 [EFFECTIVE UPON PASSAGE]: Sec. 12. (a) For purposes of this
 10 section, "maximum rate" refers to the maximum:
 11 (1) property tax rate or rates; or
 12 (2) special benefits tax rate or rates;
 13 referred to in the statutes listed in subsection (d).
 14 (b) The maximum rate for taxes first due and payable after 2003 is
 15 the maximum rate that would have been determined under subsection
 16 (e) for taxes first due and payable in 2003 if subsection (e) had applied
 17 for taxes first due and payable in 2003.
 18 (c) The maximum rate must be adjusted each year to account for the
 19 change in assessed value of real property that results from:
 20 (1) an annual adjustment of the assessed value of real property
 21 under IC 6-1.1-4-4.5;
 22 (2) a general reassessment of real property under IC 6-1.1-4-4; or
 23 (3) a reassessment under a county's reassessment plan prepared
 24 under IC 6-1.1-4-4.2.
 25 (d) The statutes to which subsection (a) refers are:
 26 (1) IC 8-10-5-17;
 27 (2) IC 8-22-3-11;
 28 (3) IC 8-22-3-25;
 29 (4) IC 12-29-1-1;
 30 (5) IC 12-29-1-2;
 31 (6) IC 12-29-1-3;
 32 (7) IC 12-29-3-6;
 33 (8) IC 13-21-3-12;
 34 (9) IC 13-21-3-15;
 35 (10) IC 14-27-6-30;
 36 (11) IC 14-33-7-3;
 37 (12) IC 14-33-21-5;
 38 (13) IC 15-14-7-4;
 39 (14) IC 15-14-9-1;
 40 (15) IC 15-14-9-2;
 41 (16) IC 16-20-2-18;
 42 (17) IC 16-20-4-27;
 43 (18) IC 16-20-7-2;
 44 (19) IC 16-22-14;
 45 (20) IC 16-23-1-29;
 46 (21) IC 16-23-3-6;



- 1 (22) IC 16-23-4-2;
 2 (23) IC 16-23-5-6;
 3 (24) IC 16-23-7-2;
 4 (25) IC 16-23-8-2;
 5 (26) IC 16-23-9-2;
 6 (27) IC 16-41-15-5;
 7 (28) IC 16-41-33-4;
 8 (29) IC 20-46-2-3 (before its repeal on January 1, 2009);
 9 (30) IC 20-46-6-5;
 10 (31) IC 20-49-2-10;
 11 (32) IC 36-1-19-1;
 12 (33) IC 23-14-66-2;
 13 (34) IC 23-14-67-3;
 14 (35) IC 36-7-13-4;
 15 (36) IC 36-7-14-28;
 16 (37) IC 36-7-15.1-16;
 17 (38) IC 36-8-19-8.5;
 18 (39) IC 36-9-6.1-2;
 19 (40) IC 36-9-17.5-4;
 20 (41) IC 36-9-27-73;
 21 (42) IC 36-9-29-31;
 22 (43) IC 36-9-29.1-15;
 23 (44) IC 36-10-6-2;
 24 (45) IC 36-10-7-7;
 25 (46) IC 36-10-7-8;
 26 (47) IC 36-10-7.5-19;
 27 (48) IC 36-10-13-5;
 28 (49) IC 36-10-13-7;
 29 (50) IC 36-10-14-4;
 30 (51) IC 36-12-7-7;
 31 (52) IC 36-12-7-8;
 32 (53) IC 36-12-12-10;
 33 (54) a statute listed in IC 6-1.1-18.5-9.8; and
 34 (55) any statute enacted after December 31, 2003, that:
 35 (A) establishes a maximum rate for any part of the:
 36 (i) property taxes; or
 37 (ii) special benefits taxes;
 38 imposed by a political subdivision; and
 39 (B) does not exempt the maximum rate from the adjustment
 40 under this section.
 41 (e) For property tax rates imposed for property taxes first due and
 42 payable after December 31, ~~2012~~, **2013**, the new maximum rate under
 43 a statute listed in subsection (d) is the tax rate determined under STEP
 44 EIGHT of the following STEPS:
 45 STEP ONE: Except as provided in subsection (g), determine the
 46 maximum rate for the political subdivision levying a property tax



- 1 or special benefits tax under the statute for the *previous calendar*
 2 *year. preceding the year in which the annual adjustment or the*
 3 *reassessment under IC 6-1.1-4-4 or IC 6-1.1-4-4.2 takes effect.*
 4 STEP TWO: Determine the actual percentage change (rounded to
 5 the nearest one-hundredth percent (0.01%)) in the assessed value
 6 *(before the adjustment, if any, under IC 6-1.1-4-4.5)* of the
 7 taxable property from the *previous calendar year preceding the*
 8 *year the annual adjustment or the reassessment under*
 9 *IC 6-1.1-4-4 or IC 6-1.1-4-4.2 takes effect to the year that the*
 10 *annual adjustment or the reassessment under IC 6-1.1-4-4 or*
 11 *IC 6-1.1-4-4.2 takes effect. in which the affected property taxes*
 12 *will be imposed.*
- 13 STEP THREE: Determine the three (3) calendar years that
 14 immediately precede the *ensuing calendar year and in which a*
 15 *statewide general reassessment of real property under*
 16 *IC 6-1.1-4-4 does not first take effect. year in which the affected*
 17 *property taxes will be imposed.*
- 18 STEP FOUR: Compute separately, for each of the calendar years
 19 determined in STEP THREE, the actual percentage change
 20 (rounded to the nearest one-hundredth percent (0.01%)) in the
 21 assessed value (before the adjustment, if any, under
 22 IC 6-1.1-4-4.5) of the taxable property from the preceding year.
- 23 STEP FIVE: Divide the sum of the three (3) quotients computed
 24 in STEP FOUR by three (3).
- 25 STEP SIX: Determine the greater of the following:
 26 (A) Zero (0).
 27 (B) The STEP FIVE result.
- 28 STEP SEVEN: Determine the greater of the following:
 29 (A) Zero (0).
 30 (B) The result of the STEP TWO percentage minus the STEP
 31 SIX percentage, **if any.**
- 32 STEP EIGHT: Determine the quotient of the STEP ONE tax rate
 33 divided by the sum of one (1) plus the STEP SEVEN percentage,
 34 **if any.**
- 35 (f) The department of local government finance shall compute the
 36 maximum rate allowed under subsection (e) and provide the rate to
 37 each political subdivision with authority to levy a tax under a statute
 38 listed in subsection (d).
- 39 (g) This subsection applies only when calculating the maximum rate
 40 for taxes due and payable in calendar year 2013. The STEP ONE result
 41 is the greater of the following:
 42 (1) The actual maximum rate established for property taxes first
 43 due and payable in calendar year 2012.
 44 (2) The maximum rate that would have been established for
 45 property taxes first due and payable in calendar year 2012 if the
 46 maximum rate had been established under the formula under this



1 section, as amended in the 2012 session of the general assembly.
 2 *(h) This subsection applies only when calculating the maximum rate*
 3 *allowed under subsection (e) for the Vincennes Community School*
 4 *Corporation with respect to property taxes first due and payable in*
 5 *2014. The subsection (e) STEP ONE result for the school corporation's*
 6 *capital projects fund is nineteen and forty-two hundredths cents*
 7 *(\$0.1942).*

8 SECTION 20. IC 6-1.1-18.5-8.1, AS ADDED BY P.L.218-2013,
 9 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 10 UPON PASSAGE]: Sec. 8.1. (a) This section applies to a township that
 11 is allowed an increase in its maximum permissible ad valorem property
 12 tax levy under section 13(c) of this chapter for property taxes first due
 13 and payable in 2014.

14 (b) The property tax levy limit imposed under section 3 of this
 15 chapter on the township may be exceeded in calendar years 2014,
 16 2015, and 2016 by:

- 17 **(1)** the amount of ad valorem property taxes imposed by **a the**
 18 township to repay money borrowed under IC 36-6-6-14(f); **or**
 19 **(2) the amount of ad valorem property taxes imposed by the**
 20 **township** to repay money borrowed under IC 36-6-6-14(b) in
 21 2012 or 2013;

22 but not both.

23 (c) For purposes of computing the ad valorem property tax levy limit
 24 imposed on a township under section 3 of this chapter, the township's
 25 ad valorem property tax levy for a particular calendar year does not
 26 include that part of the levy imposed to repay money borrowed under
 27 IC 36-6-6-14(f).

28 SECTION 21. IC 6-1.1-20.3-7.5, AS AMENDED BY P.L.234-2013,
 29 SECTION 4, AND AS AMENDED BY P.L.257-2013, SECTION 22,
 30 IS CORRECTED AND AMENDED TO READ AS FOLLOWS
 31 [EFFECTIVE UPON PASSAGE]: Sec. 7.5. (a) This section does not
 32 apply to a school corporation designated *before July 1, 2013*, as a
 33 distressed political subdivision.

34 (b) If the board designates a political subdivision as a distressed
 35 political subdivision under section 6.5 *or* 6.7 of this chapter, the board
 36 shall appoint an emergency manager for the distressed political
 37 subdivision. An emergency manager serves at the pleasure of the
 38 board.

39 (c) The chairperson of the board shall oversee the activities of an
 40 emergency manager.

41 (d) The distressed political subdivision shall pay the emergency
 42 manager's compensation and reimburse the emergency manager for
 43 actual and necessary expenses.

44 SECTION 22. IC 6-1.1-20.3-8.5, AS AMENDED BY P.L.257-2013,
 45 SECTION 25, AND AS AMENDED BY P.L.234-2013, SECTION 5,
 46 IS CORRECTED AND AMENDED TO READ AS FOLLOWS



1 [EFFECTIVE UPON PASSAGE]: Sec. 8.5. (a) This section does not
 2 apply to a school ~~corporations~~ corporation designated before July 1,
 3 2013, as a distressed political subdivision.

4 (b) Notwithstanding any other law, an emergency manager of a
 5 distressed political subdivision appointed under section 7.5 of this
 6 chapter shall do the following:

7 (1) Assume and exercise the authority and responsibilities of both
 8 the executive and the fiscal body of the political subdivision
 9 concerning the adoption, amendment, and enforcement of
 10 ordinances and resolutions relating to or affecting the fiscal
 11 stability of the political subdivision. However, the emergency
 12 manager does not have the power to impose taxes or fees in
 13 addition to the taxes or fees authorized by the political
 14 subdivision before the political subdivision was designated a
 15 distressed political subdivision.

16 (2) Review the political subdivision's budget.

17 (3) Review salaries of the political subdivision's employees.

18 (4) Conduct a financial and compliance audit of the internal
 19 operations of the political subdivision.

20 (5) Develop a written financial plan in consultation with the
 21 officials of the political subdivision not later than six (6) months
 22 after appointment.

23 (6) Develop a plan for paying all the political subdivision's
 24 outstanding obligations.

25 (7) Review existing labor contracts.

26 (8) Adopt a budget for the political subdivision for each calendar
 27 or fiscal year, as applicable, that the political subdivision remains
 28 a distressed political subdivision.

29 (9) Review payrolls and other claims against the political
 30 subdivision before payment.

31 (10) Make, approve, or disapprove the following:

32 (A) A contract.

33 (B) An expenditure.

34 (C) A loan.

35 (D) The creation of any new position.

36 (E) The filling of any vacant position.

37 (11) Submit a written report to the board every three (3) months
 38 concerning:

39 (A) actions taken by the emergency manager;

40 (B) expenditures made by the distressed political subdivision;
 41 and

42 (C) the work that has been done to remove the distressed
 43 political subdivision from distressed status.

44 (12) Petition the board to terminate a political subdivision's status
 45 as a distressed political subdivision when the conditions found in
 46 section 6.5 of this chapter are no longer applicable to the political



1 subdivision.

2 (c) An emergency manager of a distressed political subdivision
3 appointed under section 7.5 of this chapter may do the following:

4 (1) Renegotiate existing labor contracts and act as an agent of the
5 political subdivision in collective bargaining.

6 (2) Reduce or suspend salaries of the political subdivision's
7 employees.

8 (3) Enter into agreements with other political subdivisions for the
9 provision of services.

10 (d) Except as provided in section ~~13(c)~~ 13(d) of this chapter, an
11 emergency manager of a distressed political subdivision retains the
12 powers and duties described in subsections (b) and (c) until:

13 (1) the emergency manager resigns or dies;

14 (2) the board removes the emergency manager; or

15 (3) the political subdivision's status as a distressed political
16 subdivision is terminated under section 13(b) *or* 13(c) of this
17 chapter.

18 SECTION 23. IC 6-1.1-20.3-10, AS AMENDED BY P.L.257-2013,
19 SECTION 26, AND AS AMENDED BY P.L.234-2013, SECTION 6,
20 IS CORRECTED AND AMENDED TO READ AS FOLLOWS
21 [EFFECTIVE UPON PASSAGE]: Sec. 10. A distressed political
22 subdivision may petition the tax court for judicial review of a
23 determination of the board under section 6.5 *or* 6.7 of this chapter. *A*
24 *school corporation may also petition the tax court for judicial review*
25 *of a determination of the board under section 8.4 of this chapter.* The
26 action must be taken to the tax court under IC 6-1.1-15 in the same
27 manner that an action is taken to appeal a final determination of the
28 Indiana board of tax review. The petition must be filed in the tax court
29 not more than forty-five (45) days after the board enters its final
30 determination.

31 SECTION 24. IC 6-1.1-20.3-13, AS AMENDED BY P.L.257-2013,
32 SECTION 27, AND AS AMENDED BY P.L.234-2013, SECTION 7,
33 IS CORRECTED AND AMENDED TO READ AS FOLLOWS
34 [EFFECTIVE UPON PASSAGE]: Sec. 13. (a) If:

35 (1) an emergency manager of a distressed political subdivision;
36 ~~that is not a school corporation;~~

37 (2) the fiscal body and executive of the political subdivision
38 jointly; or

39 (3) the governing body of a school corporation that:

40 (A) employs a new superintendent; or

41 (B) has a new member elected or appointed to its governing
42 body;

43 during the time the school corporation is a distressed political
44 subdivision;

45 files a petition with the board for termination of the political
46 subdivision's status as a distressed political subdivision, the board shall



1 conduct a public hearing on the question of whether to terminate the
2 political subdivision's status as a distressed political subdivision.

3 (b) *In the case of a political subdivision designated as distressed*
4 *under section 6.5 of this chapter*, the board shall terminate the political
5 subdivision's status as a distressed political subdivision if the board
6 finds that the conditions found in section 6.5 of this chapter are no
7 longer applicable to the political subdivision.

8 (c) *In the case of a township designated as distressed under section*
9 *6.7 of this chapter*, the board shall terminate the township's status as
10 *a distressed political subdivision if the board finds that the township's*
11 *township assistance property tax rate (as defined in section 6.7(a) of*
12 *this chapter) for the current calendar year is not more than the result*
13 *of:*

14 (1) *the statewide average township assistance property tax rate*
15 *(as determined by the department of local government finance)*
16 *for property taxes first due and payable in that same year;*
17 *multiplied by*

18 (2) *twelve (12).*

19 ~~(c)~~ (d) Notwithstanding any other section of this chapter, not later
20 than ninety (90) days after taking office, a new executive of a distressed
21 political subdivision may petition the board for suspension of the
22 political subdivision's distressed status. *In the case of a political*
23 *subdivision designated as distressed under section 6.5 of this chapter*,
24 the executive must include in its petition a written plan to resolve the
25 applicable issues described in section 6.5 of this chapter. *In the case of*
26 *a township designated as distressed under section 6.7 of this chapter*,
27 *the executive must include in its petition a written plan to lower the*
28 *township's township assistance property tax rate (as defined in section*
29 *6.7(a) of this chapter).* If the board approves the executive's written
30 plan, the board may suspend the political subdivision's distressed status
31 for one hundred eighty (180) days. Suspension under this chapter
32 terminates automatically upon expiration of the one hundred eighty
33 (180) day period. The board may consider a petition to terminate the
34 political subdivision's distressed status during a period of suspension.

35 SECTION 25. IC 6-2.5-3.5-2 IS REPEALED [EFFECTIVE UPON
36 PASSAGE]. ~~Sec. 2: As used in this chapter, "E85" has the meaning set~~
37 ~~forth in IC 6-6-1.1-103.~~

38 SECTION 26. IC 6-2.5-3.5-7 IS REPEALED [EFFECTIVE JULY
39 1, 2014]. ~~Sec. 7: As used in this chapter, "price per unit before the~~
40 ~~addition of state and federal taxes" means an amount that equals the~~
41 ~~remainder of:~~

42 ~~(1) the total price per unit; minus~~

43 ~~(2) the gasoline use tax, Indiana gasoline tax, and federal gasoline~~
44 ~~taxes that are part of the total price per unit.~~

45 SECTION 27. IC 6-2.5-7-5, AS AMENDED BY P.L.227-2013,
46 SECTION 8, AND AS AMENDED BY P.L.293-2013(ts), SECTION



1 7, IS CORRECTED AND AMENDED TO READ AS FOLLOWS
 2 [EFFECTIVE JULY 1, 2014]: Sec. 5. (a) Each retail merchant who
 3 dispenses gasoline or special fuel from a metered pump shall, in the
 4 manner prescribed in IC 6-2.5-6, report to the department the following
 5 information:

6 *(1) The total number of gallons of gasoline sold from a metered*
 7 *pump during the period covered by the report.*

8 *(2) The total amount of money received from the sale of gasoline*
 9 *described in subdivision (1) during the period covered by the*
 10 *report.*

11 *(3) That portion of the amount described in subdivision (2) which*
 12 *represents state and federal taxes imposed under this article,*
 13 *IC 6-6-1.1, or Section 4081 of the Internal Revenue Code.*

14 ~~*(4) (1) The total number of gallons of special fuel sold from a*~~
 15 ~~*metered pump during the period covered by the report.*~~

16 ~~*(5) (2) The total amount of money received from the sale of*~~
 17 ~~*special fuel during the period covered by the report.*~~

18 ~~*(6) (3) That portion of the amount described in subdivision (5) (2)*~~
 19 ~~*that represents state and federal taxes imposed under this article,*~~
 20 ~~*IC 6-6-2.5, or Section 4041 or Section 4081 of the Internal*~~
 21 ~~*Revenue Code.*~~

22 ~~*(7) The total number of gallons of E85 sold from a metered pump*~~
 23 ~~*during the period covered by the report.*~~

24 (b) Concurrently with filing the report, the retail merchant shall
 25 remit the state gross retail tax in an amount which equals six and
 26 fifty-four hundredths percent (6.54%) of the gross receipts, including
 27 state gross retail taxes but excluding Indiana and federal ~~gasoline and~~
 28 special fuel taxes, received by the retail merchant from the sale of the
 29 ~~gasoline and~~ special fuel that is covered by the report and on which the
 30 retail merchant was required to collect state gross retail tax. The retail
 31 merchant shall remit that amount regardless of the amount of state
 32 gross retail tax which the merchant has actually collected under this
 33 chapter. However, the retail merchant is entitled to deduct and retain
 34 the amounts prescribed in subsection (c), IC 6-2.5-6-10, and
 35 IC 6-2.5-6-11.

36 (c) A retail merchant is entitled to deduct from the amount of state
 37 gross retail tax required to be remitted under subsection (b) an amount
 38 equal to:

39 *(1) the sum of the prepayment amounts made during the period*
 40 *covered by the retail merchant's report; minus*

41 *(2) the sum of prepayment amounts collected by the retail*
 42 *merchant, in the merchant's capacity as a qualified distributor,*
 43 *during the period covered by the retail merchant's report.*

44 *For purposes of this section, a prepayment of the gross retail tax is*
 45 *presumed to occur on the date on which it is invoiced.*

46 SECTION 28. IC 6-8.1-1-1, AS AMENDED BY P.L.277-2013,



1 SECTION 15, AND AS AMENDED BY P.L.288-2013, SECTION 68,
 2 IS CORRECTED AND AMENDED TO READ AS FOLLOWS
 3 [EFFECTIVE JANUARY 1, 2014]: Sec. 1. "Listed taxes" or "taxes"
 4 includes only the pari-mutuel taxes (IC 4-31-9-3 through IC 4-31-9-5);
 5 the riverboat admissions tax (IC 4-33-12); the riverboat wagering tax
 6 (IC 4-33-13); the slot machine wagering tax (IC 4-35-8); the type II
 7 gambling game excise tax (IC 4-36-9); the gross income tax (IC 6-2.1)
 8 (repealed); the utility receipts and utility services use taxes (IC 6-2.3);
 9 the state gross retail and use taxes (IC 6-2.5); the adjusted gross income
 10 tax (IC 6-3); the supplemental net income tax (IC 6-3-8) (repealed); the
 11 county adjusted gross income tax (IC 6-3.5-1.1); the county option
 12 income tax (IC 6-3.5-6); the county economic development income tax
 13 (IC 6-3.5-7); the auto rental excise tax (IC 6-6-9); the financial
 14 institutions tax (IC 6-5.5); the gasoline tax (IC 6-6-1.1); *the alternative*
 15 *fuel permit fee (IC 6-6-2.1)*; the special fuel tax (IC 6-6-2.5); the motor
 16 carrier fuel tax (IC 6-6-4.1); a motor fuel tax collected under a
 17 reciprocal agreement under IC 6-8.1-3; the motor vehicle excise tax
 18 (IC 6-6-5); *the aviation fuel excise tax (IC 6-6-13)*; the commercial
 19 vehicle excise tax (IC 6-6-5.5); the excise tax imposed on recreational
 20 vehicles and truck campers (IC 6-6-5.1); the hazardous waste disposal
 21 tax (IC 6-6-6.6); the cigarette tax (IC 6-7-1); the beer excise tax
 22 (IC 7.1-4-2); the liquor excise tax (IC 7.1-4-3); the wine excise tax
 23 (IC 7.1-4-4); the hard cider excise tax (IC 7.1-4-4.5); the malt excise
 24 tax (IC 7.1-4-5); the petroleum severance tax (IC 6-8-1); the various
 25 innkeeper's taxes (IC 6-9); the various food and beverage taxes
 26 (IC 6-9); the county admissions tax (IC 6-9-13 and IC 6-9-28); the
 27 regional transportation improvement income tax (IC 8-24-17); the oil
 28 inspection fee (IC 16-44-2); the emergency and hazardous chemical
 29 inventory form fee (IC 6-6-10); the penalties assessed for oversize
 30 vehicles (IC 9-20-3 and IC 9-30); the fees and penalties assessed for
 31 overweight vehicles (IC 9-20-4 and IC 9-30); the underground storage
 32 tank fee (IC 13-23); the solid waste management fee (IC 13-20-22);
 33 and any other tax or fee that the department is required to collect or
 34 administer.

35 SECTION 29. IC 6-8.1-7-1, AS AMENDED BY P.L.205-2013,
 36 SECTION 131, P.L.227-2013, SECTION 20, P.L.261-2013, SECTION
 37 38, AND P.L.293-2013(ts), SECTION 29, IS CORRECTED AND
 38 AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON
 39 PASSAGE]: Sec. 1. (a) This subsection does not apply to the disclosure
 40 of information concerning a conviction on a tax evasion charge. Unless
 41 in accordance with a judicial order or as otherwise provided in this
 42 chapter, the department, its employees, former employees, counsel,
 43 agents, or any other person may not divulge the amount of tax paid by
 44 any taxpayer, terms of a settlement agreement executed between a
 45 taxpayer and the department, investigation records, investigation
 46 reports, or any other information disclosed by the reports filed under



1 the provisions of the law relating to any of the listed taxes, including
 2 required information derived from a federal return, except to:

- 3 (1) members and employees of the department;
 4 (2) the governor;
 5 (3) *a member of the general assembly or an employee of the*
 6 *house of representatives or the senate when acting on behalf of*
 7 *a taxpayer located in the member's legislative district who has*
 8 *provided sufficient information to the member or employee for the*
 9 *department to determine that the member or employee is acting*
 10 *on behalf of the taxpayer;*
 11 ~~(3)~~ (4) the attorney general or any other legal representative of the
 12 state in any action in respect to the amount of tax due under the
 13 provisions of the law relating to any of the listed taxes; or
 14 ~~(4)~~ (5) any authorized officers of the United States;

15 when it is agreed that the information is to be confidential and to be
 16 used solely for official purposes.

17 (b) The information described in subsection (a) may be revealed
 18 upon the receipt of a certified request of any designated officer of the
 19 state tax department of any other state, district, territory, or possession
 20 of the United States when:

- 21 (1) the state, district, territory, or possession permits the exchange
 22 of like information with the taxing officials of the state; and
 23 (2) it is agreed that the information is to be confidential and to be
 24 used solely for tax collection purposes.

25 (c) The information described in subsection (a) relating to a person
 26 on public welfare or a person who has made application for public
 27 welfare may be revealed to the director of the division of family
 28 resources, and to any director of a county office of the division of
 29 family resources located in Indiana, upon receipt of a written request
 30 from either director for the information. The information shall be
 31 treated as confidential by the directors. In addition, the information
 32 described in subsection (a) relating to a person who has been
 33 designated as an absent parent by the state Title IV-D agency shall be
 34 made available to the state Title IV-D agency upon request. The
 35 information shall be subject to the information safeguarding provisions
 36 of the state and federal Title IV-D programs.

37 (d) The name, address, Social Security number, and place of
 38 employment relating to any individual who is delinquent in paying
 39 educational loans owed to a postsecondary educational institution may
 40 be revealed to that institution if it provides proof to the department that
 41 the individual is delinquent in paying for educational loans. This
 42 information shall be provided free of charge to approved postsecondary
 43 educational institutions (as defined by IC 21-7-13-6(a)). The
 44 department shall establish fees that all other institutions must pay to the
 45 department to obtain information under this subsection. However, these
 46 fees may not exceed the department's administrative costs in providing



1 the information to the institution.

2 (e) The information described in subsection (a) relating to reports
3 submitted under IC 6-6-1.1-502 concerning the number of gallons of
4 gasoline sold by a distributor and IC 6-6-2.5 concerning the number of
5 gallons of special fuel sold by a supplier and the number of gallons of
6 special fuel exported by a licensed exporter or imported by a licensed
7 transporter may be released by the commissioner upon receipt of a
8 written request for the information.

9 (f) The information described in subsection (a) may be revealed
10 upon the receipt of a written request from the administrative head of a
11 state agency of Indiana when:

12 (1) the state agency shows an official need for the information;
13 and

14 (2) the administrative head of the state agency agrees that any
15 information released will be kept confidential and will be used
16 solely for official purposes.

17 (g) The information described in subsection (a) may be revealed
18 upon the receipt of a written request from the chief law enforcement
19 officer of a state or local law enforcement agency in Indiana when it is
20 agreed that the information is to be confidential and to be used solely
21 for official purposes.

22 (h) The name and address of retail merchants, including township,
23 as specified in ~~IC 6-2.5-8-1(f)~~ IC 6-2.5-8-1(k) may be released solely
24 for tax collection purposes to township assessors and county assessors.

25 (i) The department shall notify the appropriate innkeepers' tax
26 board, bureau, or commission that a taxpayer is delinquent in remitting
27 innkeepers' taxes under IC 6-9.

28 (j) All information relating to the delinquency or evasion of the
29 motor vehicle excise tax may be disclosed to the bureau of motor
30 vehicles in Indiana and may be disclosed to another state, if the
31 information is disclosed for the purpose of the enforcement and
32 collection of the taxes imposed by IC 6-6-5.

33 (k) All information relating to the delinquency or evasion of
34 commercial vehicle excise taxes payable to the bureau of motor
35 vehicles in Indiana may be disclosed to the bureau and may be
36 disclosed to another state, if the information is disclosed for the
37 purpose of the enforcement and collection of the taxes imposed by
38 IC 6-6-5.5.

39 (l) All information relating to the delinquency or evasion of
40 commercial vehicle excise taxes payable under the International
41 Registration Plan may be disclosed to another state, if the information
42 is disclosed for the purpose of the enforcement and collection of the
43 taxes imposed by IC 6-6-5.5.

44 (m) All information relating to the delinquency or evasion of the
45 excise taxes imposed on recreational vehicles and truck campers that
46 are payable to the bureau of motor vehicles in Indiana may be disclosed



1 to the bureau and may be disclosed to another state if the information
2 is disclosed for the purpose of the enforcement and collection of the
3 taxes imposed by IC 6-6-5.1.

4 (n) This section does not apply to:

- 5 (1) the beer excise tax, including brand and packaged type
6 (IC 7.1-4-2);
- 7 (2) the liquor excise tax (IC 7.1-4-3);
- 8 (3) the wine excise tax (IC 7.1-4-4);
- 9 (4) the hard cider excise tax (IC 7.1-4-4.5);
- 10 (5) the malt excise tax (IC 7.1-4-5);
- 11 (6) the motor vehicle excise tax (IC 6-6-5);
- 12 (7) the commercial vehicle excise tax (IC 6-6-5.5); and
- 13 (8) the fees under IC 13-23.

14 (o) The name and business address of retail merchants within each
15 county that sell tobacco products may be released to the division of
16 mental health and addiction and the alcohol and tobacco commission
17 solely for the purpose of the list prepared under IC 6-2.5-6-14.2.

18 ~~(p) The names name and business addresses address of persons a~~
19 ~~person issued licenses licensed by the department under IC 6-6 and or~~
20 ~~IC 6-7 may be released for the purpose of reporting the status of the~~
21 ~~person's license.~~

22 ~~(p)~~ (q) *The department may release information concerning total*
23 *incremental tax amounts under:*

- 24 (1) IC 5-28-26;
- 25 (2) IC 36-7-13;
- 26 (3) IC 36-7-26;
- 27 (4) IC 36-7-27;
- 28 (5) IC 36-7-31;
- 29 (6) IC 36-7-31.3; or
- 30 (7) *any other statute providing for the calculation of incremental*
31 *state taxes that will be distributed to or retained by a political*
32 *subdivision or other entity;*

33 *to the fiscal officer of the political subdivision or other entity that*
34 *established the district or area from which the incremental taxes were*
35 *received if that fiscal officer enters into an agreement with the*
36 *department specifying that the political subdivision or other entity will*
37 *use the information solely for official purposes.*

38 SECTION 30. IC 7.1-5-9-7, AS AMENDED BY P.L.109-2013,
39 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
40 UPON PASSAGE]: Sec. 7. **Except as provided in IC 7.1-3-27-6**, it is
41 unlawful for the holder of an artisan distiller's, a distiller's, or a
42 rectifier's permit to own, acquire, possess or cause to be transferred to
43 the holder shares of stock of a corporation that holds an Indiana permit
44 to sell alcoholic beverages at retail, or in a permit to sell at retail in this
45 state, or to own or acquire an interest in the business being conducted
46 under the permit, or in or to shares of stock in a corporation that owns



1 a permit to sell at retail.
 2 SECTION 31. IC 8-14-1-3, AS AMENDED BY P.L.261-2013,
 3 SECTION 40, AND AS AMENDED BY P.L.205-2013, SECTION
 4 134, IS CORRECTED AND AMENDED TO READ AS FOLLOWS
 5 [EFFECTIVE UPON PASSAGE]: Sec. 3. The money collected for the
 6 motor vehicle highway account fund and remaining after refunds and
 7 the payment of all expenses incurred in the collection thereof, and after
 8 the deduction of the amount appropriated to the department for traffic
 9 safety, *and after the deduction of one-half (1/2) of the amount*
 10 *appropriated for the state police department,* shall be allocated to and
 11 distributed among the department and subdivisions designated as
 12 follows:

13 (1) Of the net amount in the motor vehicle highway account the
 14 auditor of state shall set aside for the cities and towns of the state
 15 fifteen percent (15%) thereof. This sum shall be allocated to the
 16 cities and towns upon the basis that the population of each city
 17 and town bears to the total population of all the cities and towns
 18 and shall be used for the construction or reconstruction and
 19 maintenance of streets and alleys and shall be annually budgeted
 20 as now provided by law. However, no part of such sum shall be
 21 used for any other purpose than for the purposes defined in this
 22 chapter. If any funds allocated to any city or town shall be used by
 23 any officer or officers of such city or town for any purpose or
 24 purposes other than for the purposes as defined in this chapter,
 25 such officer or officers shall be liable upon their official bonds to
 26 such city or town in such amount so used for other purposes than
 27 for the purposes as defined in this chapter, together with the costs
 28 of said action and reasonable attorney fees, recoverable in an
 29 action or suit instituted in the name of the state of Indiana on the
 30 relation of any taxpayer or taxpayers resident of such city or town.
 31 A monthly distribution thereof of funds accumulated during the
 32 preceding month shall be made by the auditor of state.

33 (2) Of the net amount in the motor vehicle highway account, the
 34 auditor of state shall set aside for the counties of the state
 35 thirty-two percent (32%) thereof. However, as to the allocation to
 36 cities and towns under subdivision (1) and as to the allocation to
 37 counties under this subdivision, in the event that the amount in
 38 the motor vehicle highway account fund remaining after refunds
 39 and *after the payment of all expenses incurred in the collection*
 40 *thereof and after deduction of any amount appropriated by the*
 41 *general assembly for public safety and policing* shall be less than
 42 twenty-two million six hundred and fifty thousand dollars
 43 (\$22,650,000) in any fiscal year, then the amount so set aside in
 44 the next calendar year for distributions to counties shall be
 45 reduced fifty-four percent (54%) of such deficit and the amount
 46 so set aside for distribution in the next calendar year to cities and



1 towns shall be reduced thirteen percent (13%) of such deficit.
2 Such reduced distributions shall begin with the distribution
3 January 1 of each year.

4 (3) The amount set aside for the counties of the state under the
5 provisions of subdivision (2) shall be allocated monthly upon the
6 following basis:

7 (A) Five percent (5%) of the amount allocated to the counties
8 to be divided equally among the ninety-two (92) counties.

9 (B) Sixty-five percent (65%) of the amount allocated to the
10 counties to be divided on the basis of the ratio of the actual
11 miles, now traveled and in use, of county roads in each county
12 to the total mileage of county roads in the state, which shall be
13 annually determined, accurately, by the department *and*
14 *submitted to the auditor of state before April 1 of each year.*

15 (C) Thirty percent (30%) of the amount allocated to the
16 counties to be divided on the basis of the ratio of the motor
17 vehicle registrations of each county to the total motor vehicle
18 registration of the state.

19 All money so distributed to the several counties of the state shall
20 constitute a special road fund for each of the respective counties
21 and shall be under the exclusive supervision and direction of the
22 board of county commissioners in the construction,
23 reconstruction, maintenance, or repair of the county highways or
24 bridges on such county highways within such county.

25 (4) Each month the remainder of the net amount in the motor
26 vehicle highway account shall be credited to the state highway
27 fund for the use of the department.

28 (5) Money in the fund may not be used for any toll road or toll
29 bridge project.

30 (6) Notwithstanding any other provisions of this section, money
31 in the motor vehicle highway account fund may be appropriated
32 to the Indiana department of transportation from the forty-seven
33 percent (47%) distributed to the political subdivisions of the state
34 to pay the costs incurred by the department in providing services
35 to those subdivisions.

36 (7) Notwithstanding any other provisions of this section or of
37 IC 8-14-8, for the purpose of maintaining a sufficient working
38 balance in accounts established primarily to facilitate the
39 matching of federal and local money for highway projects, money
40 may be appropriated to the Indiana department of transportation
41 as follows:

42 (A) One-half (1/2) from the forty-seven percent (47%) set
43 aside under subdivisions (1) and (2) for counties and for those
44 cities and towns with a population greater than five thousand
45 (5,000).

46 (B) One-half (1/2) from the distressed road fund under



1 IC 8-14-8.

2 SECTION 32. IC 8-21-1-8 IS AMENDED TO READ AS
3 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 8. (a) The
4 department shall encourage, foster, and assist in the development of
5 aeronautics in this state and shall encourage the establishment of
6 airports, landing fields, and other navigation facilities.

7 (b) The department shall cooperate with and assist the federal
8 government, the political subdivisions of this state, and others engaged
9 in aeronautics or the advancement of aeronautics and shall seek to
10 coordinate the aeronautical activities of these bodies.

11 (c) All rules prescribed by the department concerning aeronautics
12 shall be kept in conformity with, and limited to as nearly as may be, the
13 then current federal legislation governing aeronautics and the
14 regulations duly promulgated thereunder.

15 (d) The department shall develop and continuously update a
16 proposed state airports system plan which will best serve the interests
17 of the state and its political subdivisions. Such state airports system
18 plan shall be coordinated with the national airport plan prepared by the
19 federal agency fostering civil aviation.

20 (e) The department may publish and revise from time to time a state
21 airways system plan, and maps, directories, or other materials deemed
22 necessary may be sold by the department at a price which shall be fixed
23 by the department. All money accruing from the sale of any such
24 publication:

- 25 (1) shall be paid into the state treasury;
26 (2) shall be credited to the department; and
27 (3) is hereby appropriated to such department to be used for
28 future publications by the department, without reversion to the
29 general fund of the state at the end of any fiscal year. However,
30 any time the balance in said fund exceeds ten thousand dollars
31 (\$10,000), such excess shall revert to the general fund of the state.

32 (f) The department may offer the engineering or other technical
33 advice of the department, without charge, to any municipality or person
34 desiring them in connection with the construction, maintenance, or
35 operation or proposed construction, maintenance, or operation of an
36 airport or landing field.

37 (g) The department may recommend necessary legislation to
38 advance the interests of the state in aeronautics and represent the state
39 in aeronautical matters before federal agencies and other state agencies.

40 (h) The department shall have the power to approve or disapprove
41 all purchases made by any municipality of any land to be used by said
42 municipality for the establishment of any airport or landing field, and
43 the establishment by any municipality of any airport or landing field.

44 (i) The department may participate as party plaintiff or defendant,
45 or as intervener on behalf of the state or any municipality or citizen
46 thereof in any controversy having to do with any claimed encroachment



1 by the federal government or any foreign state upon any state or
2 individual rights pertaining to aeronautics.

3 (j) Municipalities are authorized to cooperate with the department
4 in the development of aeronautics and aeronautical facilities and
5 services of other agencies of the state to the utmost extent possible, and
6 such agencies are authorized and directed to make available such
7 facilities and services.

8 (k) The department, or any employee designated by it, shall have the
9 power to hold investigations, and hearings concerning matters covered
10 by this chapter and orders and rules of the department, in accordance
11 with IC 4-21.5. All hearings so conducted shall be open to the public.
12 The reports of investigations or hearings, or any part thereof, shall not
13 be admitted in evidence or used for any purpose in any suit, action, or
14 proceeding, growing out of any matter referred to in said investigation,
15 hearing, or report thereof, except in case of criminal or other
16 proceedings instituted in behalf of the department or this state under
17 the provisions of this chapter and other laws of this state.

18 (l) The department may render advice in the acquisition,
19 development, operation, or maintenance of airports owned, controlled,
20 or operated, or to be owned, controlled, or operated, by municipalities
21 in this state.

22 (m) The department may not grant any exclusive right for the use of
23 any airway, airport, landing field, or other air navigation facility under
24 its jurisdiction. This subsection shall not prevent the making of leases
25 in accordance with other provisions of this chapter.

26 (n) Gifts or grants of money for aeronautical purposes may be
27 received by the state and shall be deposited in an aviation fund.
28 Disbursal of such funds shall be for aeronautical purposes only or for
29 the purpose for which they were given or granted. Gifts or grants of
30 property for aeronautical purposes may be received by the state and
31 shall be used for the purpose given or granted. Gifts or grants of money
32 or property for aeronautical purposes must be administered in the same
33 manner as other gifts and grants received by the state are administered.

34 (o) The department may adopt rules under IC 4-22-2 ~~and subject to~~
35 ~~IC 8-9.5-2.6(7)~~ for the control of aircraft accident sites in Indiana. Until
36 representatives of appropriate federal agencies arrive on the site of an
37 aircraft accident, state and local law enforcement agencies and accident
38 investigation agencies shall comply with any rules adopted by the
39 department under this section.

40 (p) The department may, with written approval of the budget
41 agency, purchase and operate aircraft forfeited under IC 34-24-1 (or
42 IC 34-4-30.1 before its repeal). When the department acquires an
43 aircraft, it shall pay all proper expenses of the proceedings for
44 forfeiture and sale, including expenses of seizure, maintenance of
45 custody, and advertising and court costs.

46 SECTION 33. IC 9-13-2-19.4, AS ADDED BY P.L.22-2013,



1 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
2 UPON PASSAGE]: Sec. 19.4. "Chaplain", for purposes of
3 IC 9-19-14.5, has the meaning set forth in ~~IC 9-19-14-0.5.~~
4 **IC 9-19-14.5-0.5.**

5 SECTION 34. IC 9-18-2-7, AS AMENDED BY P.L.262-2013,
6 SECTION 48, AS AMENDED BY P.L.203-2013, SECTION 17, AND
7 AS AMENDED BY P.L.293-2013(ts), SECTION 39, IS CORRECTED
8 AND AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON
9 PASSAGE]: Sec. 7. (a) A person who owns a vehicle *that is operated*
10 *on Indiana roadways and* subject to registration shall register ~~the~~ *each*
11 *vehicle owned by the person* as follows:

12 (1) A vehicle subject to section 8 of this chapter shall be
13 registered under section 8 of this chapter.

14 (2) Subject to subsection (g) or (h), a vehicle not subject to
15 section 8 or 8.5 of this chapter or to the International Registration
16 Plan shall be registered before:

17 (A) March 1 of each year; ~~or~~

18 (B) *February 1 or later dates each year, if:*

19 (i) *the vehicle is being registered with the department of*
20 *state revenue; and*

21 (ii) *staggered registration has been adopted by the*
22 *department of state revenue; or*

23 ~~(B)~~ (C) an earlier date subsequent to January 1 of each year as
24 set by the bureau, *if the vehicle is being registered with the*
25 *bureau.*

26 (3) School buses owned by a school corporation are exempt from
27 annual registration but are subject to registration under
28 IC 20-27-7.

29 (4) Subject to subsection (f), a vehicle subject to the International
30 Registration Plan shall be registered before April 1 of each year.

31 (5) A school bus not owned by a school corporation shall be
32 registered subject to section 8.5 of this chapter.

33 (b) Registrations and reregistrations under this section are for the
34 calendar year. Registration and reregistration for school buses owned
35 by a school corporation may be for more than a calendar year.

36 (c) License plates for a vehicle subject to this section may be
37 displayed during:

38 (1) the calendar year for which the vehicle is registered; and

39 (2) the period of time:

40 (A) subsequent to the calendar year; and

41 (B) before the date that the vehicle must be reregistered.

42 (d) Except as provided in IC 9-18-12-2.5, a person who owns or
43 operates a vehicle may not operate or permit the operation of a vehicle
44 that:

45 (1) is required to be registered under this chapter; and

46 (2) has expired license plates.



1 (e) If a vehicle that is required to be registered under this chapter
2 has:

3 (1) been operated on the highways; and

4 (2) not been properly registered under this chapter;

5 the bureau shall, before the vehicle is reregistered, collect the
6 registration fee that the owner of the vehicle would have paid if the
7 vehicle had been properly registered.

8 (f) The department of state revenue may adopt rules under IC 4-22-2
9 to issue staggered registration to motor vehicles subject to the
10 International Registration Plan.

11 (g) Except as provided in section 8.5 of this chapter, the bureau may
12 adopt rules under IC 4-22-2 to issue staggered registration to motor
13 vehicles described in subsection (a)(2).

14 (h) After June 30, 2011, the registration of a vehicle under
15 *IC 9-18-16-1(a)(1) or IC 9-18-16-1(a)(2)* ~~IC 9-18-16-1(f) or~~
16 ~~IC 9-18-16-1(g)~~ **IC 9-18-16-1(a)(1) or IC 9-18-16-1(a)(2)** expires on
17 December 14 of each year. However, if a vehicle is registered under
18 *IC 9-18-16-1(a)(1) or IC 9-18-16-1(a)(2)* ~~IC 9-18-16-1(f) or~~
19 ~~IC 9-18-16-1(g)~~ **IC 9-18-16-1(a)(1) or IC 9-18-16-1(a)(2)** and the
20 registration of the vehicle is in effect on June 30, 2011, the registration
21 of the vehicle remains valid:

22 (1) throughout calendar year 2011; and

23 (2) during the period that:

24 (A) begins January 1, 2012; and

25 (B) ends on the date on which the vehicle was due for
26 reregistration under the law in effect before this subsection
27 took effect.

28 SECTION 35. IC 9-22-3-30 IS REPEALED [EFFECTIVE UPON
29 PASSAGE]. ~~Sec. 30: A seller that is:~~

30 ~~(1) a dealer; or~~

31 ~~(2) any other person who sells, exchanges, or transfers at least~~
32 ~~five (5) vehicles each year;~~

33 ~~may not sell, exchange, or transfer a rebuilt vehicle without disclosing~~
34 ~~in writing to the purchaser, customer, or transferee before~~
35 ~~consummating the sale, exchange, or transfer the fact that the vehicle~~
36 ~~is a rebuilt vehicle if the dealer or other person knows or should~~
37 ~~reasonably know the vehicle is a rebuilt vehicle.~~

38 SECTION 36. IC 9-24-2-3, AS AMENDED BY P.L.207-2013,
39 SECTION 7, AS AMENDED BY P.L.207-2013, SECTION 8, AND
40 AS AMENDED BY P.L.85-2013, SECTION 24, IS CORRECTED
41 AND AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON
42 PASSAGE]: Sec. 3. (a) The bureau may not issue a driver's license or
43 learner's permit or grant driving privileges to the following individuals:

44 (1) An individual whose *license issued under Indiana law to*
45 *operate a motor vehicle as an operator, a chauffeur, or a public*
46 *passenger chauffeur has driving privileges have* been suspended,



1 during the period for which the ~~license was driving privileges are~~
 2 suspended, or to an individual whose ~~driver's~~ license has been
 3 revoked, until the time the bureau is authorized under Indiana law
 4 to issue the individual a new license.

5 (2) An individual whose learner's permit has been suspended or
 6 revoked until the time the bureau is authorized under Indiana law
 7 to issue the individual a new permit.

8 (3) An individual who, in the opinion of the bureau, is afflicted
 9 with or suffering from a physical or mental disability or disease
 10 that prevents the individual from exercising reasonable and
 11 ordinary control over a motor vehicle while operating the vehicle
 12 upon the public highways.

13 (4) An individual who is unable to understand highway warnings
 14 or direction signs written in the English language.

15 (5) An individual who is required under this article to take an
 16 examination unless:

17 (A) the person successfully passes the examination; or

18 (B) the bureau waives the examination requirement.

19 (6) An individual who is required under IC 9-25 or any other
 20 statute to deposit or provide proof of financial responsibility and
 21 who has not deposited or provided that proof.

22 (7) An individual when the bureau has good cause to believe that
 23 the operation of a motor vehicle on a public highway of Indiana
 24 by the individual would be inimical to public safety or welfare.

25 (8) An individual who is the subject of an order issued by:

26 (A) a court under ~~IC 31-14-12-4~~ or IC 31-16-12-7 (or
 27 IC 31-1-11.5-13, ~~or~~ IC 31-6-6.1-16, or IC 31-14-12-4 before
 28 their repeal); or

29 (B) the Title IV-D agency;

30 ordering that a driver's license or permit not be issued to the
 31 individual.

32 (9) An individual who has not presented valid documentary
 33 evidence to the bureau of the person's legal status in the United
 34 States, as required by IC 9-24-9-2.5.

35 (10) *An individual who does not otherwise satisfy the*
 36 *requirements of this article.*

37 (b) An individual subject to epileptic seizures may not be denied a
 38 driver's license or permit under this section if the individual presents
 39 a statement from a licensed physician, on a form prescribed by the
 40 bureau, that the individual is under medication and is free from
 41 seizures while under medication.

42 SECTION 37. IC 9-24-4-4.5 IS REPEALED [EFFECTIVE UPON
 43 PASSAGE]. ~~Sec. 4-5. To receive a chauffeur's license, an individual~~
 44 ~~must surrender any and all driver's licenses issued to the individual by~~
 45 ~~Indiana or any other jurisdiction.~~

46 SECTION 38. IC 9-24-12-4, AS AMENDED BY P.L.109-2011,



1 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
2 UPON PASSAGE]: Sec. 4. (a) Except as provided in subsections (b)
3 and (c), the application for renewal of:

- 4 (1) an operator's license;
- 5 (2) a chauffeur's license;
- 6 (3) a public passenger chauffeur's license; or
- 7 (4) an identification card;

8 under this article may be filed not more than twelve (12) months before
9 the expiration date of the license or identification card held by the
10 applicant.

11 (b) When the applicant complies with IC 9-24-9-2.5(5) through
12 IC 9-24-9-2.5(10), an application for renewal of a driver's license in
13 subsection (a)(1), (a)(2), or (a)(3) may be filed not more than one (1)
14 month before the expiration date of the license held by the applicant.

15 (c) When the applicant complies with IC 9-24-16-3.5(1)(E) through
16 IC 9-24-16-3.5(1)(J), an application for renewal of an identification
17 card ~~in~~ **under** subsection ~~(a)(5)~~ **(a)(4)** may be filed not more than one
18 (1) month before the expiration date of the identification card held by
19 the applicant.

20 SECTION 39. IC 9-24-16-3, AS AMENDED BY P.L.85-2013,
21 SECTION 60, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
22 UPON PASSAGE]: Sec. 3. (a) An identification card must have the
23 same dimensions and shape as a driver's license, but the card must have
24 markings sufficient to distinguish the card from a driver's license.

25 (b) Except as provided in subsection (g), the front side of an
26 identification card must contain the expiration date of the identification
27 card and the following information about the individual to whom the
28 card is being issued:

- 29 (1) Full legal name.
- 30 (2) The address of the principal residence.
- 31 (3) Date of birth.
- 32 (4) Date of issue and date of expiration.
- 33 (5) Unique identification number.
- 34 (6) Gender.
- 35 (7) Weight.
- 36 (8) Height.
- 37 (9) Color of eyes and hair.
- 38 (10) Reproduction of the signature of the individual identified.
- 39 (11) Whether the individual is blind (as defined in
40 IC 12-7-2-21(1)).
- 41 (12) If the individual is less than eighteen (18) years of age at the
42 time of issuance, the dates on which the individual will become:
43 (A) eighteen (18) years of age; and
44 (B) twenty-one (21) years of age.
- 45 (13) If the individual is at least eighteen (18) years of age but less
46 than twenty-one (21) years of age at the time of issuance, the date



- 1 on which the individual will become twenty-one (21) years of age.
 2 (14) Digital photograph of the individual.
- 3 (c) The information contained on the identification card as required
 4 by subsection (b)(12) or (b)(13) for an individual who is less than
 5 twenty-one (21) years of age at the time of issuance shall be printed
 6 prominently on the ~~permit or license~~ **identification card**.
- 7 (d) If the individual:
 8 (1) has indicated on the application that the individual is a veteran
 9 of the armed forces of the United States and wishes to have an
 10 indication of the applicant's veteran status appear on the
 11 identification card; and
 12 (2) has provided proof of any discharge or separation, other than
 13 a dishonorable discharge, from the armed forces of the United
 14 States;
 15 an indication of the individual's veteran status shall be shown on the
 16 identification card.
- 17 (e) If the applicant for an identification card submits information to
 18 the bureau concerning the applicant's medical condition, the bureau
 19 shall place an identifying symbol on the face of the identification card
 20 to indicate that the applicant has a medical condition of note. The
 21 bureau shall include information on the identification card that briefly
 22 describes the medical condition of the holder of the card. The
 23 information must be printed in a manner that alerts a person reading the
 24 card to the existence of the medical condition. The applicant for an
 25 identification card is responsible for the accuracy of the information
 26 concerning the medical condition submitted under this subsection. The
 27 bureau shall inform an applicant that submission of information under
 28 this subsection is voluntary.
- 29 (f) An identification card issued by the state to an individual who:
 30 (1) has a valid, unexpired nonimmigrant visa or has nonimmigrant
 31 visa status for entry in the United States;
 32 (2) has a pending application for asylum in the United States;
 33 (3) has a pending or approved application for temporary protected
 34 status in the United States;
 35 (4) has approved deferred action status; or
 36 (5) has a pending application for adjustment of status to that of an
 37 alien lawfully admitted for permanent residence in the United
 38 States or conditional permanent residence status in the United
 39 States;
 40 must be clearly identified as a temporary identification card. A
 41 temporary identification card issued under this subsection may not be
 42 renewed without the presentation of valid documentary evidence
 43 proving that the holder of the identification card's temporary status has
 44 been extended.
- 45 (g) For purposes of subsection (b), an individual certified as a
 46 program participant in the address confidentiality program under



1 IC 5-26.5 is not required to provide the address of the individual's
 2 principal residence, but may provide an address designated by the
 3 office of the attorney general under IC 5-26.5 as the address of the
 4 individual's principal residence.

5 SECTION 40. IC 9-29-5-43, AS AMENDED BY P.L.92-2013,
 6 SECTION 65, AND AS AMENDED BY P.L.259-2013, SECTION 28,
 7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON
 8 PASSAGE]: Sec. 43. (a) Except as otherwise provided by this chapter,
 9 **subsection (d)**, **subsection (b)**, and IC 9-29-1-2, registration fees
 10 collected under this chapter shall be paid into the state general fund for
 11 credit to the motor vehicle highway account under IC 8-14-1.

12 (b) Fees collected for the registration of off-road vehicles and
 13 snowmobiles under IC 9-18-2.5 and collected as set forth in section 44
 14 of this chapter shall be deposited in the off-road vehicle and
 15 snowmobile fund established under IC 14-16-1-30.

16 SECTION 41. IC 9-29-6-1.5 IS AMENDED TO READ AS
 17 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1.5. (a) The fee for
 18 the annual registration required under IC 9-20-5-7 is twenty-five
 19 dollars (\$25). The fee imposed under this section must be deposited in
 20 the motor carrier regulation fund established under IC 8-2.1-23.

21 (b) The department of state revenue may impose an additional
 22 permit fee in an amount that may not exceed one dollar (\$1) on each
 23 trip permitted for a vehicle registered under IC 9-20-5-7. This
 24 additional fee is for the use and maintenance of an automated vehicle
 25 identifier. ~~The fee imposed under this subsection is in addition to the~~
 26 ~~permit fee required under section 1 of this chapter.~~ The fee imposed
 27 under this section must be deposited in the motor carrier regulation
 28 fund established under IC 8-2.1-23.

29 SECTION 42. IC 9-30-13-6, AS AMENDED BY P.L.207-2013,
 30 SECTION 9, AS AMENDED BY P.L.207-2013, SECTION 10, AND
 31 AS AMENDED BY P.L.85-2013, SECTION 111, IS CORRECTED
 32 AND AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON
 33 PASSAGE]: Sec. 6. (a) The bureau shall, upon receiving an order of a
 34 court issued under ~~IC 31-14-12-4 or~~ IC 31-16-12-7 *(or IC 31-14-12-4*
 35 *before its repeal)*, suspend the driving privileges of the person who is
 36 the subject of the order.

37 (b) The bureau may not reinstate driving privileges suspended under
 38 this section until the bureau receives an order allowing reinstatement
 39 from the court that issued the order for suspension.

40 (c) Upon receiving an order for suspension under subsection (a), the
 41 bureau shall promptly mail a notice to the last known address of the
 42 person who is the subject of the order, stating the following:

43 (1) That the person's driving privileges are suspended, beginning
 44 ~~five (5)~~ *eighteen (18)* business days after the date the notice is
 45 mailed, and that the suspension will terminate ten (10) business
 46 days after the bureau receives an order allowing reinstatement



- 1 from the court that issued the suspension order.
- 2 (2) That the person has the right to petition for reinstatement of
- 3 driving privileges to the court that issued the order for suspension.
- 4 (3) That the person may be granted restricted driving privileges
- 5 under IC 9-24-15-6.7 if the person otherwise qualifies and can
- 6 prove that public transportation is unavailable for travel by the
- 7 person:
- 8 (A) to and from the person's regular place of employment;
- 9 (B) in the course of the person's regular employment;
- 10 (C) to and from the person's place of worship; or
- 11 (D) to participate in parenting time with the petitioner's
- 12 children consistent with a court order granting parenting time.
- 13 (d) A person who operates a motor vehicle in violation of this
- 14 section commits a Class A infraction, unless:
- 15 (1) the person's driving privileges are suspended under this
- 16 section; and
- 17 (2) the person has been granted restricted driving privileges under
- 18 IC 9-24-15 as a result of the suspension under this section.
- 19 (e) *The bureau shall, upon receiving a record of conviction of a*
- 20 *person upon a charge of driving a motor vehicle while the driving*
- 21 *privileges, permit, or license of the person is suspended, fix the period*
- 22 *of suspension in accordance with the recommendation of the court. If*
- 23 *the court fails to recommend a term of suspension, or recommends a*
- 24 *fixed term that is not prescribed by statute, the bureau shall impose the*
- 25 *applicable period of suspension required by statute.*
- 26 SECTION 43. IC 9-32-11-6, AS ADDED BY P.L.92-2013,
- 27 SECTION 78, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 28 UPON PASSAGE]: Sec. 6. (a) The license issued to a factory branch,
- 29 an automobile auctioneer, a transfer dealer, or a dealer under this
- 30 chapter:
- 31 (1) must specify the location of each place of business; and
- 32 (2) shall be conspicuously displayed at each business location.
- 33 (b) If a licensee's business name or location is changed, the licensee
- 34 shall notify the secretary not later than ten (10) days after the change
- 35 and remit the fee required under IC 9-29-17. The secretary shall
- 36 endorse the change on the license if the secretary determines that the
- 37 change is not subject to other provisions of this article.
- 38 (c) A dealer who uses the Internet or another computer network to
- 39 facilitate the sale of motor vehicles as set forth in section 2(c) of this
- 40 chapter shall notify the secretary not later than ten (10) days after any
- 41 change in a name, address, or telephone number documented in
- 42 business records located outside Indiana that have been created in
- 43 transactions made in Indiana by the dealer. A report made under this
- 44 subsection is not subject to the fee required under IC 9-29-17.
- 45 (d) A dealer who wants to change a location must submit to the
- 46 secretary an application for approval of the change. The application



1 must be accompanied by an affidavit from:

2 (1) the person charged with enforcing a zoning ordinance
3 described in this subsection; or

4 (2) the zoning enforcement officer under IC 36-7-4, if one exists;
5 who has jurisdiction over the real property where the applicant wants
6 to operate as a dealer. The affidavit must state that the proposed
7 location is zoned for the operation of a dealer's establishment. The
8 secretary may not approve a change of location or endorse a change of
9 location on the dealer's license until the dealer provides the affidavit.

10 (e) For the purpose of this section, an offsite **sales** license issued
11 under section 11 of this chapter does not constitute a change of
12 location.

13 SECTION 44. IC 9-32-13-23, AS ADDED BY P.L.92-2013,
14 SECTION 78, AND AS AMENDED BY P.L.152-2013, SECTION 2,
15 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON
16 PASSAGE]: **Sec. 23.** (a) It is an unfair practice for a manufacturer,
17 distributor, officer, or agent to do any of the following:

18 (1) Require, coerce, or attempt to coerce a new motor vehicle
19 dealer in Indiana to:

20 (A) change the location of the dealership;

21 (B) make any substantial alterations to the use of franchises;
22 or

23 (C) make any substantial alterations to the dealership premises
24 or facilities;

25 if to do so would be unreasonable or would not be justified by
26 current economic conditions or reasonable business
27 considerations. This subdivision does not prevent a manufacturer
28 or distributor from establishing and enforcing reasonable facility
29 requirements. However, a motor vehicle dealer may elect to use
30 for the facility alteration locally sourced materials or supplies that
31 are substantially similar to those required by the manufacturer or
32 distributor, subject to the approval of the manufacturer or
33 distributor.

34 (2) Require, coerce, or attempt to coerce a new motor vehicle
35 dealer in Indiana to divest ownership of or management in
36 another line or make of motor vehicles that the dealer has
37 established in its dealership facilities with the prior written
38 approval of the manufacturer or distributor.

39 (3) Establish or acquire wholly or partially a franchisor owned
40 outlet engaged wholly or partially in a substantially identical
41 business to that of the franchisee within the exclusive territory
42 granted the franchisee by the franchise agreement or, if no
43 exclusive territory is designated, competing unfairly with the
44 franchisee within a reasonable market area. A franchisor is not
45 considered to be competing unfairly if operating:

46 (A) a business for less than two (2) years;



- 1 (B) in a bona fide retail operation that is for sale to any
 2 qualified independent person at a fair and reasonable price; or
 3 (C) in a bona fide relationship in which an independent person
 4 has made a significant investment subject to loss in the
 5 business operation and can reasonably expect to acquire
 6 majority ownership or managerial control of the business on
 7 reasonable terms and conditions.
- 8 (4) Require a dealer, as a condition of granting or continuing a
 9 franchise, approving the transfer of ownership or assets of a new
 10 motor vehicle dealer, or approving a successor to a new motor
 11 vehicle dealer to:
- 12 (A) construct a new dealership facility;
 13 (B) modify or change the location of an existing dealership; or
 14 (C) grant the manufacturer or distributor control rights over
 15 any real property owned, leased, controlled, or occupied by the
 16 dealer.
- 17 (5) Prohibit a dealer from representing more than one (1) line
 18 make of motor vehicles from the same or a modified facility if:
- 19 (A) reasonable facilities exist for the combined operations;
 20 (B) the dealer meets reasonable capitalization requirements for
 21 the original line make and complies with the reasonable
 22 facilities requirements of the manufacturer or distributor; and
 23 (C) the prohibition is not justified by the reasonable business
 24 considerations of the manufacturer or distributor.

25 Subdivisions (3) through (5) do not apply to recreational vehicle
 26 manufacturer franchisors.

27 (b) This section does not prohibit the enforcement of a voluntary
 28 agreement between the manufacturer or distributor and the franchisee
 29 where separate and valuable consideration has been offered and
 30 accepted.

31 SECTION 45. IC 9-32-16-1, AS ADDED BY P.L.92-2013,
 32 SECTION 78, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 33 UPON PASSAGE]: Sec. 1. (a) This chapter shall be administered by
 34 the secretary.

35 (b) The secretary:

- 36 (1) shall employ employees, including a director, investigators, or
 37 attorneys, necessary for the administration of this article; and
 38 (2) shall fix the compensation of the employees with the approval
 39 of the budget agency.

40 (c) It is unlawful for the director or an officer, employee, or
 41 designee of the secretary to use for personal benefit or the benefit of
 42 others records or other information obtained by or filed with the dealer
 43 services division under this article that are confidential. This article
 44 does not authorize the director or an officer, employee, or designee of
 45 the secretary to disclose the record or information, except in
 46 accordance with this chapter.



1 (d) This article does not create or diminish a privilege or exemption
2 that exists at common law, by statute or rule, or otherwise.

3 (e) The secretary may develop and implement dealer's and vehicle
4 purchaser's education initiatives to inform dealers and the public about
5 the offer or sale of vehicles, with particular emphasis on the prevention
6 and detection of fraud involving vehicle sales. In developing and
7 implementing these initiatives, the secretary may collaborate with
8 public and nonprofit organizations with an interest in consumer
9 education. The secretary may accept a grant or donation from a person
10 that is not affiliated with the dealer industry or from a nonprofit
11 organization, regardless of whether the organization is affiliated with
12 the dealer industry, to develop and implement consumer education
13 initiatives. This subsection does not authorize the secretary to require
14 participation or monetary contributions of a registrant in an education
15 program.

16 (f) Fees and funds accruing from the administration of this article:

17 (1) described in IC 9-32-7-1(d) shall be accounted for by the
18 secretary and shall be deposited with the treasurer of state to be
19 deposited in the dealer compliance account established by
20 IC 9-32-7-1(a);

21 (2) described in IC 9-32-7-2(b) shall be accounted for by the
22 secretary and shall be deposited with the treasurer of state to be
23 deposited in the dealer enforcement account established by
24 IC 9-32-7-2(a);

25 (3) described in IC 9-29-17-14(b)(2), ~~IC 9-29-17-14(c)(2)~~,
26 **IC 9-29-17-14(c)(3)**, IC 9-29-17-15, and IC 9-32-7-3(2) shall be
27 accounted for by the secretary and shall be deposited with the
28 treasurer of state to be deposited in the motor vehicle highway
29 account under IC 8-14-1;

30 (4) described in IC 9-32-7-3(3) shall be accounted for by the
31 secretary and shall be deposited with the treasurer of state to be
32 deposited with the state police department, and these fees and
33 funds are continuously appropriated to the department for its use
34 in enforcing odometer laws;

35 (5) described in IC 9-32-7-3(4) shall be accounted for by the
36 secretary and shall be deposited with the treasurer of state to be
37 deposited with the attorney general, and these fees and funds are
38 continuously appropriated to the attorney general for use in
39 enforcing odometer laws; and

40 (6) described in IC 9-29-1-4(a) shall be accounted for by the
41 secretary and shall be deposited with the treasurer of state to be
42 deposited in the state police building account.

43 Expenses incurred in the administration of this article shall be paid
44 from the state general fund upon appropriation being made for the
45 expenses in the manner provided by law for the making of those
46 appropriations. However, grants and donations under subsection (e),



1 costs of investigations, and civil penalties recovered under this chapter
2 shall be deposited by the treasurer of state in the dealer enforcement
3 account established by IC 9-32-7-2. The funds in the dealer compliance
4 account established by IC 9-32-7-1 must be available, with the
5 approval of the budget agency, to augment and supplement the funds
6 appropriated for the administration of this article.

7 (g) In connection with the administration and enforcement of this
8 article, the attorney general shall render all necessary assistance to the
9 director upon the request of the director. To that end, the attorney
10 general shall employ legal and other professional services as are
11 necessary to adequately and fully perform the service under the
12 direction of the director as the demands of the division require.
13 Expenses incurred by the attorney general for the purposes stated under
14 this subsection are chargeable against and shall be paid out of funds
15 appropriated to the attorney general for the administration of the
16 attorney general's office. The attorney general may authorize the
17 director and the director's designee to represent the director and the
18 division in any proceeding involving enforcement or defense of this
19 article.

20 (h) The secretary, director, and employees of the division are not
21 liable in an individual capacity, except to the state, for an act done or
22 omitted in connection with the performance of their duties under this
23 article.

24 (i) The director and each attorney or investigator designated by the
25 secretary:

- 26 (1) are police officers of the state;
- 27 (2) have all the powers and duties of police officers in conducting
28 investigations for violations of this article, or in serving any
29 process, notice, or order issued by an officer, authority, or court
30 in connection with the enforcement of this article; and
- 31 (3) comprise the enforcement department of the division.

32 The division is a criminal justice agency for purposes of IC 5-2-4-1(3)
33 and IC 10-13-3-6.

34 (j) The provisions of this article delegating and granting power to
35 the secretary, division, and director shall be liberally construed to the
36 end that:

- 37 (1) the practice or commission of fraud may be prohibited and
38 prevented; and
- 39 (2) disclosure of sufficient and reliable information in order to
40 afford reasonable opportunity for the exercise of independent
41 judgment of the persons involved may be assured.

42 (k) Copies of any statements and documents filed in the office of the
43 secretary and of any records of the secretary certified by the director
44 are admissible in any prosecution, action, suit, or proceeding based on,
45 arising out of, or under this article to the same effect as the original of
46 the statement, document, or record would be if actually produced.



1 SECTION 46. IC 9-32-16-3, AS ADDED BY P.L.92-2013,
 2 SECTION 78, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 3 UPON PASSAGE]: Sec. 3. Information or documents obtained by the
 4 division in the course of an investigation, including an audit conducted
 5 under section 6(c) of this chapter, are law enforcement records for the
 6 purposes of IC 5-14-3-4(b)(1).

7 SECTION 47. IC 10-11-2-26, AS AMENDED BY P.L.135-2013,
 8 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 9 UPON PASSAGE]: Sec. 26. (a) The superintendent may assign
 10 qualified persons who are not state police officers to supervise or
 11 operate permanent or portable weigh stations. A person assigned under
 12 this section may stop, inspect, and issue citations to operators of trucks
 13 and trailers having a declared gross weight of at least ten thousand one
 14 (10,001) pounds and buses at a permanent or portable weigh station or
 15 while operating a clearly marked Indiana state police vehicle for
 16 violations of the following:

- 17 (1) IC 6-1.1-7-10.
- 18 (2) IC 6-6-1.1-1202.
- 19 (3) IC 6-6-2.5.
- 20 (4) IC 6-6-4.1-12.
- 21 (5) IC 8-2.1.
- 22 (6) IC 9-18.
- 23 (7) IC 9-19.
- 24 (8) IC 9-20.
- 25 (9) IC 9-21-7-2 through IC 9-21-7-11.
- 26 (10) IC 9-21-8-41 pertaining to the duty to obey an official traffic
 27 control device for a weigh station.
- 28 (11) IC 9-21-8-45 through IC 9-21-8-48.
- 29 (12) IC 9-21-9.
- 30 (13) IC 9-21-15.
- 31 (14) IC 9-21-21.
- 32 (15) IC 9-24-1-1 through IC 9-24-1-1.5.
- 33 (16) IC 9-24-1-7.
- 34 (17) Except as provided in subsection (c), IC 9-24-1-6,
 35 IC 9-24-6-16, IC 9-24-6-17, and IC 9-24-6-18, commercial
 36 driver's license.
- 37 (18) IC 9-24-4.
- 38 (19) IC 9-24-5.
- 39 (20) IC 9-24-11-4.
- 40 (21) IC 9-24-13-3.
- 41 (22) IC 9-24-18-1 through IC 9-24-18-2.
- 42 (23) IC 9-25-4-3.
- 43 (24) IC 9-28-4.
- 44 (25) IC 9-28-5.
- 45 (26) IC 9-28-6.
- 46 (27) IC 9-29-5-11 through IC 9-29-5-13.



- 1 (28) IC 9-29-5-42.
 2 ~~(29) IC 9-29-6-1.~~
 3 ~~(30) (29) IC 10-14-8.~~
 4 ~~(31) (30) IC 13-17-5-1, IC 13-17-5-2, IC 13-17-5-3, or~~
 5 ~~IC 13-17-5-4.~~
 6 ~~(32) (31) IC 13-30-2-1.~~

7 (b) For the purpose of enforcing this section, a person assigned
 8 under this section may detain a person in the same manner as a law
 9 enforcement officer under IC 34-28-5-3.

10 (c) A person assigned under this section may not enforce
 11 IC 9-24-6-14 or IC 9-24-6-15.

12 ~~(d) Subsection (a)(29) expires on the date that IC 9-29-6-1 expires.~~

13 SECTION 48. IC 10-13-8-11, AS ADDED BY P.L.38-2013,
 14 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 15 UPON PASSAGE]: Sec. 11. A broadcaster or an electronic billboard
 16 operator participating in the blue alert program shall immediately
 17 display the information that the department considers necessary to the
 18 general public in accordance with the blue alert ~~plan~~ **program**
 19 agreement between the department and the broadcaster or operator.

20 SECTION 49. IC 10-13-8-13, AS ADDED BY P.L.38-2013,
 21 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 22 UPON PASSAGE]: Sec. 13. A law enforcement agency that locates or
 23 apprehends the suspect or locates the missing **law enforcement** officer
 24 described in section 8(a)(1) of this chapter shall notify the department
 25 as soon as practicable.

26 SECTION 50. IC 10-14-9-2, AS ADDED BY P.L.78-2013,
 27 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 28 UPON PASSAGE]: Sec. 2. As used in this chapter, "highway route
 29 controlled quantity (HRCQ) radioactive material" **or "HRCQ**
 30 **materials"** means a quantity within a single package that exceeds the
 31 least of the following:

32 (1) For special form Class 7 (radioactive) material, three thousand
 33 (3,000) times the A_1 value of the radionuclides listed in 49 CFR
 34 173.435.

35 (2) For normal form Class 7 (radioactive) material, three thousand
 36 (3,000) times the A_2 value of the radionuclides listed in 49 CFR
 37 173.435.

38 (3) One thousand (1,000) TBq (27,000 Ci).

39 SECTION 51. IC 11-12-3.7-7, AS AMENDED BY P.L.108-2010,
 40 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 41 UPON PASSAGE]: Sec. 7. (a) An advisory board shall develop a
 42 forensic diversion plan to provide an adult who:

43 (1) has a mental illness, an addictive disorder, or both a mental
 44 illness and an addictive disorder; and

45 (2) has been charged with a crime that is not a violent crime;
 46 an opportunity, pre-conviction or post-conviction, to receive



1 community treatment and other services addressing mental health and
2 addictions instead of or in addition to incarceration.

3 (b) The forensic diversion plan may include any combination of the
4 following program components:

- 5 (1) Pre-conviction diversion for adults with mental illness.
- 6 (2) Pre-conviction diversion for adults with addictive disorders.
- 7 (3) Post-conviction diversion for adults with mental illness.
- 8 (4) Post-conviction diversion for adults with addictive disorders.

9 (c) In developing a plan, the advisory board must consider the
10 ability of existing programs and resources within the community,
11 including:

- 12 (1) a problem solving court established under IC 33-23-16;
- 13 (2) a court alcohol and drug program certified under
14 IC 12-23-14-13;
- 15 (3) treatment providers certified by the division of mental health
16 and addiction under IC 12-23-1-6 or ~~IC 12-21-2-3(a)(5)~~;
17 **IC 12-21-2-3(5)**; and
- 18 (4) other public and private agencies.

19 (d) Development of a forensic diversion program plan under this
20 chapter or IC 11-12-2-3 does not require implementation of a forensic
21 diversion program.

22 (e) The advisory board may:

- 23 (1) operate the program;
- 24 (2) contract with existing public or private agencies to operate one
25 (1) or more components of the program; or
- 26 (3) take any combination of actions under subdivisions (1) or (2).

27 (f) Any treatment services provided under the forensic diversion
28 program:

- 29 (1) for addictions must be provided by an entity that is certified by
30 the division of mental health and addiction under IC 12-23-1-6;
- 31 or
- 32 (2) for mental health must be provided by an entity that is:
 - 33 (A) certified by the division of mental health and addiction
34 under ~~IC 12-21-2-3(a)(5)~~; **IC 12-21-2-3(5)**;
 - 35 (B) accredited by an accrediting body approved by the division
36 of mental health and addiction; or
 - 37 (C) licensed to provide mental health services under IC 25.

38 SECTION 52. IC 12-7-2-35, AS AMENDED BY P.L.205-2013,
39 SECTION 172, IS AMENDED TO READ AS FOLLOWS
40 [EFFECTIVE UPON PASSAGE]: Sec. 35. "Committee" means the
41 following:

- 42 (1) For purposes of IC 12-15-33, the meaning set forth in
43 IC 12-15-33-1.
- 44 (2) For purposes of IC 12-17.2-3.3, the meaning set forth in
45 IC 12-17.2-3.3-1.
- 46 (3) For the purposes of ~~IC 12-17.2-3.7~~; **IC 12-17.2-3.6**, has the



- 1 meaning set forth in ~~IC 12-17.2-3.7-1~~. **IC 12-17.2-3.6-1.**
 2 SECTION 53. IC 12-7-2-75.7, AS ADDED BY P.L.205-2013,
 3 SECTION 173, IS AMENDED TO READ AS FOLLOWS
 4 [EFFECTIVE UPON PASSAGE]: Sec. 75.7. "Eligible child", for
 5 purposes of ~~IC 12-17.2-3.7~~, **IC 12-17.2-3.6**, has the meaning set forth
 6 in ~~IC 12-17.2-3.7-2~~. **IC 12-17.2-3.6-2.**
 7 SECTION 54. IC 12-7-2-76.2, AS ADDED BY P.L.205-2013,
 8 SECTION 174, IS AMENDED TO READ AS FOLLOWS
 9 [EFFECTIVE UPON PASSAGE]: Sec. 76.2. "Eligible provider", for
 10 purposes of ~~IC 12-17.2-3.7~~, **IC 12-17.2-3.6**, has the meaning set forth
 11 in ~~IC 12-17.2-3.7-3~~. **IC 12-17.2-3.6-3.**
 12 SECTION 55. IC 12-7-2-76.3, AS ADDED BY P.L.205-2013,
 13 SECTION 175, IS AMENDED TO READ AS FOLLOWS
 14 [EFFECTIVE UPON PASSAGE]: Sec. 76.3. "Eligible services", for
 15 purposes of ~~IC 12-17.2-3.7~~, **IC 12-17.2-3.6**, has the meaning set forth
 16 in ~~IC 12-17.2-3.7-4~~. **IC 12-17.2-3.6-4.**
 17 SECTION 56. IC 12-7-2-91, AS AMENDED BY P.L.205-2013,
 18 SECTION 176, IS AMENDED TO READ AS FOLLOWS
 19 [EFFECTIVE UPON PASSAGE]: Sec. 91. "Fund" means the
 20 following:
 21 (1) For purposes of IC 12-12-1-9, the fund described in
 22 IC 12-12-1-9.
 23 (2) For purposes of IC 12-15-20, the meaning set forth in
 24 IC 12-15-20-1.
 25 (3) For purposes of IC 12-17-12, the meaning set forth in
 26 IC 12-17-12-4.
 27 (4) For purposes of ~~IC 12-17.2-3.7~~, **IC 12-17.2-3.6**, the meaning
 28 set forth in ~~IC 12-17.2-3.7-5~~. **IC 12-17.2-3.6-5.**
 29 (5) For purposes of IC 12-17.6, the meaning set forth in
 30 IC 12-17.6-1-3.
 31 (6) For purposes of IC 12-23-2, the meaning set forth in
 32 IC 12-23-2-1.
 33 (7) For purposes of IC 12-23-18, the meaning set forth in
 34 IC 12-23-18-4.
 35 (8) For purposes of IC 12-24-6, the meaning set forth in
 36 IC 12-24-6-1.
 37 (9) For purposes of IC 12-24-14, the meaning set forth in
 38 IC 12-24-14-1.
 39 (10) For purposes of IC 12-30-7, the meaning set forth in
 40 IC 12-30-7-3.
 41 SECTION 57. IC 12-7-2-93.7, AS ADDED BY P.L.205-2013,
 42 SECTION 177, IS AMENDED TO READ AS FOLLOWS
 43 [EFFECTIVE UPON PASSAGE]: Sec. 93.7. "Grant", for purposes of
 44 ~~IC 12-17.2-5~~, **IC 12-17.2-3.6**, has the meaning set forth in
 45 ~~IC 12-17.2-3.7-6~~. **IC 12-17.2-3.6-6.**
 46 SECTION 58. IC 12-7-2-135.8, AS ADDED BY P.L.205-2013,



1 SECTION 178, AND AS ADDED BY P.L.267-2013, SECTION 1, IS
 2 CORRECTED AND AMENDED TO READ AS FOLLOWS
 3 [EFFECTIVE UPON PASSAGE]: Sec. 135.8. (a) "Paths to QUALITY
 4 program", for purposes of ~~IC 12-17.2-2-14~~, **IC 12-17.2-2-14.2** and
 5 ~~IC 12-17.2-3.7~~, **IC 12-17.2-3.6**, *refers to the paths to QUALITY*
 6 *program refers to the program established in IC 12-17.2-2-14.2(b).*

7 (b) "Paths to QUALITY program", for purposes of ~~IC 12-17.2-3.7~~,
 8 **IC 12-17.2-3.8**, *has the meaning set forth in ~~IC 12-17.2-3.7-4~~.*
 9 **IC 12-17.2-3.8-1.**

10 SECTION 59. IC 12-7-2-146, AS AMENDED BY P.L.205-2013,
 11 SECTION 179, AND AS AMENDED BY P.L.267-2013, SECTION 2,
 12 IS CORRECTED AND AMENDED TO READ AS FOLLOWS
 13 [EFFECTIVE UPON PASSAGE]: Sec. 146. "Program" refers to the
 14 following:

15 (1) For purposes of IC 12-8-12.5, the meaning set forth in
 16 IC 12-8-12.5-1.

17 (2) For purposes of IC 12-10-7, the adult guardianship services
 18 program established by IC 12-10-7-5.

19 (3) For purposes of IC 12-10-10, the meaning set forth in
 20 IC 12-10-10-5.

21 (4) *For purposes of ~~IC 12-17.2-2-14~~, **IC 12-17.2-2-14.2**, the*
 22 *meaning set forth in ~~IC 12-17.2-2-14~~. **IC 12-17.2-2-14.2(a).***

23 (5) *For purposes of ~~IC 12-17.2-3.7~~, **IC 12-17.2-3.6**, the meaning*
 24 *set forth in ~~IC 12-17.2-3.7-7~~. **IC 12-17.2-3.6-7.***

25 (4) (6) *For purposes of ~~IC 12-17.2-3.7~~, **IC 12-17.2-3.8**, the*
 26 *meaning set forth in ~~IC 12-17.2-3.7-5~~. **IC 12-17.2-3.8-2.***

27 (5) (6) (7) For purposes of IC 12-17.6, the meaning set forth in
 28 IC 12-17.6-1-5.

29 SECTION 60. IC 12-15-16-7, AS ADDED BY P.L.205-2013,
 30 SECTION 197, IS AMENDED TO READ AS FOLLOWS
 31 [EFFECTIVE UPON PASSAGE]: Sec. 7. (a) This section applies to
 32 Medicaid disproportionate share payments for the state fiscal year
 33 beginning:

34 (1) July 1, 2012, if hospital fees authorized under P.L.229-2011,
 35 SECTION 281 or authorized to be transferred and used for
 36 payments are used as state share dollars for the payments; and

37 (2) July 1, 2013, and for each state fiscal year after, for which
 38 hospital fees authorized under IC 16-21-10 are used as state share
 39 dollars for the payments.

40 (b) As used in this section, "hospital assessment fee committee"
 41 refers to the committee established by IC 16-21-10-7.

42 (c) As used in this section, "hospital specific limit" refers to the
 43 hospital specific limit provided under 42 U.S.C. 1396r-4(g).

44 (d) As used in this section, "municipal hospital payment amount"
 45 means, concerning a hospital established and operated under
 46 IC 16-22-2 or IC 16-23, an amount equal to the lesser of:



- 1 (1) the hospital specific limit for the hospital for the state fiscal
 2 year; or
 3 (2) the hospital's net 2009 supplemental payment amount.
- 4 (e) As used in this section, "nongovernmental hospital" refers to a
 5 hospital that is licensed under IC 16-21-2, that is not a unit of state or
 6 local government, and is not owned or operated by a unit of state or
 7 local government.
- 8 (f) As used in this section, "SECTION 281 hospital assessment fee
 9 committee" refers to the hospital assessment fee committee established
 10 by P.L.229-2011, SECTION 281, subsection (e).
- 11 (g) The following providers are eligible for Medicaid
 12 disproportionate share payments under this section:
- 13 (1) A hospital or psychiatric institution described in Attachment
 14 4.19-A, Section III, page 6.1(a) of the Medicaid state plan in
 15 effect July 1, 2011.
- 16 (2) A hospital that satisfies the following for the state fiscal year
 17 for which Medicaid disproportionate share payments are made
 18 under this section:
- 19 (A) A nongovernmental hospital that:
- 20 (i) has a Medicaid inpatient utilization rate for the state
 21 fiscal year that is at least equal to the mean Medicaid
 22 inpatient utilization rate as calculated for purposes of
 23 determining Medicaid disproportionate share eligibility, but
 24 does not equal or exceed one (1) standard deviation above
 25 the mean Medicaid inpatient utilization rate; and
- 26 (ii) satisfies the obstetric service provisions of 42 U.S.C.
 27 1396r-4(d).
- 28 (B) A hospital established and operated under IC 16-22-2 or
 29 IC 16-23 that:
- 30 (i) has a Medicaid inpatient utilization rate for the state
 31 fiscal year greater than one percent (1%); and
- 32 (ii) satisfies the obstetric service provisions of 42 U.S.C.
 33 1396r-4(d).
- 34 (3) A nongovernmental hospital that satisfies the following for the
 35 state fiscal year for which Medicaid disproportionate share
 36 payments are made under this section:
- 37 (A) The hospital has a Medicaid inpatient utilization rate for
 38 the state fiscal year that is less than the mean Medicaid
 39 inpatient utilization rate, as calculated for purposes of
 40 determining Medicaid disproportionate share eligibility, but is
 41 at least greater than one percent (1%).
- 42 (B) The hospital satisfies the obstetric service provisions of 42
 43 U.S.C. 1396r-4(d).
- 44 (h) This subsection applies to a payment of Medicaid
 45 disproportionate share payments, if any, to hospitals described in
 46 subsection (g)(2) and (g)(3). For Medicaid disproportionate share



1 payments for the state fiscal year beginning July 1, 2012, the office,
2 subject to approval by the SECTION 281 hospital assessment fee
3 committee, may develop and implement a Medicaid state plan
4 amendment that provides Medicaid disproportionate share payments
5 for the hospitals described in:

6 (1) subsection (g)(2), as long as each hospital and psychiatric
7 institution described in subsection (g)(1) has received a Medicaid
8 disproportionate share payment for the state fiscal year in an
9 amount equal to either:

10 (A) the hospital specific limit; or

11 (B) the municipal hospital payment amount;

12 for the hospital or psychiatric institution for the state fiscal year;
13 and

14 (2) subsection (g)(3), as long as each hospital described in
15 subsection (g)(2) has received a Medicaid disproportionate share
16 payment for the state fiscal year in an amount equal to the hospital
17 specific limit for the hospital for the state fiscal year.

18 (i) This subsection applies to a payment of Medicaid
19 disproportionate share payments, if any, to hospitals described in
20 subsection (g)(2) and (g)(3). For Medicaid disproportionate share
21 payments for the state fiscal year beginning July 1, 2013, and each state
22 fiscal year thereafter under this section, the office, subject to the
23 approval by the hospital assessment fee committee, may develop and
24 implement a Medicaid state plan amendment that:

25 (1) renews, for state fiscal year beginning July 1, 2013, and each
26 state fiscal year thereafter under this section, the Medicaid
27 disproportionate share provisions of Attachment 4.19-A, Section
28 III, page 6.1(a) of the Medicaid state plan in effect on July 1,
29 2011;

30 (2) provides Medicaid disproportionate share payments for the
31 hospitals described in subsection (g)(2), as long as each hospital
32 and psychiatric institution described in subsection (g)(1) has
33 received a Medicaid disproportionate share payment for the state
34 fiscal year in an amount equal to the:

35 (A) hospital specific limit; or

36 (B) municipal hospital payment amount;

37 for the hospital or psychiatric institution for the state fiscal year;
38 and

39 (3) provides Medicaid disproportionate share payments for the
40 hospitals described in subsection (g)(3), as long as each hospital
41 described in subsection (g)(2) has received a Medicaid
42 disproportionate share payment for the state fiscal year in an
43 amount equal to the hospital specific limit of the hospital for the
44 state fiscal year.

45 (j) This subsection does not apply to Medicaid disproportionate
46 share payments made to hospitals described in subsection (g)(2)(B)



1 under Attachment 4.19-A, Section III, page 6.1(a) of the Medicaid state
2 plan in effect on July 1, 2011, or any renewal. Nothing in this section:

3 (1) requires that the hospitals described in subsection (g)(2) or
4 (g)(3) receive Medicaid disproportionate share payments for a
5 state fiscal year;

6 (2) requires that the ~~hospital~~ **hospitals** described in subsection
7 (g)(2) or (g)(3) receive Medicaid disproportionate share payments
8 for a state fiscal year in an amount equal to the respective hospital
9 specific limits for the state fiscal year; or

10 (3) prescribes how Medicaid disproportionate share payments are
11 to be distributed among the hospitals described in:

12 (A) subsection (g)(2); or

13 (B) subsection (g)(3).

14 (k) Nothing in this section prohibits the use of unexpended federal
15 Medicaid disproportionate share allotments for a state fiscal year under
16 a program authorized by the SECTION 281 hospital assessment fee
17 committee or the hospital assessment fee committee, as long as each
18 hospital listed in subsection (g)(1), (g)(2), and (g)(3) has received
19 Medicaid disproportionate share payments for the state fiscal year
20 equal to the hospital specific limit for the hospital for the state fiscal
21 year.

22 SECTION 61. IC 12-15-35-51, AS AMENDED BY P.L.205-2013,
23 SECTION 207, AND AS AMENDED BY P.L.185-2013, SECTION 1,
24 IS CORRECTED AND AMENDED TO READ AS FOLLOWS
25 [EFFECTIVE UPON PASSAGE]: Sec. 51. (a) As used in this section,
26 "advisory committee" refers to the mental health Medicaid quality
27 advisory committee established by subsection (b).

28 (b) The mental health Medicaid quality advisory committee is
29 established. The advisory committee consists of the following
30 members:

31 (1) The director of the office or the director's designee, who shall
32 serve as chairperson of the advisory committee.

33 (2) The director of the division of mental health and addiction or
34 the director's designee.

35 (3) A representative of a statewide mental health advocacy
36 organization.

37 (4) A representative of a statewide mental health provider
38 organization.

39 (5) A representative from a managed care organization that
40 participates in the state's Medicaid program.

41 (6) A member with expertise in psychiatric research representing
42 an academic institution.

43 (7) A pharmacist licensed under IC 25-26.

44 (8) The commissioner of the department of correction or the
45 commissioner's designee.

46 The governor shall make the appointments for a term of four (4) years



- 1 under subdivisions (3) through (7) and fill any vacancy on the advisory
2 committee.
- 3 (c) The office shall staff the advisory committee. The expenses of
4 the advisory committee shall be paid by the office.
- 5 (d) Each member of the advisory committee who is not a state
6 employee is entitled to the minimum salary per diem provided by
7 IC 4-10-11-2.1(b). The member is also entitled to reimbursement for
8 traveling expenses as provided under IC 4-13-1-4 and other expenses
9 actually incurred in connection with the member's duties as provided
10 in the state policies and procedures established by the Indiana
11 department of administration and approved by the budget agency.
- 12 (e) Each member of the advisory committee who is a state employee
13 is entitled to reimbursement for traveling expenses as provided under
14 IC 4-13-1-4 and other expenses actually incurred in connection with
15 the member's duties as provided in the state policies and procedures
16 established by the Indiana department of administration and approved
17 by the budget agency.
- 18 (f) The affirmative votes of a majority of the voting members
19 appointed to the advisory committee are required by the advisory
20 committee to take action on any measure.
- 21 (g) The advisory committee shall advise the office and make
22 recommendations concerning the clinical use of mental health and
23 addiction medications, including the implementation of
24 IC 12-15-35.5-7(c), and consider the following:
- 25 (1) Peer reviewed medical literature.
26 (2) Observational studies.
27 (3) Health economic studies.
28 (4) Input from physicians and patients.
29 (5) Any other information determined by the advisory committee
30 to be appropriate.
- 31 (h) The office shall report recommendations made by the advisory
32 committee to the drug utilization review board established by section
33 19 of this chapter.
- 34 (i) The office shall report the following information to the *select*
35 *joint commission on Medicaid oversight established by IC 2-5-26-3:*
36 *health finance commission established by IC 2-5-23-3:*
- 37 (1) The advisory committee's advice and recommendations made
38 under this section.
39 (2) The number of restrictions implemented under
40 IC 12-15-35.5-7(c) and the outcome of each restriction.
41 (3) The transition of individuals who are aged, blind, or disabled
42 to the risk based managed care program. *This information shall*
43 *also be reported to the health finance commission established by*
44 *IC 2-5-23-3.*
45 (4) Any decision by the office to change the health care delivery
46 system in which Medicaid is provided to recipients.



1 (j) Notwithstanding subsection (b); the initial members appointed
 2 to the advisory committee under this section are appointed for the
 3 following terms:

4 (1) Individuals appointed under subsection (b)(3) and (b)(4) are
 5 appointed for a term of four (4) years.

6 (2) An individual appointed under subsection (b)(5) is appointed
 7 for a term of three (3) years.

8 (3) An individual appointed under subsection (b)(6) is appointed
 9 for a term of two (2) years.

10 (4) An individual appointed under subsection (b)(7) is appointed
 11 for a term of one (1) year.

12 This subsection expires December 31, 2013.

13 SECTION 62. IC 12-17.2-2-14, AS ADDED BY P.L.205-2013,
 14 SECTION 210, IS REPEALED [EFFECTIVE UPON PASSAGE]. See:
 15 14. (a) As used in this section; "program" refers to the paths to
 16 QUALITY program established by subsection (b):

17 (b) The paths to QUALITY program is established: The program is
 18 a voluntary child care facility quality rating and improvement system
 19 implemented by the division in partnership with the following
 20 organizations under the trademark "Paths to QUALITY":

21 (1) Indiana Association for the Education of Young Children.

22 (2) Indiana Association for Child Care Resource and Referral.

23 (3) Indiana Head Start Collaboration Office.

24 (4) Department of education established by IC 20-19-3-1.

25 (5) Early Childhood Alliance.

26 (6) 4C of Southern Indiana.

27 (c) The program shall use four (4) levels at which a child care
 28 facility participating in the program may be rated; with level 4
 29 indicating the highest level of quality child care.

30 (d) The office of the secretary shall adopt rules under IC 4-22-2 to
 31 administer the paths to QUALITY program rating system. The rules
 32 must include procedures that outline eligibility and application
 33 procedures for the program; the establishment of procedures relating
 34 to the rating process; and the establishment or alteration of standards
 35 used in the rating process.

36 (e) The office of the secretary shall adopt rules under IC 4-22-2 to
 37 establish the steering council of the program to make recommendations
 38 to the division on program issues and resources. Rules adopted under
 39 this subsection must require that council members be appointed from
 40 partner organizations that assist in the implementation of the program
 41 and serve to coordinate the program plan.

42 SECTION 63. IC 12-17.2-2-14, AS ADDED BY P.L.287-2013,
 43 SECTION 5, IS REPEALED [EFFECTIVE UPON PASSAGE]. See:
 44 14. (a) The state police department shall release the results of a
 45 national criminal history background check conducted in accordance
 46 with this article to the division.



1 (b) The division may not release records received from the state
2 police department under subsection (a):

3 SECTION 64. IC 12-17.2-2-14.2 IS ADDED TO THE INDIANA
4 CODE AS A NEW SECTION TO READ AS FOLLOWS
5 [EFFECTIVE UPON PASSAGE]: **Sec. 14.2. (a) As used in this**
6 **section, "program" refers to the paths to QUALITY program**
7 **established by subsection (b).**

8 (b) The paths to QUALITY program is established. The
9 program is a voluntary child care facility quality rating and
10 improvement system implemented by the division in partnership
11 with the following organizations under the trademark "Paths to
12 QUALITY":

- 13 (1) Indiana Association for the Education of Young Children.
- 14 (2) Indiana Association for Child Care Resource and Referral.
- 15 (3) Indiana Head Start Collaboration Office.
- 16 (4) Department of education established by IC 20-19-3-1.
- 17 (5) Early Childhood Alliance.
- 18 (6) 4C of Southern Indiana.

19 (c) The program shall use four (4) levels at which a child care
20 facility participating in the program may be rated, with Level 4
21 indicating the highest level of quality child care.

22 (d) The office of the secretary shall adopt rules under IC 4-22-2
23 to administer the paths to QUALITY program rating system. The
24 rules must include procedures that outline eligibility and
25 application procedures for the program, the establishment of
26 procedures relating to the rating process, and the establishment or
27 alteration of standards used in the rating process.

28 (e) The office of the secretary shall adopt rules under IC 4-22-2
29 to establish the steering council of the program to make
30 recommendations to the division on program issues and resources.
31 Rules adopted under this subsection must require that council
32 members be appointed from partner organizations that assist in
33 the implementation of the program and serve to coordinate the
34 program plan.

35 SECTION 65. IC 12-17.2-2-14.4 IS ADDED TO THE INDIANA
36 CODE AS A NEW SECTION TO READ AS FOLLOWS
37 [EFFECTIVE UPON PASSAGE]: **Sec. 14.4. (a) The state police**
38 **department shall release the results of a national criminal history**
39 **background check conducted in accordance with this article to the**
40 **division.**

41 (b) The division may not release records received from the state
42 police department under subsection (a).

43 SECTION 66. IC 12-17.2-3.6 IS ADDED TO THE INDIANA
44 CODE AS A NEW CHAPTER TO READ AS FOLLOWS
45 [EFFECTIVE UPON PASSAGE]:

46 **Chapter 3.6. Early Learning Advisory Committee; Early**



Education Matching Grant Program

1 **Sec. 1.** As used in this chapter, "committee" refers to the early
2 learning advisory committee established by section 8 of this
3 chapter.

4 **Sec. 2.** As used in this chapter, "eligible child" refers to a child
5 who qualifies as an eligible child under section 15 of this chapter.

6 **Sec. 3.** As used in this chapter, "eligible provider" refers to an
7 entity that qualifies as an eligible provider under section 16 of this
8 chapter.

9 **Sec. 4.** As used in this chapter, "eligible services" refers to a
10 program of early education services that meets the standards of
11 quality recognized by a Level 3 or Level 4 paths to QUALITY
12 program rating.

13 **Sec. 5.** As used in this chapter, "fund" refers to the early
14 education matching grant program fund established by section 11
15 of this chapter.

16 **Sec. 6.** As used in this chapter, "grant" refers to a matching
17 grant from the fund.

18 **Sec. 7.** As used in this chapter, "program" refers to the early
19 education matching grant program established by this chapter.

20 **Sec. 8. (a)** The early learning advisory committee is established.

21 **(b)** The committee consists of six (6) members appointed by the
22 governor as follows:

23 **(1)** A representative of the department of education.

24 **(2)** A representative of the division.

25 **(3)** A representative of a Head Start program under 42 U.S.C.
26 9831 et seq.

27 **(4)** A representative of a family advocacy group that has an
28 interest in early childhood education.

29 **(5)** An early childhood education provider.

30 **(6)** A representative of business with an interest in early
31 childhood education.

32 **(c)** The governor shall appoint the chairperson of the committee.

33 **(d)** The division shall staff the committee.

34 **(e)** The expenses of the committee shall be paid from the funds
35 of the division.

36 **(f)** Each member of the committee who is not a state employee
37 is entitled to the minimum salary per diem provided by
38 IC 4-10-11-2.1(b). The member is also entitled to reimbursement
39 for traveling expenses as provided under IC 4-13-1-4 and other
40 expenses actually incurred in connection with the member's duties
41 as provided in the state policies and procedures established by the
42 Indiana department of administration and approved by the budget
43 agency.

44 **(g)** Each member of the committee who is a state employee but
45 who is not a member of the general assembly is entitled to
46



1 reimbursement for traveling expenses as provided under
 2 IC 4-13-1-4 and other expenses actually incurred in connection
 3 with the member's duties as provided in the state policies and
 4 procedures established by the Indiana department of
 5 administration and approved by the budget agency.

6 (h) Each member of the committee who is a member of the
 7 general assembly is entitled to receive the same per diem, mileage,
 8 and travel allowances paid to legislative members of interim study
 9 committees established by the legislative council. Per diem,
 10 mileage, and travel allowances paid under this section shall be paid
 11 from appropriations made to the legislative council or the
 12 legislative services agency.

13 (i) The affirmative votes of a majority of the voting members
 14 appointed to the committee are required for the committee to take
 15 action on any measure, including final reports.

16 **Sec. 9. (a) The committee shall do the following:**

17 (1) Conduct periodic statewide needs assessments concerning
 18 the quality and availability of early education programs for
 19 children from birth to the age of school entry, including the
 20 availability of high quality prekindergarten education for low
 21 income children in Indiana.

22 (2) Identify opportunities for, and barriers to, collaboration
 23 and coordination among federally and state funded child
 24 development, child care, and early childhood education
 25 programs and services, including governmental agencies that
 26 administer the programs and services.

27 (3) Assess the capacity and effectiveness of two (2) and four
 28 (4) year public and private higher education institutions in
 29 Indiana for the support of development of early educators,
 30 including:

31 (A) professional development and career advancement
 32 plans; and

33 (B) practice or internships with Head Start or
 34 prekindergarten programs.

35 (4) Recommend to the division procedures, policies, and
 36 eligibility criteria for the program.

37 (5) Other duties as determined necessary by the chairperson
 38 of the committee.

39 (b) Not later than June 30 of each year, the committee shall
 40 develop and make recommendations to the governor and, in an
 41 electronic format under IC 5-14-6, to the legislative council
 42 concerning the results of the committee's work under this section.

43 **Sec. 10.** The division shall administer an early education
 44 matching grant program in compliance with this chapter. The
 45 division may establish procedures, forms, and standards to carry
 46 out this chapter. The office of the secretary may adopt rules under



1 IC 4-22-2 to carry out this chapter.

2 **Sec. 11. (a)** The early education matching grant program fund
3 is established for the purpose of providing matching grants to
4 providers of eligible services. The fund shall be administered by the
5 division.

6 **(b)** The fund consists of the following:

7 **(1)** Appropriations by the general assembly.

8 **(2)** Grants and gifts that the state receives for the fund under
9 terms, obligations, and liabilities that the division considers
10 appropriate.

11 **(c)** The treasurer of state shall invest the money in the fund not
12 currently needed to meet the obligations of the fund in the same
13 manner as other public money may be invested. Interest that
14 accrues from these investments shall be deposited in the fund.

15 **(d)** Money in the fund at the end of a state fiscal year does not
16 revert to the state general fund. The fund is a trust fund and may
17 not be transferred to another fund under IC 4-9.1-1-7.

18 **Sec. 12.** The division shall establish an application process for
19 grants from the fund.

20 **Sec. 13.** The division may award a grant from the fund to an
21 applicant that:

22 **(1)** agrees to operate as an eligible provider;

23 **(2)** either:

24 **(A)** has obtained a matching gift or grant; or

25 **(B)** has a commitment for a matching gift or grant;

26 from any combination of foundations, other nonprofit entities,
27 individuals, or for-profit entities for the purposes of the
28 applicant's program of eligible services;

29 **(3)** provides the division with a plan for use of the grant and
30 any related matching funds that demonstrates to the
31 satisfaction of the division that use of the grant and related
32 matching funds will increase the number of eligible children
33 receiving eligible services;

34 **(4)** enters into a written agreement with the division
35 concerning the delivery of eligible services and the use of a
36 grant provided under this chapter that incorporates the plan
37 approved by the division under subdivision (3); and

38 **(5)** provides to the division any other information that the
39 division determines necessary or appropriate for the grant.

40 **Sec. 14.** Foundations, nonprofit entities, individuals, and
41 for-profit entities may contribute an amount to the fund:

42 **(1)** for the purposes of providing a matching gift or grant
43 described in section 13(2) of this chapter; or

44 **(2)** as unrestricted funds.

45 **Sec. 15.** To qualify as an eligible child, the child must be:

46 **(1)** a member of a household with an annual income that does



1 not exceed one hundred percent (100%) of the federal poverty
2 level;

3 (2) at least four (4) years of age and less than five (5) years of
4 age when the child receives eligible services; and

5 (3) a resident of Indiana or otherwise have legal settlement in
6 Indiana, as determined under IC 20-26-11.

7 **Sec. 16. To qualify as an eligible provider, an applicant must:**

8 (1) be an entity other than an individual;

9 (2) provide eligible services to individuals for at least one
10 hundred eighty (180) days per year;

11 (3) administer the kindergarten readiness assessment
12 (ISTAR-KR) adopted by the department of education to
13 children receiving eligible services as required by the division;

14 (4) include a parental involvement component in the delivery
15 of eligible services that is based on the requirements and
16 guidelines established by the division;

17 (5) comply with the agreement with the division concerning
18 the delivery of eligible services and the use of a grant
19 provided under this chapter; and

20 (6) comply with any other standards and procedures
21 established under this chapter.

22 **Sec. 17. The division shall monitor for compliance of a recipient
23 of a grant with the terms of the grant.**

24 **Sec. 18. (a) The division shall monitor the educational outcomes
25 resulting from the delivery of eligible services by eligible providers
26 that receive a grant under this chapter over the period established
27 by the division to evaluate the contribution that eligible services
28 make toward improved education outcomes.**

29 **(b) The division shall provide the department of education with
30 information necessary for the department of education to assign a
31 child who receives early education services from a provider that
32 participates in the program under this chapter a student testing
33 number. Upon receipt of the information, the department of
34 education shall assign the child a student testing number to track
35 the child's educational growth and development.**

36 **(c) The department of education shall cooperate with the
37 division as necessary or appropriate to assist the division to carry
38 out this section, including the sharing of information related to the
39 educational outcomes assigned a student testing number under
40 subsection (b) to the extent permitted by the laws governing the
41 disclosure of student information.**

42 **(d) Beginning in 2015, the division shall annually provide the
43 committee, the governor, and (in an electronic format under
44 IC 5-14-6) the legislative council a report of the findings of the
45 division under this section in a form that complies with all laws
46 governing the disclosure of student information.**



1 SECTION 67. IC 12-17.2-3.7, AS ADDED BY P.L.205-2013,
2 SECTION 211, IS REPEALED [EFFECTIVE UPON PASSAGE].
3 (Early Learning Advisory Committee; Early Education Matching Grant
4 Program).

5 SECTION 68. IC 12-17.2-3.7, AS ADDED BY P.L.267-2013,
6 SECTION 3, IS REPEALED [EFFECTIVE UPON PASSAGE]. (Early
7 Education Evaluation Program).

8 SECTION 69. IC 12-17.2-3.8 IS ADDED TO THE INDIANA
9 CODE AS A NEW CHAPTER TO READ AS FOLLOWS
10 [EFFECTIVE UPON PASSAGE]:

11 **Chapter 3.8. Early Education Evaluation Program**

12 **Sec. 1. As used in this chapter, "Paths to QUALITY program"**
13 **refers to a voluntary quality rating and improvement system for**
14 **child care administered:**

15 (1) statewide by the division; and

16 (2) under the trademark "Paths to QUALITY".

17 **Sec. 2. As used in this chapter, "program" refers to the early**
18 **education evaluation program established by section 3 of this**
19 **chapter.**

20 **Sec. 3. The early education evaluation program is established to**
21 **gather data concerning the school readiness of low income children**
22 **who have received early education services through providers with**
23 **programs of demonstrated quality that require parental**
24 **involvement in the children's education.**

25 **Sec. 4. (a) The division shall conduct a study of the school**
26 **readiness of low income children receiving early education services**
27 **from providers that:**

28 (1) meet the standards of quality recognized by a Level 3 or
29 Level 4 Paths to QUALITY program rating; and

30 (2) require parental involvement based on the guidelines
31 developed under section 7 of this chapter.

32 (b) The division shall select representative providers in multiple
33 locations across Indiana who administer kindergarten readiness
34 assessments and other indicators of school readiness to children
35 receiving services from the providers to participate in the
36 program. The division shall work with the department of education
37 to assign student testing numbers to low income children
38 completing kindergarten readiness assessments.

39 (c) Not later than October 1 of each year, the division shall
40 prepare an annual report of the results of the program and provide
41 the report to the governor, to the department of education, and, in
42 an electronic format under IC 5-14-6, to the legislative council.

43 (d) The division shall administer the program, which must begin
44 on July 1, 2013.

45 **Sec. 5. (a) The early learning advisory committee is established**
46 **to do the following:**



- 1 **(1) Conduct periodic statewide needs assessments concerning**
 2 **the quality and availability of early education programs for**
 3 **children from birth to the age of school entry, including the**
 4 **availability of high quality prekindergarten education for low**
 5 **income children in Indiana.**
- 6 **(2) Identify opportunities for, and barriers to, collaboration**
 7 **and coordination among federally and state funded child**
 8 **development, child care, and early childhood education**
 9 **programs and services, including governmental agencies that**
 10 **administer the programs and services.**
- 11 **(3) Assess the capacity and effectiveness of two (2) and four**
 12 **(4) year public and private higher education institutions in**
 13 **Indiana for the support of development of early educators,**
 14 **including:**
- 15 **(A) professional development and career advancement**
 16 **plans; and**
- 17 **(B) practice or internships with Head Start or**
 18 **prekindergarten programs.**
- 19 **(4) Other duties as determined necessary by the chairperson**
 20 **of the committee.**
- 21 **(5) Not later than June 30 of each year, develop and make**
 22 **recommendations to the governor and, in an electronic format**
 23 **under IC 5-14-6, to the legislative council concerning the**
 24 **results of the committee's work under subdivisions (1)**
 25 **through (4).**
- 26 **(b) The committee consists of six (6) members appointed by the**
 27 **governor as follows:**
- 28 **(1) A representative of the department of education.**
- 29 **(2) A representative of the division.**
- 30 **(3) A representative of a Head Start program under 42 U.S.C.**
 31 **9831 et seq.**
- 32 **(4) A representative of a family advocacy group that has an**
 33 **interest in early childhood education.**
- 34 **(5) An early childhood education provider.**
- 35 **(6) A representative of business with an interest in early**
 36 **childhood education.**
- 37 **(c) The governor shall appoint the chairperson of the committee.**
- 38 **(d) The division shall staff the committee.**
- 39 **(e) The expenses of the committee shall be paid from the funds**
 40 **of the division.**
- 41 **(f) Each member of the committee who is not a state employee**
 42 **is entitled to the minimum salary per diem provided by**
 43 **IC 4-10-11-2.1(b). The member is also entitled to reimbursement**
 44 **for traveling expenses as provided under IC 4-13-1-4 and other**
 45 **expenses actually incurred in connection with the member's duties**
 46 **as provided in the state policies and procedures established by the**



1 **Indiana department of administration and approved by the budget**
 2 **agency.**

3 **(g) Each member of the committee who is a state employee but**
 4 **who is not a member of the general assembly is entitled to**
 5 **reimbursement for traveling expenses as provided under**
 6 **IC 4-13-1-4 and other expenses actually incurred in connection**
 7 **with the member's duties as provided in the state policies and**
 8 **procedures established by the Indiana department of**
 9 **administration and approved by the budget agency.**

10 **(h) Each member of the committee who is a member of the**
 11 **general assembly is entitled to receive the same per diem, mileage,**
 12 **and travel allowances paid to legislative members of interim study**
 13 **committees established by the legislative council. Per diem,**
 14 **mileage, and travel allowances paid under this section shall be paid**
 15 **from appropriations made to the legislative council or the**
 16 **legislative services agency.**

17 **(i) The affirmative votes of a majority of the voting members**
 18 **appointed to the committee are required for the committee to take**
 19 **action on any measure, including final reports.**

20 **Sec. 6. The division shall provide the department of education**
 21 **with information necessary for the department of education to**
 22 **assign a child who receives early education services from a**
 23 **provider who participates in the program under this chapter a**
 24 **student testing number. Upon receipt of the information, the**
 25 **department of education shall assign the child a student testing**
 26 **number to track the child's educational growth and development.**

27 **Sec. 7. The division shall develop and maintain guidelines for the**
 28 **inclusion in every provider's services under this chapter of a**
 29 **component increasing parental engagement and involvement in the**
 30 **child's education.**

31 **SECTION 70. IC 12-17.2-5-4, AS AMENDED BY P.L.287-2013,**
 32 **SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE**
 33 **UPON PASSAGE]: Sec. 4. (a) The following constitute sufficient**
 34 **grounds for a denial of a license application:**

35 **(1) A determination by the department of child services**
 36 **established by IC 31-25-1-1 of child abuse or neglect (as defined**
 37 **in IC 31-9-2-14) by:**

38 **(A) the applicant;**

39 **(B) a member of the applicant's household;**

40 **(C) an employee of the applicant who has direct contact, on a**
 41 **regular and continuous basis, with children who are under the**
 42 **direct supervision of the applicant; or**

43 **(D) a volunteer of the applicant who has direct contact, on a**
 44 **regular and continuous basis, with children who are **under the****
 45 **direct supervision of the applicant.**

46 **(2) A criminal conviction of the applicant, an employee of the**



1 applicant who has direct contact with children who are receiving
 2 child care from the applicant, a volunteer of the applicant who has
 3 direct contact with children who are receiving child care from the
 4 applicant, or a member of the applicant's household, of any of the
 5 following:

6 (A) A felony:

7 (i) related to the health or safety of a child;

8 (ii) that is a sex offense (as defined in IC 11-8-8-5.2);

9 (iii) that is a dangerous felony; or

10 (iv) that is not a felony otherwise described in items (i)
 11 through (iii), and less than ten (10) years have elapsed from
 12 the date the person was discharged from probation,
 13 imprisonment, or parole, whichever discharge date is latest.

14 (B) A misdemeanor related to the health or safety of a child.

15 (C) A misdemeanor for operating a child care center without
 16 a license under IC 12-17.2-4-35, or a substantially similar
 17 offense committed in another jurisdiction if the offense is
 18 directly or indirectly related to jeopardizing the health or
 19 safety of a child.

20 (D) A misdemeanor for operating a child care home without a
 21 license under section 35 of this chapter, or a substantially
 22 similar offense committed in another jurisdiction if the offense
 23 is directly or indirectly related to jeopardizing the health or
 24 safety of a child.

25 (3) A determination by the division that the applicant made false
 26 statements in the applicant's application for licensure.

27 (4) A determination by the division that the applicant made false
 28 statements in the records required by the division.

29 (5) A determination by the division that the applicant previously
 30 operated a:

31 (A) child care center without a license under IC 12-17.2-4; or

32 (B) child care home without a license under this chapter.

33 (b) Notwithstanding subsection (a)(2), if:

34 (1) a license application is denied due to a criminal conviction of:

35 (A) an employee or a volunteer of the applicant; or

36 (B) a member of the applicant's household; and

37 (2) the division determines that the:

38 (A) employee or volunteer has been dismissed by the
 39 applicant; or

40 (B) member of the applicant's household is no longer a
 41 member of the applicant's household;

42 the criminal conviction of the former employee, former volunteer, or
 43 former member does not require denial of a license application.

44 SECTION 71. IC 12-29-2-2, AS AMENDED BY P.L.123-2008,
 45 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 46 UPON PASSAGE]: Sec. 2. (a) A county shall fund the operation of



1 community mental health centers in the amount determined under
 2 subsection (b), unless a lower tax levy amount will be adequate to
 3 fulfill the county's financial obligations under this chapter in any of the
 4 following situations:

5 (1) If the total population of the county is served by one (1)
 6 center.

7 (2) If the total population of the county is served by more than one
 8 (1) center.

9 (3) If the partial population of the county is served by one (1)
 10 center.

11 (4) If the partial population of the county is served by more than
 12 one (1) center.

13 (b) The amount of funding under subsection (a) for taxes first due
 14 and payable in a calendar year is the following:

15 (1) For 2004, the amount is the amount determined under STEP
 16 THREE of the following formula:

17 STEP ONE: Determine the amount that was levied within the
 18 county to comply with this section from property taxes first
 19 due and payable in 2002.

20 STEP TWO: Multiply the STEP ONE result by the county's
 21 assessed value growth quotient for the ensuing year 2003, as
 22 determined under IC 6-1.1-18.5-2.

23 STEP THREE: Multiply the STEP TWO result by the county's
 24 assessed value growth quotient for the ensuing year 2004, as
 25 determined under IC 6-1.1-18.5-2.

26 (2) Except as provided in subsection (c), for 2005 and each year
 27 thereafter, the result equal to:

28 (A) the amount that was levied in the county to comply with
 29 this section from property taxes first due and payable in the
 30 calendar year immediately preceding the ensuing calendar
 31 year; multiplied by

32 (B) the county's assessed value growth quotient for the ensuing
 33 calendar year, as determined under IC 6-1.1-18.5-2.

34 (c) This subsection applies only to property taxes first due and
 35 payable after December 31, 2007. This subsection applies only to a
 36 county for which a county adjusted gross income tax rate is first
 37 imposed or is increased in a particular year under IC 6-3.5-1.1-24 or a
 38 county option income tax rate is first imposed or is increased in a
 39 particular year under IC 6-3.5-6-30. Notwithstanding any provision in
 40 this section or any other section of this chapter, for a county subject to
 41 this subsection, the county's maximum property tax levy under this
 42 section to fund the operation of community mental health centers for
 43 the ensuing calendar year is equal to the county's maximum property
 44 tax levy to fund the operation of community mental health centers for
 45 the current calendar year.

46 (d) Except as provided in subsection (h), the county shall pay to the



1 division of mental health and addiction the part of the funding
 2 determined under subsection (b) that is appropriated solely for funding
 3 the operations of a community health center. The funding required
 4 under this section for operations of a community health center shall be
 5 paid by the county to the division of mental health and addiction. These
 6 funds shall be used solely for satisfying the non-federal share of
 7 medical assistance payments to community mental health centers
 8 serving the county for:

- 9 (1) allowable administrative services; and
- 10 (2) community mental health rehabilitation services.

11 All other funding appropriated for the purposes allowed under section
 12 1.2(b)(1) of this chapter shall be paid by the county directly to the
 13 community mental health center semiannually at the times that the
 14 payments are made under subsection (e).

15 (e) The county shall appropriate and disburse the funds for
 16 operations semiannually not later than December 1 and June 1 in an
 17 amount equal to the amount determined under subsection (b) and
 18 requested in writing by the division of mental health and addiction. The
 19 total funding amount paid to the division of mental health and
 20 addiction for a county for each calendar year may not exceed the
 21 amount that is calculated in subsection (b) and set forth in writing by
 22 the division of mental health and addiction for the county. Funds paid
 23 to the division of mental health and addiction by the county shall be
 24 submitted by the county in a timely manner after receiving the written
 25 request from the division of mental health and addiction, to ensure
 26 current year compliance with the community mental health
 27 rehabilitation program and any administrative requirements of the
 28 program.

29 (f) The division of mental health and addiction shall ensure that the
 30 non-federal share of funding received from a county under this program
 31 is applied only for matching federal funds for the designated
 32 community mental health centers to the extent a center is eligible to
 33 receive county funding under ~~IC 12-21-2-3(a)(5)(E)~~.
 34 **IC 12-21-2-3(5)(D)**.

35 (g) The division of mental health and addiction:

- 36 (1) shall first apply state funding to a community mental health
 37 center's non-federal share of funding under this program; and
- 38 (2) may next apply county funding received under ~~IC 12-29-2-2~~
 39 **this section** to any remaining non-federal share of funding for the
 40 community mental health center.

41 The division shall distribute any excess state funds that exceed the
 42 community mental health rehabilitation services non-federal share
 43 applied to a community mental health center that is entitled to the
 44 excess state funds.

45 (h) The health and hospital corporation of Marion County created
 46 by IC 16-22-8-6 may make payments to the division for the operation



- 1 of a community mental health center as described in this chapter.
2 SECTION 72. IC 14-9-5-4, AS AMENDED BY P.L.124-2013,
3 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
4 UPON PASSAGE]: Sec. 4. (a) As used in this section, "account" means
5 the Indiana sportsmen's benevolence account established by subsection
6 (b).
7 (b) The Indiana sportsmen's benevolence account is established
8 within the fund for the division of law enforcement to encourage
9 citizen participation in feeding the state's hungry through donations of
10 wild game that has been lawfully hunted.
11 (c) The account consists of:
12 (1) gifts;
13 (2) donations;
14 (3) proceeds derived from marketing by the division of law
15 enforcement of goods related to the feeding of the state's hungry
16 through donations of wild game under subsection ~~(a)~~; **(b)**; and
17 (4) donations collected under IC 14-22-12-1(c).
18 (d) The expenses of administering the account shall be paid from
19 money in the account.
20 (e) The division of law enforcement shall:
21 (1) conduct a publicity campaign relating to feeding the state's
22 hungry through donations of wild game;
23 (2) coordinate with nonprofit entities and other entities created
24 with goals of feeding the state's hungry;
25 (3) coordinate with nonprofit entities to use the money collected
26 under IC 14-22-12-1(c) to assist meat processors in processing
27 donations of wild game related to feeding the state's hungry; and
28 (4) engage in any other activities to further the goals of this
29 section.
30 (f) A person who receives money from the fund must submit a
31 budget request for providing estimated payments to participating meat
32 processors for the number of donated wild game animals to be included
33 in the program. The division of law enforcement must certify the
34 information on the application and determine:
35 (1) whether the participating meat processor may receive a grant;
36 and
37 (2) the amount of the grant each participating meat processor may
38 receive under this section.
39 (g) An eligible meat processor may use money granted to the meat
40 processor from the account as authorized under this section. However,
41 an eligible meat processor must submit to the division of law
42 enforcement any information that is requested of the meat processor.
43 At the request of the division of law enforcement or the state board of
44 accounts, the eligible meat processor shall submit to an audit of the
45 funds received.
46 (h) The division of law enforcement shall make grant distributions



1 under this section to eligible meat processors as soon as practical after
2 receipt of an approved invoice for payment.

3 (i) The department shall adopt rules under IC 4-22-2 to implement
4 this chapter, including rules governing:

5 (1) the deadlines for applying for a grant under this section;

6 (2) the types of expenses incurred for which grant money may be
7 used; and

8 (3) any expense documentation required to satisfy program
9 accounting needs.

10 (j) Money in the account is annually appropriated for the purposes
11 described in this section.

12 (k) The treasurer of state shall invest the money in the account not
13 currently needed to meet the obligations of the account in the same
14 manner as other public money may be invested. Interest that accrues
15 from these investments shall be deposited in the account.

16 (l) Money in the account at the end of a state fiscal year does not
17 revert to the state general fund.

18 SECTION 73. IC 14-22-12-7 IS REPEALED [EFFECTIVE UPON
19 PASSAGE]. Sec. 7: (a) Before July 1, 2005, the director may issue to
20 residents of Indiana lifetime licenses to hunt, fish, or trap. Subject to
21 subsection (b), the following license fees shall be charged:

22 (1) Lifetime basic fishing license, twenty (20) times the fee
23 charged for a resident yearly license to fish. This license replaces
24 the resident yearly license to fish.

25 (2) Lifetime basic hunting license, twenty (20) times the fee
26 charged for a resident yearly license to hunt. This license replaces
27 the resident yearly license to hunt.

28 (3) Lifetime comprehensive fishing license, thirty (30) times the
29 fee charged for a resident yearly license to fish. This license
30 replaces the resident yearly license to fish and all other yearly
31 licenses, stamps, or permits to fish for a specific species.

32 (4) Lifetime comprehensive hunting license, sixty (60) times the
33 fee charged for a resident yearly license to hunt. This license
34 replaces the resident yearly license to hunt and all other yearly
35 licenses, stamps, or permits to hunt for a specific species or by a
36 specific means.

37 (5) Lifetime comprehensive hunting and fishing license, the fee
38 charged under subdivisions (3) and (4) less ten percent (10%):
39 This license replaces the following:

40 (A) The resident yearly license to hunt.

41 (B) All other yearly licenses, stamps, or permits to hunt for a
42 specific species or by a specific means.

43 (C) The resident yearly license to fish.

44 (D) All other yearly licenses, stamps, or permits to fish for a
45 specific species.

46 (6) Lifetime trapping license, twenty (20) times the fee charged



1 for a resident yearly license to trap. This license replaces the
2 resident yearly license to trap.

3 (b) This subsection applies only to individuals who are at least fifty
4 (50) years of age. The license fees under subsection (a) shall be
5 reduced by the amount determined under STEP THREE of the
6 following formula:

7 STEP ONE: Subtract forty-nine (49) from the resident applicant's
8 age in years.

9 STEP TWO: Multiply the difference determined under STEP
10 ONE by two and one-half percent (2.5%).

11 STEP THREE: Multiply the percentage determined under STEP
12 TWO by the amount of the appropriate fee under subsection (a).

13 (c) Each lifetime license:

14 (1) is nontransferable;

15 (2) expires on the death of the person to whom the license was
16 issued; and

17 (3) may be suspended or revoked for the same causes and
18 according to the same procedures that a resident yearly license to
19 hunt, fish, or trap, as appropriate, may be suspended or revoked.

20 (d) No part of a lifetime hunting, fishing, or trapping license is
21 refundable. However, the holder of:

22 (1) a basic license to hunt or fish may be given credit for the
23 current cost of such a license when purchasing a comprehensive
24 license to hunt or fish or hunt and fish; and

25 (2) a comprehensive license to hunt or fish may be given credit
26 for the current cost of such a license when purchasing a lifetime
27 comprehensive license to hunt and fish.

28 (e) All money received under this section shall be deposited in the
29 lifetime hunting, fishing, and trapping license trust fund established by
30 ~~IC 14-22-4~~.

31 SECTION 74. IC 16-21-10-7, AS ADDED BY P.L.205-2013,
32 SECTION 214, IS AMENDED TO READ AS FOLLOWS
33 [EFFECTIVE UPON PASSAGE]: Sec. 7. (a) The hospital assessment
34 fee committee is established. The committee consists of the following
35 four (4) voting members:

36 (1) The secretary of family and social services ~~established by~~
37 ~~IC 12-8-1.5-1~~; **appointed under IC 12-8-1.5-2** or the secretary's
38 designee, who shall serve as the chair of the committee.

39 (2) The budget director or the budget director's designee.

40 (3) Two (2) individuals appointed by the governor from a list of
41 at least four (4) individuals submitted by the Indiana Hospital
42 Association.

43 If a vacancy occurs among the members appointed under subdivision
44 (3), the governor shall appoint a replacement committee member from
45 a list of at least two (2) individuals submitted by the Indiana Hospital
46 Association.



1 (b) The committee shall review any Medicaid state plan
 2 amendments, waiver requests, or revisions to any Medicaid state plan
 3 amendments or waiver requests, to implement or continue the
 4 implementation of this chapter for the purpose of establishing favorable
 5 review of the amendments, requests, and revisions by the United States
 6 Department of Health and Human Services.

7 (c) The committee shall meet at the call of the chair. The members
 8 serve without compensation.

9 (d) A quorum consists of at least three (3) members. An affirmative
 10 vote of at least three (3) members of the committee is necessary to
 11 approve Medicaid state plan amendments, waiver requests, or revisions
 12 to the Medicaid state plan or waiver requests.

13 SECTION 75. IC 16-36-6-20, AS ADDED BY P.L.164-2013,
 14 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 15 UPON PASSAGE]: Sec. 20. The execution or revocation of a POST
 16 form by or for a qualified person does not revoke or impair the validity
 17 of any of the following:

18 (1) A power of attorney that is executed by a qualified person
 19 when the qualified person is competent.

20 (2) Health care powers that are granted to an attorney in fact
 21 under IC 30-5-5-16 or IC 30-5-5-17.

22 (3) An appointment of a health care representative that is
 23 executed by a qualified person, except to the extent that the POST
 24 form contains a superseding appointment of a new health care
 25 representative under section 9(b)(7) of this chapter.

26 (4) The authority of a health care representative under IC 16-36-1
 27 to consent to health care on behalf of the qualified ~~patient~~
 28 **person**.

29 (5) The authority of an attorney in fact holding health care powers
 30 under IC 30-5-5-16 or IC 30-5-5-17 to issue and enforce
 31 instructions under IC 30-5-7 concerning the qualified person's
 32 health care.

33 SECTION 76. IC 16-38-5-2, AS AMENDED BY P.L.191-2013,
 34 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 35 UPON PASSAGE]: Sec. 2. (a) Except as provided in subsection (c), a
 36 provider, a physician's designee, a pharmacist's designee, or a person
 37 approved by the state department may provide immunization data to the
 38 immunization data registry in a manner prescribed by the state
 39 department and for the purposes allowed under this chapter.

40 (b) This subsection takes effect July 1, 2015. Except as provided in
 41 subsections (c) and (e), a provider who is licensed under IC 25 and who
 42 is authorized within the provider's scope of practice to administer
 43 immunizations or the provider's designee shall electronically provide
 44 immunization data to the immunization data registry for all
 45 immunizations administered to individuals who are less than nineteen
 46 (19) years of age:



- 1 (1) not later than seven (7) business days after providing the
 2 immunization;
 3 (2) in a manner prescribed by the state department, after
 4 reasonable notice; and
 5 (3) for the purposes allowed under this chapter.
- 6 (c) A person is exempt from providing immunization data to the
 7 immunization data registry if:
 8 (1) the patient or the patient's parent or guardian, if the patient is
 9 less than eighteen (18) years of age, has completed and filed a
 10 written immunization data exemption form with either the person
 11 who provides the immunization or the state department; or
 12 (2) the patient is a resident of or is receiving services from a
 13 facility licensed under IC 16-28.
- 14 (d) The minimum immunization data that must be provided under
 15 subsection (b) ~~is:~~ **are the following:**
 16 (1) Patient identification number.
 17 (2) Patient first and last name.
 18 (3) Patient date of birth.
 19 (4) Patient address.
 20 (5) Patient race.
 21 (6) Patient gender.
 22 (7) Vaccine for Children program eligibility, if the patient is
 23 eligible for the Vaccine for Children program.
 24 (8) Dose at the administration level under the Vaccine for
 25 Children program, if the patient is eligible for the Vaccine for
 26 Children program.
 27 (9) Vaccination presentation or vaccination code using approved
 28 Immunization Information System (IIS) code type.
 29 (10) Vaccination date administered.
 30 (11) Lot number of the administered vaccine.
- 31 The state department may expand or modify the list of minimum
 32 immunization data that must be provided under this section based on
 33 Centers for Disease Control Immunization Information System (IIS)
 34 minimum field requirements.
- 35 (e) A provider who is unable to electronically provide immunization
 36 data to the immunization **data** registry by July 1, 2015, shall submit a
 37 detailed plan for compliance with the requirements of subsection (b) to
 38 the state department no later than March 31, 2015. The state
 39 department will assist the provider so the provider is able to
 40 electronically provide immunization data in a reasonable amount of
 41 time.
- 42 (f) The state department shall create and provide copies of
 43 immunization data exemption forms to:
 44 (1) providers who are:
 45 (A) licensed under IC 25; and
 46 (B) authorized within the provider's scope of practice to



1 administer immunizations; and
 2 (2) individuals;
 3 who request the form.

4 (g) The state department shall distribute, upon request, written
 5 information to be disseminated to patients that describes the
 6 immunization data registry. The written information must include the
 7 following:

- 8 (1) That, beginning July 1, 2015, the provider is required to report
 9 immunization data to the immunization data registry.
 10 (2) That the patient or the patient's parent or guardian, if the
 11 patient is less than eighteen (18) years of age, has a right to
 12 exempt disclosure of immunization data to the registry and may
 13 prevent disclosure by signing an immunization data exemption
 14 form.
 15 (3) That the patient or the patient's parent or guardian, if the
 16 patient is less than eighteen (18) years of age, may have the
 17 individual's information removed from the immunization data
 18 registry.

19 (4) Instructions on how to have the information removed.

20 SECTION 77. IC 16-49-2-7, AS ADDED BY P.L.119-2013,
 21 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 22 UPON PASSAGE]: Sec. 7. Not later than ninety (90) days after the
 23 first meeting of the child fatality committee, the prosecuting attorney
 24 of the county or prosecuting attorney's representative shall submit a
 25 report to the state child fatality review coordinator that includes the
 26 following information:

- 27 (1) Whether the child fatality committee established a:
 28 (A) county child fatality review team; or
 29 (B) regional child fatality review team.
 30 (2) The names and contact numbers of all of the members of the
 31 local child fatality review team.
 32 (3) Whether the child fatality committee will or has entered into
 33 a ~~memorandum of understanding~~ **written agreement** described
 34 under section 3(3) of this chapter.
 35 (4) Any assistance the child fatality committee would like from
 36 the state child fatality review coordinator in forming the local
 37 child fatality review team.

38 SECTION 78. IC 16-49-3-7, AS ADDED BY P.L.119-2013,
 39 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 40 UPON PASSAGE]: Sec. 7. (a) A local child fatality review team shall
 41 prepare and release a report that may include the following
 42 information:

- 43 (1) A summary of the data collected regarding the reviews
 44 conducted by the local child fatality review team.
 45 (2) Actions ~~recommend~~ **recommended** by the local child fatality
 46 review team to prevent injuries to children and child deaths in the



1 area served by the local child fatality review team.

2 (3) Solutions proposed for system inadequacies.

3 (b) A report released under this section may not contain identifying
4 information relating to the fatalities reviewed by the local child fatality
5 review team.

6 (c) Except as otherwise provided in this article, review data
7 concerning a child fatality is confidential and may not be released.

8 (d) A local child fatality review team may prepare and release a
9 joint report for the report required by subsection (a) with another child
10 fatality review team if the local child fatality review team reviewed
11 fewer than two (2) child fatalities in the previous calendar year.

12 SECTION 79. IC 20-23-5-8, AS ADDED BY P.L.1-2005,
13 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
14 UPON PASSAGE]: Sec. 8. An annexation may be effected by any
15 school corporation as follows:

16 (1) The acquiring and the losing school corporations shall each
17 adopt a substantially identical annexation resolution. The
18 resolution must contain the following items:

19 (A) The name of the acquiring school corporation, which may
20 differ from the name of the acquiring corporation at the time
21 of the adoption of the resolution, after the effective date.

22 (B) A description of the annexed territory. The description:
23 ~~shall as near as reasonably possible:~~

- 24 (i) **must, to the greatest extent reasonably possible**, be by
25 streets and other boundaries known by common names; and
26 (ii) does not have to be by legal description unless the
27 additional description is necessary to identify the annexed
28 territory.

29 A notice is not defective if there is a good faith compliance
30 with this section and if the area designated may be ascertained
31 with reasonable certainty by persons skilled in the area of real
32 estate description.

33 (C) The time the annexation takes place.

34 (D) Any terms and conditions facilitating education of students
35 in the:

- 36 (i) annexed territory;
37 (ii) losing school corporation; or
38 (iii) acquiring school corporation.

39 The terms may provide for the continued attendance by
40 students in the annexed territory at schools in the losing school
41 corporation for specified periods after annexation on a transfer
42 basis. If students will continue attendance in schools in the
43 losing school corporation, transfer tuition for the students shall
44 be paid by the acquiring school corporation to the losing
45 school corporation:

- 46 (i) using the method; and



- 1 (ii) at the rates;
 2 provided by the Indiana statutes governing the computation
 3 and payment of transfer tuition costs.
 4 (E) Disposition of assets and liabilities of the losing school
 5 corporation to the acquiring school corporation.
 6 (F) Allocation between the acquiring and losing school
 7 corporations of subsequently collected school taxes levied on
 8 property in the annexed territory.
 9 (G) The amount, if any, to be paid by the acquiring school
 10 corporation to the losing school corporation on account of
 11 property received from the losing school corporation.
 12 (H) Dispositions, allocations, and amounts transferred under
 13 this subsection must be equitable.
- 14 (2) After the adoption of the resolution, notice shall be given by
 15 publication in both the acquiring school corporation and the
 16 losing school corporation setting out:
 17 (A) the text of the resolution; and
 18 (B) a statement that the resolution has been adopted and that
 19 a right of remonstrance exists as provided in this chapter.
- 20 (3) It is not necessary to set out the remonstrance provisions of
 21 this chapter. A general reference to a right of remonstrance with
 22 a reference to this chapter is sufficient.
- 23 (4) The annexation takes effect:
 24 (A) within thirty (30) days after publication; or
 25 (B) at the time provided in the resolution;
 26 whichever is later, unless within the period during which a
 27 remonstrance may be filed a remonstrance is filed in the circuit or
 28 superior court of the county where the annexed territory or any
 29 part of the annexed territory is located, by registered voters
 30 residing in the losing school corporation at least equal in number
 31 to the greater of ten percent (10%) of the number of registered
 32 voters residing in the losing school corporation or fifty-one
 33 percent (51%) of the number of registered voters residing in the
 34 annexed territory.
- 35 SECTION 80. IC 20-26-5-4, AS AMENDED BY P.L.205-2013,
 36 SECTION 240, AND AS AMENDED BY P.L.286-2013, SECTION
 37 57, IS CORRECTED AND AMENDED TO READ AS FOLLOWS
 38 [EFFECTIVE UPON PASSAGE]: Sec. 4. (a) In carrying out the school
 39 purposes of a school corporation, the governing body acting on the
 40 school corporation's behalf has the following specific powers:
 41 (1) In the name of the school corporation, to sue and be sued and
 42 to enter into contracts in matters permitted by applicable law.
 43 However, a governing body may not use funds received from the
 44 state to bring or join in an action against the state, unless the
 45 governing body is challenging an adverse decision by a state
 46 agency, board, or commission.



- 1 (2) To take charge of, manage, and conduct the educational affairs
 2 of the school corporation and to establish, locate, and provide the
 3 necessary schools, school libraries, other libraries where
 4 permitted by law, other buildings, facilities, property, and
 5 equipment.
- 6 (3) To appropriate from the school corporation's general fund an
 7 amount, not to exceed the greater of three thousand dollars
 8 (\$3,000) per budget year or one dollar (\$1) per pupil, not to
 9 exceed twelve thousand five hundred dollars (\$12,500), based on
 10 the school corporation's *ADM of the previous year's ADM, year*
 11 *(as defined in IC 20-43-1-7)* to promote the best interests of the
 12 school corporation through:
- 13 (A) the purchase of meals, decorations, memorabilia, or
 14 awards;
- 15 (B) provision for expenses incurred in interviewing job
 16 applicants; or
- 17 (C) developing relations with other governmental units.
- 18 (4) **To do the following:**
- 19 (A) Acquire, construct, erect, maintain, hold, and contract for
 20 construction, erection, or maintenance of real estate, real estate
 21 improvements, or an interest in real estate or real estate
 22 improvements, as the governing body considers necessary for
 23 school purposes, including buildings, parts of buildings,
 24 additions to buildings, rooms, gymnasiums, auditoriums,
 25 playgrounds, playing and athletic fields, facilities for physical
 26 training, buildings for administrative, office, warehouse, repair
 27 activities, or housing school owned buses, landscaping, walks,
 28 drives, parking areas, roadways, easements and facilities for
 29 power, sewer, water, roadway, access, storm and surface
 30 water, drinking water, gas, electricity, other utilities and
 31 similar purposes, by purchase, either outright for cash (or
 32 under conditional sales or purchase money contracts providing
 33 for a retention of a security interest by the seller until payment
 34 is made or by notes where the contract, security retention, or
 35 note is permitted by applicable law), by exchange, by gift, by
 36 devise, by eminent domain, by lease with or without option to
 37 purchase, or by lease under IC 20-47-2, IC 20-47-3, or
 38 IC 20-47-5.
- 39 (B) Repair, remodel, remove, or demolish, or to contract for
 40 the repair, remodeling, removal, or demolition of the real
 41 estate, real estate improvements, or interest in the real estate
 42 or real estate improvements, as the governing body considers
 43 necessary for school purposes.
- 44 (C) Provide for conservation measures through utility
 45 efficiency programs or under a guaranteed savings contract as
 46 described in IC 36-1-12.5.



1 (5) To acquire personal property or an interest in personal
 2 property as the governing body considers necessary for school
 3 purposes, including buses, motor vehicles, equipment, apparatus,
 4 appliances, books, furniture, and supplies, either by cash purchase
 5 or under conditional sales or purchase money contracts providing
 6 for a security interest by the seller until payment is made or by
 7 notes where the contract, security, retention, or note is permitted
 8 by applicable law, by gift, by devise, by loan, or by lease with or
 9 without option to purchase and to repair, remodel, remove,
 10 relocate, and demolish the personal property. All purchases and
 11 contracts specified under the powers authorized under subdivision
 12 (4) and this subdivision are subject solely to applicable law
 13 relating to purchases and contracting by municipal corporations
 14 in general and to the supervisory control of state agencies as
 15 provided in section 6 of this chapter.

16 (6) To sell or exchange real or personal property or interest in real
 17 or personal property that, in the opinion of the governing body, is
 18 not necessary for school purposes, in accordance with IC 20-26-7,
 19 to demolish or otherwise dispose of the property if, in the opinion
 20 of the governing body, the property is not necessary for school
 21 purposes and is worthless, and to pay the expenses for the
 22 demolition or disposition.

23 (7) To lease any school property for a rental that the governing
 24 body considers reasonable or to permit the free use of school
 25 property for:

26 (A) civic or public purposes; or
 27 (B) the operation of a school age child care program for
 28 children who are at least five (5) years of age and less than
 29 fifteen (15) years of age that operates before or after the school
 30 day, or both, and during periods when school is not in session;
 31 if the property is not needed for school purposes. Under this
 32 subdivision, the governing body may enter into a long term lease
 33 with a nonprofit corporation, community service organization, or
 34 other governmental entity, if the corporation, organization, or
 35 other governmental entity will use the property to be leased for
 36 civic or public purposes or for a school age child care program.
 37 However, if payment for the property subject to a long term lease
 38 is made from money in the school corporation's debt service fund,
 39 all proceeds from the long term lease must be deposited in the
 40 school corporation's debt service fund so long as payment for the
 41 property has not been made. The governing body may, at the
 42 governing body's option, use the procedure specified in
 43 IC 36-1-11-10 in leasing property under this subdivision.

44 (8) To **do the following:**

45 (A) Employ, contract for, and discharge superintendents,
 46 supervisors, principals, teachers, librarians, athletic coaches



1 (whether or not they are otherwise employed by the school
 2 corporation and whether or not they are licensed under
 3 IC 20-28-5), business managers, superintendents of buildings
 4 and grounds, janitors, engineers, architects, physicians,
 5 dentists, nurses, accountants, teacher aides performing
 6 noninstructional duties, educational and other professional
 7 consultants, data processing and computer service for school
 8 purposes, including the making of schedules, the keeping and
 9 analyzing of grades and other student data, the keeping and
 10 preparing of warrants, payroll, and similar data where
 11 approved by the state board of accounts as provided below,
 12 and other personnel or services as the governing body
 13 considers necessary for school purposes.

14 (B) Fix and pay the salaries and compensation of persons and
 15 services described in this subdivision that are consistent with
 16 ~~IC 20-28-9-1~~. IC 20-28-9-1.5.

17 (C) Classify persons or services described in this subdivision
 18 and to adopt schedules of salaries or compensation that are
 19 consistent with ~~IC 20-28-9-1~~. IC 20-28-9-1.5.

20 (D) Determine the number of the persons or the amount of the
 21 services employed or contracted for as provided in this
 22 subdivision.

23 (E) Determine the nature and extent of the duties of the
 24 persons described in this subdivision.

25 The compensation, terms of employment, and discharge of
 26 teachers are, however, subject to and governed by the laws
 27 relating to employment, contracting, compensation, and discharge
 28 of teachers. The compensation, terms of employment, and
 29 discharge of bus drivers are subject to and governed by laws
 30 relating to employment, contracting, compensation, and discharge
 31 of bus drivers. The forms and procedures relating to the use of
 32 computer and data processing equipment in handling the financial
 33 affairs of the school corporation must be submitted to the state
 34 board of accounts for approval so that the services are used by the
 35 school corporation when the governing body determines that it is
 36 in the best interest of the school corporation while at the same
 37 time providing reasonable accountability for the funds expended.

38 (9) Notwithstanding the appropriation limitation in subdivision
 39 (3), when the governing body by resolution considers a trip by an
 40 employee of the school corporation or by a member of the
 41 governing body to be in the interest of the school corporation,
 42 including attending meetings, conferences, or examining
 43 equipment, buildings, and installation in other areas, to permit the
 44 employee to be absent in connection with the trip without any loss
 45 in pay and to reimburse the employee or the member the
 46 employee's or member's reasonable lodging and meal expenses



- 1 and necessary transportation expenses. To pay teaching personnel
2 for time spent in sponsoring and working with school related trips
3 or activities.
- 4 (10) Subject to IC 20-27-13, to transport children to and from
5 school, when in the opinion of the governing body the
6 transportation is necessary, including considerations for the safety
7 of the children and without regard to the distance the children live
8 from the school. The transportation must be otherwise in
9 accordance with applicable law.
- 10 (11) To provide a lunch program for a part or all of the students
11 attending the schools of the school corporation, including the
12 establishment of kitchens, kitchen facilities, kitchen equipment,
13 lunch rooms, the hiring of the necessary personnel to operate the
14 lunch program, and the purchase of material and supplies for the
15 lunch program, charging students for the operational costs of the
16 lunch program, fixing the price per meal or per food item. To
17 operate the lunch program as an extracurricular activity, subject
18 to the supervision of the governing body. To participate in a
19 surplus commodity or lunch aid program.
- 20 (12) To purchase ~~textbooks~~, *curricular materials*, to furnish
21 ~~textbooks~~ *curricular materials* without cost or to rent ~~textbooks~~
22 *curricular materials* to students, to participate in a ~~textbook~~
23 *curricular materials* aid program, all in accordance with
24 applicable law.
- 25 (13) To accept students transferred from other school corporations
26 and to transfer students to other school corporations in accordance
27 with applicable law.
- 28 (14) To make budgets, to appropriate funds, and to disburse the
29 money of the school corporation in accordance with applicable
30 law. To borrow money against current tax collections and
31 otherwise to borrow money, in accordance with IC 20-48-1.
- 32 (15) To purchase insurance or to establish and maintain a
33 program of self-insurance relating to the liability of the school
34 corporation or the school corporation's employees in connection
35 with motor vehicles or property and for additional coverage to the
36 extent permitted and in accordance with IC 34-13-3-20. To
37 purchase additional insurance or to establish and maintain a
38 program of self-insurance protecting the school corporation and
39 members of the governing body, employees, contractors, or agents
40 of the school corporation from liability, risk, accident, or loss
41 related to school property, school contract, school or school
42 related activity, including the purchase of insurance or the
43 establishment and maintenance of a self-insurance program
44 protecting persons described in this subdivision against false
45 imprisonment, false arrest, libel, or slander for acts committed in
46 the course of the persons' employment, protecting the school



1 corporation for fire and extended coverage and other casualty
 2 risks to the extent of replacement cost, loss of use, and other
 3 insurable risks relating to property owned, leased, or held by the
 4 school corporation. In accordance with IC 20-26-17, to:

5 (A) participate in a state employee health plan under
 6 IC 5-10-8-6.6 or IC 5-10-8-6.7;

7 (B) purchase insurance; or

8 (C) establish and maintain a program of self-insurance;
 9 to benefit school corporation employees, including accident,
 10 sickness, health, or dental coverage, provided that a plan of
 11 self-insurance must include an aggregate stop-loss provision.

12 (16) To make all applications, to enter into all contracts, and to
 13 sign all documents necessary for the receipt of aid, money, or
 14 property from the state, the federal government, or from any other
 15 source.

16 (17) To defend a member of the governing body or any employee
 17 of the school corporation in any suit arising out of the
 18 performance of the member's or employee's duties for or
 19 employment with, the school corporation, if the governing body
 20 by resolution determined that the action was taken in good faith.
 21 To save any member or employee harmless from any liability,
 22 cost, or damage in connection with the performance, including the
 23 payment of legal fees, except where the liability, cost, or damage
 24 is predicated on or arises out of the bad faith of the member or
 25 employee, or is a claim or judgment based on the member's or
 26 employee's malfeasance in office or employment.

27 (18) To prepare, make, enforce, amend, or repeal rules,
 28 regulations, and procedures:

29 (A) for the government and management of the schools,
 30 property, facilities, and activities of the school corporation, the
 31 school corporation's agents, employees, and pupils and for the
 32 operation of the governing body; and

33 (B) that may be designated by an appropriate title such as
 34 "policy handbook", "bylaws", or "rules and regulations".

35 (19) To ratify and approve any action taken by a member of the
 36 governing body, an officer of the governing body, or an employee
 37 of the school corporation after the action is taken, if the action
 38 could have been approved in advance, and in connection with the
 39 action to pay the expense or compensation permitted under
 40 IC 20-26-1 through IC 20-26-5, IC 20-26-7, IC 20-40-12, and
 41 IC 20-48-1 or any other law.

42 (20) To exercise any other power and make any expenditure in
 43 carrying out the governing body's general powers and purposes
 44 provided in this chapter or in carrying out the powers delineated
 45 in this section which is reasonable from a business or educational
 46 standpoint in carrying out school purposes of the school



1 corporation, including the acquisition of property or the
 2 employment or contracting for services, even though the power or
 3 expenditure is not specifically set out in this chapter. The specific
 4 powers set out in this section do not limit the general grant of
 5 powers provided in this chapter except where a limitation is set
 6 out in IC 20-26-1 through IC 20-26-5, IC 20-26-7, IC 20-40-12,
 7 and IC 20-48-1 by specific language or by reference to other law.

8 *(b) A superintendent hired under subsection (a)(8):*

9 *(1) is not required to hold a teacher's license under IC 20-28-5;*
 10 *and*

11 *(2) is required to have obtained at least a master's degree from*
 12 *an accredited postsecondary educational institution.*

13 SECTION 81. IC 20-26-11-22, AS AMENDED BY P.L.205-2013,
 14 SECTION 243, AND AS AMENDED BY P.L.286-2013, SECTION
 15 59, IS CORRECTED AND AMENDED TO READ AS FOLLOWS
 16 [EFFECTIVE UPON PASSAGE]: Sec. 22. (a) The transferee
 17 corporation is entitled to receive from the transferor corporation
 18 transfer tuition for each transferred student for each school year
 19 calculated in two (2) parts **as follows:**

20 (1) Operating cost. ~~and~~

21 (2) Capital cost.

22 These costs must be allocated on a per student basis separately for each
 23 class of school.

24 (b) The operating cost for each class of school must be based on the
 25 total expenditures of the transferee corporation for the class from its
 26 general fund expenditures as set out on the classified budget forms
 27 prescribed by the state board of accounts, excluding from the
 28 calculation capital outlay, debt service, costs of transportation, salaries
 29 of board members, contracted service for legal expenses, and any
 30 expenditure that is made out of the general fund from extracurricular
 31 account receipts, for the school year.

32 (c) The capital cost for each class of school must consist of the
 33 lesser of the following alternatives:

34 (1) The capital cost must be based on an amount equal to five
 35 percent (5%) of the cost of transferee corporation's physical plant,
 36 equipment, and all items connected to the physical plant or
 37 equipment, including:

38 (A) buildings, additions, and remodeling to the buildings,
 39 excluding ordinary maintenance; and

40 (B) on-site and off-site improvements such as walks, sewers,
 41 waterlines, drives, and playgrounds;

42 that have been paid or are obligated to be paid in the future out of
 43 the general fund, capital projects fund, or debt service fund,
 44 including principal and interest, lease rental payments, and funds
 45 that were legal predecessors to these funds. If an item of the
 46 physical plant, equipment, appurtenances, or part of the item is



1 more than twenty (20) years old at the beginning of the school
 2 year, the capital cost of the item shall be disregarded in making
 3 the capital cost computation.

4 (2) The capital cost must be based on the amount budgeted from
 5 the general fund for capital outlay for physical plant, equipment,
 6 and appurtenances and the amounts levied for the debt service
 7 fund and the capital projects fund for the calendar year in which
 8 the school year ends.

9 (d) If an item of expense or cost cannot be allocated to a class of
 10 school, the item shall be prorated to all classes of schools on the basis
 11 of the ADM of each class in the transferee corporation, *as determined*
 12 *in the fall count of ADM in the school year*, compared to the total
 13 *current ADM* therein, *as determined in the fall count of ADM in the*
 14 *school year*.

15 (e) The transfer tuition for each student transferred for each school
 16 year shall be calculated by dividing the transferee school corporation's
 17 total operating costs and the total capital costs for the class of school
 18 in which the student is enrolled by the ADM of students therein, *as*
 19 *determined in the fall count of ADM in the school year*. If a transferred
 20 student is enrolled in a transferee corporation for less than the full
 21 school year, the transfer tuition shall be calculated by the proportion of
 22 such school year for which the transferred student is enrolled. A school
 23 year for this purpose consists of the number of days school is in session
 24 for student attendance. A student shall be enrolled in a transferee
 25 school, whether or not the student is in attendance, unless the:

- 26 (1) student's residence is outside the area of students transferred
 27 to the transferee corporation;
 28 (2) student has been excluded or expelled from school; or
 29 (3) student has been confirmed as a school dropout.

30 The transferor and transferee corporations may enter into written
 31 agreements concerning the amount of transfer tuition. If an agreement
 32 cannot be reached, the amount shall be determined by the state
 33 superintendent, with costs to be established, where in dispute, by the
 34 state board of accounts.

35 (f) The transferor corporation shall pay the transferee corporation,
 36 when billed, the amount of ~~book~~ *curricular material* rental due from
 37 transferred students who are unable to pay the ~~book~~ *curricular material*
 38 rental amount. The transferor corporation is entitled to collect the
 39 amount of the ~~book~~ *curricular material* rental from the appropriate
 40 township trustee, from its own funds, or from any other source, in the
 41 amounts and manner provided by law.

42 SECTION 82. IC 20-31-8-5, AS ADDED BY P.L.205-2013,
 43 SECTION 256, IS REPEALED [EFFECTIVE UPON PASSAGE]. See:
 44 5. The state board shall establish an alternative accountability system
 45 to assess the performance of a charter school that is sponsored by the
 46 Indiana charter school board established by IC 20-24-2.1-1 and



1 designated as a recovery school or an accelerated learning center.

2 SECTION 83. IC 20-31-8-5, AS ADDED BY P.L.286-2013,
3 SECTION 105, IS REPEALED [EFFECTIVE UPON PASSAGE]. Sec.
4 5. (a) Not later than November 15, 2013, the state board shall establish
5 new categories or designations of school performance under the
6 requirements of this chapter to replace 511 IAC 6.2-6. The new
7 standards of assessing school performance:

8 (1) must be based on a measurement of individual student
9 academic performance and growth to proficiency; and

10 (2) may not be based on a measurement of student performance
11 or growth compared with peers.

12 511 IAC 6.2-6 is void on the effective date of the emergency or final
13 rules adopted under this section.

14 (b) After July 1, 2013, the state board:

15 (1) shall adopt rules under IC 4-22-2; and

16 (2) may adopt emergency rules in the manner provided in
17 IC 4-22-2-37.1;

18 to implement this chapter.

19 (c) An emergency rule adopted under subsection (b) expires on the
20 earlier of:

21 (1) November 15, 2014; or

22 (2) the effective date of a rule that establishes categories or
23 designations of school improvement described in this section and
24 supersedes the emergency rule.

25 (d) Before beginning the rulemaking process to establish new
26 categories or designations of school improvement, the state board shall
27 report to the general assembly the proposed new categories or
28 designations in an electronic format under IC 5-14-6.

29 SECTION 84. IC 20-31-8-5.2 IS ADDED TO THE INDIANA
30 CODE AS A NEW SECTION TO READ AS FOLLOWS
31 [EFFECTIVE UPON PASSAGE]: **Sec. 5.2. The state board shall**
32 **establish an alternative accountability system to assess the**
33 **performance of a charter school that is sponsored by the Indiana**
34 **charter school board established by IC 20-24-2.1-1 and designated**
35 **as a recovery school or an accelerated learning center.**

36 SECTION 85. IC 20-31-8-5.4 IS ADDED TO THE INDIANA
37 CODE AS A NEW SECTION TO READ AS FOLLOWS
38 [EFFECTIVE UPON PASSAGE]: **Sec. 5.4. (a) Not later than**
39 **November 15, 2013, the state board shall establish new categories**
40 **or designations of school performance under the requirements of**
41 **this chapter to replace 511 IAC 6.2-6. The new standards of**
42 **assessing school performance:**

43 (1) must be based on a measurement of individual student
44 academic performance and growth to proficiency; and

45 (2) may not be based on a measurement of student
46 performance or growth compared with peers.



1 **511 IAC 6.2-6 is void on the effective date of the emergency or final**
 2 **rules adopted under this section.**

3 **(b) After July 1, 2013, the state board:**

4 **(1) shall adopt rules under IC 4-22-2; and**

5 **(2) may adopt emergency rules in the manner provided in**
 6 **IC 4-22-2-37.1;**

7 **to implement this chapter.**

8 **(c) An emergency rule adopted under subsection (b) expires on**
 9 **the earlier of:**

10 **(1) November 15, 2014; or**

11 **(2) the effective date of a rule that establishes categories or**
 12 **designations of school improvement described in this section**
 13 **and supersedes the emergency rule.**

14 **(d) Before beginning the rulemaking process to establish new**
 15 **categories or designations of school improvement, the state board**
 16 **shall report to the general assembly the proposed new categories**
 17 **or designations in an electronic format under IC 5-14-6.**

18 SECTION 86. IC 20-33-3-6, AS AMENDED BY P.L.41-2013,
 19 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 20 UPON PASSAGE]: Sec. 6. (a) An employment certificate is not
 21 required for a child who is at least fourteen (14) years of age but less
 22 than eighteen (18) years of age to:

23 (1) perform:

24 (A) farm labor; or

25 (B) domestic service; or

26 (2) act as a:

27 (A) caddie for a person playing golf; or

28 (B) newspaper carrier.

29 (b) An employment certificate is not required for a child who is:

30 (1) at least twelve (12) years of age but less than eighteen (18)
 31 years of age; and

32 (2) employed **or works** as a youth athletic program referee,
 33 umpire, or official under section 31.5 of this chapter.

34 (c) An exemption under subsection (a) or (b) applies only when a
 35 child is engaged in an occupation listed in this section during the hours
 36 when the child is not required to be in school.

37 (d) An employment certificate is not required for a child less than
 38 eighteen (18) years of age who:

39 (1) works as an actor or performer if the provisions of section 32
 40 of this chapter are met; or

41 (2) has graduated from high school.

42 SECTION 87. IC 20-33-3-31, AS AMENDED BY P.L.41-2013,
 43 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 44 UPON PASSAGE]: Sec. 31. (a) This subsection does not apply to a
 45 child who is employed **or works** as a youth athletic program referee,
 46 umpire, or official under section 31.5 of this chapter. A child less than:



1 (1) fourteen (14) years of age may not be employed or allowed to
 2 work in any gainful occupation except as a farm laborer, domestic
 3 service worker, caddie for persons playing the game of golf, or
 4 newspaper carrier; and

5 (2) twelve (12) years of age may not be permitted to work at farm
 6 labor except on a farm operated by the child's parent.

7 (b) Except as provided in section 32 of this chapter, a person, firm,
 8 limited liability company, or corporation may not employ or permit any
 9 child less than eighteen (18) years of age to work in any occupation
 10 after 7:30 a.m. and before 3:30 p.m. on a school day unless the child
 11 presents to the employer a written exception issued by the school that
 12 the child attends.

13 SECTION 88. IC 20-33-3-31.5, AS ADDED BY P.L.41-2013,
 14 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 15 UPON PASSAGE]: Sec. 31.5. (a) If the conditions of subsections (b)
 16 and (c) are satisfied, a child who is less than eighteen (18) years of age
 17 is exempt from the requirements of this chapter whenever the child is
 18 employed or works as a youth athletic program referee, umpire, or
 19 official.

20 (b) A child must satisfy all of the following:

21 (1) The child is at least twelve (12) years of age.

22 (2) The child is certified as a referee, umpire, or official by a
 23 national certification program.

24 (3) The child is a referee, umpire, or official for an age bracket
 25 younger than the child's own age.

26 (c) In addition to the requirements of subsection (b), one (1) of the
 27 following must be satisfied:

28 (1) The child:

29 (A) works with a person who is:

30 (i) at least eighteen (18) years of age; and

31 (ii) also working as a referee, umpire, or official at the same
 32 athletic event at which the child is working as a referee,
 33 umpire, or official; and

34 (B) has on file with the person responsible for assigning the
 35 child to officiate for the youth athletic program the original or
 36 a copy of a written consent to the child's employment as a
 37 referee, umpire, or official signed by the child's parent or
 38 guardian.

39 (2) ~~A~~ **The** child's parent or guardian is present during the athletic
 40 event at which the child is working as a referee, umpire, or
 41 official.

42 SECTION 89. IC 21-12-1.7-3, AS ADDED BY P.L.281-2013,
 43 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 44 UPON PASSAGE]: Sec. 3. (a) This section applies to an academic year
 45 beginning after August 31, 2014. The commission shall publish
 46 annually a schedule of award amounts for the higher education award



1 and freedom of choice grant issued under this article. The schedule
 2 must provide award amounts on the basis of the recipient's expected
 3 family contribution. The expected family contribution shall be derived
 4 from information submitted on the recipient's financial aid application
 5 form. The commission shall determine award amounts separately for:

- 6 (1) recipients attending approved public state educational
- 7 institutions (except Ivy Tech Community College);
- 8 (2) Ivy Tech Community College;
- 9 (3) recipients attending a nonprofit college or university listed in
- 10 ~~IC 21-7-13-6(c); IC 21-7-13-6(a)(1)(C);~~ and
- 11 (4) recipients attending approved postsecondary credit bearing
- 12 proprietary institutions.

13 (b) The schedule of award amounts published under subsection (a)
 14 shall offer a larger award to a recipient who, as of the student's most
 15 recently concluded academic year, has successfully completed:

- 16 (1) at least thirty (30) credit hours or the equivalent by the end of
- 17 the student's first academic year;
- 18 (2) at least sixty (60) credit hours or the equivalent by the end of
- 19 the student's second academic year; or
- 20 (3) at least ninety (90) credit hours or the equivalent by the end of
- 21 the student's third academic year.

22 A student's academic years used to determine if the student meets the
 23 requirements of this subdivision are not required to be successive
 24 calendar years.

25 (c) The schedule of award amounts shall set forth an amount for
 26 recipients described in subsection (a)(1) that is equal to fifty percent
 27 (50%) of the amount for recipients described in subsection (a)(3).

28 (d) This subsection expires September 1, 2016. A student that
 29 initially enrolls in an eligible institution for an academic year beginning
 30 before September 1, 2013, is eligible for the larger award determined
 31 under subsection (b) regardless of the student's credit completion.

32 SECTION 90. IC 21-12-13-2, AS AMENDED BY P.L.205-2013,
 33 SECTION 314, AND AS AMENDED BY P.L.281-2013, SECTION
 34 28, IS CORRECTED AND AMENDED TO READ AS FOLLOWS
 35 [EFFECTIVE UPON PASSAGE]: Sec. 2. (a) This section applies to the
 36 following scholarship, *stipend*, and fee remission statutes:

- 37 (1) IC 21-12-3.
- 38 (2) IC 21-12-4.
- 39 (3) IC 21-12-6.
- 40 (4) IC 21-12-8.
- 41 (5) IC 21-12-9.
- 42 (6) IC 21-13-2.
- 43 ~~(7) IC 21-13-3.~~
- 44 (7) IC 21-13-7.
- 45 (8) IC 21-13-8.
- 46 ~~(8) (9) IC 21-13-4.~~



1 ~~(9)~~ (10) IC 21-14-5.

2 ~~(10)~~ (11) IC 21-14-6-2.

3 (b) Except as provided in ~~sections~~ *section 3 and 4* of this chapter,
4 a grant or reduction in tuition or fees, including all renewals and
5 extensions, under any of the laws listed in subsection (a) may not
6 exceed ~~eight (8) the number of terms that constitutes four (4) full-time~~
7 undergraduate ~~semesters~~ *academic years, or its equivalent*, as
8 determined by the commission, and must be used within eight (8) years
9 after the date the individual first applies and becomes eligible for
10 benefits under the applicable law.

11 SECTION 91. IC 21-13-2-6, AS AMENDED BY P.L.205-2013,
12 SECTION 320, AND AS AMENDED BY P.L.281-2013, SECTION
13 31, IS CORRECTED AND AMENDED TO READ AS FOLLOWS
14 [EFFECTIVE UPON PASSAGE]: Sec. 6. Subject to section 12 of this
15 chapter, a scholarship may be renewed under this chapter for a total
16 scholarship award that does not exceed the number of *academic* terms
17 that constitutes four (4) *undergraduate* academic years. However, an
18 eligible institution may not grant a scholarship renewal to a student for
19 an academic year that ends later than six (6) years after the date the
20 student received the initial scholarship under this chapter.

21 SECTION 92. IC 21-13-9-7, AS ADDED BY P.L.205-2013,
22 SECTION 219, IS AMENDED TO READ AS FOLLOWS
23 [EFFECTIVE UPON PASSAGE]: Sec. 7. (a) To receive a distribution
24 under this chapter, the Marian University College of Osteopathic
25 Medicine shall make a written request for the distribution to the
26 commission ~~on~~ **for** higher education specifying the amount of the
27 distribution requested. The commission ~~on~~ **for** higher education shall
28 review the request and determine the amount of the request that should
29 be approved for distribution.

30 (b) The budget agency may not allot money appropriated for
31 scholarship distributions under this chapter until after the distribution
32 request by the Marian University College of Osteopathic Medicine is
33 approved by the commission ~~on~~ **for** higher education, after review by
34 the budget committee.

35 SECTION 93. IC 21-18-9-10, AS ADDED BY P.L.177-2013,
36 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
37 UPON PASSAGE]: Sec. 10. (a) Before November 1, 2014, the
38 commission, in consultation with the office of management and budget
39 and each state educational institution, shall prepare and submit a report
40 to the general assembly in an electronic format under IC 5-14-6 that
41 analyzes each state educational institution's expenses for the state fiscal
42 years beginning in 2012 and 2013 and determine the percentage or
43 amount of the state educational institution's total expenditures for a
44 particular state fiscal year that were:

- 45 (1) overhead and operational expenditures;
46 (2) instructional expenses; and



- 1 (3) capital or other expenses.
- 2 (b) The commission may establish criteria for categorizing a state
3 educational institution's expenses.
- 4 (c) A state educational institution shall submit to the commission
5 any information **necessary needed** by the commission **to prepare for**
6 **the preparation of** the report required in subsection (a).
- 7 (d) This section expires January 1, 2015.
- 8 SECTION 94. IC 21-41-9, AS ADDED BY P.L.27-2013, SECTION
9 1, IS REPEALED [EFFECTIVE UPON PASSAGE]. (Combat to
10 College Program).
- 11 SECTION 95. IC 21-41-9, AS ADDED BY P.L.253-2013,
12 SECTION 3, IS REPEALED [EFFECTIVE UPON PASSAGE].
13 (Indiana State University; Principal Institute).
- 14 SECTION 96. IC 21-41-10 IS ADDED TO THE INDIANA CODE
15 AS A **NEW CHAPTER** TO READ AS FOLLOWS [EFFECTIVE
16 UPON PASSAGE]:
- 17 **Chapter 10. Combat to College Program**
- 18 **Sec. 1. This chapter applies to a state educational institution**
19 **only if at least two hundred (200) veteran students are enrolled in**
20 **the state educational institution.**
- 21 **Sec. 2. As used in this chapter, "armed forces" has the meaning**
22 **set forth in IC 10-17-12-2.**
- 23 **Sec. 3. As used in this chapter, "coordinator" refers to a**
24 **program coordinator designated under section 10 of this chapter.**
- 25 **Sec. 4. As used in this chapter, "national guard" means a state's:**
26 **(1) army national guard; or**
27 **(2) air national guard.**
- 28 **Sec. 5. As used in this chapter, "postsecondary credit" means**
29 **credit toward:**
- 30 **(1) an associate degree;**
31 **(2) a baccalaureate degree; or**
32 **(3) a career and technical education certification;**
33 **granted by a state educational institution.**
- 34 **Sec. 6. As used in this chapter, "program" refers to the combat**
35 **to college program established under section 8 of this chapter.**
- 36 **Sec. 7. As used in this chapter, "veteran student" refers to a**
37 **student of a state educational institution who has been or is**
38 **currently serving as a member of the:**
- 39 **(1) armed forces; or**
40 **(2) national guard.**
- 41 **Sec. 8. Each state educational institution shall establish a**
42 **combat to college program to create a positive educational**
43 **environment for veteran students to successfully graduate from**
44 **academic and vocational degree programs while recognizing the**
45 **skills, training, and experiences associated with military service.**
- 46 **Sec. 9. Each state educational institution shall do the following:**



- 1 (1) Provide on its application for admission a question asking
 2 whether the applicant is currently or has ever been a member
 3 of the armed forces and an instruction directing the applicant,
 4 if the applicant has been a member of the armed forces, to
 5 indicate on the application whether the applicant received an
 6 honorable discharge.
- 7 (2) To the extent possible exercising financial prudence,
 8 provide a centralized location for admissions, registration for
 9 classes, and financial administration services for veteran
 10 students.
- 11 (3) Provide reasonable accommodations, in compliance with
 12 the federal Americans with Disabilities Act (42 U.S.C. 12101
 13 et seq.), at a state educational institution's fitness facility for
 14 veteran students who are disabled.
- 15 (4) Develop programs to provide academic and career
 16 counseling specifically designed for veteran students.
- 17 (5) Develop programs to provide reasonable access to
 18 specialized counseling services or resources for veteran
 19 students who are disabled or veteran students suffering from
 20 posttraumatic stress disorder.
- 21 (6) Develop job search assistance programs designed for
 22 veteran students during the veteran student's enrollment at
 23 the state educational institution.
- 24 **Sec. 10. (a) Each state educational institution shall designate a**
 25 **program coordinator.**
- 26 **(b) The duties of the coordinator include the following:**
- 27 (1) Develop programs to create a positive educational
 28 environment for veteran students while the veteran student is
 29 enrolled at the state educational institution.
- 30 (2) Develop training programs for the state educational
 31 institution's personnel relating to:
- 32 (A) issues associated with identifying and assisting veteran
 33 students with posttraumatic stress disorder;
- 34 (B) veteran benefits; and
- 35 (C) any issue that the coordinator determines will educate
 36 a state educational institution's faculty or staff of the
 37 special needs of veteran students.
- 38 (3) Make recommendations to the commission for higher
 39 education established under IC 21-18-2 concerning ways to
 40 improve the education of veteran students.
- 41 (4) Coordinate access to stress management, counseling
 42 programs, and other resources available to a veteran student
 43 at the state educational institution.
- 44 (5) Coordinate with the Indiana department of veterans'
 45 affairs established by IC 10-17-1-2 to educate veteran students
 46 about state benefits available to Indiana veterans.



- 1 **(6) Coordinate with the United States Department of Veterans**
 2 **Affairs to educate veteran students about federal benefits**
 3 **available to veterans.**
- 4 **(7) Coordinate with the adjutant general or the adjutant**
 5 **general's designee to educate veteran students about benefits**
 6 **and programs available to veteran students who served or are**
 7 **currently serving in the national guard.**
- 8 **(8) Coordinate activities, seminars, and programs for veteran**
 9 **students presented by a veterans organization listed in**
 10 **IC 10-18-8-1.**
- 11 **(9) Coordinate campus activities and social events designed**
 12 **for veteran students.**
- 13 **(10) Develop programs to assist a veteran student to locate**
 14 **employment.**
- 15 **(11) Develop internship programs designed specifically for**
 16 **veteran students.**
- 17 **(12) Develop an Internet web site to provide veteran students**
 18 **access to veteran resources.**
- 19 SECTION 97. IC 21-41-11 IS ADDED TO THE INDIANA CODE
 20 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
 21 UPON PASSAGE]:
- 22 **Chapter 11. Indiana State University; Principal Institute**
- 23 **Sec. 1. As used in this chapter, "advisory board" refers to the**
 24 **advisory board for the principal institute established by this**
 25 **chapter.**
- 26 **Sec. 2. As used in this chapter, "institute" refers to the principal**
 27 **institute established by section 4 of this chapter.**
- 28 **Sec. 3. As used in this chapter, "university" refers to Indiana**
 29 **State University.**
- 30 **Sec. 4. The principal institute is established within the university**
 31 **to achieve excellence in teacher and student performance by**
 32 **strengthening leadership and management skills of practicing**
 33 **Indiana public school principals.**
- 34 **Sec. 5. (a) The university shall:**
- 35 **(1) appoint a full-time director to administer the institute;**
 36 **(2) employ staff necessary to implement this chapter;**
 37 **(3) appoint members of the advisory board; and**
 38 **(4) submit to the general assembly an annual report before**
 39 **July 1 of each year.**
- 40 **(b) The annual report of the institute must be in an electronic**
 41 **format under IC 5-14-6 and must include the following:**
- 42 **(1) A summary of the activities of the institute.**
 43 **(2) Data on the number of individuals trained.**
 44 **(3) An analysis of the extent to which the purposes of the**
 45 **institute have been accomplished.**
 46 **(4) A proposal for a program and budget for the two (2) years**



- 1 following the year that is the subject of the report.
- 2 **Sec. 6. (a) There is established an advisory board for the**
 3 **institute to advise and assist the director appointed under section**
 4 **5 of this chapter.**
- 5 **(b) The advisory board consists of eight (8) members appointed**
 6 **by the president of the university, and one (1) member appointed**
 7 **by the state superintendent of public instruction. Each of the**
 8 **following groups must be represented by at least one (1) member**
 9 **of the advisory board:**
- 10 **(1) Practicing public school principals.**
 11 **(2) Members of the general assembly.**
 12 **(3) Experts in administration, supervision, curriculum**
 13 **development, or evaluation who are members of the faculty of**
 14 **a state supported university.**
 15 **(4) Practicing school superintendents.**
 16 **(5) Practicing public school teachers.**
 17 **(6) Members of the business or industry community.**
 18 **(7) Parents of public school age children.**
- 19 **(c) The advisory board shall:**
- 20 **(1) annually elect a chairperson;**
 21 **(2) advise the director about the curriculum of the institute;**
 22 **(3) review the plan developed by the director under section 7**
 23 **of this chapter;**
 24 **(4) approve an evaluation plan for the institute;**
 25 **(5) review the director's plan for continuing education;**
 26 **(6) review the institute budget and make recommendations to**
 27 **the director;**
 28 **(7) set criteria for the selection of institute participants;**
 29 **(8) review the operation of the institute and make**
 30 **recommendations to the director;**
 31 **(9) assist the director in compiling the annual report for**
 32 **submission to the general assembly;**
 33 **(10) consider coordinating the programs and curriculum**
 34 **offered at the institute with the programs and curriculum**
 35 **required in principal certification programs offered at**
 36 **postsecondary educational institutions in Indiana; and**
 37 **(11) complete other tasks requested of the advisory board by**
 38 **the president of the university or the director.**
- 39 **(d) Each member of the advisory board serves a four (4) year**
 40 **term beginning on May 1 in the year the member is appointed.**
- 41 **(e) The president of the university shall fill a vacancy on the**
 42 **advisory board:**
- 43 **(1) for the unexpired part of the term; and**
 44 **(2) in a manner that preserves the composition of the advisory**
 45 **board under subsection (b).**
- 46 **Sec. 7. (a) The director of the institute shall, with staff support,**



1 develop a plan to accomplish the goals of the institute. The plan
 2 must be approved by the advisory board and must include
 3 procedures to teach principals the following:

4 (1) How to develop the leadership skills and management
 5 techniques necessary for providing quality education in
 6 Indiana schools.

7 (2) How to improve teacher and student performance,
 8 including how to conduct meaningful and relevant staff
 9 evaluations.

10 (3) How to strengthen communication and leadership skills
 11 required for the establishment of a broad based support for
 12 public education.

13 (4) Management skills for use in improving curriculum and
 14 instruction.

15 (5) How to improve the school environment.

16 (b) The director of the institute shall, with staff support, and
 17 subject to approval by the advisory board, develop a plan for
 18 continuing education by the institute of public school principals
 19 who have completed initial training at the institute.

20 **Sec. 8. To be eligible for admission to the institute, a participant**
 21 **must be a practicing public school principal for a public school**
 22 **located in Indiana. Admission preference must be given to those**
 23 **school principals who have at least three (3) years of**
 24 **administrative experience in Indiana public schools and intend to**
 25 **continue as public school principals.**

26 SECTION 98. IC 22-3-7-17.2, AS AMENDED BY P.L.275-2013,
 27 SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 28 UPON PASSAGE]: Sec. 17.2. (a) A billing review service shall adhere
 29 to the following requirements to determine the pecuniary liability of an
 30 employer or an employer's insurance carrier for a specific service or
 31 product covered under this chapter provided before July 1, 2014, by all
 32 medical service providers, and after June 30, 2014, by a medical
 33 service provider that is not a medical service facility:

34 (1) The formation of a billing review standard, and any
 35 subsequent analysis or revision of the standard, must use data that
 36 is based on the medical service provider billing charges as
 37 submitted to the employer and the employer's insurance carrier
 38 from the same community. This subdivision does not apply when
 39 a unique or specialized service or product does not have sufficient
 40 comparative data to allow for a reasonable comparison.

41 (2) Data used to determine pecuniary liability must be compiled
 42 on or before June 30 and December 31 of each year.

43 (3) Billing review standards must be revised for prospective
 44 future payments of medical service provider bills to provide for
 45 payment of the charges at a rate not more than the charges made
 46 by eighty percent (80%) of the medical service providers during



1 the prior six (6) months within the same community. The data
 2 used to perform the analysis and revision of the billing review
 3 standards may not be more than two (2) years old and must be
 4 periodically updated by a representative inflationary or
 5 deflationary factor. Reimbursement for these charges may not
 6 exceed the actual charge invoiced by the medical service
 7 provider.

8 (b) This subsection applies after June 30, 2014, to a medical service
 9 facility. The pecuniary liability of an employer or an employer's
 10 insurance carrier for a specific service or product covered under
 11 ~~worker's compensation~~ **this chapter** and provided by a medical service
 12 facility is equal to a reasonable amount, which is established by
 13 payment of one (1) of the following:

14 (1) The amount negotiated at any time between the medical
 15 service facility and any of the following:

16 (A) The employer.

17 (B) The employer's insurance carrier.

18 (C) A billing review service on behalf of a person described in
 19 clause (A) or (B).

20 (D) A direct provider network that has contracted with a
 21 person described in clause (A) or (B).

22 (2) Two hundred percent (200%) of the amount that would be
 23 paid to the medical service facility on the same date for the same
 24 service or product under the medical service facility's Medicare
 25 reimbursement rate, if an amount has not been negotiated as
 26 described in subdivision (1).

27 (c) The payment to a medical service provider for an implant
 28 furnished to an employee under this chapter may not exceed the invoice
 29 amount plus twenty-five percent (25%).

30 (d) A medical service provider may request an explanation from a
 31 billing review service if the medical service provider's bill has been
 32 reduced as a result of application of the eightieth percentile or of a
 33 Current Procedural Terminology (CPT) or Medicare coding change.
 34 The request must be made not later than sixty (60) days after receipt of
 35 the notice of the reduction. If a request is made, the billing review
 36 service must provide:

37 (1) the name of the billing review service used to make the
 38 reduction;

39 (2) the dollar amount of the reduction;

40 (3) the dollar amount of the medical service at the eightieth
 41 percentile; and

42 (4) in the case of a CPT or Medicare coding change, the basis
 43 upon which the change was made;

44 not later than thirty (30) days after the date of the request.

45 (e) If, after a hearing, the worker's compensation board finds that a
 46 billing review service used a billing review standard that did not



1 comply with subsection (a)(1) through (a)(3), as applicable, in
2 determining the pecuniary liability of an employer or an employer's
3 insurance carrier for a medical service provider's charge for services or
4 products covered under occupational disease compensation, the
5 worker's compensation board may assess a civil penalty against the
6 billing review service in an amount not less than one hundred dollars
7 (\$100) and not more than one thousand dollars (\$1,000).

8 SECTION 99. IC 22-4.5-9-4, AS ADDED BY P.L.60-2013,
9 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
10 UPON PASSAGE]: Sec. 4. (a) The council shall do all of the
11 following:

12 (1) Provide coordination to align the various participants in the
13 state's education, job skills development, and career training
14 system.

15 (2) Match the education and skills training provided by the state's
16 education, job skills development, and career training system with
17 the currently existing and future needs of the state's job market.

18 (3) Provide administrative oversight of the system.

19 (4) In addition to the department's annual report provided under
20 IC 22-4-18-7, submit, not later than August 1, 2013, and not later
21 than August 1 each year thereafter, to the legislative council in an
22 electronic format under IC 5-14-6 an inventory of current job and
23 career training activities conducted by:

24 (A) state and local agencies; and

25 (B) whenever the information is readily available, private
26 groups, associations, and other participants in the state's
27 education, job skills development, and career training system.

28 The inventory must provide at least the information listed in
29 IC 22-4-18-7(a)(1) through IC 22-4-18-7(a)(5) for each activity in
30 the inventory.

31 (5) Submit, not later than July 1, 2014, to the legislative council
32 in an electronic format under IC 5-14-6 a strategic plan to
33 improve the state's education, job skills development, and career
34 training system. The council shall submit, not later than
35 December 1, 2013, to the legislative council in an electronic
36 format under IC 5-14-6 a progress report concerning the
37 development of the strategic plan. The strategic plan developed
38 under this subdivision must include at least the following:

39 (A) Proposed changes, including recommended legislation and
40 rules, to increase coordination, data sharing, and
41 communication among the state, local, and private agencies,
42 groups, and associations that are involved in education, job
43 skills development, and career training.

44 (B) Proposed changes to make Indiana a leader in employment
45 opportunities related to the fields of science, technology,
46 engineering, and mathematics (commonly known as STEM).



- 1 (C) Proposed changes to address both:
 2 (i) the shortage of qualified workers for current employment
 3 opportunities; and
 4 (ii) the shortage of employment opportunities for individuals
 5 with a baccalaureate or more advanced degree.
 6 (6) Coordinate the performance of its duties under this chapter
 7 with:
 8 (A) the education roundtable established by IC 20-19-4-2; and
 9 (B) the Indiana works councils established ~~under SEA~~
 10 ~~465-2013~~. **by IC 20-19-6-4.**
 11 (b) In performing its duties, the council shall obtain input from the
 12 following:
 13 (1) Indiana employers and employer organizations.
 14 (2) Public and private institutions of higher education.
 15 (3) Regional and local economic development organizations.
 16 (4) Indiana labor organizations.
 17 (5) Individuals with expertise in career and technical education.
 18 (6) Military and veterans organizations.
 19 (7) Organizations representing women, African-Americans,
 20 Latinos, and other significant minority populations and having an
 21 interest in issues of particular concern to these populations.
 22 (8) Individuals and organizations with expertise in the logistics
 23 industry.
 24 (9) Any other person or organization that a majority of the voting
 25 members of the council ~~determine~~ **determines** has information
 26 that is important for the council to consider.
 27 SECTION 100. IC 22-4.5-10.5-3, AS ADDED BY P.L.273-2013,
 28 SECTION 30, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 29 UPON PASSAGE]: Sec. 3. (a) The department, in consultation with the
 30 commission for higher education, the department of education, the
 31 office of the secretary of family and social services, and any other
 32 agency the department determines is necessary, shall include in the
 33 Indiana workforce intelligence system established by IC 22-4.5-10-3 ~~as~~
 34 ~~added by HB 1002-2013~~, ~~SECTION 2~~, information regarding the
 35 middle skill credentials awarded in Indiana for the immediately
 36 preceding state fiscal year.
 37 (b) The information required under subsection (a) must include:
 38 (1) the aggregate number of enrollees in programs leading to
 39 middle skill credentials from:
 40 (A) public institutions of higher education;
 41 (B) private institutions of higher education;
 42 (C) postsecondary proprietary educational institutions;
 43 (D) community colleges;
 44 (E) area vocational schools;
 45 (F) high school vocational programs;
 46 (G) apprenticeship programs; and



1 (H) other public or private workforce training programs; and
2 (2) aggregate data of industry based certifications awarded as the
3 result of the completion of education and employment training
4 programs.

5 (c) The department shall publish the information described in
6 subsection (b) in the department's annual report.

7 SECTION 101. IC 23-19-6-1, AS AMENDED BY P.L.92-2013,
8 SECTION 80, AND AS AMENDED BY P.L.205-2013, SECTION
9 338, IS CORRECTED AND AMENDED TO READ AS FOLLOWS
10 [EFFECTIVE UPON PASSAGE]: Sec. 1. (a) This article shall be
11 administered by a division of the office of the secretary of state. The
12 secretary of state shall appoint a securities commissioner who shall be
13 responsible for the direction and supervision of the division and the
14 administration of this article under the direction and control of the
15 secretary of state. The salary of the securities commissioner shall be
16 paid out of the funds appropriated for the administration of this article.
17 The commissioner shall serve at the will of the secretary of state.

18 (b) The secretary of state:

19 (1) shall employ a chief deputy, attorneys, a senior investigator,
20 a senior accountant, and other deputies, investigators,
21 accountants, clerks, stenographers, and other employees necessary
22 for the administration of this article; and

23 (2) shall fix their compensation with the approval of the budget
24 agency.

25 (c) It is unlawful for the commissioner or an officer, employee, or
26 designee of the commissioner to use for personal benefit or the benefit
27 of others records or other information obtained by or filed with the
28 commissioner that ~~are~~ **is** not public under section 7(b) of this chapter.
29 This article does not authorize the commissioner or an officer,
30 employee, or designee of the commissioner to disclose the record or
31 information, except in accordance with section 2, 7(c), or 8 of this
32 chapter.

33 (d) This article does not create or diminish a privilege or exemption
34 that exists at common law, by statute or rule, or otherwise.

35 (e) Subject to IC 4-2-6-15, the commissioner may develop and
36 implement investor education initiatives to inform the public about
37 investing in securities, with particular emphasis on the prevention and
38 detection of securities fraud. In developing and implementing these
39 initiatives, the commissioner may collaborate with public and nonprofit
40 organizations with an interest in investor education. The commissioner
41 may accept a grant or donation from a person that is not affiliated with
42 the securities industry or from a nonprofit organization, regardless of
43 whether the organization is affiliated with the securities industry, to
44 develop and implement investor education initiatives. This subsection
45 does not authorize the commissioner to require participation or
46 monetary contributions of a registrant in an investor education



1 program.

2 (f) *The securities division enforcement account is established. Fees*
 3 *and funds of whatever character accruing from the administration of*
 4 *this article shall be accounted for by the secretary of state and shall be*
 5 *deposited with the treasurer of state to be deposited by the treasurer of*
 6 *the state in either the state general fund or the securities division*
 7 *enforcement account. ~~referenced below.~~ Subject to IC 4-2-6-15,*
 8 *expenses incurred in the administration of this article shall be paid*
 9 *from the state general fund upon appropriation being made for the*
 10 *expenses in the manner provided by law for the making of those*
 11 *appropriations. However, grants and donations received under*
 12 *subsection (e); costs of investigations recovered under section 4(e) of*
 13 *this chapter; and civil penalties recovered under sections 3(b) and 4(d)*
 14 *of this chapter shall be deposited by the treasurer of state*
 15 *in a separate account to be known as the securities division*
 16 *enforcement account:*

- 17 (1) *Grants and donations received under subsection (e).*
 18 (2) *Costs of investigations recovered under section 4(e) of this*
 19 *chapter.*
 20 (3) *Fifty percent (50%) of the first two million dollars*
 21 *(\$2,000,000):*
 22 (A) *of a civil penalty recovered under section 3(b) or 4(d) of*
 23 *this chapter;*
 24 (B) *recovered in a settlement of an action initiated to enforce*
 25 *this article; or*
 26 (C) *awarded as a judgment in an action to enforce this article.*
 27 (g) *The following shall be deposited by the treasurer of state in the*
 28 *state general fund:*
 29 (1) *Fifty percent (50%) of the first two million dollars*
 30 *(\$2,000,000):*
 31 (A) *of a civil penalty recovered under section 3(b) or 4(d) of*
 32 *this chapter;*
 33 (B) *recovered in a settlement of an action initiated to enforce*
 34 *this article; or*
 35 (C) *awarded as a judgment in an action to enforce this article.*
 36 (2) *Any amount exceeding two million dollars (\$2,000,000):*
 37 (A) *of a civil penalty recovered under section 3(b) or 4(d) of*
 38 *this chapter;*
 39 (B) *recovered in a settlement of an action initiated to enforce*
 40 *this article; or*
 41 (C) *awarded as a judgment in an action to enforce this article.*
 42 (3) *Other fees and revenues that are not designated for deposit in*
 43 *the securities division enforcement account or the securities*
 44 *restitution fund.*

45 (h) *Notwithstanding ~~IC 9-23-6-4,~~ IC 23-2-2.5-34, IC 23-2-2.5-43,*
 46 *IC 23-2-5-7, IC 23-19-4-12, IC 25-11-1-15, and this chapter, five*



1 percent (5%) of funds received ~~after June 30, 2010~~, for deposit in the
 2 *securities division* enforcement account shall instead be deposited in
 3 the securities restitution fund established by IC 23-20-1-25. Subject to
 4 IC 4-2-6-15, the funds deposited in the enforcement account shall be
 5 available, with the approval of the budget agency:

6 (1) to augment and supplement the funds appropriated for the
 7 administration of this article; and

8 (2) for grants and awards to nonprofit entities for programs and
 9 activities that will further investor education and financial literacy
 10 in the state.

11 The funds in the enforcement account do not revert to the state general
 12 fund at the end of any state fiscal year.

13 ~~(g)~~ (i) In connection with the administration and enforcement of this
 14 article, the attorney general shall render all necessary assistance to the
 15 commissioner upon the commissioner's request, and to that end, the
 16 attorney general shall employ legal and other professional services as
 17 are necessary to adequately and fully perform the service under the
 18 direction of the commissioner as the demands of the securities division
 19 shall require. Expenses incurred by the attorney general for the
 20 purposes stated in this subsection shall be chargeable against and paid
 21 out of funds appropriated to the attorney general for the administration
 22 of the attorney general's office. The attorney general may authorize the
 23 commissioner and the commissioner's designee to represent the
 24 commissioner and the securities division in any proceeding involving
 25 enforcement or defense of this article.

26 ~~(h)~~ (j) Neither the secretary of state, the commissioner, nor an
 27 employee of the securities division shall be liable in their individual
 28 capacity, except to the state, for an act done or omitted in connection
 29 with the performance of their respective duties under this article.

30 ~~(i)~~ (k) The commissioner shall take, prescribe, and file the oath of
 31 office prescribed by law. The commissioner, chief deputy
 32 commissioner, and each attorney or investigator designated by the
 33 commissioner are police officers of the state and shall have all the
 34 powers and duties of police officers in making arrests for violations of
 35 this article, or in serving any process, notice, or order connected with
 36 the enforcement of this article by whatever officer, authority, or court
 37 issued and shall comprise the enforcement department of the division
 38 and are considered a criminal justice agency for purposes of IC 5-2-4
 39 and IC 10-13-3.

40 ~~(j)~~ (l) The provisions of this article delegating and granting power
 41 to the secretary of state, the securities division, and the commissioner
 42 shall be liberally construed to the end that:

43 (1) the practice or commission of fraud may be prohibited and
 44 prevented;

45 (2) disclosure of sufficient and reliable information in order to
 46 afford reasonable opportunity for the exercise of independent



1 judgment of the persons involved may be assured; and
 2 (3) the qualifications may be prescribed to assure availability of
 3 reliable broker-dealers, investment advisers, and agents engaged
 4 in and in connection with the issuance, barter, sale, purchase,
 5 transfer, or disposition of securities in this state.

6 It is the intent and purpose of this article to delegate and grant to and
 7 vest in the secretary of state, the securities division, and the
 8 commissioner full and complete power to carry into effect and
 9 accomplish the purpose of this article and to charge them with full and
 10 complete responsibility for its effective administration.

11 ~~(k)~~ (m) Copies of any statement and documents filed in the office of
 12 the secretary of state and of any records of the secretary of state
 13 certified by the commissioner shall be admissible in any prosecution,
 14 action, suit, or proceeding based upon, arising out of, or under this
 15 article to the same effect as the original of such statement, document,
 16 or record would be if actually produced.

17 ~~(l)~~ (n) IC 4-21.5 is not applicable to any of the proceedings under
 18 this article.

19 SECTION 102. IC 25-8-3-28, AS AMENDED BY P.L.170-2013,
 20 SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 21 UPON PASSAGE]: Sec. 28. (a) A member of the board or any
 22 inspector or investigator may inspect:

- 23 (1) a ~~cosmetology~~ **beauty culture** salon;
- 24 (2) a beauty culture school; or
- 25 (3) a mobile salon;

26 during its regular business hours.

27 (b) A member of the board or any inspector or investigator may
 28 inspect:

- 29 (1) a beauty culture salon;
- 30 (2) a beauty culture school; or
- 31 (3) a mobile salon;

32 before an initial license is issued.

33 SECTION 103. IC 25-8-4-4, AS AMENDED BY P.L.170-2013,
 34 SECTION 24, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 35 UPON PASSAGE]: Sec. 4. A license issued under this article may not
 36 be transferred unless:

- 37 (1) the license is a beauty culture salon license; and
- 38 (2) the person holding the license was required to change the
 39 location of the ~~cosmetology~~ **beauty culture** salon or ~~barber shop~~
 40 by circumstances that the board determines were beyond the
 41 control of that person.

42 SECTION 104. IC 25-21.5-1-7, AS AMENDED BY P.L.57-2013,
 43 SECTION 38, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 44 UPON PASSAGE]: Sec. 7. (a) "Practice of surveying" means
 45 providing, or offering to provide, professional services involving:

- 46 (1) the making of geometric measurements of, and gathering



- 1 related information pertaining to, the physical or legal features of
 2 the earth, improvements on the earth, the space above the earth,
 3 or any part of the earth; and
 4 (2) the use and development of the measurements and information
 5 gathered under subdivision (1) into survey products, including
 6 graphics, digital data, maps, plats, plans, reports, and descriptions
 7 and projects.
- 8 (b) Professional services provided under the practice of surveying
 9 include consultation, investigation, testimony evaluation, expert
 10 technical testimony, planning, mapping, assembling, and interpreting
 11 gathered measurements and information related to any of the following:
- 12 (1) Determining the configuration or contour of the earth's surface
 13 or the position of fixed objects thereon by measuring lines and
 14 angles and applying the principles of mathematics or
 15 photogrammetry.
- 16 (2) Determining the size and shape of the earth, or any point on
 17 the earth, by performing geodetic surveys using angular and linear
 18 measurements through spatially oriented spherical geometry.
- 19 (3) Determining, by the use of principles of surveying, the
 20 position for any nonboundary related survey control monument or
 21 reference point, or setting, resetting, or replacing any
 22 nonboundary related monument or reference point.
- 23 (4) Locating, relocating, establishing, reestablishing, laying out,
 24 retracing, or marking any property or boundary line or corner of
 25 any tract of land or of any right-of-way or easement.
- 26 (5) Making any survey or preparing any plat for the subdivision
 27 of any tract of land.
- 28 (6) Determining, by the use of principles of surveying, the
 29 position for any boundary related survey monument or reference
 30 point, or setting, resetting, or replacing any monument or
 31 reference point.
- 32 (7) Preparing a description for any parcel or boundary of land, or
 33 for any right-of-way or easement, except when prepared by an
 34 attorney who is licensed to practice law in Indiana.
- 35 (8) Determining the amount of acreage contained in any parcel of
 36 land, except when determined by an attorney who is licensed to
 37 practice law in Indiana.
- 38 (9) Performing construction staking or layout of the control for
 39 any elements of an engineering, building, or construction project,
 40 if the position of an element is:
- 41 (A) dependent on;
 42 (B) in specific relation to; or
 43 (C) in close proximity to; ~~a boundary or property line or~~
 44 ~~corner; including easements and rights-of-way.~~
 45 **a boundary, property line, or corner, including easements and**
 46 **rights-of-way.**



- 1 (10) For and within subdivisions being designed by a professional
2 surveyor, the preparation and furnishing of plats, plans, and
3 profiles for roads, storm drainage, sanitary sewer extensions, and
4 the location of residences or dwellings where the work involves
5 the use and application of standards prescribed by local, state, or
6 federal authorities.
- 7 (11) All work incidental to cleaning out, reconstructing, or
8 maintaining existing open and tile drains.
- 9 (12) Creating, preparing, or modifying electronic or computerized
10 data relative to the performance of the activities described in this
11 subsection.
- 12 (c) Activities included within the practice of surveying that must be
13 accomplished under the responsible charge of a professional surveyor,
14 unless specifically exempted under subsection (d), include the
15 following:
- 16 (1) The creation of maps and geo-referenced data bases
17 representing authoritative locations for boundaries, fixed works,
18 or topography, either by terrestrial surveying methods or by
19 photogrammetric or GNSS locations. This includes maps and
20 geo-referenced data bases prepared by any person, firm, or
21 government agency if that data is provided to the public as a
22 survey product.
- 23 (2) Original data acquisition, or the resolution of conflicts
24 between multiple data sources, when used for the authoritative
25 location of features within the following data themes:
- 26 (A) Geodetic control.
27 (B) Orthoimagery.
28 (C) Elevation and bathymetry.
29 (D) Fixed works.
30 (E) Government boundaries.
31 (F) Cadastral information.
- 32 (3) Certification of positional accuracy of maps or measured
33 survey data.
- 34 (4) Measurement, adjustment, and authoritative interpretation of
35 raw survey data.
- 36 (5) GIS-based parcel or cadastral mapping used for authoritative
37 boundary definition purposes wherein land title or development
38 rights for individual parcels are, or may be, affected.
- 39 (6) Interpretation of maps, deeds, or other land title documents to
40 resolve conflicting data elements within cadastral documents of
41 record.
- 42 (7) Acquisition of field data required to authoritatively position
43 fixed works or cadastral data to geodetic control.
- 44 (8) Adjustment or transformation of cadastral data to improve the
45 positional accuracy of the parcel layer or layers with respect to the
46 geodetic control layer within a GIS for purposes of affirming



- 1 positional accuracy.
- 2 (d) A distinction is made in this subsection, in the use of electronic
- 3 systems, between making or documenting original measurements in the
- 4 creation of survey products and the copying, interpretation, or
- 5 representation of those measurements in systems. Further, a distinction
- 6 is made according to the intent, use, or purpose of measurement
- 7 products in electronic systems, between the determination of
- 8 authoritative locations and the use of those products as a locational
- 9 reference for planning, infrastructure management, and general
- 10 information. The following items are not included as activities within
- 11 the definition of the practice of surveying:
- 12 (1) The creation of general maps:
- 13 (A) prepared by private firms or government agencies for use
- 14 as guides to motorists, boaters, aviators, or pedestrians;
- 15 (B) prepared for publication in a gazetteer or atlas as an
- 16 educational tool or reference publication;
- 17 (C) prepared for or by educational institutions for use in the
- 18 curriculum of any course of study;
- 19 (D) produced by any electronic or print media firm as an
- 20 illustrative guide to the geographic location of any event; or
- 21 (E) prepared by lay persons for conversational or illustrative
- 22 purposes, including advertising material and users' guides.
- 23 (2) The transcription of previously geo-referenced data into a
- 24 geographic information system by manual or electronic means,
- 25 and the maintenance thereof, if the data are clearly not intended
- 26 to indicate the authoritative location of property boundaries, the
- 27 precise definition of the shape or contour of the earth, and the
- 28 precise location of fixed works of humans.
- 29 (3) The transcription of public record data, without modification
- 30 except for graphical purposes, into geographic information
- 31 systems-based cadastres, including tax maps, zoning maps, and
- 32 associated records by manual or electronic means, and the
- 33 maintenance of that cadastre, if the data are clearly not intended
- 34 to authoritatively represent property boundaries.
- 35 (4) The preparation of any document by any agency of the federal
- 36 government that does not define real property boundaries,
- 37 including civilian and military versions of quadrangle topographic
- 38 maps, military maps, satellite imagery, and other similar
- 39 documents.
- 40 (5) The incorporation or use of documents or data bases prepared
- 41 by any federal agency into a geographic information system,
- 42 including federal census and demographic data, quadrangle
- 43 topographic maps, and military maps.
- 44 (6) Inventory maps and data bases created by any organization, in
- 45 either hard copy or electronic form, of physical features, facilities,
- 46 or infrastructure that are wholly contained within properties to



1 which the organization has rights or for which the organization
 2 has management responsibility. The distribution of these maps
 3 and data bases outside the organization must contain appropriate
 4 metadata describing, at a minimum, the accuracy, method of
 5 compilation, data source or sources, and date or dates, and
 6 disclaimers of use clearly indicating that the data are not intended
 7 to be used as a survey product.

8 (7) Maps, cross-sections, graphics, and data bases depicting the
 9 distribution of natural resources or phenomena prepared by
 10 foresters, geologists, soil scientists, geophysicists, biologists,
 11 archeologists, historians, or other persons qualified to document
 12 and interpret the data in the context of their respective practices.

13 (8) Maps and geo-referenced data bases depicting physical
 14 features and events prepared by any government agency if the
 15 access to that data is restricted by statute, including
 16 geo-referenced data generated by law enforcement agencies
 17 involving crime statistics and criminal activities.

18 (e) The use of photogrammetric methods or similar remote sensing
 19 technology to perform any part of the practice of surveying as defined
 20 in this section may be performed only under the direct control and
 21 supervision of a professional surveyor or professional
 22 photogrammetrists who maintain a current title of "Certified
 23 Photogrammetrist" from a national scientific organization having a
 24 process for certifying photogrammetrists.

25 (f) The practice of surveying encompasses a number of disciplines,
 26 including geodetic surveying, hydrographic surveying, cadastral
 27 surveying, construction staking, route surveying, photogrammetric
 28 surveying, and topographic surveying. A professional surveyor may
 29 practice only within the surveyor's area of expertise.

30 SECTION 105. IC 25-23.4-5-1, AS ADDED BY P.L.232-2013,
 31 SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 32 UPON PASSAGE]: Sec. 1. (a) A certified direct entry midwife must
 33 have a collaborating agreement with a physician licensed under
 34 IC 25-22.5. Collaboration under this chapter does not require the
 35 physical presence of the physician at the time and the place at which
 36 the certified direct entry midwife renders services.

37 (b) Subject to rules adopted under ~~IC 25-23.4-2-6(b)(6)~~;
 38 **IC 25-23.4-2-6(b)(5)**, a collaborating physician shall review the patient
 39 encounters that the certified direct entry midwife has with a patient
 40 who is the client of the certified direct entry midwife:

- 41 (1) at any time when requested by the physician; and
- 42 (2) at the time of the client's visit with the physician during the
 43 first and third trimesters, at least the following percentages of the
 44 patient charts:

45 (A) For the first year that the individual is a certified direct
 46 entry midwife, one hundred percent (100%).



1 (B) For the second year that the individual is a certified direct
2 entry midwife, fifty percent (50%).

3 (C) For the third year that the individual is a certified direct
4 entry midwife, twenty-five percent (25%).

5 SECTION 106. IC 25-23.4-6-1, AS ADDED BY P.L.232-2013,
6 SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
7 UPON PASSAGE]: Sec. 1. (a) Subject to rules adopted under
8 ~~IC 25-23.4-2-6(b)(6)~~, **IC 25-23.4-2-6(b)**, a certified direct entry
9 midwife must provide an initial screening of a client that includes an
10 assessment of health conditions that require a referral to a physician
11 under subsection (c).

12 (b) Subject to rules adopted under ~~IC 25-23.4-2-6(b)(8)~~,
13 **IC 25-23.4-2-6(b)**, a certified direct entry midwife shall refer a client
14 to a physician in the client's first and third trimester of pregnancy.

15 (c) If a client has a health condition that makes the client at risk, the
16 certified direct entry midwife shall, subject to rules adopted under
17 ~~IC 28-23.4-2-6(b)(9)~~: **IC 25-23.4-2-6(b)**:

18 (1) refer the client to a licensed physician; and

19 (2) consult with the physician concerning the client's care.

20 SECTION 107. IC 25-31-1-5 IS AMENDED TO READ AS
21 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 5. (a) The board
22 shall hold in the city of Indianapolis at least two (2) regular meetings
23 each year and special meetings as the board considers necessary.
24 Regular and special meetings must be held at times and places as the
25 rules of the board may provide. Notice of all meetings must be given
26 according to IC 5-14-1.5.

27 (b) The board shall elect, annually, from its own members, a
28 chairman and a vice chairman.

29 (c) A quorum of the board consists of four (4) members and no
30 official action of any meeting may be taken without at least four (4)
31 votes being in accord.

32 (d) Suitable office quarters shall be provided by the state for the use
33 of the board in the city of Indianapolis. This office may be shared with
34 the state board of registration for ~~land~~ **professional** surveyors.

35 SECTION 108. IC 25-31-1-6 IS AMENDED TO READ AS
36 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 6. (a) The licensing
37 agency shall provide the board with a competent individual to serve as
38 secretary of the board. The secretary may not be a member of the
39 board. The secretary, through the licensing agency, shall keep a true
40 and complete record of all proceedings of the board and perform any
41 other duties, prescribed in this chapter, as may be assigned by the
42 board.

43 (b) The board shall be provided by the licensing agency whatever
44 clerical or other assistants, including investigators, as may be necessary
45 for the proper performance of its duties.

46 (c) The licensing agency may assign joint personnel to work for both



1 the board and the state board of registration for ~~land~~ **professional**
2 surveyors.

3 SECTION 109. IC 25-34.1-4.5-5.5, AS ADDED BY P.L.200-2013,
4 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
5 UPON PASSAGE]: Sec. 5.5. (a) Notwithstanding IC 25-34.1-3-4.1(g),
6 a license issued to a broker under this article that would have expired
7 on June 30, 2013, will instead expire on June 30, 2014. The 2014
8 renewals will be for a three (3) year term.

9 (b) The continuing education requirements for the 2014 broker
10 renewal shall be the:

11 (1) sixteen (16) hours required by IC 25-34.1-9-11 (**as in effect**
12 ~~before its repeat on~~ July 1, 2014), which may have been obtained
13 any time between July 1, 2011, and June 30, 2014; and

14 (2) eight (8) hours required by ~~IC 25-34-9-11.~~ **IC 25-34.1-9-11.1**
15 (before its expiration on July 1, 2014) to be obtained between July
16 1, 2013, and June 30, 2014.

17 SECTION 110. IC 25-34.1-5-13, AS ADDED BY P.L.200-2013,
18 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
19 UPON PASSAGE]: Sec. 13. (a) Each instructor of a prelicensing
20 education course under this chapter must have a permit issued by the
21 commission.

22 (b) An instructor permit under subsection (a) must:

23 (1) be issued for a term of three (3) years, **and expires ending on**
24 a date set by the licensing agency; and

25 (2) expire if not renewed by the end of the permit period.

26 (c) An instructor issued a permit under subsection (a) must meet the
27 following requirements:

28 (1) Be a licensed real estate broker or attorney licensed in Indiana,
29 or an expert in the field working in conjunction with a licensed
30 real estate broker or licensed attorney.

31 (2) Each year, complete four (4) hours of continuing education
32 approved by the licensing agency and specific to providing real
33 estate instruction. Hours earned under this subdivision may be
34 used toward the completion of the continuing education
35 requirement for a broker under IC 25-34.1-9-11.

36 (3) Pay applicable fees established under rules adopted by the
37 commission under IC 4-22-2.

38 (4) Meet any additional requirements established by the
39 commission under rules adopted under IC 4-22-2.

40 (d) If a permit expires under subsection (b)(2), to return the permit
41 to active status, the instructor must:

42 (1) successfully complete continuing education requirements
43 required by the commission;

44 (2) file a renewal application;

45 (3) pay a renewal fee under rules adopted by the commission
46 under IC 4-22-2;



- 1 (4) pay any applicable late fees established under rules adopted
 2 by the commission under IC 4-22-2; and
 3 (5) meet any additional requirements established by the
 4 commission.

5 (e) Instructors approved by the commission before July 1, 2013,
 6 shall be exempted from the requirement under subsection (c)(1).

7 SECTION 111. IC 25-34.1-5-15, AS ADDED BY P.L.200-2013,
 8 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 9 UPON PASSAGE]: Sec. 15. (a) Each real estate school must have a
 10 permit issued by the commission.

11 (b) A real estate school **issued a** permit under subsection (a) must
 12 meet the following requirements:

13 (1) For online courses, an instructor that has been issued a permit
 14 under this chapter must be available during normal business
 15 hours.

16 (2) Course rosters must be provided to the commission each
 17 month.

18 (3) ~~A~~ **The** school must pay the permit fees established by the
 19 commission under subsection (d).

20 (c) The commission shall establish a permit period for real estate
 21 schools. A permit issued under this section must be renewed at the end
 22 of the period established by the commission.

23 (d) The commission shall establish, by rule adopted under
 24 IC 4-22-2, fees for permits under this section.

25 (e) A school must annually file with the commission a list of courses
 26 offered by the school.

27 SECTION 112. IC 27-1-15.6-4, AS AMENDED BY P.L.81-2013,
 28 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 29 UPON PASSAGE]: Sec. 4. (a) As used in this section, "insurer" does
 30 not include an officer, director, employee, subsidiary, or affiliate of an
 31 insurer.

32 (b) This chapter does not require an insurer to obtain an insurance
 33 producer license.

34 (c) The following are not required to be licensed as an insurance
 35 producer:

36 (1) An officer, director, or employee of an insurer or of an
 37 insurance producer, if the officer, director, or employee does not
 38 receive any commission on policies written or sold to insure risks
 39 that reside, are located, or are to be performed in Indiana, and if:

40 (A) the officer, director, or employee's activities are executive,
 41 administrative, managerial, clerical, or a combination of these,
 42 and are only indirectly related to the sale, solicitation, or
 43 negotiation of insurance;

44 (B) the officer, director, or employee's function relates to
 45 underwriting, loss control, inspection, or the processing,
 46 adjusting, investigating, or settling of a claim on a contract of



- 1 insurance; or
 2 (C) the officer, director, or employee is acting in the capacity
 3 of a special agent or agency supervisor assisting insurance
 4 producers and the officer, director, or employee's activities are
 5 limited to providing technical advice and assistance to
 6 licensed insurance producers and do not include the sale,
 7 solicitation, or negotiation of insurance.
- 8 (2) A person who secures and furnishes information for the
 9 purpose of:
 10 (A) group life insurance, group property and casualty
 11 insurance, group annuities, or group or blanket accident and
 12 sickness insurance;
 13 (B) enrolling individuals under plans;
 14 (C) issuing certificates under plans or otherwise assisting in
 15 administering plans; or
 16 (D) performing administrative services related to mass
 17 marketed property and casualty insurance;
 18 where no commission is paid to the person for the service.
- 19 (3) A person identified in clauses (A) through (C) who is not in
 20 any manner compensated, directly or indirectly, by a company
 21 issuing a contract, to the extent that the person is engaged in the
 22 administration or operation of a program of employee benefits for
 23 the employer's or association's employees, or for the employees of
 24 a subsidiary or affiliate of the employer or association, that
 25 involves the use of insurance issued by an insurer:
 26 (A) An employer or association.
 27 (B) An officer, director, or employee of an employer or
 28 association.
 29 (C) The trustees of an employee trust plan.
- 30 (4) An:
 31 (A) employee of an insurer; or
 32 (B) organization employed by insurers;
 33 that is engaged in the inspection, rating, or classification of risks,
 34 or in the supervision of the training of insurance producers, and
 35 that is not individually engaged in the sale, solicitation, or
 36 negotiation of insurance.
- 37 (5) A person whose activities in Indiana are limited to advertising,
 38 without the intent to solicit insurance in Indiana, through
 39 communications in printed publications or other forms of
 40 electronic mass media whose distribution is not limited to
 41 residents of Indiana, provided that the person does not sell, solicit,
 42 or negotiate insurance that would insure risks residing, located, or
 43 to be performed in Indiana.
- 44 (6) A person who is not a resident of Indiana and who sells,
 45 solicits, or negotiates a contract of insurance for commercial
 46 property and casualty risks to an insured with risks located in



1 more than one (1) state insured under that contract, provided that:

2 (A) the person is otherwise licensed as an insurance producer
3 to sell, solicit, or negotiate the insurance in the state where the
4 insured maintains its principal place of business; and

5 (B) the contract of insurance insures risks located in that state.

6 (7) A salaried full-time employee who counsels or advises the
7 employee's employer about the insurance interests of the
8 employer or of the subsidiaries or business affiliates of the
9 employer, provided that the employee does not sell or solicit
10 insurance or receive a commission.

11 (8) An officer, employee, or representative of a rental company
12 (as defined in IC 24-4-9-7) who negotiates or solicits insurance
13 incidental to and in connection with the rental of a motor vehicle.

14 (9) An individual who:

15 (A) furnishes only title insurance rate information at the
16 request of a consumer; and

17 (B) does not discuss the terms or conditions of a title insurance
18 policy.

19 (10) An employee or authorized representative of a vendor that is
20 licensed as a limited lines producer under this chapter to sell,
21 solicit, or negotiate portable electronics insurance incidental to
22 and in connection with portable electronics transactions as
23 described in IC 27-1-15.9.

24 (11) An employee or authorized representative of a self-storage
25 facility that is licensed as a limited lines producer under this
26 chapter to sell, solicit, or negotiate self-storage insurance
27 incidental to and in connection with self-storage facility rental
28 agreements as described in IC 27-1-16.1.

29 SECTION 113. IC 31-9-2-44.8, AS AMENDED BY P.L.146-2008,
30 SECTION 544, IS AMENDED TO READ AS FOLLOWS
31 [EFFECTIVE UPON PASSAGE]: Sec. 44.8. "Family preservation
32 services", for purposes of **IC 31-26-5 and IC 31-26-6**, means short
33 term, highly intensive services designed to protect, treat, and support
34 the following:

35 (1) A family with a child at risk of placement by enabling the
36 family to remain intact and care for the child at home.

37 (2) A family that adopts or plans to adopt an abused or neglected
38 child who is at risk of placement or adoption disruption by
39 assisting the family to achieve or maintain a stable, successful
40 adoption of the child.

41 SECTION 114. IC 32-33-4-1, AS AMENDED BY P.L.173-2013,
42 SECTION 1, AND AS AMENDED BY P.L.205-2013, SECTION 340,
43 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON
44 PASSAGE]: Sec. 1. Subject to sections 3(c), 3(d), and 3.5 of this
45 chapter, a person, a firm, a partnership, an association, a limited
46 liability company, or a corporation maintaining a hospital in Indiana or



1 a hospital owned, maintained, or operated by the state or a political
 2 subdivision of the state is entitled to hold a lien for the reasonable
 3 value of its services or expenses (including any amount designated as
 4 a copayment or deductible) on any judgment for personal injuries
 5 rendered in favor of any person, except:

6 (1) a person covered by the provisions of IC 22-3, the state
 7 worker's compensation laws;

8 (2) a person covered by the provisions of 5 U.S.C. 8101 et seq.,
 9 the federal worker's compensation laws;

10 (3) a person covered by the provisions of 45 U.S.C. 51 et seq., the
 11 Federal **Employers** Liability Act;

12 (4) an eligible person (as defined in IC 34-13-8-1) with respect to
 13 a distribution paid from the supplemental state fair relief fund for
 14 an occurrence (as defined in IC 34-13-8-2); and

15 (5) a person covered by the provisions of 42 U.S.C. 1395 et seq.,
 16 the federal Medicare program;

17 who is admitted to the hospital and receives treatment, care, and
 18 maintenance on account of personal injuries received as a result of the
 19 negligence of any person or corporation. In order to claim the lien, the
 20 hospital must satisfy the conditions for perfecting the lien as set forth
 21 in section 4 of this chapter and, not later than the date on which the
 22 judgment is rendered, enter, in writing, upon the judgment docket
 23 where the judgment is recorded, the hospital's intention to hold a lien
 24 upon the judgment, together with the amount claimed.

25 SECTION 115. IC 34-30-27-1, AS ADDED BY P.L.96-2013,
 26 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 27 UPON PASSAGE]: Sec. 1. An architect registered under IC 25-4-1, a
 28 ~~land~~ **professional** surveyor registered under IC 25-21.5, or a
 29 professional engineer registered under IC 25-31-1 who, after May 31,
 30 2013, voluntarily, without compensation (other than expense
 31 reimbursement), provides architectural, structural, electrical,
 32 mechanical, or professional services:

33 (1) related to a declared national, state, or local emergency caused
 34 by an earthquake, hurricane, tornado, fire, explosion, gale, severe
 35 storm, flood, or collapse; and

36 (2) at the request of or with the approval of a federal or state
 37 official with executive responsibility in the jurisdiction to
 38 coordinate:

39 (A) law enforcement;

40 (B) public safety; or

41 (C) building inspection;

42 believed by the registered architect, ~~land~~ **professional** surveyor,
 43 or professional engineer to be acting in an official capacity;

44 is not liable for any personal injury, wrongful death, property damage,
 45 or other loss of any nature related to the registered architect's, ~~land~~
 46 **professional** surveyor's, or professional engineer's acts, errors, or



1 omissions in the performance of the services.

2 SECTION 116. IC 35-33-14-4 IS AMENDED TO READ AS
3 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 4. Money in the
4 fund at the end of a particular calendar year does not revert to any other
5 fund, but remains in the county extradition **and sheriff's assistance**
6 fund.

7 SECTION 117. IC 35-38-2.5-5 IS AMENDED TO READ AS
8 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 5. (a) Except as
9 provided in section 5.5 of this chapter, as a condition of probation a
10 court may order an offender confined to the offender's home for a
11 period of home detention lasting at least sixty (60) days.

12 (b) The period of home detention may be consecutive or
13 nonconsecutive, as the court orders. However, the aggregate time
14 actually spent in home detention must not exceed:

15 (1) the minimum term of imprisonment prescribed for a felony
16 under IC 35-50-2; or

17 (2) the maximum term of imprisonment prescribed for a
18 misdemeanor under IC 35-50-3;

19 for the crime committed by the offender.

20 (c) The court may order supervision of an offender's home detention
21 to be provided by the probation department for the court or by a
22 community corrections program that provides supervision of home
23 detention.

24 (d) A person's term of confinement on home detention under this
25 chapter is computed on the basis of the actual days the person spends
26 on home detention.

27 (e) A person confined on home detention as a condition of probation
28 earns credit **time for the time served on home detention.**

29 SECTION 118. IC 36-3-4-3, AS AMENDED BY P.L.266-2013,
30 SECTION 8, AND AS AMENDED BY P.L.271-2013, SECTION 48,
31 IS CORRECTED AND AMENDED TO READ AS FOLLOWS
32 [EFFECTIVE UPON PASSAGE]: Sec. 3. (a) The city-county
33 legislative body shall, by ordinance, divide the whole county into
34 twenty-five (25) districts that:

35 (1) are compact, subject only to natural boundary lines (such as
36 railroads, major highways, rivers, creeks, parks, and major
37 industrial complexes);

38 (2) contain, as nearly as is possible, equal population; and

39 (3) do not cross precinct boundary lines.

40 *Except as provided by subsection (f), this division shall be made during*
41 *before the end of the second year after a year in which a federal*
42 *decennial census is conducted and may also be made at any other time,*
43 *subject to IC 3-11-1.5-32.*

44 (b) The legislative body is composed of *the following*:

45 (1) *Before January 1, 2016*, twenty-five (25) members elected
46 from the districts established under subsection (a) and four (4)



1 members elected from an at-large district containing the whole
2 county.

3 *(2) After December 31, 2015, twenty-five (25) members elected*
4 *from the districts established under subsection (a).*

5 (c) Each voter of the county may vote for *four (4) candidates for*
6 *at-large membership and* one (1) candidate from the district in which
7 the voter resides. *The four (4) at-large candidates receiving the most*
8 *votes from the whole county and the district candidates receiving the*
9 *most votes from their respective districts are elected to the legislative*
10 *body.*

11 (d) If the legislative body fails to make the division before the date
12 prescribed by subsection (a) or the division is alleged to violate
13 subsection (a) or other law, a taxpayer or registered voter of the county
14 may petition the superior court of the county to hear and determine the
15 matter. The court shall hear and determine the matter as a five (5)
16 member panel of judges from the superior court. The clerk of the court
17 shall select the judges electronically and randomly. *The clerk shall*
18 *maintain a record of the method and process used to select the judges*
19 *and shall make the record available for public inspection and copying.*
20 Not more than three (3) members of the five (5) member panel of
21 judges may be of the same political party. The first judge selected shall
22 maintain the case file and preside over the proceedings. There may not
23 be a change of venue from the court or from the county. The court may
24 appoint a master to assist in its determination and may draw proper
25 district boundaries if necessary. An appeal from the court's judgment
26 must be taken within thirty (30) days, directly to the supreme court, in
27 the same manner as appeals from other actions.

28 (e) An election of the legislative body held under the ordinance or
29 court judgment determining districts that is in effect on the date of the
30 election is valid, regardless of whether the ordinance or judgment is
31 later determined to be invalid.

32 *(f) This subsection applies during the second year after a year in*
33 *which a federal decennial census is conducted. If the legislative body*
34 *determines that a division under subsection (a) is not required, the*
35 *legislative body shall adopt an ordinance recertifying that the districts*
36 *as drawn comply with this section.*

37 (g) *Each time there is a division under subsection (a) or a*
38 *recertification under subsection (f), the legislative body shall file with*
39 *the circuit court clerk of the county, not later than thirty (30) days after*
40 *the division or recertification occurs, a map of the district boundaries:*

41 *(1) adopted under subsection (a); or*

42 *(2) recertified under subsection (f).*

43 (h) *The limitations set forth in this section are part of the ordinance,*
44 *but do not have to be specifically set forth in the ordinance. The*
45 *ordinance must be construed, if possible, to comply with this chapter.*
46 *If a provision of the ordinance or an application of the ordinance*



1 *violates this chapter, the invalidity does not affect the other provisions*
 2 *or applications of the ordinance that can be given effect without the*
 3 *invalid provision or application. The provisions of the ordinance are*
 4 *severable.*

5 *(i) If a conflict exists between:*

6 *(1) a map showing the boundaries of a district; and*

7 *(2) a description of the boundaries of that district set forth in the*
 8 *ordinance;*

9 *the district boundaries are the description of the boundaries set forth*
 10 *in the ordinance, not the boundaries shown on the map, to the extent*
 11 *there is a conflict between the description and the map.*

12 SECTION 119. IC 36-4-1.5-2, AS AMENDED BY P.L.202-2013,
 13 SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 14 UPON PASSAGE]: Sec. 2. A town may be changed into a city through
 15 the following:

16 (1) The town legislative body must adopt a resolution submitting
 17 to the town's voters the question of whether the town should be
 18 changed into a city. The town legislative body shall adopt a
 19 resolution described in this subdivision if at least the number of
 20 registered voters of the town equal to ten percent (10%) of the
 21 total votes cast in the town at the last election for secretary of
 22 state sign a petition requesting the town legislative body to adopt
 23 such a resolution. In determining the number of signatures
 24 required under this subdivision, any fraction that exceeds a whole
 25 number shall be disregarded.

26 (2) The town legislative body must adopt the resolution under
 27 subdivision (1) not later than thirty (30) days after the date on
 28 which a petition having a sufficient number of signatures is filed.
 29 A resolution adopted under subdivision (1) must fix the date for
 30 an election on the question of whether the town should be
 31 changed into a city as follows:

32 (A) If the election is to be on the same date as a general
 33 election or municipal election:

34 (i) the resolution must state that fact and be certified in
 35 accordance with IC 3-10-9-3; and

36 (ii) the election must be held on the date of the next general
 37 election or municipal election, whichever is earlier, at which
 38 the question can be placed on the ballot under ~~IC 3-10-9-3~~.
 39 **IC 3-10-9.**

40 (B) If the election is to be a special election, the date must be:

41 (i) not less than thirty (30) and not more than sixty (60) days
 42 after the notice of the election; and

43 (ii) not later than the next general election or municipal
 44 election, whichever is earlier, at which the question can be
 45 placed on the ballot under ~~IC 3-10-9-3~~. **IC 3-10-9.**

46 (3) The town legislative body shall file a copy of the resolution



1 adopted under subdivision (1) with the circuit court clerk of each
 2 county in which the town is located. The circuit court clerk shall
 3 immediately certify the resolution to the county election board.

4 (4) The county election board shall give notice of the election in
 5 the manner prescribed by IC 3-8-2-19. IC 3-10-6 applies to the
 6 election.

7 (5) The question described in subdivision (1) shall be placed on
 8 the ballot in the form prescribed by IC 3-10-9-4. The text of the
 9 question shall be: "Shall the town of _____ change into a
 10 city?"

11 (6) If a majority of the voters voting on the question described in
 12 subdivision (1) vote "yes", the town is changed into a city as
 13 provided in this chapter. If a majority of the voters voting on the
 14 question vote "no", the town remains a town.

15 SECTION 120. IC 36-7-14-50, AS ADDED BY P.L.7-2013,
 16 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 17 UPON PASSAGE]: Sec. 50. (a) Except as provided in subsection (b),
 18 all the rights, powers, privileges, and immunities that may be exercised
 19 by a commission in blighted, deteriorated, or deteriorating areas may
 20 be exercised by a commission in implementing its program for
 21 age-restricted housing, including the following:

22 (1) The special tax levied in accordance with section 27 of this
 23 chapter may be used to accomplish the purposes of the
 24 age-restricted housing program.

25 (2) Bonds may be issued under this chapter to accomplish the
 26 purposes of the age-restricted housing program, but only one (1)
 27 issue of bonds may be issued and payable from increments in any
 28 allocation area established under section ~~51~~ 49 of this chapter,
 29 except for refunding bonds or bonds issued in an amount
 30 necessary to complete an age-restricted housing program for
 31 which bonds were previously issued.

32 (3) Leases may be entered into under this chapter to accomplish
 33 the purposes of the age-restricted housing program.

34 (4) The tax exemptions set forth in section 37 of this chapter are
 35 applicable.

36 (5) Property taxes may be allocated under section 39 of this
 37 chapter.

38 (b) A commission may not exercise the power of eminent domain
 39 in implementing its age-restricted housing program.

40 SECTION 121. IC 36-7-15.1-60, AS ADDED BY P.L.7-2013,
 41 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 42 UPON PASSAGE]: Sec. 60. (a) Except as provided in subsection (b),
 43 all the rights, powers, privileges, and immunities that may be exercised
 44 by a commission in blighted, deteriorated, or deteriorating areas may
 45 be exercised by a commission in implementing its program for
 46 age-restricted housing, including the following:



- 1 (1) The special tax levied in accordance with section 19 of this
- 2 chapter may be used to accomplish the purposes of the
- 3 age-restricted housing program.
- 4 (2) Bonds may be issued under this chapter to accomplish the
- 5 purposes of the age-restricted housing program, but only one (1)
- 6 issue of bonds may be issued and payable from increments in any
- 7 allocation area established under section ~~64~~ 59 of this chapter,
- 8 except for refunding bonds or bonds issued in an amount
- 9 necessary to complete an age-restricted housing program for
- 10 which bonds were previously issued.
- 11 (3) Leases may be entered into under this chapter to accomplish
- 12 the purposes of the age-restricted housing program.
- 13 (4) The tax exemptions set forth in section 25 of this chapter are
- 14 applicable.
- 15 (5) Property taxes may be allocated under section 26 of this
- 16 chapter.
- 17 (b) A commission may not exercise the power of eminent domain
- 18 in implementing its age-restricted housing program.
- 19 **SECTION 122. An emergency is declared for this act.**

