 **2021 Legislation**

Click on the Enrolled Act numbers to get to the full text of the bill

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| **Enrolled Act** | **Synopsys of Applicable Provisions**  Additional text has been added in some sections to supplement the iga.IN.gov digest  Sections of the iga.IN.gov digest irrelevant to libraries have been excluded | **Effective**  **Date** |
| [SEA 001](http://iga.in.gov/legislative/2021/bills/senate/1" \l "document-20de0afa)  Civil immunity related to COVID-19 | Provides civil tort immunity for damages arising from COVID-19 on the premises owned or operated by a person (including a political subdivisionor government office) except for an act or omission that constitutes gross negligence or willful or wanton misconduct (including fraud and intentionally tortious acts).  Prohibits class action suits. Expires December 31, 2024. | Effective  upon passage |
| [HEA 1072](http://iga.in.gov/legislative/2021/bills/house/1072#document-929d0b6f)  Personal delivery devices | Provides that a political subdivision may participate in the regulation of personal delivery devices. | July 1, 2021 |
| [HEA 1156](http://iga.in.gov/legislative/2021/bills/house/1156#document-97ac7980)  Prohibition on microchipping employees | Clarifies that the definition of an "employer" subject to the prohibition against requiring the implantation of devices includes the state or any individual, partnership, association, limited liability company, corporation, business trust, or other governmental entity or political subdivision that has one or more employees. | July 1, 2021 |
| [HEA 1271](http://iga.in.gov/legislative/2021/bills/house/1271#document-d7b5f2f7)  Department of local government finance | Provides that the fiscal officer of a political subdivision shall provide the DLGF with a report of any annexations that took place within the county during the preceding year. Provides that for certain actions taken by the DLGF on tax levies and budgets of a political subdivision, the DLGF shall certify its action. Provides that 25 taxpayers of a political subdivision must sign a written request for certain public hearings on budgets, tax rates, or tax levies. Provides that a political subdivision shall include an appropriation for bond proceeds in its budget for the ensuing year.  Provides procedures for the Goshen public library.  Provides that a political subdivision that decides to establish a cumulative fund must give notice in the form required by the DLGF. Provides that the DLGF is not required to hold a cumulative fund tax levy public hearing unless the petition expressly alleges that the political subdivision failed to comply with certain procedural requirements.  Provides that after a political subdivision complies with the cumulative fund tax levy procedural rules, a property tax may be levied annually at the rate adopted by the political subdivision and certified by the DLGF. Extends the sunset date for provisions that permit certain political subdivisions to sell bonds at a negotiated sale from July 1, 2021, to July 1, 2023, and includes all counties, townships, cities, towns, and school corporations under those provisions. Increases the amount that a political subdivision may transfer into its rainy day fund from 10% to 15% during calendar years 2021 through 2024. | July 1, 2021 |
| [SEA 187](http://iga.in.gov/legislative/2021/bills/senate/187" \l "document-aa533875)  Protection of monuments, memorials, and statues | Requires the state police department to prioritize the investigation and prosecution of persons who destroy, damage, vandalize, or desecrate a monument, memorial, or statue. Provides that a state agency may provide discretionary funding to a political subdivision for a respective grant program after considering whether the political subdivision has taken all appropriate enforcement actions to protect public monuments, memorials, and statues from destruction or vandalism. | July 1, 2021 |
| [SEA 263](http://iga.in.gov/legislative/2021/bills/senate/263#document-6e852013)  Religious activities as essential services | Prohibits the state and a political subdivision from imposing restrictions on a religious organization that are more restrictive than the restrictions imposed upon other businesses and organizations that provide essential services to the public. | July 1, 2021 |
| [HEA 1309](http://iga.in.gov/legislative/2021/bills/house/1309#document-c939fb7b)  Pregnancy accommodation | Applies to employers with 15 employees or more. Allows an employee to request an accommodation for the employee's pregnancy. Requires an employer to respond to an employee's request for an accommodation within a reasonable time frame.  Provides that a request for accommodation does not require an employer to provide an accommodation for an employee's pregnancy, or impose a duty or obligation upon the employer to provide an accommodation or an exception to the employer's policies unless existing federal or state laws require that an accommodation must be made.  Prohibits an employer from disciplining, terminating, or retaliating against an employee because the employee has requested or used an accommodation for the employee's pregnancy. | July 1, 2021 |
| [HEA 1437](http://iga.in.gov/legislative/2021/bills/house/1437" \l "digest-heading)  Electronic meetings and signatures. | Allows a member of a governing body of a political subdivision to participate in a meeting electronically subject to conditions. (see separate memo on HEA 1437)  Adds provisions applicable to state and local public agencies when a state or local disaster emergency is declared. | Effective upon passage |
| [HEA 1449](http://iga.in.gov/legislative/2021/bills/house/1449#digest-heading)  Broadband development | State program to expand broadband access encourages collaboration with political subdivisions. | Effective upon passage |
| [SEA 234](http://iga.in.gov/legislative/2021/bills/senate/234" \l "document-f20dbdf1)  Withholding tax remittance | Requires the department of state revenue to provide written notice, by electronic means, to each employerthat is registered in the department's online INTIME program and whose employer's Form WH-1 monthly withholding tax report or withholding tax remittance is past due.  Provides that a payroll service provider contract must include a provision that specifies that if the payroll service provider fails to deposit or remit a business client's employer withholding taxes when due, and the failure is caused by an error or omission of the payroll service provider and not by the business client, the payroll service provider shall be required to reimburse the business client for the business client's payment of any penalties or interest assessed by the department as a result of the failure.  Provides that the employer's address shall be the address of record with the department for withholding tax purposes and that a payroll service provider may not change the address of record with the department. | July 1, 2021  January 1st, 2022  January 1st, 2022 |
| [SEA 398](http://iga.in.gov/legislative/2021/bills/senate/398)  Various elections matters. | Provides that a political subdivision that conducts or administers an election may not receive or expend funds received from a person (other than from the state or from the federal government) for preparing, administering, or conducting elections, including registering voters. | July 1, 2021 |
| [HEA 1169](http://iga.in.gov/legislative/2021/bills/house/1169#document-3c2bc719)  Cybersecurity incidents | Requires the office of technology to maintain a repository of cybersecurity incidents.  Requires political subdivisions to report any cybersecurity incident not later than two (2) business days after discovery to the Indiana Office of Technology (IOT) in a format prescribed by the IOT chief information officer; and provide the IOT with the name and contact information of any individual who will act as the primary reporter of a cybersecurity incident before September 1, 2021, and before September 1 of every year.  Provides that if requested by a political subdivision, the office may develop a list of third party technology providers that work with the office. | July 1, 2021 |
| [HEA 1001](http://iga.in.gov/legislative/2021/bills/house/1001#document-dbc2cc8e)  State budget | Appropriates funds for the library, historic sites, and much more. | July 1, 2021 |
| [HEA 1002](http://iga.in.gov/legislative/2021/bills/house/1002#document-124867ac)  Civil immunity related to COVID-19 | Specifies that orders and recommendations issued by local, state, and federal government agencies and officials during a state disaster emergency do not create new causes of action or new legal duties.  Specifies that a governmental entity, including a political subdivision or employer, or employee is not liable if a loss results from an act or omission arising from COVID-19 unless the act or omission constitutes gross negligence, willful or wanton misconduct, or intentional misrepresentation. | March 1, 2020 retroactive |
| [HEA 1405](http://iga.in.gov/legislative/2021/bills/house/1405#digest-heading)  Insurance matters | Among many other things, prohibits the state or a local unit from issuing or requiring a COVID-19 "immunization passport" (a document concerning an individual's immunization status). | Effective upon passage |
| [HEA 1421](http://iga.in.gov/legislative/2021/bills/house/1421#digest-heading)  Various health care matters | Provides that the state employee health plan statute does not prohibit the state personnel department from directly contracting with health care providers for health care services for state employees.  Requires the department of insurance to issue a report setting forth its suggestions for revising the department's administrative rules to reduce the regulatory costs incurred by employersseeking to provide health coverage for their employees through multiple employer welfare arrangements. | July 1, 2021 |
| [SEA 55](http://iga.in.gov/legislative/2021/bills/senate/55#digest-heading)  School referenda | Provides that an ordinance or resolution making a preliminary determination to issue bonds or enter into leases that is considered for certain controlled projects must include a statement of: (1) the maximum annual debt service for the controlled project for each year in which the debt service will be paid; and (2) the schedule of the estimated annual tax levy and rate over a 10 year period; factoring in changes that will occur to the debt service levy and tax rate during the period on account of any outstanding bonds or lease obligations that will mature or terminate during the period.  Provides that a governing body may not increase the debt service fund levy to pay for the interest on warrants unless the warrants have been authorized by the governing body in a resolution adopted at a public meeting in the year immediately preceding the year in which the warrants will be issued. | July 1, 2021  July 1, 2021 |
| [SEA 80](http://iga.in.gov/legislative/2021/bills/senate/80#document-d0f8f38e)  Code publication bill | Makes Indiana Code publication amendments. Resolves technical conflicts between various enrolled acts passed during the 2021 legislative session. Corrects technical errors in various enrolled acts passed during the 2021 legislative session. Updates include technical corrections related to electronic meetings and publication of notices. | July 1, 2021 |
| [SEA 188](http://iga.in.gov/legislative/2021/bills/senate/188#document-4b6e8c6c)  Revised Uniform Unclaimed Property Act | Repeals the unclaimed property act and replaces it with the revised unclaimed property act. Makes conforming amendments. | July 1, 2021 |
| [SEA 304](http://iga.in.gov/legislative/2021/bills/senate/304#document-ad11176f)  Indemnity agreements in public works contracts | Provides that a statute that invalidates indemnity agreements in construction contracts relating to providing certain professional services is applicable to such contracts relating to public works projects. | July 1, 2021 |
| [SEA 332](http://iga.in.gov/legislative/2021/bills/senate/332#digest-heading)  Publication of notice by political subdivisions | Allows a political subdivision, when required by statute to publish a notice two or more times, to make the first publication of notice in a newspaper and any subsequent publications of the notice on the official web site of the political subdivision.  Requires the political subdivision or contractor that maintains the political subdivision's official web site to provide proof of publication of the notice on the official web site. | July 1, 2021 |