



March 10, 2015

ENGROSSED SENATE BILL No. 4

DIGEST OF SB 4 (Updated March 9, 2015 12:45 pm - DI 123)

Citations Affected: IC 3; IC 4; IC 6-1.1; IC 7.1; IC 8; IC 9; IC 11; IC 12; IC 13; IC 14; IC 20; IC 21; IC 23; IC 24; IC 25; IC 27; IC 28; IC 30; IC 31; IC 36; noncode.

Synopsis: Technical corrections. Resolves: (1) technical conflicts between differing 2014 amendments to Indiana Code sections; and (2) other technical problems in the Indiana Code, including incorrect statutory references, nonstandard tabulation, and various grammatical problems. Provides that the technical corrections bill may be referred to as the "technical corrections bill of the 2015 general assembly". Specifies that this phrase may be used in the lead-in line of SECTIONS of another bill to identify the provisions added, amended, or repealed by the technical corrections bill that are also amended or repealed in the other bill. Provides the publisher of the Indiana Code with guidance concerning resolution of amend/repeal conflicts between the technical corrections bill and other bills passed during the 2015 legislative session. Specifies that if there is a conflict between a provision in the technical corrections bill and a provision being repealed in another bill, the other bill's repealer is law. (The introduced version of this bill was prepared by the code revision commission.)

Effective: Upon passage; July 1, 2015.

Bray, Kruse

(HOUSE SPONSOR — WASHBURNE)

January 6, 2015, read first time and referred to Committee on Judiciary.
January 7, 2015, amended, reported favorably — Do Pass.
January 12, 2015, read second time, ordered engrossed.
January 13, 2015, engrossed. Read third time, passed. Yeas 49, nays 0.

HOUSE ACTION

March 2, 2015, read first time and referred to Committee on Judiciary.
March 10, 2015, reported — Do Pass.

ES 4—LS 6056/DI 112



March 10, 2015

First Regular Session 119th General Assembly (2015)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2014 Regular Session and 2014 Second Regular Technical Session of the General Assembly.

ENGROSSED SENATE BILL No. 4

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 3-11-7-15, AS AMENDED BY P.L.76-2014,
2 SECTION 32, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 UPON PASSAGE]: Sec. 15. (a) A vendor may apply for approval of a
4 proposed improvement or change to a ballot card voting system that is
5 currently certified by the commission. A proposed improvement or
6 change may not be marketed, sold, leased, installed, or implemented in
7 Indiana before the application for the improvement or change is
8 approved by the commission.
9 (b) An application for approval of an improvement or change must
10 be in the form prescribed by the commission.
11 (c) The vendor applying for approval of an improvement or a
12 change must have the improvement or change to the voting system
13 tested by an independent laboratory accredited under 42 U.S.C. 15371.
14 The vendor shall pay any testing expenses incurred under this
15 subsection.
16 (d) The election division (or the person designated under

ES 4—LS 6056/DI 112



1 IC 3-11-16) shall review the proposed improvement or change to the
 2 voting system and the results of the testing by the independent
 3 laboratory under subsection (c) and report the results of the review to
 4 the commission. The review must indicate: ~~whether the proposed~~
 5 ~~improvement or change:~~

6 (1) **whether the proposed improvement or change** has been
 7 approved by an independent laboratory accredited under 42
 8 U.S.C. 15371;

9 (2) **whether the proposed improvement** is a de minimis change
 10 or a modification;

11 (3) if the proposed improvement or change is a modification,
 12 whether the modification may be installed and implemented
 13 without any significant likelihood that the voting system would be
 14 configured or perform its functions in violation of HAVA or this
 15 title; and

16 (4) **whether the proposed improvement or change** would
 17 comply with HAVA and the standards set forth in this chapter and
 18 IC 3-11-15.

19 (e) After the commission has approved the application for an
 20 improvement or change (including a de minimis change) to a ballot
 21 card voting system, the improvement or change may be marketed, sold,
 22 leased, installed, or implemented in Indiana.

23 (f) An approval of an application under this section expires on the
 24 date specified under section 19(a) of this chapter.

25 SECTION 2. IC 3-11-7.5-5, AS AMENDED BY P.L.76-2014,
 26 SECTION 33, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 27 UPON PASSAGE]: Sec. 5. (a) A vendor may apply for approval of a
 28 proposed improvement or change to an electronic voting system that is
 29 currently certified by the commission. A proposed improvement or
 30 change may not be marketed, sold, leased, installed, or implemented in
 31 Indiana before the application for the improvement or change is
 32 approved by the commission.

33 (b) An application for approval of an improvement or a change must
 34 be in the form prescribed by the commission.

35 (c) The vendor applying for approval of an improvement or a
 36 change must have the improvement or change to the voting system
 37 tested by an independent laboratory accredited under 42 U.S.C. 15371.
 38 The vendor shall pay any testing expenses incurred under this
 39 subsection.

40 (d) The election division (or the person designated under
 41 IC 3-11-16) shall review the improvement or change to the voting
 42 system and the results of the testing by the independent laboratory



1 under subsection (c) and report the results of the review to the
 2 commission. The review must indicate: ~~whether the proposed~~
 3 ~~improvement or change:~~

4 (1) **whether the proposed improvement or change** has been
 5 approved by an independent laboratory accredited under 42
 6 U.S.C. 15371;

7 (2) **whether the proposed improvement** is a de minimis change
 8 or a modification;

9 (3) if the proposed improvement or change is a modification,
 10 whether the modification may be installed and implemented
 11 without any significant likelihood that the voting system would be
 12 configured or perform its functions in violation of HAVA or this
 13 title; and

14 (4) **whether the proposed improvement or change** would
 15 comply with HAVA and the standards set forth in this chapter and
 16 IC 3-11-15.

17 (e) After the commission has examined and approved the
 18 application for an improvement or change to an electronic voting
 19 system (including a de minimis change), the improvement or change
 20 may be marketed, sold, leased, installed, or implemented in Indiana.

21 (f) An approval of an application under this section expires on the
 22 date specified by section 28(a) of this chapter.

23 SECTION 3. IC 4-3-22-13, AS AMENDED BY P.L.53-2014,
 24 SECTION 49, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 25 UPON PASSAGE]: Sec. 13. (a) Except as provided in subsection (e),
 26 the OMB shall perform a cost benefit analysis upon each proposed rule
 27 and provide to:

28 (1) the governor; and

29 (2) the legislative council;

30 an assessment of the rule's effect on Indiana business. The OMB shall
 31 submit the cost benefit analysis to the legislative council in an
 32 electronic format under IC 5-14-6.

33 (b) After June 30, 2005, the cost benefit analysis performed by the
 34 OMB under this section with respect to any proposed rule that has an
 35 impact of at least five hundred thousand dollars (\$500,000) shall
 36 replace and be used for all purposes under IC 4-22-2 in lieu of the
 37 fiscal analysis previously performed by the legislative services agency
 38 under IC 4-22-2.

39 (c) In preparing a cost benefit analysis under this section, the OMB
 40 shall consider in its analysis any verified data provided voluntarily by
 41 interested parties, regulated persons, and nonprofit corporations whose
 42 members may be affected by the proposed rule. A cost benefit analysis



1 prepared under this section is a public document, subject to the
2 following:

3 (1) This subsection does not empower the OMB or an agency to
4 require an interested party or a regulated person to provide any
5 materials, documents, or other information in connection with a
6 cost benefit analysis under this section. If an interested party or a
7 regulated person voluntarily provides materials, documents, or
8 other information to the OMB or an agency in connection with a
9 cost benefit analysis under this section, the OMB or the agency,
10 as applicable, shall ensure the adequate protection of any:

11 (A) information that is confidential under IC 5-14-3-4; or

12 (B) confidential and proprietary business plans and other
13 confidential information.

14 If an agency has adopted rules to implement IC 5-14-3-4,
15 interested parties and regulated persons must submit the
16 information in accordance with the confidentiality rules adopted
17 by the agency to ensure proper processing of confidentiality
18 claims. The OMB and any agency involved in proposing the rule,
19 or in administering the rule upon the rule's adoption, shall
20 exercise all necessary caution to avoid disclosure of any
21 confidential information supplied to the OMB or the agency by an
22 interested party or a regulated person.

23 (2) The OMB shall make the cost benefit analysis and other
24 related public documents available to interested parties, regulated
25 persons, and nonprofit corporations whose members may be
26 affected by the proposed rule at least thirty (30) days before
27 presenting the cost benefit analysis to the governor and the
28 legislative council under subsection (a).

29 (d) If the OMB or an agency is unable to obtain verified data for the
30 cost benefit analysis described in subsection (c), the OMB shall state
31 in the cost benefit analysis which data were unavailable for purposes
32 of the cost benefit analysis.

33 (e) If the OMB finds that a proposed rule is:

34 (1) an adoption or incorporation by reference of a federal law,
35 regulation, or rule that has no substantive effect on the scope or
36 intended application of the federal law or rule; or

37 (2) a technical amendment with no substantive effect on an
38 existing Indiana rule;

39 the OMB may not prepare a cost benefit analysis of the rule under this
40 section. The agency shall submit the proposed rule to the OMB with a
41 statement explaining how the proposed rule meets the requirements of
42 this subsection. If the OMB finds that the rule meets the requirements



1 of this subsection, the OMB shall provide its findings to the governor
 2 and to the ~~committee~~ **legislative council** in an electronic format under
 3 IC 5-14-6. If the agency amends or modifies the proposed rule after the
 4 OMB finds that a cost benefit analysis may not be prepared for the rule,
 5 the agency shall resubmit the proposed rule to the OMB either for a
 6 new determination that the rule meets the requirements of this
 7 subsection, or for the OMB to prepare a cost benefit analysis of the rule
 8 under this section.

9 SECTION 4. IC 4-3-22-13.1, AS AMENDED BY P.L.53-2014,
 10 SECTION 50, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 11 UPON PASSAGE]: Sec. 13.1. (a) This section applies to a rule that:

- 12 (1) has been adopted under IC 4-22-2 or IC 13-14-9; and
- 13 (2) has taken effect;

14 after December 31, 2011.

15 (b) This section does not apply to a rule for which the OMB has not
 16 performed a cost benefit analysis under section 13(e) of this chapter.

17 (c) For each rule to which this section applies, the OMB shall
 18 perform a cost benefit analysis of the rule with respect to the period
 19 encompassing the first three (3) years following the rule's effective
 20 date. Except as otherwise required by the governor under subsection
 21 (g), the OMB shall submit a cost benefit analysis prepared under this
 22 section to:

- 23 (1) the governor; and
- 24 (2) the legislative council;

25 not later than six (6) months after the third anniversary of the rule's
 26 effective date. The OMB shall submit the cost benefit analysis to the
 27 legislative council in an electronic format under IC 5-14-6.

28 (d) A cost benefit analysis prepared under this section must include
 29 the following with respect to the three (3) year period covered by the
 30 analysis:

- 31 (1) The cost benefit analysis for the rule prepared under section
- 32 13 of this chapter before the rule's adoption, including the
- 33 following:
 - 34 (A) The information required by Financial Management
 - 35 Circular #2010-4.
 - 36 (B) The estimate of the primary and direct benefits of the rule,
 - 37 including the impact on:
 - 38 (i) consumer protection;
 - 39 (ii) worker safety;
 - 40 (iii) the environment; and
 - 41 (iv) business competitiveness;
 - 42 as determined before the rule's adoption.



- 1 (C) The estimate of the secondary or indirect benefits of the
 2 rule and the explanation of how the conduct regulated by the
 3 rule is linked to the primary and secondary benefits, as
 4 determined before the rule's adoption.
- 5 (D) The estimate of any cost savings to regulated persons
 6 (including individuals and businesses) as a result of the rule,
 7 including any savings from:
- 8 (i) a change in an existing requirement; or
 9 (ii) the imposition of a new requirement;
 10 as determined before the rule's adoption.
- 11 (2) A statement of the number of regulated persons, classified by
 12 industry sector, subject to the rule.
- 13 (3) A comparison of:
- 14 (A) the cost benefit analysis for the rule prepared under
 15 section 13 of this chapter before the rule's implementation,
 16 including the information specified in subdivision (1); and
 17 (B) the actual costs and benefits of the rule during the first
 18 three (3) years of the rule's implementation, including the
 19 following:
- 20 (i) Any actual primary and direct benefits of the rule,
 21 including the rule's impact on consumer protection, worker
 22 safety, the environment, and business competitiveness.
- 23 (ii) Any actual secondary or indirect benefits of the rule and
 24 an explanation of how the conduct regulated by the rule is
 25 linked to the primary and secondary benefits.
- 26 (iii) Any actual cost savings to regulated persons (including
 27 individuals and businesses) as a result of the rule, including
 28 any savings from a change in an existing requirement or
 29 from the imposition of a new requirement.
- 30 (4) For each element of the rule that is also the subject of
 31 restrictions or requirements imposed under federal law, a
 32 comparison of:
- 33 (A) the restrictions or requirements imposed under the rule;
 34 and
 35 (B) the restrictions or requirements imposed under federal law.
- 36 (5) Any other information that the governor or the ~~committee~~
 37 **legislative council**:
- 38 (A) requires with respect to a cost benefit analysis under this
 39 section; and
 40 (B) requests in writing.
- 41 (e) In preparing a cost benefit analysis under this section, the OMB
 42 shall consider in its analysis any verified data provided voluntarily by



1 interested parties, regulated persons, and nonprofit corporations whose
 2 members may be affected by the rule. A cost benefit analysis prepared
 3 under this section is a public document, subject to the following:

4 (1) This subsection does not empower the OMB or an agency to
 5 require an interested party or a regulated person to provide any
 6 materials, documents, or other information. If an interested party
 7 or a regulated person voluntarily provides materials, documents,
 8 or other information to the OMB or an agency in connection with
 9 a cost benefit analysis under this section, the OMB or the agency,
 10 as applicable, shall ensure the adequate protection of any:

11 (A) information that is confidential under IC 5-14-3-4; or

12 (B) confidential and proprietary business plans and other
 13 confidential information.

14 If an agency has adopted rules to implement IC 5-14-3-4,
 15 interested parties and regulated persons must submit the
 16 information in accordance with the confidentiality rules adopted
 17 by the agency to ensure proper processing of confidentiality
 18 claims. The OMB and any agency involved in administering the
 19 rule shall exercise all necessary caution to avoid disclosure of any
 20 confidential information supplied to the OMB or the agency by an
 21 interested party or a regulated person.

22 (2) The OMB shall make the cost benefit analysis and other
 23 related public documents available to interested parties, regulated
 24 persons, and nonprofit corporations whose members may be
 25 affected by the rule at least thirty (30) days before presenting the
 26 cost benefit analysis to the governor and the legislative council
 27 under subsection (c).

28 (f) If the OMB or an agency is unable to obtain verified data for the
 29 cost benefit analysis described in subsection (d), the OMB shall state
 30 in the cost benefit analysis which data were unavailable for purposes
 31 of the cost benefit analysis.

32 (g) The governor or the legislative council, or both, may prescribe:

33 (1) the form of a cost benefit analysis; and

34 (2) the process, deadlines, and other requirements for submitting
 35 a cost benefit analysis;

36 required under this section.

37 SECTION 5. IC 4-6-3-9, AS AMENDED BY P.L.65-2014,
 38 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 39 UPON PASSAGE]: Sec. 9. (a) All documentary material, answers to
 40 written interrogatories, and transcripts of oral testimony that are
 41 provided pursuant to an investigative demand shall be kept confidential
 42 by the attorney general until an action is filed against a person for the



1 violation under investigation, unless:

2 (1) confidentiality is waived by the person being investigated and
3 the person who has testified, answered interrogatories, or
4 produced documentary material; or

5 (2) disclosure is made by the attorney general to another state or
6 federal attorney general or law enforcement agency for the
7 purposes of cooperation in law enforcement of state or federal
8 laws.

9 (b) All documentary material, answers to written interrogatories,
10 and transcripts of oral testimony that are provided to the attorney
11 general pursuant to an investigative demand issued by another state or
12 federal attorney general or law enforcement agency under similar
13 authority shall be treated as if it ~~was~~ obtained pursuant to an
14 investigative demand issued by the attorney general under section 3 of
15 this chapter.

16 SECTION 6. IC 4-22-2-25, AS AMENDED BY P.L.53-2014,
17 SECTION 58, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
18 UPON PASSAGE]: Sec. 25. (a) An agency has one (1) year from the
19 date that it publishes a notice of intent to adopt a rule in the Indiana
20 Register under section 23 of this chapter to comply with sections 26
21 through 33 of this chapter and obtain the approval or deemed approval
22 of the governor. If an agency determines that a rule cannot be adopted
23 within one (1) year after the publication of the notice of intent to adopt
24 a rule under section 23 of this chapter, the agency shall, before the two
25 hundred fiftieth day following the publication of the notice of intent to
26 adopt a rule under section 23 of this chapter, notify the publisher by
27 electronic means:

28 (1) the reasons why the rule was not adopted and the expected
29 date the rule will be completed; and

30 (2) the expected date the rule will be approved or deemed
31 approved by the governor or withdrawn under section 41 of this
32 chapter.

33 (b) If a rule is not approved before the later of:

34 (1) one (1) year after the agency publishes notice of intent to
35 adopt the rule under section 23 of this chapter; **or**

36 (2) the expected date contained in a notice concerning the rule
37 that is provided to the publisher under subsection (a);

38 a later approval or deemed approval is ineffective, and the rule may
39 become effective only through another rulemaking action initiated
40 under this chapter.

41 SECTION 7. IC 4-22-2-28, AS AMENDED BY P.L.53-2014,
42 SECTION 59, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE



1 UPON PASSAGE]; Sec. 28. (a) The following definitions apply
2 throughout this section:

3 (1) "Ombudsman" refers to the small business ombudsman
4 designated under IC 4-4-35-8.

5 (2) "Total estimated economic impact" means the direct annual
6 economic impact of a rule on all regulated persons after the rule
7 is fully implemented under subsection (g).

8 (b) The ombudsman:

9 (1) shall review a proposed rule that:

10 (A) imposes requirements or costs on small businesses (as
11 defined in IC 4-22-2.1-4); and

12 (B) is referred to the ombudsman by an agency under
13 IC 4-22-2.1-5(c); and

14 (2) may review a proposed rule that imposes requirements or
15 costs on businesses other than small businesses (as defined in
16 IC 4-22-2.1-4).

17 After conducting a review under subdivision (1) or (2), the ombudsman
18 may suggest alternatives to reduce any regulatory burden that the
19 proposed rule imposes on small businesses or other businesses. The
20 agency that intends to adopt the proposed rule shall respond in writing
21 to the ombudsman concerning the ombudsman's comments or
22 suggested alternatives before adopting the proposed rule under section
23 29 of this chapter.

24 (c) Subject to subsection (e) and not later than fifty (50) days before
25 the public hearing for a proposed rule required by section 26 of this
26 chapter, an agency shall submit the proposed rule to the office of
27 management and budget for a review under subsection (d), if the
28 agency proposing the rule determines that the rule will have a total
29 estimated economic impact greater than five hundred thousand dollars
30 (\$500,000) on all regulated persons. In determining the total estimated
31 economic impact under this subsection, the agency shall consider any
32 applicable information submitted by the regulated persons affected by
33 the rule. To assist the office of management and budget in preparing
34 the fiscal impact statement required by subsection (d), the agency shall
35 submit, along with the proposed rule, the data used and assumptions
36 made by the agency in determining the total estimated economic
37 impact of the rule.

38 (d) Except as provided in subsection (e), before the adoption of the
39 rule, and not more than forty-five (45) days after receiving a proposed
40 rule under subsection (c), the office of management and budget shall
41 prepare, using the data and assumptions provided by the agency
42 proposing the rule, along with any other data or information available



1 to the office of management and budget, a fiscal impact statement
 2 concerning the effect that compliance with the proposed rule will have
 3 on:

- 4 (1) the state; and
 5 (2) all persons regulated by the proposed rule.

6 The fiscal impact statement must contain the total estimated economic
 7 impact of the proposed rule and a determination concerning the extent
 8 to which the proposed rule creates an unfunded mandate on a state
 9 agency or political subdivision. The fiscal impact statement is a public
 10 document. The office of management and budget shall make the fiscal
 11 impact statement available to interested parties upon request and to the
 12 agency proposing the rule. The agency proposing the rule shall
 13 consider the fiscal impact statement as part of the rulemaking process
 14 and shall provide the office of management and budget with the
 15 information necessary to prepare the fiscal impact statement, including
 16 any economic impact statement prepared by the agency under
 17 IC 4-22-2.1-5. The office of management and budget may also receive
 18 and consider applicable information from the regulated persons
 19 affected by the rule in preparation of the fiscal impact statement.

20 (e) With respect to a proposed rule subject to IC 13-14-9:

- 21 (1) the department of environmental management shall give
 22 written notice to the office of management and budget of the
 23 proposed date of preliminary adoption of the proposed rule not
 24 less than sixty-six (66) days before that date; and
 25 (2) the office of management and budget shall prepare the fiscal
 26 impact statement referred to in subsection (d) not later than
 27 twenty-one (21) days before the proposed date of preliminary
 28 adoption of the proposed rule.

29 (f) In determining whether a proposed rule has a total estimated
 30 economic impact greater than five hundred thousand dollars
 31 (\$500,000), the agency proposing the rule shall consider the impact of
 32 the rule on any regulated person that already complies with the
 33 standards imposed by the rule on a voluntary basis.

34 (g) For purposes of this section, a rule is fully implemented after:

- 35 (1) the conclusion of any phase-in period during which:
 36 (A) the rule is gradually made to apply to certain regulated
 37 persons; or
 38 (B) the costs of the rule are gradually implemented; and
 39 (2) the rule applies to all regulated persons that will be affected
 40 by the rule.

41 In determining the total estimated economic impact of a proposed rule
 42 under this section, the agency proposing the rule shall consider the



1 annual economic impact on all regulated persons beginning with the
 2 first twelve (12) month period after the rule is fully implemented. The
 3 agency may use actual or forecasted data and may consider the actual
 4 and anticipated effects of inflation and deflation. The agency shall
 5 describe any assumptions made and any data used in determining the
 6 total estimated economic impact of a rule under this section.

7 (h) An agency shall provide the legislative council in an electronic
 8 format under IC 5-14-6 with any analysis, data, and description of
 9 assumptions submitted to the office of management and budget under
 10 this section or section 40 of this chapter at the same time the agency
 11 submits the information to the office of management and budget. The
 12 office of management and budget shall provide the ~~administrative rules~~
 13 ~~oversight committee with legislative council in an electronic format~~
 14 **under IC 5-14-6** any fiscal impact statement and related supporting
 15 documentation prepared by the office of management and budget under
 16 this section or section 40 of this chapter at the same time the office of
 17 management and budget provides the fiscal impact statement to the
 18 agency proposing the rule. Information submitted under this subsection
 19 must identify the rule to which the information is related by document
 20 control number assigned by the publisher.

21 (i) An agency shall provide the legislative council in an electronic
 22 format under IC 5-14-6 with any economic impact or fiscal impact
 23 statement, including any supporting data, studies, or analysis, prepared
 24 for a rule proposed by the agency or subject to readoption by the
 25 agency to comply with:

- 26 (1) a requirement in section 19.5 of this chapter to minimize the
 27 expenses to regulated entities that are required to comply with the
 28 rule;
- 29 (2) a requirement in section 24 of this chapter to publish a
 30 justification of any requirement or cost that is imposed on a
 31 regulated entity under the rule;
- 32 (3) a requirement in IC 4-22-2.1-5 to prepare a statement that
 33 describes the annual economic impact of a rule on all small
 34 businesses after the rule is fully implemented;
- 35 (4) a requirement in IC 4-22-2.5-3.1 to conduct a review to
 36 consider whether there are any alternative methods of achieving
 37 the purpose of the rule that are less costly or less intrusive, or that
 38 would otherwise minimize the economic impact of the proposed
 39 rule on small businesses;
- 40 (5) a requirement in IC 13-14-9-3 or IC 13-14-9-4 to publish
 41 information concerning the fiscal impact of a rule or alternatives
 42 to a rule subject to these provisions; or



1 (6) a requirement under any other law to conduct an analysis of
 2 the cost, economic impact, or fiscal impact of a rule;
 3 regardless of whether the total estimated economic impact of the
 4 proposed rule is more than five hundred thousand dollars (\$500,000),
 5 as soon as practicable after the information is prepared. Information
 6 submitted under this subsection must identify the rule to which the
 7 information is related by document control number assigned by the
 8 publisher.

9 SECTION 8. IC 4-30-11-10, AS AMENDED BY P.L.198-2014,
 10 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 11 UPON PASSAGE]: Sec. 10. The commission is discharged of all
 12 liability upon payment of a prize payments, including a prize payments
 13 that ~~has~~ **have** been assigned under section 2.5 of this chapter.

14 SECTION 9. IC 6-1.1-4-4.7, AS AMENDED BY P.L.146-2008,
 15 SECTION 65, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 16 UPON PASSAGE]: Sec. 4.7. The department of local government
 17 finance shall provide training to township assessors, county assessors,
 18 and county auditors with respect to the verification of sales disclosure
 19 forms under ~~50 IAC 21-3-2~~ **50 IAC 27-4-7**.

20 SECTION 10. IC 6-1.1-4-27.5, AS AMENDED BY P.L.218-2013,
 21 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 22 UPON PASSAGE]: Sec. 27.5. (a) The auditor of each county shall
 23 establish a property reassessment fund. The county treasurer shall
 24 deposit all collections resulting from the property taxes that the county
 25 levies for the county's property reassessment fund.

26 (b) With respect to a reassessment of real property under a county's
 27 reassessment plan under section 4.2 of this chapter, the county council
 28 of each county shall, for property taxes due each year, levy against all
 29 the taxable property in the county an amount equal to the estimated
 30 costs of the reassessment under section 28.5 of this chapter for the
 31 group of parcels to be reassessed in that year.

32 (c) The county assessor may petition the county fiscal body to
 33 increase the levy under subsection (b) to pay for the costs of:

34 (1) a reassessment of one (1) or more groups of parcels under a
 35 county's reassessment plan prepared under section 4.2 of this
 36 chapter;

37 (2) verification under ~~50 IAC 21-3-2~~ **50 IAC 27-4-7** of sales
 38 disclosure forms forwarded to the county assessor under
 39 IC 6-1.1-5.5-3; or

40 (3) processing annual adjustments under section 4.5 of this
 41 chapter.

42 The assessor must document the needs and reasons for the increased



1 funding.

2 (d) If the county fiscal body denies a petition under subsection (c),

3 the county assessor may appeal to the department of local government

4 finance. The department of local government finance shall:

5 (1) hear the appeal; and

6 (2) determine whether the additional levy is necessary.

7 SECTION 11. IC 6-1.1-4-28.5, AS AMENDED BY P.L.112-2012,

8 SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

9 UPON PASSAGE]: Sec. 28.5. (a) Money assigned to a property

10 reassessment fund under section 27.5 of this chapter may be used only

11 to pay the costs of:

12 (1) the general reassessment of real property under section 4 of

13 this chapter or reassessment of one (1) or more groups of parcels

14 under a county's reassessment plan prepared under section 4.2 of

15 this chapter, including the computerization of assessment records;

16 (2) payments to assessing officials and hearing officers for county

17 property tax assessment boards of appeals under IC 6-1.1-35.2;

18 (3) the development or updating of detailed soil survey data by

19 the United States Department of Agriculture or its successor

20 agency;

21 (4) the updating of plat books;

22 (5) payments for the salary of permanent staff or for the

23 contractual services of temporary staff who are necessary to assist

24 assessing officials;

25 (6) making annual adjustments under section 4.5 of this chapter;

26 and

27 (7) the verification under ~~50 IAC 21-3-2~~ **50 IAC 27-4-7** of sales

28 disclosure forms forwarded to:

29 (A) the county assessor; or

30 (B) township assessors (if any);

31 under IC 6-1.1-5.5-3.

32 Money in a property tax reassessment fund may not be transferred or

33 reassigned to any other fund and may not be used for any purposes

34 other than those set forth in this section.

35 (b) All counties shall use modern, detailed soil maps in the

36 reassessment of agricultural land.

37 (c) The county treasurer of each county shall, in accordance with

38 IC 5-13-9, invest any money accumulated in the property reassessment

39 fund. Any interest received from investment of the money shall be paid

40 into the property reassessment fund.

41 (d) An appropriation under this section must be approved by the

42 fiscal body of the county after the review and recommendation of the



1 county assessor. However, in a county with a township assessor in
 2 every township, the county assessor does not review an appropriation
 3 under this section, and only the fiscal body must approve an
 4 appropriation under this section.

5 SECTION 12. IC 6-1.1-12-17.8, AS AMENDED BY
 6 P.L.182-2009(ss), SECTION 109, IS AMENDED TO READ AS
 7 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 17.8. (a) An
 8 individual who receives a deduction provided under section 1, 9, 11,
 9 13, 14, 16, 17.4, or 37 of this chapter in a particular year and who
 10 remains eligible for the deduction in the following year is not required
 11 to file a statement to apply for the deduction in the following year.
 12 However, for purposes of a deduction under section 37 of this chapter,
 13 the county auditor may, in the county auditor's discretion, terminate the
 14 deduction for assessment dates after January 15, 2012, if the individual
 15 does not comply with the requirement in IC 6-1.1-22-8.1(b)(9)
 16 **(expired January 1, 2015)**, as determined by the county auditor,
 17 before January 1, 2013. Before the county auditor terminates the
 18 deduction because the taxpayer claiming the deduction did not comply
 19 with the requirement in IC 6-1.1-22-8.1(b)(9) **(expired January 1,**
 20 **2015)** before January 1, 2013, the county auditor shall mail notice of
 21 the proposed termination of the deduction to:

- 22 (1) the last known address of each person liable for any property
 23 taxes or special assessment, as shown on the tax duplicate or
 24 special assessment records; or
- 25 (2) the last known address of the most recent owner shown in the
 26 transfer book.

27 (b) An individual who receives a deduction provided under section
 28 1, 9, 11, 13, 14, 16, or 17.4 of this chapter in a particular year and who
 29 becomes ineligible for the deduction in the following year shall notify
 30 the auditor of the county in which the real property, mobile home, or
 31 manufactured home for which the individual claims the deduction is
 32 located of the individual's ineligibility in the year in which the
 33 individual becomes ineligible. An individual who becomes ineligible
 34 for a deduction under section 37 of this chapter shall notify the county
 35 auditor of the county in which the property is located in conformity
 36 with section 37 of this chapter.

37 (c) The auditor of each county shall, in a particular year, apply a
 38 deduction provided under section 1, 9, 11, 13, 14, 16, 17.4, or 37 of this
 39 chapter to each individual who received the deduction in the preceding
 40 year unless the auditor determines that the individual is no longer
 41 eligible for the deduction.

42 (d) An individual who receives a deduction provided under section



1 1, 9, 11, 13, 14, 16, 17.4, or 37 of this chapter for property that is
 2 jointly held with another owner in a particular year and remains eligible
 3 for the deduction in the following year is not required to file a
 4 statement to reapply for the deduction following the removal of the
 5 joint owner if:

- 6 (1) the individual is the sole owner of the property following the
 7 death of the individual's spouse;
 8 (2) the individual is the sole owner of the property following the
 9 death of a joint owner who was not the individual's spouse; or
 10 (3) the individual is awarded sole ownership of the property in a
 11 divorce decree.

12 However, for purposes of a deduction under section 37 of this chapter,
 13 if the removal of the joint owner occurs before the date that a notice
 14 described in IC 6-1.1-22-8.1(b)(9) (**expired January 1, 2015**) is sent,
 15 the county auditor may, in the county auditor's discretion, terminate the
 16 deduction for assessment dates after January 15, 2012, if the individual
 17 does not comply with the requirement in IC 6-1.1-22-8.1(b)(9)
 18 (**expired January 1, 2015**), as determined by the county auditor,
 19 before January 1, 2013. Before the county auditor terminates the
 20 deduction because the taxpayer claiming the deduction did not comply
 21 with the requirement in IC 6-1.1-22-8.1(b)(9) (**expired January 1,**
 22 **2015**) before January 1, 2013, the county auditor shall mail notice of
 23 the proposed termination of the deduction to the last known address of
 24 each person liable for any property taxes or special assessment, as
 25 shown on the tax duplicate or special assessment records or the last
 26 known address of the most recent owner shown in the transfer book.

27 (e) A trust entitled to a deduction under section 9, 11, 13, 14, 16,
 28 17.4, or 37 of this chapter for real property owned by the trust and
 29 occupied by an individual in accordance with section 17.9 of this
 30 chapter is not required to file a statement to apply for the deduction, if:

- 31 (1) the individual who occupies the real property receives a
 32 deduction provided under section 9, 11, 13, 14, 16, 17.4, or 37 of
 33 this chapter in a particular year; and
 34 (2) the trust remains eligible for the deduction in the following
 35 year.

36 However, for purposes of a deduction under section 37 of this chapter,
 37 the individuals that qualify the trust for a deduction must comply with
 38 the requirement in IC 6-1.1-22-8.1(b)(9) (**expired January 1, 2015**)
 39 before January 1, 2013.

40 (f) A cooperative housing corporation (as defined in 26 U.S.C. 216)
 41 that is entitled to a deduction under section 37 of this chapter in the
 42 immediately preceding calendar year for a homestead (as defined in



1 section 37 of this chapter) is not required to file a statement to apply for
 2 the deduction for the current calendar year if the cooperative housing
 3 corporation remains eligible for the deduction for the current calendar
 4 year. However, the county auditor may, in the county auditor's
 5 discretion, terminate the deduction for assessment dates after January
 6 15, 2012, if the individual does not comply with the requirement in
 7 IC 6-1.1-22-8.1(b)(9) (**expired January 1, 2015**), as determined by the
 8 county auditor, before January 1, 2013. Before the county auditor
 9 terminates a deduction because the taxpayer claiming the deduction did
 10 not comply with the requirement in IC 6-1.1-22-8.1(b)(9) (**expired**
 11 **January 1, 2015**) before January 1, 2013, the county auditor shall mail
 12 notice of the proposed termination of the deduction to:

- 13 (1) the last known address of each person liable for any property
 14 taxes or special assessment, as shown on the tax duplicate or
 15 special assessment records; or
- 16 (2) the last known address of the most recent owner shown in the
 17 transfer book.

18 (g) An individual who:

- 19 (1) was eligible for a homestead credit under IC 6-1.1-20.9
 20 (repealed) for property taxes imposed for the March 1, 2007, or
 21 January 15, 2008, assessment date; or
- 22 (2) would have been eligible for a homestead credit under
 23 IC 6-1.1-20.9 (repealed) for property taxes imposed for the March
 24 1, 2008, or January 15, 2009, assessment date if IC 6-1.1-20.9 had
 25 not been repealed;

26 is not required to file a statement to apply for a deduction under section
 27 37 of this chapter if the individual remains eligible for the deduction in
 28 the current year. An individual who filed for a homestead credit under
 29 IC 6-1.1-20.9 (repealed) for an assessment date after March 1, 2007 (if
 30 the property is real property), or after January 1, 2008 (if the property
 31 is personal property), shall be treated as an individual who has filed for
 32 a deduction under section 37 of this chapter. However, the county
 33 auditor may, in the county auditor's discretion, terminate the deduction
 34 for assessment dates after January 15, 2012, if the individual does not
 35 comply with the requirement in IC 6-1.1-22-8.1(b)(9) (**expired**
 36 **January 1, 2015**), as determined by the county auditor, before January
 37 1, 2013. Before the county auditor terminates the deduction because
 38 the taxpayer claiming the deduction did not comply with the
 39 requirement in IC 6-1.1-22-8.1(b)(9) (**expired January 1, 2015**) before
 40 January 1, 2013, the county auditor shall mail notice of the proposed
 41 termination of the deduction to the last known address of each person
 42 liable for any property taxes or special assessment, as shown on the tax



1 duplicate or special assessment records, or to the last known address of
2 the most recent owner shown in the transfer book.

3 (h) If a county auditor terminates a deduction because the taxpayer
4 claiming the deduction did not comply with the requirement in
5 IC 6-1.1-22-8.1(b)(9) (**expired January 1, 2015**) before January 1,
6 2013, the county auditor shall reinstate the deduction if the taxpayer
7 provides proof that the taxpayer is eligible for the deduction and is not
8 claiming the deduction for any other property.

9 (i) A taxpayer described in section 37(k) of this chapter is not
10 required to file a statement to apply for the deduction provided by
11 section 37 of this chapter for a calendar year beginning after December
12 31, 2008, if the property owned by the taxpayer remains eligible for the
13 deduction for that calendar year. However, the county auditor may
14 terminate the deduction for assessment dates after January 15, 2012, if
15 the individual residing on the property owned by the taxpayer does not
16 comply with the requirement in IC 6-1.1-22-8.1(b)(9) (**expired**
17 **January 1, 2015**), as determined by the county auditor, before January
18 1, 2013. Before the county auditor terminates a deduction because the
19 individual residing on the property did not comply with the
20 requirement in IC 6-1.1-22-8.1(b)(9) (**expired January 1, 2015**) before
21 January 1, 2013, the county auditor shall mail notice of the proposed
22 termination of the deduction to:

23 (1) the last known address of each person liable for any property
24 taxes or special assessment, as shown on the tax duplicate or
25 special assessment records; or

26 (2) the last known address of the most recent owner shown in the
27 transfer book.

28 SECTION 13. IC 6-1.1-22-8.1, AS AMENDED BY P.L.134-2014,
29 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
30 UPON PASSAGE]: Sec. 8.1. (a) The county treasurer shall:

31 (1) except as provided in subsection (h), mail to the last known
32 address of each person liable for any property taxes or special
33 assessment, as shown on the tax duplicate or special assessment
34 records, or to the last known address of the most recent owner
35 shown in the transfer book; and

36 (2) transmit by written, electronic, or other means to a mortgagee
37 maintaining an escrow account for a person who is liable for any
38 property taxes or special assessments, as shown on the tax
39 duplicate or special assessment records;

40 a statement in the form required under subsection (b). However, for
41 property taxes first due and payable in 2008, the county treasurer may
42 choose to use a tax statement that is different from the tax statement



1 prescribed by the department under subsection (b). If a county chooses
 2 to use a different tax statement, the county must still transmit (with the
 3 tax bill) the statement in either color type or ~~black-and-white~~ **black**
 4 **and white** type.

5 (b) The department of local government finance shall prescribe a
 6 form, subject to the approval of the state board of accounts, for the
 7 statement under subsection (a) that includes at least the following:

8 (1) A statement of the taxpayer's current and delinquent taxes and
 9 special assessments.

10 (2) A breakdown showing the total property tax and special
 11 assessment liability and the amount of the taxpayer's liability that
 12 will be distributed to each taxing unit in the county.

13 (3) An itemized listing for each property tax levy, including:

14 (A) the amount of the tax rate;

15 (B) the entity levying the tax owed; and

16 (C) the dollar amount of the tax owed.

17 (4) Information designed to show the manner in which the taxes
 18 and special assessments billed in the tax statement are to be used.

19 (5) A comparison showing any change in the assessed valuation
 20 for the property as compared to the previous year.

21 (6) A comparison showing any change in the property tax and
 22 special assessment liability for the property as compared to the
 23 previous year. The information required under this subdivision
 24 must identify:

25 (A) the amount of the taxpayer's liability distributable to each
 26 taxing unit in which the property is located in the current year
 27 and in the previous year; and

28 (B) the percentage change, if any, in the amount of the
 29 taxpayer's liability distributable to each taxing unit in which
 30 the property is located from the previous year to the current
 31 year.

32 (7) An explanation of the following:

33 (A) Homestead credits under IC 6-1.1-20.4, IC 6-3.5-6-13, or
 34 another law that are available in the taxing district where the
 35 property is located.

36 (B) All property tax deductions that are available in the taxing
 37 district where the property is located.

38 (C) The procedure and deadline for filing for any available
 39 homestead credits under IC 6-1.1-20.4, IC 6-3.5-6-13, or
 40 another law and each deduction.

41 (D) The procedure that a taxpayer must follow to:

42 (i) appeal a current assessment; or



1 (ii) petition for the correction of an error related to the
2 taxpayer's property tax and special assessment liability.
3 (E) The forms that must be filed for an appeal or a petition
4 described in clause (D).
5 (F) The procedure and deadline that a taxpayer must follow
6 and the forms that must be used if a credit or deduction has
7 been granted for the property and the taxpayer is no longer
8 eligible for the credit or deduction.
9 (G) Notice that an appeal described in clause (D) requires
10 evidence relevant to the true tax value of the taxpayer's
11 property as of the assessment date that is the basis for the taxes
12 payable on that property.
13 The department of local government finance shall provide the
14 explanation required by this subdivision to each county treasurer.
15 (8) A checklist that shows:
16 (A) homestead credits under IC 6-1.1-20.4, IC 6-3.5-6-13, or
17 another law and all property tax deductions; and
18 (B) whether each homestead credit and property tax deduction
19 applies in the current statement for the property transmitted
20 under subsection (a).
21 (9) This subdivision applies to any property for which a deduction
22 or credit is listed under subdivision (8) if the notice required
23 under this subdivision was not provided to a taxpayer on a
24 reconciling statement under IC 6-1.1-22.5-12. The statement must
25 include in 2010, 2011, and 2012 a notice that must be returned by
26 the taxpayer to the county auditor with the taxpayer's verification
27 of the items required by this subdivision. The notice must explain
28 the tax consequences and applicable penalties if a taxpayer
29 unlawfully claims a standard deduction under IC 6-1.1-12-37 on:
30 (A) more than one (1) parcel of property; or
31 (B) property that is not the taxpayer's principal place of
32 residence or is otherwise not eligible for the standard
33 deduction.
34 The notice must include a place for the taxpayer to indicate, under
35 penalties of perjury, for each deduction and credit listed under
36 subdivision (8); whether the property is eligible for the deduction
37 or credit listed under subdivision (8). The notice must also
38 include a place for each individual who qualifies the property for
39 a deduction or credit listed in subdivision (8) to indicate the name
40 of the individual and the name of the individual's spouse (if any);
41 as the names appear in the records of the United States Social
42 Security Administration for the purposes of the issuance of a



1 Social Security card and Social Security number (or that they use
 2 as their legal names when they sign their names on legal
 3 documents); and either the last five (5) digits of each individual's
 4 Social Security number or, if an individual does not have a Social
 5 Security number, the numbers required from the individual under
 6 IC 6-1.1-12-37(c)(4)(B). The notice must explain that the
 7 taxpayer must complete and return the notice with the required
 8 information and that failure to complete and return the notice may
 9 result in disqualification of property for deductions and credits
 10 listed in subdivision (8); must explain how to return the notice;
 11 and must be on a separate form printed on paper that is a different
 12 color than the tax statement. The notice must be prepared in the
 13 form prescribed by the department of local government finance
 14 and include any additional information required by the
 15 department of local government finance. This subdivision expires
 16 January 1, 2015.

17 (c) The county treasurer may mail or transmit the statement one (1)
 18 time each year at least fifteen (15) business days before the date on
 19 which the first or only installment is due. Whenever a person's tax
 20 liability for a year is due in one (1) installment under IC 6-1.1-7-7 or
 21 section 9 of this chapter, a statement that is mailed must include the
 22 date on which the installment is due and denote the amount of money
 23 to be paid for the installment. Whenever a person's tax liability is due
 24 in two (2) installments, a statement that is mailed must contain the
 25 dates on which the first and second installments are due and denote the
 26 amount of money to be paid for each installment. If a statement is
 27 returned to the county treasurer as undeliverable and the forwarding
 28 order is expired, the county treasurer shall notify the county auditor of
 29 this fact. Upon receipt of the county treasurer's notice, the county
 30 auditor may, at the county auditor's discretion, treat the property as not
 31 being eligible for any deductions under IC 6-1.1-12 or any homestead
 32 credits under IC 6-1.1-20.4 and IC 6-3.5-6-13.

33 (d) All payments of property taxes and special assessments shall be
 34 made to the county treasurer. The county treasurer, when authorized by
 35 the board of county commissioners, may open temporary offices for the
 36 collection of taxes in cities and towns in the county other than the
 37 county seat.

38 (e) The county treasurer, county auditor, and county assessor shall
 39 cooperate to generate the information to be included in the statement
 40 under subsection (b).

41 (f) The information to be included in the statement under subsection
 42 (b) must be simply and clearly presented and understandable to the



1 average individual.

2 (g) After December 31, 2007, a reference in a law or rule to
3 IC 6-1.1-22-8 (expired January 1, 2008, and repealed) shall be treated
4 as a reference to this section.

5 (h) Transmission of statements and other information under this
6 subsection applies in a county only if the county legislative body adopts
7 an authorizing ordinance. Subject to subsection (i), in a county in
8 which an ordinance is adopted under this subsection for property taxes
9 and special assessments first due and payable after 2009, a person may,
10 in any manner permitted by subsection (n), direct the county treasurer
11 and county auditor to transmit the following to the person by electronic
12 mail:

13 (1) A statement that would otherwise be sent by the county
14 treasurer to the person by regular mail under subsection (a)(1),
15 including a statement that reflects installment payment due dates
16 under section 9.5 or 9.7 of this chapter.

17 (2) A provisional tax statement that would otherwise be sent by
18 the county treasurer to the person by regular mail under
19 IC 6-1.1-22.5-6.

20 (3) A reconciling tax statement that would otherwise be sent by
21 the county treasurer to the person by regular mail under any of the
22 following:

23 (A) Section 9 of this chapter.

24 (B) Section 9.7 of this chapter.

25 (C) IC 6-1.1-22.5-12, including a statement that reflects
26 installment payment due dates under IC 6-1.1-22.5-18.5.

27 (4) Any other information that:

28 (A) concerns the property taxes or special assessments; and

29 (B) would otherwise be sent:

30 (i) by the county treasurer or the county auditor to the person
31 by regular mail; and

32 (ii) before the last date the property taxes or special
33 assessments may be paid without becoming delinquent.

34 The information listed in this subsection may be transmitted to a person
35 by using electronic mail that provides a secure Internet link to the
36 information.

37 (i) For property with respect to which more than one (1) person is
38 liable for property taxes and special assessments, subsection (h) applies
39 only if all the persons liable for property taxes and special assessments
40 designate the electronic mail address for only one (1) individual
41 authorized to receive the statements and other information referred to
42 in subsection (h).



1 (j) Before 2010, the department of local government finance shall
 2 create a form to be used to implement subsection (h). The county
 3 treasurer and county auditor shall:

4 (1) make the form created under this subsection available to the
 5 public;

6 (2) transmit a statement or other information by electronic mail
 7 under subsection (h) to a person who, at least thirty (30) days
 8 before the anticipated general mailing date of the statement or
 9 other information, files the form created under this subsection:

10 (A) with the county treasurer; or

11 (B) with the county auditor; and

12 (3) publicize the availability of the electronic mail option under
 13 this subsection through appropriate media in a manner reasonably
 14 designed to reach members of the public.

15 (k) The form referred to in subsection (j) must:

16 (1) explain that a form filed as described in subsection (j)(2)
 17 remains in effect until the person files a replacement form to:

18 (A) change the person's electronic mail address; or

19 (B) terminate the electronic mail option under subsection (h);
 20 and

21 (2) allow a person to do at least the following with respect to the
 22 electronic mail option under subsection (h):

23 (A) Exercise the option.

24 (B) Change the person's electronic mail address.

25 (C) Terminate the option.

26 (D) For a person other than an individual, designate the
 27 electronic mail address for only one (1) individual authorized
 28 to receive the statements and other information referred to in
 29 subsection (h).

30 (E) For property with respect to which more than one (1)
 31 person is liable for property taxes and special assessments,
 32 designate the electronic mail address for only one (1)
 33 individual authorized to receive the statements and other
 34 information referred to in subsection (h).

35 (l) The form created under subsection (j) is considered filed with the
 36 county treasurer or the county auditor on the postmark date or on the
 37 date it is electronically submitted. If the postmark is missing or
 38 illegible, the postmark is considered to be one (1) day before the date
 39 of receipt of the form by the county treasurer or the county auditor.

40 (m) The county treasurer shall maintain a record that shows at least
 41 the following:

42 (1) Each person to whom a statement or other information is



1 transmitted by electronic mail under this section.

2 (2) The information included in the statement.

3 (3) Whether the county treasurer received a notice that the
4 person's electronic mail was undeliverable.

5 (n) A person may direct the county treasurer and county auditor to
6 transmit information by electronic mail under subsection (h) on a form
7 prescribed by the department submitted:

8 (1) in person;

9 (2) by mail; or

10 (3) in an online format developed by the county and approved by
11 the department.

12 SECTION 14. IC 6-1.1-24-1, AS AMENDED BY P.L.66-2014,
13 SECTION 5, AND AS AMENDED BY P.L.166-2014, SECTION 7, IS
14 CORRECTED AND AMENDED TO READ AS FOLLOWS
15 [EFFECTIVE UPON PASSAGE]: Sec. 1. (a) On or after January 1 of
16 each calendar year in which a tax sale will be held in a county and not
17 later than fifty-one (51) days after the first tax payment due date in that
18 calendar year, the county treasurer ~~(or county executive, in the case of~~
19 ~~property described in subdivision (2))~~ shall certify to the county auditor
20 a list of real property on which any of the following exist:

21 (1) ~~In the case of real property other than real property described~~
22 ~~in subdivision (2)~~; Any property taxes or special assessments
23 certified to the county auditor for collection by the county
24 treasurer from the prior year's spring installment or before are
25 delinquent as determined under IC 6-1.1-37-10 and the delinquent
26 property ~~tax or taxes~~, special assessments, ~~penalties, fees, or~~
27 ~~interest~~ due exceed twenty-five dollars (\$25).

28 (2) ~~In the case of real property for which a county executive has~~
29 ~~certified to the county auditor that the real property is:~~

30 (A) ~~vacant; or~~

31 (B) ~~abandoned;~~

32 ~~any property taxes or special assessments from the prior year's~~
33 ~~fall installment or before that are delinquent as determined under~~
34 ~~IC 6-1.1-37-10. The county executive must make a certification~~
35 ~~under this subdivision not later than sixty-one (61) days before~~
36 ~~the earliest date on which application for judgment and order for~~
37 ~~sale may be made. The executive of a city or town may provide to~~
38 ~~the county executive of the county in which the city or town is~~
39 ~~located a list of real property that the city or town has determined~~
40 ~~to be vacant or abandoned. The county executive shall include~~
41 ~~real property included on the list provided by a city or town~~
42 ~~executive on the list certified by the county executive to the~~



1 *county auditor under this subsection.*

2 ~~§~~ (2) Any unpaid costs are due under section 2(b) of this chapter
3 from a prior tax sale.

4 (b) The county auditor shall maintain a list of all real property
5 eligible for sale. Except as provided in section 1.2 or another provision
6 of this chapter, the taxpayer's property shall remain on the list. The list
7 must:

8 (1) describe the real property by parcel number and common
9 address, if any;

10 (2) for a tract or item of real property with a single owner,
11 indicate the name of the owner; and

12 (3) for a tract or item with multiple owners, indicate the name of
13 at least one (1) of the owners.

14 (c) Except as otherwise provided in this chapter, the real property
15 so listed is eligible for sale in the manner prescribed in this chapter.

16 (d) Not later than fifteen (15) days after the date of the county
17 treasurer's certification under subsection (a), the county auditor shall
18 mail by certified mail a copy of the list described in subsection (b) to
19 each mortgagee who requests from the county auditor by certified mail
20 a copy of the list. Failure of the county auditor to mail the list under
21 this subsection does not invalidate an otherwise valid sale.

22 SECTION 15. IC 6-1.1-24-2.2, AS AMENDED BY P.L.169-2006,
23 SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
24 UPON PASSAGE]: Sec. 2.2. Whenever a notice required under section
25 2 of this chapter includes real property on the list prepared under
26 section 1(a)(2) (**repealed**) or 1.5(d) of this chapter, the notice must also
27 contain a statement that:

28 (1) the property is on the alternate list prepared under section
29 1(a)(2) (**repealed**) or 1.5(d) of this chapter;

30 (2) if the property is not redeemed within one hundred twenty
31 (120) days after the date of sale, the county auditor shall execute
32 and deliver a deed for the property to the purchaser or purchaser's
33 assignee; and

34 (3) if the property is offered for sale and a bid is not received for
35 at least the amount required under section 5 of this chapter, the
36 county auditor may execute and deliver a deed for the property to
37 the county executive, subject to IC 6-1.1-25.

38 SECTION 16. IC 6-1.1-24-4, AS AMENDED BY P.L.56-2012,
39 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
40 UPON PASSAGE]: Sec. 4. (a) Not less than twenty-one (21) days
41 before the earliest date on which the application for judgment and order
42 for sale of real property eligible for sale may be made, the county



1 auditor shall send a notice of the sale by certified mail, return receipt
2 requested, to:

- 3 (1) the owner of record of real property with a single owner; or
4 (2) at least one (1) of the owners, as of the date of certification, of
5 real property with multiple owners;

6 at the last address of the owner for the property as indicated in the
7 records of the county auditor on the date that the tax sale list is
8 certified. In addition, the county auditor shall mail a duplicate notice
9 to the owner of record, as described in subdivisions (1) and (2), by first
10 class mail to the owners from whom the certified mail return receipt
11 was not signed and returned. Additionally, the county auditor may
12 determine that mailing a first class notice to or serving a notice on the
13 property is a reasonable step to notify the owner, if the address of the
14 owner is not the same address as the physical location of the property.
15 If both notices are returned due to incorrect or insufficient addresses,
16 the county auditor shall research the county auditor records to
17 determine a more complete or accurate address. If a more complete or
18 accurate address is found, the county auditor shall resend the notices
19 to the address that is found in accordance with this section. Failure to
20 obtain a more complete or accurate address does not invalidate an
21 otherwise valid sale. The county auditor shall prepare the notice in the
22 form prescribed by the state board of accounts. The notice must set
23 forth the key number, if any, of the real property and a street address,
24 if any, or other common description of the property other than a legal
25 description. The notice must include the statement set forth in section
26 2(a)(4) of this chapter. With respect to a tract or an item of real
27 property that is subject to sale under this chapter after June 30, 2012,
28 and before July 1, 2013, the notice must include a statement declaring
29 whether an ordinance adopted under IC 6-1.1-37-10.1 is in effect in the
30 county and, if applicable, an explanation of the circumstances in which
31 penalties on the delinquent taxes and special assessments will be
32 waived. The county auditor must present proof of this mailing to the
33 court along with the application for judgment and order for sale.
34 Failure by an owner to receive or accept the notice required by this
35 section does not affect the validity of the judgment and order. The
36 owner of real property shall notify the county auditor of the owner's
37 correct address. The notice required under this section is considered
38 sufficient if the notice is mailed to the address or addresses required by
39 this section.

40 (b) In addition to the notice required under subsection (a) for real
41 property on the list prepared under section 1(a)(2) (**repealed**) or 1.5(d)
42 of this chapter, the county auditor shall prepare and mail the notice



1 required under section 2.2 of this chapter no later than forty-five (45)
 2 days after the county auditor receives the certified list from the county
 3 treasurer under section 1(a) of this chapter.

4 (c) On or before the day of sale, the county auditor shall list, on the
 5 tax sale record required by IC 6-1.1-25-8, all properties that will be
 6 offered for sale.

7 SECTION 17. IC 6-1.1-24-5, AS AMENDED BY P.L.56-2012,
 8 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 9 UPON PASSAGE]: Sec. 5. (a) When a tract or an item of real property
 10 is subject to sale under this chapter, it must be sold in compliance with
 11 this section.

12 (b) The sale must:

- 13 (1) be held at the times and place stated in the notice of sale; and
 14 (2) not extend beyond one hundred seventy-one (171) days after
 15 the list containing the tract or item of real property is certified to
 16 the county auditor.

17 (c) A tract or an item of real property may not be sold under this
 18 chapter to collect:

- 19 (1) delinquent personal property taxes; or
 20 (2) taxes or special assessments which are chargeable to other real
 21 property.

22 (d) A tract or an item of real property may not be sold under this
 23 chapter if all the delinquent taxes, penalties, and special assessments
 24 on the tract or an item of real property and the amount prescribed by
 25 section 2(a)(3)(D) of this chapter, reflecting the costs incurred by the
 26 county due to the sale, are paid before the time of sale.

27 (e) The county treasurer shall sell the tract or item of real property,
 28 subject to the right of redemption, to the highest bidder at public
 29 auction whose bid is at least the minimum bid specified in subsection
 30 (f) or (g), as applicable.

31 (f) Except as provided in subsection (g), a tract or an item of real
 32 property may not be sold for an amount which is less than the sum of:

- 33 (1) the delinquent taxes and special assessments on each tract or
 34 item of real property;
 35 (2) the taxes and special assessments on each tract or item of real
 36 property that are due and payable in the year of the sale,
 37 regardless of whether the taxes and special assessments are
 38 delinquent;
 39 (3) all penalties which are due on the delinquencies;
 40 (4) the amount prescribed by section 2(a)(3)(D) of this chapter
 41 reflecting the costs incurred by the county due to the sale;
 42 (5) any unpaid costs which are due under section 2(b) of this



1 chapter from a prior tax sale; and

2 (6) other reasonable expenses of collection, including title search
3 expenses, uniform commercial code expenses, and reasonable
4 attorney's fees incurred by the date of the sale.

5 The amount of penalties due on the delinquencies under subdivision (3)
6 must be adjusted in accordance with IC 6-1.1-37-10.1, if applicable.

7 (g) If an ordinance adopted under section 15(a) of this chapter is in
8 effect in the county in which a tract or an item of real property is
9 located, the tract or item of real property may not be sold for an amount
10 that is less than the lesser of:

11 (1) the amount determined under subsection (f); or

12 (2) seventy-five percent (75%) of the gross assessed value of the
13 tract or item of real property, as determined on the most recent
14 assessment date.

15 (h) For purposes of the sale, it is not necessary for the county
16 treasurer to first attempt to collect the real property taxes or special
17 assessments out of the personal property of the owner of the tract or
18 real property.

19 (i) The county auditor shall serve as the clerk of the sale.

20 (j) Real property certified to the county auditor under section 1(a)(2)
21 of this chapter (**repealed**) must be offered for sale in a different phase
22 of the tax sale or on a different day of the tax sale than the phase or day
23 during which other real property is offered for sale.

24 (k) The public auction required under subsection (e) may be
25 conducted by electronic means, at the option of the county treasurer.
26 The electronic sale must comply with the other statutory requirements
27 of this section. If an electronic sale is conducted under this subsection,
28 the county treasurer shall provide access to the electronic sale by
29 providing computer terminals open to the public at a designated
30 location. A county treasurer who elects to conduct an electronic sale
31 may receive electronic payments and establish rules necessary to
32 secure the payments in a timely fashion. The county treasurer may not
33 add an additional cost of sale charge to a parcel for the purpose of
34 conducting the electronic sale.

35 SECTION 18. IC 6-1.1-24-6.8, AS AMENDED BY P.L.203-2013,
36 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
37 UPON PASSAGE]: Sec. 6.8. (a) For purposes of this section, in a
38 county containing a consolidated city "county executive" refers to the
39 board of commissioners of the county as provided in IC 36-3-3-10.

40 (b) As used in this section, "vacant parcel" refers to a parcel that
41 satisfies the following:

42 (1) A lien has been acquired on the parcel under section 6(a) of



- 1 this chapter.
- 2 (2) If the parcel is improved on the date the certificate of sale for
- 3 the parcel or the vacant parcel is offered for sale under this
- 4 chapter, the following apply:
- 5 (A) One (1) or more of the following are located on the parcel:
- 6 (i) A structure that may be lawfully occupied for residential
- 7 use.
- 8 (ii) A structure used in conjunction with a structure that may
- 9 be lawfully occupied for residential use.
- 10 (B) The parcel is:
- 11 (i) on the list of vacant or abandoned properties designated
- 12 under section 1(a)(2) of this chapter (**repealed**); or
- 13 (ii) not occupied by a tenant or a person having a substantial
- 14 property interest of public record in the parcel.
- 15 (3) On the date the certificate of sale for the parcel or the vacant
- 16 parcel is offered for sale under this chapter, the parcel is
- 17 contiguous to one (1) or more parcels that satisfy the following:
- 18 (A) One (1) or more of the following are located on the
- 19 contiguous parcel:
- 20 (i) A structure occupied for residential use.
- 21 (ii) A structure used in conjunction with a structure
- 22 occupied for residential use.
- 23 (B) The contiguous parcel is eligible for the standard
- 24 deduction under IC 6-1.1-12-37.
- 25 (c) A county legislative body may adopt an ordinance authorizing
- 26 the sale of vacant parcels and certificates of sale for vacant parcels in
- 27 the county under this section. The ordinance may establish criteria for
- 28 the identification of vacant parcels and certificates of sale for vacant
- 29 parcels to be offered for sale under this section. The criteria may
- 30 include the following:
- 31 (1) Limitations on the use of the parcel under local zoning and
- 32 land use requirements.
- 33 (2) If the parcel is unimproved, the minimum parcel area
- 34 sufficient for construction of improvements.
- 35 (3) Any other factor considered appropriate by the county
- 36 legislative body.
- 37 In a county containing a consolidated city, the county legislative body
- 38 may adopt an ordinance under this subsection only upon
- 39 recommendation by the board of commissioners provided in
- 40 IC 36-3-3-10.
- 41 (d) If the county legislative body adopts an ordinance under
- 42 subsection (c), the county executive shall for each sale under this



- 1 section:
- 2 (1) by resolution, and subject to the criteria adopted by the county
- 3 legislative body under subsection (c), identify each vacant parcel
- 4 for which the county executive desires to sell the vacant parcel or
- 5 the certificate of sale for the vacant parcel under this section; and
- 6 (2) subject to subsection (e), give written notice to the owner of
- 7 record of each parcel referred to in subsection (b)(3) that is
- 8 contiguous to the vacant parcel.
- 9 (e) The notice under subsection (d)(2) with respect to each vacant
- 10 parcel must include at least the following:
- 11 (1) A description of the vacant parcel by:
- 12 (A) legal description; and
- 13 (B) parcel number or street address, or both.
- 14 (2) Notice that the county executive will accept written
- 15 applications from owners of parcels described in subsection (b)(3)
- 16 as provided in subsection (f).
- 17 (3) Notice of the deadline for applications referred to in
- 18 subdivision (2) and of the information to be included in the
- 19 applications.
- 20 (4) Notice that the vacant parcel or certificate of sale for the
- 21 vacant parcel will be sold to the successful applicant for:
- 22 (A) one dollar (\$1); plus
- 23 (B) the amounts described in section 5(f)(4) through 5(f)(6) of
- 24 this chapter.
- 25 (f) To be eligible to purchase a vacant parcel or the certificate of
- 26 sale for a vacant parcel under this section, the owner of a contiguous
- 27 parcel referred to in subsection (b)(3) must file a written application
- 28 with the county executive. The application must:
- 29 (1) identify the vacant parcel or certificate of sale that the
- 30 applicant desires to purchase; and
- 31 (2) include any other information required by the county
- 32 executive.
- 33 (g) If more than one (1) application to purchase a single vacant
- 34 parcel or the certificate of sale for a single vacant parcel is filed with
- 35 the county executive, the county executive shall conduct a drawing
- 36 between or among the applicants in which each applicant has an equal
- 37 chance to be selected as the transferee of the vacant parcel or certificate
- 38 of sale for the vacant parcel.
- 39 (h) The county executive shall by resolution make a final
- 40 determination concerning the vacant parcels or certificates of sale for
- 41 vacant parcels that are to be sold under this section.
- 42 (i) After the final determination of the vacant parcels and



1 certificates of sale for vacant parcels to be sold under subsection (h),
 2 the county executive shall:

3 (1) on behalf of the county, cause all delinquent taxes, special
 4 assessments, penalties, and interest with respect to the vacant
 5 parcels to be removed from the tax duplicate; and

6 (2) give notice of the final determination to:

7 (A) the successful applicant;

8 (B) the county auditor; and

9 (C) the township assessor, or the county assessor if there is no
 10 township assessor for the township.

11 (j) Upon receipt of notice under subsection (i)(2):

12 (1) the county auditor shall:

13 (A) collect the purchase price from each successful applicant;
 14 and

15 (B) subject to subsection (k), prepare a tax deed transferring
 16 each vacant parcel to the successful applicant, if the conditions
 17 of IC 6-1.1-25-4.5 and IC 6-1.1-25-4.6 are satisfied; and

18 (2) if the vacant parcel is unimproved, the township assessor or
 19 county assessor shall consolidate each unimproved parcel sold
 20 and the contiguous parcel owned by the successful applicant into
 21 a single parcel.

22 (k) For a deed issued under subsection (j)(1)(B) before July 1, 2013,
 23 a county auditor shall include in the deed prepared under subsection
 24 (j)(1)(B) reference to the exemption under subsection (l).

25 (l) This subsection applies only to a vacant parcel consolidated with
 26 a successful applicant's contiguous parcel under this section before July
 27 1, 2013. Subject to subsection (m), each consolidated parcel to which
 28 this subsection applies is exempt from property taxation for the period
 29 beginning on the assessment date that next succeeds the consolidation
 30 in the amount of the assessed value at the time of consolidation of the
 31 vacant parcel that was subject to the consolidation.

32 (m) This subsection applies only to a vacant parcel consolidated
 33 with a successful applicant's contiguous parcel under this section
 34 before July 1, 2013. The exemption under subsection (l) is terminated
 35 as of the assessment date that next succeeds the earlier of the
 36 following:

37 (1) Five (5) years after the transfer of title to the successful
 38 applicant.

39 (2) The first transfer of title to the consolidated parcel that occurs
 40 after the consolidation.

41 (n) If a tax deed is issued for an improved vacant parcel after June
 42 30, 2013, under this section or under IC 6-1.1-25-4.6 following the



1 purchase of a certificate of sale under this section, the successful
 2 applicant may not sell the improved vacant parcel until after the first
 3 anniversary of the date on which the tax deed for the improved vacant
 4 parcel is issued to the successful applicant.

5 SECTION 19. IC 6-1.1-36-17, AS AMENDED BY P.L.94-2014,
 6 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 7 UPON PASSAGE]: Sec. 17. (a) As used in this section, "nonreverting
 8 fund" refers to a nonreverting fund established under subsection (c).

9 (b) Each county auditor that makes a determination that property
 10 was not eligible for a standard deduction under IC 6-1.1-12-37 in a
 11 particular year shall:

12 (1) notify the county treasurer of the determination; and

13 (2) do one (1) or more of the following:

14 (A) Make a notation on the tax duplicate that the property is
 15 ineligible for the standard deduction and indicate the date the
 16 notation is made.

17 (B) Record a notice of an ineligible homestead lien under
 18 subsection (d)(2).

19 The county auditor shall issue a notice of taxes, interest, and penalties
 20 due to the owner that improperly received the standard deduction and
 21 include a statement that the payment is to be made payable to the
 22 county auditor. The notice must require full payment of the amount
 23 owed within thirty (30) days. The additional taxes and civil penalties
 24 that result from the removal of the deduction, if any, are imposed for
 25 property taxes first due and payable for an assessment date occurring
 26 before the earlier of the date of the notation made under subdivision
 27 (2)(A) or the date a notice of an ineligible homestead lien is recorded
 28 under subsection (d)(2) in the office of the county recorder. With
 29 respect to property subject to a determination made under this
 30 subsection that is owned by a bona fide purchaser without knowledge
 31 of the determination, no lien attaches for any additional taxes and civil
 32 penalties that result from the removal of the deduction.

33 (c) Each county auditor shall establish a nonreverting fund. Upon
 34 collection of the adjustment in tax due (and any interest and penalties
 35 on that amount) after the termination of a deduction or credit as
 36 specified in subsection (b), the county treasurer shall deposit that
 37 amount:

38 (1) in the nonreverting fund, if the county contains a consolidated
 39 city; or

40 (2) if the county does not contain a consolidated city:

41 (A) in the nonreverting fund, to the extent that the amount
 42 collected, after deducting the direct cost of any contract,



1 including contract related expenses, under which the
 2 contractor is required to identify homestead deduction
 3 eligibility, does not cause the total amount deposited in the
 4 nonreverting fund under this subsection for the year during
 5 which the amount is collected to exceed one hundred thousand
 6 dollars (\$100,000); or

7 (B) in the county general fund, to the extent that the amount
 8 collected exceeds the amount that may be deposited in the
 9 nonreverting fund under clause (A).

10 (d) Any part of the amount due under subsection (b) that is not
 11 collected by the due date is subject to collection under one (1) or more
 12 of the following:

13 (1) After being placed on the tax duplicate for the affected
 14 property and collected in the same manner as other property taxes.

15 (2) Through a notice of an ineligible homestead lien recorded in
 16 the county recorder's office without charge.

17 The adjustment in tax due (and any interest and penalties on that
 18 amount) after the termination of a deduction or credit as specified in
 19 subsection (b) shall be deposited as specified in subsection (c) only in
 20 the first year in which that amount is collected. Upon the collection of
 21 the amount due under subsection (b) or the release of a lien recorded
 22 under subdivision (2), the county auditor shall submit the appropriate
 23 documentation to the county recorder, who shall amend the information
 24 recorded under subdivision (2) without charge to indicate that the lien
 25 has been released or the amount has been paid in full.

26 (e) The amount to be deposited in the nonreverting fund or the
 27 county general fund under subsection (c) includes adjustments in the
 28 tax due as a result of the termination of deductions or credits available
 29 only for property that satisfies the eligibility for a standard deduction
 30 under IC 6-1.1-12-37, including the following:

31 (1) Supplemental deductions under IC 6-1.1-12-37.5.

32 (2) Homestead credits under IC 6-1.1-20.4, IC 6-3.5-1.1-26,
 33 IC 6-3.5-6-13, IC 6-3.5-6-32, IC 6-3.5-7-13.1, or IC 6-3.5-7-26,
 34 or any other law.

35 (3) Credit for excessive property taxes under IC 6-1.1-20.6-7.5 or
 36 IC 6-1.1-20.6-8.5.

37 Any amount paid that exceeds the amount required to be deposited
 38 under subsection (c)(1) or (c)(2) shall be distributed as property taxes.

39 (f) Money deposited under subsection (c)(1) or (c)(2) shall be
 40 treated as miscellaneous revenue. Distributions shall be made from the
 41 nonreverting fund established under this section upon appropriation by
 42 the county fiscal body and shall be made only for the following



1 purposes:

2 (1) Fees and other costs incurred by the county auditor to discover
3 property that is eligible for a standard deduction under
4 IC 6-1.1-12-37.

5 (2) Other expenses of the office of the county auditor.

6 ~~(3) The cost of preparing, sending, and processing notices~~
7 ~~described in IC 6-1.1-22-8.1(b)(9).~~

8 The amount of deposits in a reverting fund, the balance of a
9 nonreverting fund, and expenditures from a reverting fund may not be
10 considered in establishing the budget of the office of the county auditor
11 or in setting property tax levies that will be used in any part to fund the
12 office of the county auditor.

13 SECTION 20. IC 7.1-5-9-10, AS AMENDED BY P.L.70-2014,
14 SECTION 3, AND AS AMENDED BY P.L.159-2014, SECTION 64,
15 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON
16 PASSAGE]: Sec. 10. (a) Except as provided in subsection (b), it is
17 unlawful for a holder of a retailer's permit of any type to acquire, hold,
18 own, or possess an interest of any type in a manufacturer's or
19 wholesaler's permit of any type.

20 (b) It is lawful for a holder of a retailer's permit of any type to
21 acquire, hold, own, or possess an interest of any type in:

22 (1) a brewer's permit for a brewery that manufactures not more
23 than thirty thousand (30,000) barrels of beer in a calendar year for
24 sale or distribution within Indiana; and

25 (2) an artisan distiller's permit if the holder of the retailer's permit
26 also holds a brewer's permit described in subdivision (1).

27 (c) A person who knowingly or intentionally violates subsection (a)
28 commits a Class B misdemeanor.

29 SECTION 21. IC 7.1-5-9-13, AS AMENDED BY P.L.159-2014,
30 SECTION 65, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
31 UPON PASSAGE]: Sec. 13. (a) A:

32 (1) proprietor of a drug store;

33 (2) corporation holding:

34 (A) an artisan distiller's permit;

35 (B) a distiller's permit;

36 (C) a brewer's permit;

37 (D) a wholesaler's permit; or

38 (E) a permit to retail or deal in alcoholic beverages; or

39 (3) a wholesale drug company or a person who is the proprietor
40 of a wholesale drug company;

41 may not own or control or participate in the permit of a package liquor
42 store, or in its business, or in its establishment.



1 (b) A person who knowingly or intentionally violates this section
2 commits a Class B misdemeanor.

3 SECTION 22. IC 8-1-37-14, AS AMENDED BY P.L.53-2014,
4 SECTION 83, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
5 UPON PASSAGE]: Sec. 14. (a) Beginning in 2014, each participating
6 electricity supplier shall report to the commission not later than March
7 1 of each year on the following:

8 (1) The participating electricity supplier's efforts, if any, during
9 the most recently ended calendar year to meet the CPS goal
10 applicable to the most recently ended calendar year.

11 (2) The total amount of renewable energy supplied to the
12 participating electricity supplier's Indiana retail electric customers
13 during the most recently ended calendar year, including a
14 breakdown of the following:

15 (A) The amount of clean energy generated by facilities owned
16 or operated by the participating electricity supplier. The
17 participating electricity supplier shall identify each facility by:

18 (i) name and location;

19 (ii) total generating capacity;

20 (iii) total amount of electricity generated at the facility
21 during the most recently ended calendar year, including the
22 percentage of this amount that was supplied to the
23 participating electricity supplier's Indiana retail electric
24 customers; and

25 (iv) total amount of clean energy generated at the facility
26 during the most recently ended calendar year, including the
27 percentage of this amount that was supplied to the
28 participating electricity supplier's Indiana retail electric
29 customers.

30 (B) The amount of clean energy purchased from other
31 suppliers of clean energy. The participating electricity supplier
32 shall identify:

33 (i) each supplier from whom clean energy was purchased;

34 (ii) the amount of clean energy purchased from each
35 supplier;

36 (iii) the price paid by the participating electricity supplier for
37 the clean energy purchased from each supplier; and

38 (iv) to the extent known, the name and location of each
39 facility at which the clean energy purchased from each
40 supplier was generated.

41 (3) The number of CECs purchased by the participating electricity
42 supplier during the most recently ended calendar year. The



- 1 participating electricity supplier shall identify:
- 2 (A) each person from whom one (1) or more CECs was
- 3 purchased;
- 4 (B) the price paid to each person identified in clause (A) for
- 5 the CECs purchased;
- 6 (C) the number of CECs applied, if any, during the most
- 7 recently ended calendar year to meet the CPS goal applicable
- 8 to the most recently ended calendar year; and
- 9 (D) the number of CECs, if any, that the participating
- 10 electricity supplier plans to carry over to the next succeeding
- 11 CPS goal period, as permitted by section 12(f) of this chapter.
- 12 (4) The participating electricity supplier's plans for meeting the
- 13 CPS goal applicable to the calendar year in which the report is
- 14 submitted.
- 15 (5) Advances in clean energy technology that affect activities
- 16 described in subdivisions (1) and (4).
- 17 (6) Any other information that the commission prescribes in rules
- 18 adopted under IC 4-22-2.

19 For purposes of this subsection, amounts of clean energy and electricity

20 shall be reported in megawatt hours. A participating electricity

21 supplier's duty to submit a report under this subsection terminates after

22 the participating electricity supplier has submitted the report that

23 applies to the calendar year ending December 31, 2025.

24 (b) Beginning in 2014, the commission's annual report, under

25 IC 8-1-2.5-9(b), to the interim study committee on energy, utilities, and

26 telecommunications established by IC 2-5-1.3-4 must include a

27 summary of the information provided by participating electricity

28 suppliers under subsection (a) with respect to the most recently ended

29 calendar year. The commission's duty to include the information

30 specified in this subsection in its annual report to the interim study

31 committee on energy, utilities, and ~~technology~~ **telecommunications**

32 established by IC 2-5-1.3-4 terminates after the commission has

33 submitted the information that applies to the calendar year ending

34 December 31, 2025.

35 SECTION 23. IC 8-1.5-6-11, AS ADDED BY P.L.213-2014,

36 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

37 UPON PASSAGE]: Sec. 11. This section applies to a municipality that:

- 38 (1) after December 31, 2012, adopts a regulatory ordinance that
- 39 establishes a service territory that is smaller than the regulated
- 40 territory; and
- 41 (2) either:
- 42 (A) amends the ordinance described in subdivision (1); or



1 (B) adopts a new ordinance;
 2 to establish a service territory that is larger than the service
 3 territory described in subdivision (1).

4 Before an ordinance described in subdivision (2) may take effect, the
 5 municipality shall submit the ordinance to the commission for approval
 6 under section ~~10~~ 9 of this chapter.

7 SECTION 24. IC 8-21-8-1 IS AMENDED TO READ AS
 8 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1. (a) ~~Definitions:~~

9 **The following terms apply throughout this section:**

10 (1) "Municipality" means any political subdivision, district, public
 11 corporation or authority in this state which is or may be
 12 authorized by law to acquire, establish, construct, maintain,
 13 improve or operate airports or other air navigation facilities.

14 (2) "Public agency" and "sponsor" have the same meaning as set
 15 forth in the federal Airport and Airway ~~Development~~
 16 **Improvement Act of 1970 Pub.L. 91-258, as amended, 1982**
 17 **(Pub. L. 97-248).**

18 (3) "Department" refers to the Indiana department of
 19 transportation.

20 (b) A municipality, whether acting alone, or jointly with another
 21 municipality, the state, or a public agency of another state, may not
 22 submit to the secretary of transportation of the United States a project
 23 application for an airport development grant under the Airport and
 24 Airway ~~Development~~ **Improvement Act of 1970; as amended, 1982**
 25 unless the project and project application have been first approved by
 26 the department.

27 (c) Payment of federal participating funds for an airport
 28 development project in Indiana authorized under the Airport and
 29 Airway ~~Development~~ **Improvement Act of 1970; as amended, 1982**
 30 shall be as follows:

31 (1) To the department when the state is a sponsor, or a joint
 32 sponsor with a municipality, of the project, or when the
 33 department has provided state funding for the project.

34 (2) To the municipality when the secretary of transportation of the
 35 United States and the municipality are sole funding sources for
 36 the project.

37 (d) When a municipality enters an agreement with the United States
 38 under the Airport and Airway ~~Development~~ **Improvement Act of**
 39 **1970; as amended, 1982** for an airport development project for which:

40 (1) the state is a joint sponsor; or

41 (2) the department has provided state financial assistance;

42 the municipality shall designate in the agreement that payment of



1 federal participating funds be made to the department acting as its
 2 agent, and enter into an agreement with the department appointing it to
 3 receive all federal participating funds as agent for the municipality.

4 (e) A municipality may appoint the department to be its agent for
 5 the receipt of federal participating funds in an airport development
 6 project if the municipality is not otherwise required to do so.

7 SECTION 25. IC 9-20-4-1, AS AMENDED BY P.L.277-2013,
 8 SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 9 UPON PASSAGE]: Sec. 1. (a) Except as provided in subsections (b)
 10 and (c), a person may not operate or cause to be operated upon an
 11 Indiana highway a vehicle or combination of vehicles having weight in
 12 excess of one (1) or more of the following limitations:

13 (1) The total gross weight, with load, in pounds of any vehicle or
 14 combination of vehicles may not exceed an overall gross weight
 15 on a group of two (2) or more consecutive axles produced by
 16 application of the following formula:

$$17 \quad W = 500 \{ [(LN) \div (N-1)] + 12N + 36 \}$$

18 where W equals the overall gross weight on any group of two (2)
 19 or more consecutive axles to the nearest five hundred (500)
 20 pounds, L equals the distance in feet between the extreme of any
 21 group of two (2) or more consecutive axles, and N equals the
 22 number of axles in the group under consideration, except that two
 23 (2) consecutive sets of tandem axles may carry a gross load of
 24 thirty-four thousand (34,000) pounds each, providing the overall
 25 distance between the first and last axles of the consecutive sets of
 26 tandem axles is thirty-six (36) feet or more. The overall gross
 27 weight limit, calculated under this subdivision, may not exceed
 28 eighty thousand (80,000) pounds.

29 (2) The weight concentrated on the roadway surface from any
 30 tandem axle group may not exceed the following:

31 (A) Thirty-four thousand (34,000) pounds total weight.

32 (B) Twenty thousand (20,000) pounds on an individual axle in
 33 a tandem group.

34 (3) A vehicle may not have a maximum wheel weight, unladen or
 35 with load, in excess of eight hundred (800) pounds per inch width
 36 of tire, measured between the flanges of the rim or an axle weight
 37 in excess of twenty thousand (20,000) pounds.

38 (b) The enforcement of weight limits under this section is subject to
 39 the following:

40 (1) It is lawful to operate within the scope of a permit, under
 41 weight limitations established by the Indiana department of
 42 transportation and in effect on July 1, 1956, as provided in



- 1 IC 9-20-6.
- 2 (2) It is lawful to operate or cause to be operated a vehicle or
3 combination of vehicles on a heavy duty highway or an extra
4 heavy duty highway designated by the Indiana department of
5 transportation if operated within the imposed limitations.
- 6 (3) Subsection (a) does not apply to any highway, road, street, or
7 bridge for which a lesser weight limit is imposed by local
8 authorities under ~~IC 9-20-1-4~~ **IC 9-20-1-3** or IC 9-20-7-2.
9 However, the local authority may by appropriate action establish
10 and designate a county or city highway, road, or street or part of
11 a highway, road, or street as a heavy duty highway subject to the
12 weight limitations established under IC 9-20-5.
- 13 (4) Vehicles operated on toll road facilities are subject to rules of
14 weight adopted for toll road facilities by the Indiana department
15 of transportation under IC 8-15-2 and are not subject to
16 subsection (a) when operated on a toll road facility.
- 17 (5) For purposes of a heavy duty vehicle that is equipped with an
18 auxiliary power unit, the weight limitations provided in
19 subsection (a) are increased by four hundred (400) pounds.
- 20 (6) For purposes of a vehicle that uses natural gas as a motor fuel,
21 the weight limitations provided in subsection (a) are increased by
22 two thousand (2,000) pounds.
- 23 (c) The greater of the weight limits imposed under subsection (a) or
24 this subsection applies to vehicles operated upon an Indiana highway.
25 The weight limits in effect on January 4, 1975, for any highway that is
26 not designated as a heavy duty highway under IC 9-20-5 are the
27 following:
- 28 (1) The total gross weight, with load, in pounds of a vehicle or
29 combination of vehicles may not exceed seventy-three thousand
30 two hundred eighty (73,280) pounds.
- 31 (2) The total weight concentrated on the roadway surface from a
32 tandem axle group may not exceed sixteen thousand (16,000)
33 pounds for each axle of a tandem assembly.
- 34 (3) A vehicle may not have a maximum wheel weight, unladen or
35 with load, in excess of eight hundred (800) pounds per inch width
36 of tire, measured between the flanges of the rim, or an axle weight
37 greater than eighteen thousand (18,000) pounds.
- 38 SECTION 26. IC 9-20-4-2, AS AMENDED BY P.L.215-2014,
39 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
40 UPON PASSAGE]: Sec. 2. (a) Section 1 of this chapter relating to
41 vehicle weight, ~~IC 9-30~~ **section 3 of this chapter** assessing a penalty
42 for transporting a load in excess of the registered limit of the load for



1 the transporting vehicle, and ~~IC 9-30~~ **section 3 of this chapter**
 2 prohibiting a person from moving a transported vehicle with an excess
 3 load until a penalty is paid do not apply to a vehicle or combination of
 4 vehicles that transports farm commodities from the place of production
 5 to the first point of delivery where the commodities are weighed and
 6 title to the commodities is transferred if the weight of the vehicle with
 7 load or combination of vehicles with load does not exceed the gross
 8 weight limit by more than ten percent (10%).

9 (b) The exemption in subsection (a) does not apply to the following:

10 (1) Weight limits imposed for bridges or sections of highways
 11 under ~~IC 9-20-1-4~~. **IC 9-20-1-3**.

12 (2) A vehicle operated on any part of an interstate highway.

13 SECTION 27. IC 9-29-5-42, AS AMENDED BY P.L.216-2014,
 14 SECTION 118, IS AMENDED TO READ AS FOLLOWS
 15 [EFFECTIVE UPON PASSAGE]: Sec. 42. (a) Except as provided in
 16 subsection (d), vehicles not subject to IC 9-18-2-8 or IC 9-18-2-8.5
 17 shall be registered **at** the appropriate rate established in this chapter,
 18 subject to IC 9-18-2-7, if the vehicle is registered after July 31 of any
 19 year. This subsection does not apply to the following:

20 (1) Special machinery.

21 (2) Semitrailers registered on a five (5) year or permanent basis
 22 under IC 9-18-10-2.

23 (3) An implement of agriculture designed to be operated primarily
 24 on a highway.

25 (b) Except as provided in subsection (d), subsection (a) and
 26 IC 9-18-2-7 determine the registration fee for the registration of a
 27 vehicle subject to registration under IC 9-18-2-8(c) and acquired by an
 28 owner subsequent to the date required for the annual registration of
 29 vehicles by an owner set forth in IC 9-18-2-8.

30 (c) Except as provided in subsections (d) and (e), if the department
 31 of state revenue adopts rules under IC 9-18-2-7 to implement staggered
 32 registration, the department of state revenue shall collect the full
 33 annual fee for vehicles in a commercial fleet registering with the
 34 department of state revenue, regardless of the date the vehicle is
 35 registered. Any vehicles registered with the department of state revenue
 36 under this subsection after the date designated for registration shall be
 37 registered at a rate determined in STEP THREE of subsection (e).

38 (d) Subject to subsection (e), a vehicle subject to the International
 39 Registration Plan that is registered after September 30 shall be
 40 registered at a rate determined by the following formula:

41 STEP ONE: Determine the number of months before April 1 of
 42 the following year beginning with the date of registration. A



- 1 partial month shall be rounded to one (1) month.
 2 STEP TWO: Multiply the STEP ONE result by one-twelfth
 3 (1/12).
 4 STEP THREE: Multiply the annual registration fee for the vehicle
 5 by the STEP TWO result.
 6 (e) If the department of state revenue adopts rules under IC 9-18-2-7
 7 to implement staggered registration for motor vehicles subject to the
 8 International Registration Plan, a motor vehicle subject to the
 9 International Registration Plan that is registered after the date
 10 designated for registration of the motor vehicle in rules adopted under
 11 IC 9-18-2-7 shall be registered at a rate determined by the following
 12 formula:
 13 STEP ONE: Determine the number of months before the motor
 14 vehicle must be ~~re-registered~~; **reregistered**. A partial month shall
 15 be rounded to one (1) month.
 16 STEP TWO: Multiply the STEP ONE result by one-twelfth
 17 (1/12).
 18 STEP THREE: Multiply the annual registration fee for the vehicle
 19 by the STEP TWO result.
 20 (f) A school bus subject to registration under IC 9-18-2-8.5 that is
 21 registered after January 31 for the prior calendar year shall be
 22 registered at one-half (1/2) the regular rate.
 23 SECTION 28. IC 9-29-9-14, AS AMENDED BY P.L.217-2014,
 24 SECTION 118, IS AMENDED TO READ AS FOLLOWS
 25 [EFFECTIVE UPON PASSAGE]: Sec. 14. The fee for a specialized
 26 driving privilege permit issued under ~~IC 9-24-15~~ **IC 9-30-16** is ten
 27 dollars (\$10).
 28 SECTION 29. IC 9-30-10-4, AS AMENDED BY P.L.217-2014,
 29 SECTION 133, AND AS AMENDED BY P.L.221-2014, SECTION
 30 79, IS CORRECTED AND AMENDED TO READ AS FOLLOWS
 31 [EFFECTIVE UPON PASSAGE]: Sec. 4. (a) A person who has
 32 accumulated at least two (2) judgments within a ten (10) year period
 33 for any of the following violations, singularly or in combination, and
 34 not arising out of the same incident, is a habitual violator:
 35 (1) Reckless homicide resulting from the operation of a motor
 36 vehicle.
 37 (2) Voluntary or involuntary manslaughter resulting from the
 38 operation of a motor vehicle.
 39 (3) Failure of the ~~driver~~ *operator* of a motor vehicle involved in
 40 an accident resulting in death or injury to any person to stop at the
 41 scene of the accident and give the required information and
 42 assistance.



- 1 (4) Operation of a vehicle while intoxicated resulting in death.
 2 (5) Before July 1, 1997, operation of a vehicle with at least
 3 ten-hundredths percent (0.10%) alcohol in the blood resulting in
 4 death.
 5 (6) After June 30, 1997, and before July 1, 2001, operation of a
 6 vehicle with an alcohol concentration equivalent to at least
 7 ten-hundredths (0.10) gram of alcohol per:
 8 (A) one hundred (100) milliliters of the blood; or
 9 (B) two hundred ten (210) liters of the breath;
 10 resulting in death.
 11 (7) After June 30, 2001, operation of a vehicle with an alcohol
 12 concentration equivalent to at least eight-hundredths (0.08) gram
 13 of alcohol per:
 14 (A) one hundred (100) milliliters of the blood; or
 15 (B) two hundred ten (210) liters of the breath;
 16 resulting in death.
 17 (b) A person who has accumulated at least three (3) judgments
 18 within a ten (10) year period for any of the following violations,
 19 singularly or in combination, and not arising out of the same incident,
 20 is a habitual violator:
 21 (1) Operation of a vehicle while intoxicated.
 22 (2) Before July 1, 1997, operation of a vehicle with at least
 23 ten-hundredths percent (0.10%) alcohol in the blood.
 24 (3) After June 30, 1997, and before July 1, 2001, operation of a
 25 vehicle with an alcohol concentration equivalent to at least
 26 ten-hundredths (0.10) gram of alcohol per:
 27 (A) one hundred (100) milliliters of the blood; or
 28 (B) two hundred ten (210) liters of the breath.
 29 (4) After June 30, 2001, operation of a vehicle with an alcohol
 30 concentration equivalent to at least eight-hundredths (0.08) gram
 31 of alcohol per:
 32 (A) one hundred (100) milliliters of the blood; or
 33 (B) two hundred ten (210) liters of the breath.
 34 *(5) Operating a motor vehicle while the person's license to do so*
 35 *has been suspended or revoked as a result of the person's*
 36 *conviction of an offense under IC 9-1-4-52 (repealed July 1,*
 37 *1991); IC 9-24-18-5(b) (repealed July 1, 2000); IC 9-24-19-2; or*
 38 *IC 9-24-19-3.*
 39 *(6) Operating a motor vehicle without ever having obtained a*
 40 *license to do so.*
 41 ~~(7) (5) Reckless driving.~~
 42 ~~(8) (6) Criminal recklessness as a felony involving the operation~~



- 1 of a motor vehicle.
 2 ~~(9)~~ (7) Drag racing or engaging in a speed contest in violation of
 3 law.
 4 ~~(10)~~ (8) Violating IC 9-4-1-40 (repealed July 1, 1991),
 5 IC 9-4-1-46 (repealed July 1, 1991), ~~IC 9-26-1-1(1);~~
 6 ~~IC 9-26-1-1(2); IC 9-26-1-2(1); IC 9-26-1-2(2); IC 9-26-1-3; or~~
 7 ~~IC 9-26-1-4; IC 9-26-1-1.1.~~
 8 (9) Resisting law enforcement under IC 35-44.1-3-1.
 9 ~~(11)~~ (10) Any felony under an Indiana motor vehicle statute or
 10 any felony in ~~which the commission~~ operation of ~~which~~ a motor
 11 vehicle is ~~used~~ an element of the offense.
 12 ~~(12)~~ (11) Operating a Class B motor driven cycle in violation of
 13 IC 9-24-1-1(b).

14 A judgment for a violation enumerated in subsection (a) shall be added
 15 to the violations described in this subsection for the purposes of this
 16 subsection.

17 (c) A person who has accumulated at least ten (10) judgments
 18 within a ten (10) year period for any traffic violation, except a parking
 19 or an equipment violation, of the type required to be reported to the
 20 bureau, singularly or in combination, and not arising out of the same
 21 incident, is a habitual violator. However, at least one (1) of the
 22 judgments must be for:

- 23 (1) a violation enumerated in subsection (a); ~~or~~
 24 (2) a violation enumerated in subsection (b);
 25 (3) operating a motor vehicle while the person's license to do so
 26 has been suspended or revoked as a result of the person's
 27 conviction of an offense under IC 9-1-4-52 (repealed July 1,
 28 1991), IC 9-24-18-5(b) (repealed July 1, 2000), IC 9-24-19-2, or
 29 IC 9-24-19-3; or
 30 (4) operating a motor vehicle without ever having obtained a
 31 license to do so.

32 A judgment for a violation enumerated in subsection (a) or (b) shall be
 33 added to the judgments described in this subsection for the purposes of
 34 this subsection.

35 (d) For purposes of this section, a judgment includes a judgment in
 36 any other jurisdiction in which the elements of the offense for which
 37 the conviction was entered are substantially similar to the elements of
 38 the offenses described in subsections (a), (b), and (c).

39 (e) For purposes of this section, the offense date is used when
 40 determining the number of judgments accumulated within a ten (10)
 41 year period.

42 SECTION 30. IC 9-31-3-19, AS AMENDED BY P.L.92-2013,



1 SECTION 76, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 2 UPON PASSAGE]: Sec. 19. A dealer licensed by the secretary of state
 3 under IC 9-32-8-2 may, upon application to the secretary of state,
 4 obtain a ~~certificate of number~~ **dealer plate** for use in the testing or
 5 demonstrating of motorboats upon payment of the fee prescribed under
 6 ~~IC 9-29-15-6~~ **IC 9-29-17-16** for each ~~registration number~~ **dealer plate**.
 7 The secretary of state shall issue one (1) ~~plate~~ **dealer plate** for each ~~certificate of~~
 8 ~~number assigned under this section~~. ~~The~~ **A dealer** plate must be
 9 displayed within a boat that is being tested or demonstrated while the
 10 boat is being tested or demonstrated.

11 SECTION 31. IC 9-32-6-7, AS AMENDED BY P.L.62-2014,
 12 SECTION 17, AND AS AMENDED BY P.L.217-2014, SECTION
 13 164, IS CORRECTED AND AMENDED TO READ AS FOLLOWS
 14 [EFFECTIVE UPON PASSAGE]: Sec. 7. (a) Except as provided in
 15 sections 8 and 9 of this chapter, dealer-new, dealer-used, manufacturer,
 16 and ~~wholesale~~ *dealer-wholesale* license plates may be used only on
 17 motor vehicles in the:

- 18 (1) dealer's inventory being held for sale;
- 19 (2) usual operation of the manufacturer's or dealer's business;
- 20 (3) movement of the manufacturer's or dealer's inventory; or
- 21 (4) inventory of a manufacturer or dealer that is unattended by the
- 22 manufacturer or dealer or the dealer's agent for a maximum of ten
- 23 (10) days by a prospective buyer or a service customer.

24 (b) The license plates referenced in subsection (a) must be:

- 25 (1) primarily used or stored at an address within Indiana; or
- 26 (2) displayed on a vehicle being transported for purposes of sale
- 27 by a licensed Indiana dealer.

28 (c) *A person who violates this section commits a Class A infraction.*

29 ~~(e)~~ **(d)** *This subsection expires January 1, 2016. A dealer-wholesale*
 30 *license plate may not be issued or displayed after June 30, 2015.*

31 SECTION 32. IC 9-32-6-10, AS AMENDED BY P.L.62-2014,
 32 SECTION 20, AND AS AMENDED BY P.L.217-2014, SECTION
 33 165, IS CORRECTED AND AMENDED TO READ AS FOLLOWS
 34 [EFFECTIVE UPON PASSAGE]: Sec. 10. (a) Dealer-new,
 35 dealer-used, manufacturer, and ~~wholesale~~ *dealer-wholesale* license
 36 plates may not be used on a vehicle that:

- 37 (1) is required to be registered; and
- 38 (2) has a fee charged by dealers to others for the use of the
- 39 vehicle.

40 *However, a dealer-wholesale license plate may not be used or*
 41 *displayed after June 30, 2015.*

42 (b) *A person who violates this section commits a Class A infraction.*



1 SECTION 33. IC 11-8-8-19, AS AMENDED BY P.L.168-2014,
 2 SECTION 23, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 3 UPON PASSAGE]: Sec. 19. (a) Except as provided in subsections (b)
 4 through ~~(e)~~, **(f)**, a sex or violent offender is required to register under
 5 this chapter until the expiration of ten (10) years after the date the sex
 6 or violent offender:

- 7 (1) is released from a penal facility (as defined in
 8 IC 35-31.5-2-232) or a secure juvenile detention facility of a state
 9 or another jurisdiction;
 10 (2) is placed in a community transition program;
 11 (3) is placed in a community corrections program;
 12 (4) is placed on parole; or
 13 (5) is placed on probation;

14 for the sex or violent offense requiring registration, whichever occurs
 15 last. The registration period is tolled during any period that the sex or
 16 violent offender is incarcerated. The registration period does not restart
 17 if the offender is convicted of a subsequent offense. However, if the
 18 subsequent offense is a sex or violent offense, a new registration period
 19 may be imposed in accordance with this chapter. The department shall
 20 ensure that an offender who is no longer required to register as a sex or
 21 violent offender is notified that the obligation to register has expired,
 22 and shall ensure that the offender's information is no longer published
 23 to the public portal of the sex and violent offender registry Internet web
 24 site established under IC 36-2-13-5.5.

25 (b) A sex or violent offender who is a sexually violent predator is
 26 required to register for life.

27 (c) A sex or violent offender who is convicted of at least one (1)
 28 offense under section 5(a) of this chapter that the sex or violent
 29 offender committed:

- 30 (1) when the person was at least eighteen (18) years of age; and
 31 (2) against a victim who was less than twelve (12) years of age at
 32 the time of the crime;

33 is required to register for life.

34 (d) A sex or violent offender who is convicted of at least one (1)
 35 offense under section 5(a) of this chapter in which the sex offender:

- 36 (1) proximately caused serious bodily injury or death to the
 37 victim;
 38 (2) used force or the threat of force against the victim or a
 39 member of the victim's family, unless the offense is sexual battery
 40 as a Class D felony (for an offense committed before July 1,
 41 2014) or a Level 6 felony (for a crime committed after June 30,
 42 2014); or



1 (3) rendered the victim unconscious or otherwise incapable of
 2 giving voluntary consent;
 3 is required to register for life.

4 (e) A sex or violent offender who is convicted of at least two (2)
 5 unrelated offenses under section 5(a) of this chapter is required to
 6 register for life.

7 (f) A person who is required to register as a sex or violent offender
 8 in any jurisdiction shall register for the period required by the other
 9 jurisdiction or the period described in this section, whichever is longer.

10 SECTION 34. IC 12-7-2-25, AS AMENDED BY P.L.143-2011,
 11 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 12 UPON PASSAGE]: Sec. 25. "Case management" **means the**
 13 **following:**

14 (1) For purposes of IC 12-10-1 and IC 12-10-10, ~~has~~ the meaning
 15 set forth in IC 12-10-1.

16 (2) **For purposes of IC 12-10-10.5, the meaning set forth in**
 17 **IC 12-10-10.5-2.**

18 SECTION 35. IC 12-14-29-2, AS AMENDED BY P.L.158-2014,
 19 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 20 UPON PASSAGE]: Sec. 2. Under this chapter, an individual is eligible
 21 for ~~food stamps~~ **the federal Supplemental Nutrition Assistance**
 22 **Program (SNAP)** if the individual meets all the following
 23 requirements:

24 (1) The individual is a resident of:

25 (A) a county having a reentry court program;

26 (B) a county that offers individuals on probation or in a
 27 community corrections program ~~evidence-based evidence~~
 28 **based** mental health and addiction forensic treatment services
 29 administered or coordinated by a provider certified by the
 30 division of mental health and addiction to provide mental
 31 health or addiction treatment; or

32 (C) Marion County.

33 (2) The individual was convicted of an offense under IC 35-48
 34 (controlled substances) for conduct occurring after August 22,
 35 1996.

36 (3) Except for 21 U.S.C. 862a(a), the individual meets the federal
 37 ~~and Indiana food stamp~~ **Supplemental Nutrition Assistance**
 38 **Program (SNAP)** requirements.

39 (4) The individual is successfully participating in:

40 (A) a reentry court program;

41 (B) an ~~evidence-based evidence~~ **based** mental health and
 42 addiction forensic treatment services program administered or



1 coordinated by a provider certified by the division of mental
 2 health and addiction to provide mental health or addiction
 3 treatment as part of the person's probation or community
 4 corrections; or

5 (C) the Marion County superior court pilot project described
 6 in IC 11-12-3.8-6.

7 SECTION 36. IC 12-14-29-5, AS ADDED BY P.L.92-2005,
 8 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 9 UPON PASSAGE]: Sec. 5. (a) If referred by a court, an individual who
 10 meets the requirements of section 2 of this chapter may receive ~~food~~
 11 **stamp federal Supplemental Nutrition Assistance Program (SNAP)**
 12 **benefits** for not more than twelve (12) months.

13 (b) If referred by a court, an individual who meets the requirements
 14 of section 3 of this chapter may receive TANF benefits for not more
 15 than twelve (12) months.

16 SECTION 37. IC 13-11-2-130.5 IS REPEALED [EFFECTIVE
 17 UPON PASSAGE]. ~~Sec. 130.5: "Periodic vehicle inspection program",~~
 18 ~~for purposes of IC 13-17-5, means a program requiring a motor vehicle~~
 19 ~~registered in a county to undergo a periodic test of emission~~
 20 ~~characteristics and be repaired and retested if the motor vehicle fails~~
 21 ~~the emissions test. The term includes entering into and managing~~
 22 ~~contracts for inspection stations.~~

23 SECTION 38. IC 13-11-2-156.4 IS ADDED TO THE INDIANA
 24 CODE AS A NEW SECTION TO READ AS FOLLOWS
 25 [EFFECTIVE UPON PASSAGE]: **Sec. 156.4. "Periodic vehicle**
 26 **inspection program", for purposes of IC 13-17-5, means a program**
 27 **requiring a motor vehicle registered in a county to undergo a**
 28 **periodic test of emission characteristics and be repaired and**
 29 **retested if the motor vehicle fails the emissions test. The term**
 30 **includes entering into and managing contracts for inspection**
 31 **stations.**

32 SECTION 39. IC 13-11-2-158, AS AMENDED BY P.L.113-2014,
 33 SECTION 54, AND AS AMENDED BY P.L.126-2014, SECTION 3,
 34 IS CORRECTED AND AMENDED TO READ AS FOLLOWS
 35 [EFFECTIVE UPON PASSAGE]: Sec. 158. (a) "Person", for purposes
 36 of:

- 37 (1) IC 13-21;
- 38 (2) air pollution control laws;
- 39 (3) water pollution control laws; and
- 40 (4) environmental management laws, except as provided in
- 41 subsections (c), (d), and (e);

42 means an individual, a partnership, a copartnership, a firm, a company,



1 a corporation, an association, a joint stock company, a trust, an estate,
 2 a municipal corporation, a city, a school city, a town, a school town, a
 3 school district, a school corporation, a county, any consolidated unit of
 4 government, a political subdivision, a state agency, a contractor, or any
 5 other legal entity.

6 (b) "Person", for purposes of:

7 (1) IC 13-18-10;

8 (2) IC 13-18-10.5;

9 (3) IC 13-20-10.5; and

10 (4) IC 13-20-17;

11 means an individual, a partnership, a copartnership, a firm, a company,
 12 a corporation, an association, a joint stock company, a trust, an estate,
 13 a political subdivision, a state agency, or other legal entity, or their
 14 legal representative, agent, or assigns.

15 (c) "Person", for purposes of:

16 (1) IC 13-20-13;

17 (2) IC 13-20-14;

18 (3) IC 13-20-16; and

19 (4) IC 13-25-6;

20 means an individual, a corporation, a limited liability company, a
 21 partnership, or an unincorporated association.

22 *(d) "Person", for purposes of IC 13-20-25, means an individual, a*
 23 *corporation, a limited liability company, a partnership, an*
 24 *unincorporated association, or a solid waste management district*
 25 *established under IC 13-21.*

26 ~~(d)~~ (e) "Person", for purposes of IC 13-23, has the meaning set forth
 27 in subsection (a). The term includes a consortium, a joint venture, a
 28 commercial entity, and the United States government.

29 ~~(e)~~ (f) "Person", for purposes of IC 13-20-17.5, ~~and IC 13-25-3,~~
 30 means an individual, a corporation, a limited liability company, a
 31 partnership, a trust, an estate, or an unincorporated association.

32 ~~(f)~~ (g) "Person", for purposes of IC 13-26, means an individual, a
 33 firm, a partnership, an association, a limited liability company, or a
 34 corporation other than an eligible entity.

35 ~~(g)~~ (h) "Person", for purposes of IC 13-29-1, means any individual,
 36 corporation, business enterprise, or other legal entity either public or
 37 private and any legal successor, representative, agent, or agency of that
 38 individual, corporation, business enterprise, or legal entity.

39 SECTION 40. IC 13-23-1-4, AS ADDED BY P.L.38-2012,
 40 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 41 UPON PASSAGE]: Sec. 4. (a) This section shall be enforced under
 42 IC 4-21.5-4.



1 (b) To fully implement the delivery prohibition program
2 requirements under 42 U.S.C. 6991k, the commissioner may:

- 3 (1) determine whether an underground storage tank is eligible for
4 delivery, deposit, or acceptance of a regulated substance; and
5 (2) issue a temporary order to prohibit the use of an underground
6 storage tank that has been determined to be ineligible under
7 subdivision (1), and demand compliance with the rules adopted
8 under this chapter as follows:

9 (A) If an underground storage tank inspection shows failure to
10 install equipment for:

- 11 (i) corrosion protection;
12 (ii) leak detection;
13 (iii) overfill protection; or
14 (iv) spill prevention.

15 The commissioner must give the owner or operator written
16 notice before implementing a temporary order under this
17 clause.

18 (B) If the owner or operator fails to properly operate or
19 maintain equipment for corrosion protection, leak detection,
20 overfill protection, and spill prevention. The commissioner
21 must give the owner or operator:

- 22 (i) a written warning; and
23 (ii) at least thirty (30) days to take corrective action to bring
24 the underground storage tank into compliance.

25 (C) If the owner or operator fails to register an underground
26 petroleum storage tank or pay annual registration fees that are
27 due under IC 13-23-12. The commissioner must give the
28 owner or operator at least thirty (30) days to take corrective
29 action to bring the underground storage tank into compliance.

30 (c) If ownership of an ineligible underground storage tank is
31 transferred, the new owner must complete the corrective actions
32 required to comply with an order issued by the commissioner to the
33 previous owner.

34 (d) ~~The commissioner may act to carry out this section prior to the~~
35 ~~adoption of rules by the board under section 2 of this chapter. This~~
36 ~~subsection expires January 1, 2015.~~

37 SECTION 41. IC 14-16-1-26, AS AMENDED BY P.L.259-2013,
38 SECTION 43, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
39 UPON PASSAGE]: Sec. 26. (a) ~~This subsection expires January 1,~~
40 ~~2014. The department shall do the following:~~

- 41 (1) ~~Prescribe the form of accident reports and registration~~
42 ~~certificates and the form of application for the certificates:~~



- 1 (2) Conduct a campaign of education with respect to safety in the
2 operation of vehicles in connection with the use and enjoyment of
3 the public and private land of Indiana and with respect to Indiana
4 laws relating to vehicles.
5 (3) Construct and maintain vehicle trails on public and private
6 land consistent with the intent of this chapter.
- 7 **(b) (a)** Notwithstanding any other law, the department may purchase
8 land for off-road vehicle and snowmobile trails only from a willing
9 seller of the land.
- 10 **(c) (b)** This subsection applies after December 31, 2013: The
11 department shall do the following:
- 12 (1) Prescribe the form of accident reports.
13 (2) Conduct a campaign of education with respect to safety in the
14 operation of vehicles in connection with the use and enjoyment of
15 the public and private land of Indiana and with respect to Indiana
16 laws relating to vehicles.
17 (3) Construct and maintain off-road vehicle trails on public and
18 private land consistent with the intent of this chapter.
- 19 SECTION 42. IC 20-19-6-9, AS ADDED BY P.L.49-2014,
20 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
21 UPON PASSAGE]: Sec. 9. (a) As used in this section, "career council"
22 refers to the Indiana career council established by IC 22-4.5-9-3.
23 (b) As used in this section, "subcommittee" means the subcommittee
24 appointed under subsection (d).
- 25 (c) The subcommittee shall, before October 1, 2015:
- 26 (1) review the current Core 40 diploma course offerings,
27 including types of courses and diplomas offered;
28 (2) make recommendations to the state board concerning:
29 (A) changing course requirements for the Core 40 diploma,
30 which may include the total number of academic credits
31 required;
32 (B) changing the types of diplomas offered; and
33 (C) the need for a career and technical education diploma; and
34 (3) examine and make recommendations concerning career and
35 technical education offerings.
- 36 The state board shall take action concerning the recommendations
37 before December 1, 2015.
- 38 (d) The career council shall appoint a subcommittee to develop the
39 requirements for the career and technical education diploma required
40 by subsection (c). The career council shall designate a member to serve
41 as chairperson of the subcommittee. The subcommittee is composed of
42 at least fourteen (14) members, including the following:



- 1 (1) One (1) member from each council.
 2 (2) One (1) member who is a director of high school career and
 3 technical education programs, who shall serve as vice chairperson
 4 of the subcommittee.
 5 (3) One (1) member who is employed by the department and
 6 whose job duties include career and technical education curricula
 7 development.
 8 (4) One (1) member representing the state's community college
 9 system.
 10 (5) One (1) member representing the state's industrial community.
 11 (6) One (1) member representing the commission for higher
 12 education.
- 13 (e) In performing its duties under subsection (d), the subcommittee
 14 shall obtain, in the manner and to the extent the subcommittee
 15 determines appropriate, input from licensed mathematics and
 16 English/language arts educators in Indiana.
- 17 (f) The subcommittee may design new curricula or create new
 18 courses in completing the recommendations required by subsection (c).
 19 A curriculum or course developed under this subsection must include
 20 input from representatives of:
 21 (1) high school career and technical education programs;
 22 (2) licensed mathematics and English/language arts educators;
 23 (3) community colleges; and
 24 (4) universities.
- 25 (g) The requirements for a diploma developed under this section
 26 must:
 27 (1) require a minimum of forty (40) academic credits or the
 28 equivalent for graduation;
 29 (2) be designed so that completed courses may be used to fulfill
 30 the requirements established for other high school diplomas
 31 approved by the state board; and
 32 (3) meet the college and career readiness education standards
 33 adopted by the state board under ~~IC 20-19-2-14.5(c)~~.
 34 **IC 20-19-2-14.5(b)**.
- 35 (h) Before the state board may take action on the recommendations
 36 made under subsection (c), the state board shall consult with and
 37 receive recommendations from the career council and the commission
 38 for higher education. Based upon the recommendations of the
 39 subcommittee, career council, and the commission for higher
 40 education, the state board may approve a career and technical
 41 education diploma or change the requirements for a Core 40 diploma.
 42 SECTION 43. IC 20-24-4-1, AS AMENDED BY P.L.33-2014,



1 SECTION 1, AND AS AMENDED BY P.L.47-2014, SECTION 4, IS
 2 CORRECTED AND AMENDED TO READ AS FOLLOWS
 3 [EFFECTIVE UPON PASSAGE]: Sec. 1. (a) A charter must meet the
 4 following requirements:

- 5 (1) Be a written instrument.
 6 (2) Be executed by an authorizer and an organizer.
 7 (3) Confer certain rights, franchises, privileges, and obligations
 8 on a charter school.
 9 (4) Confirm the status of a charter school as a public school.
 10 (5) Be granted for:
 11 (A) not less than three (3) years *or more than seven (7) years*;
 12 and
 13 (B) a fixed number of years agreed to by the authorizer and the
 14 organizer.
 15 (6) Provide for the following:
 16 (A) A review by the authorizer of the charter school's
 17 performance, including the progress of the charter school in
 18 achieving the academic goals set forth in the charter, at least
 19 one (1) time in each five (5) year period while the charter is in
 20 effect.
 21 (B) Renewal, if the authorizer and the organizer agree to renew
 22 the charter.
 23 (C) The renewal application must include guidance from the
 24 authorizer, and the guidance must include the performance
 25 criteria that will guide the authorizer's renewal decisions.
 26 (D) The renewal application process must, at a minimum,
 27 provide an opportunity for the charter school to:
 28 (i) present additional evidence, beyond the data contained in
 29 the performance report, supporting its case for charter
 30 renewal;
 31 (ii) describe improvements undertaken or planned for the
 32 charter school; and
 33 (iii) detail the charter school's plans for the next charter
 34 term.
 35 (E) Not later than October 1 in the year in which the charter
 36 school seeks renewal of a charter, the governing board of a
 37 charter school seeking renewal shall submit a renewal
 38 application to the charter authorizer under the renewal
 39 application guidance issued by the authorizer. The authorizer
 40 shall make a final ruling on the renewal application not later
 41 than March 1 after the filing of the renewal application. The
 42 March 1 deadline does not apply to any review or appeal of a



- 1 final ruling. After the final ruling is issued, the charter school
 2 may obtain further review by the authorizer of the authorizer's
 3 final ruling in accordance with the terms of the charter school's
 4 charter and the protocols of the authorizer.
- 5 (7) Specify the grounds for the authorizer to:
 6 (A) revoke the charter before the end of the term for which the
 7 charter is granted; or
 8 (B) not renew a charter.
- 9 (8) Set forth the methods by which the charter school will be held
 10 accountable for achieving the educational mission and goals of
 11 the charter school, including the following:
 12 (A) Evidence of improvement in:
 13 (i) assessment measures, including the ISTEP and end of
 14 course assessments;
 15 (ii) attendance rates;
 16 (iii) graduation rates (if appropriate);
 17 (iv) increased numbers of Core 40 diplomas and other
 18 college and career ready indicators including advanced
 19 placement participation and passage, dual credit
 20 participation and passage, and International Baccalaureate
 21 participation and passage (if appropriate);
 22 (v) increased numbers of academic honors and technical
 23 honors diplomas (if appropriate);
 24 (vi) student academic growth;
 25 (vii) financial performance and stability; and
 26 (viii) governing board performance and stewardship,
 27 including compliance with applicable laws, rules and
 28 regulations, and charter terms.
 29 (B) Evidence of progress toward reaching the educational
 30 goals set by the organizer.
- 31 (9) Describe the method to be used to monitor the charter
 32 school's:
 33 (A) compliance with applicable law; and
 34 (B) performance in meeting targeted educational performance.
- 35 (10) Specify that the authorizer and the organizer may amend the
 36 charter during the term of the charter by mutual consent and
 37 describe the process for amending the charter.
- 38 (11) Describe specific operating requirements, including all the
 39 matters set forth in the application for the charter.
- 40 (12) Specify a date when the charter school will:
 41 (A) begin school operations; and
 42 (B) have students attending the charter school.



- 1 (13) Specify that records of a charter school relating to the
 2 school's operation and charter are subject to inspection and
 3 copying to the same extent that records of a public school are
 4 subject to inspection and copying under IC 5-14-3.
- 5 (14) Specify that records provided by the charter school to the
 6 department or authorizer that relate to compliance by the
 7 organizer with the terms of the charter or applicable state or
 8 federal laws are subject to inspection and copying in accordance
 9 with IC 5-14-3.
- 10 (15) Specify that the charter school is subject to the requirements
 11 of IC 5-14-1.5.
- 12 (16) *This subdivision applies to a charter established or renewed*
 13 *for an adult high school after June 30, 2014. The charter must*
 14 *require:*
- 15 *(A) that the school will offer flexible scheduling;*
 16 *(B) that students will not complete the majority of instruction*
 17 *of the school's curriculum online or through remote*
 18 *instruction;*
 19 *(C) that the school will offer dual credit or industry*
 20 *certification course work that aligns with career pathways as*
 21 *recommended by the Indiana career council established by*
 22 *IC 22-4.5-9-3; and*
 23 *(D) a plan:*
- 24 *(i) to support successful program completion and to assist*
 25 *transition of graduates to the workforce or to a*
 26 *postsecondary education upon receiving a diploma from the*
 27 *adult high school; and*
 28 *(ii) to review individual student accomplishments and*
 29 *success after a student receives a diploma from the adult*
 30 *high school.*
- 31 (b) A charter school shall set annual performance targets in
 32 conjunction with the charter school's authorizer. The annual
 33 performance targets shall be designed to help each school meet
 34 applicable federal, state, and authorizer expectations.
- 35 SECTION 44. IC 20-24-7-13, AS AMENDED BY P.L.205-2013,
 36 SECTION 234, IS AMENDED TO READ AS FOLLOWS
 37 [EFFECTIVE UPON PASSAGE]: Sec. 13. (a) As used in this section,
 38 "virtual charter school" means any charter school, including a
 39 conversion charter school, that provides for the delivery of more than
 40 fifty percent (50%) of instruction to students through:
 41 (1) virtual distance learning;
 42 (2) online technologies; or



- 1 (3) computer based instruction.
- 2 (b) A virtual charter school may apply for authorization with any
3 statewide ~~sponsor~~ **authorizer** in accordance with the authorizer's
4 guidelines.
- 5 (c) For state fiscal years beginning after June 30, 2013, a virtual
6 charter school is entitled to receive funding in a month from the state
7 in an amount equal to the sum of:
- 8 (1) the product of:
- 9 (A) the number of students included in the virtual charter
10 school's current ADM; multiplied by
- 11 (B) the result of:
- 12 (i) ninety percent (90%) of the school's foundation amount
13 determined under IC 20-43-5-4; divided by
- 14 (ii) twelve (12); plus
- 15 (2) the total of any:
- 16 (A) special education grants under IC 20-43-7;
- 17 (B) career and technical education grants under IC 20-43-8;
- 18 (C) honor grants under IC 20-43-10;
- 19 (D) complexity grants under IC 20-43-13; and
- 20 (E) full-day kindergarten grants under IC 20-43-14;
- 21 to which the virtual charter school is entitled for the month.
- 22 For state fiscal years beginning after June 30, 2013, a virtual charter
23 school is entitled to receive special education grants under IC 20-43-7
24 calculated in the same manner as special education grants are
25 calculated for other school corporations.
- 26 (d) The state board shall adopt rules under IC 4-22-2 to govern the
27 operation of virtual charter schools.
- 28 (e) The department, with the approval of the state board, shall
29 before December 1 of each year submit an annual report to the budget
30 committee concerning the program under this section.
- 31 (f) Each school year, at least sixty percent (60%) of the students
32 who are enrolled in virtual charter schools under this section for the
33 first time must have been included in the state's fall count of ADM
34 conducted in the previous school year.
- 35 SECTION 45. IC 20-24-9-1, AS AMENDED BY P.L.33-2014,
36 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
37 UPON PASSAGE]: Sec. 1. (a) ~~A~~ **An** authorizer that has established a
38 charter school shall submit an annual report to the department and the
39 state board for informational and research purposes. The authorizer
40 shall make the annual report available on the authorizer's Internet web
41 site.
- 42 (b) The department and state board shall make all annual reports



1 submitted under subsection (a) available on the department's and state
2 board's Internet web sites.

3 SECTION 46. IC 20-25-16-1, AS AMENDED BY P.L.73-2011,
4 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
5 UPON PASSAGE]: Sec. 1. To provide the board with the necessary
6 flexibility and resources to carry out this article, the following apply:

7 (1) The board may:

8 (A) eliminate or modify existing policies;

9 (B) create new policies; and

10 (C) alter policies;

11 subject to this article and the plan developed under IC 20-25-10.

12 (2) IC 20-29 applies to the school city. ~~except for the provision of~~
13 ~~IC 20-29-6-7(a) that requires any items included in the 1972-1973~~
14 ~~agreements between an employer school corporation and an~~
15 ~~employee organization to continue to be bargainable.~~

16 (3) ~~The board may waive the following statutes and rules for any~~
17 ~~school in the school city without administrative, regulatory, or~~
18 ~~legislative approval:~~

19 (A) ~~The following rules concerning curriculum and~~
20 ~~instructional time:~~

21 ~~511 IAC 6.1-5-0.5~~

22 ~~511 IAC 6.1-5-1~~

23 ~~511 IAC 6.1-5-2.5~~

24 ~~511 IAC 6.1-5-3.5~~

25 ~~511 IAC 6.1-5-4.~~

26 (B) ~~511 IAC 6.1-4-1 concerning student/teacher ratios.~~

27 (C) ~~511 IAC 6.1-4-2 concerning school principals.~~

28 (4) (3) ~~Notwithstanding any other law, a school city may do the~~
29 ~~following:~~

30 (A) ~~Lease school transportation equipment to others for~~
31 ~~nonschool use when the equipment is not in use for a school~~
32 ~~city purpose.~~

33 (B) ~~Establish a professional development and technology fund~~
34 ~~to be used for:~~

35 (i) ~~professional development; or~~

36 (ii) ~~technology, including video distance learning.~~

37 (C) ~~Transfer funds obtained from sources other than state or~~
38 ~~local government taxation to any account of the school~~
39 ~~corporation, including a professional development and~~
40 ~~technology fund established under clause (B).~~

41 (5) (4) ~~Transfer funds obtained from property taxation to the~~
42 ~~general fund and the school transportation fund, subject to the~~



1 following:

2 (A) The sum of the property tax rates for the general fund and
 3 the school transportation fund after a transfer occurs under this
 4 subdivision may not exceed the sum of the property tax rates
 5 for the general fund and the school transportation fund before
 6 a transfer occurs under this subdivision.

7 (B) This subdivision does not allow a school corporation to
 8 transfer to any other fund money from the debt service fund.

9 SECTION 47. IC 20-26-7-1, AS AMENDED BY P.L.33-2014,
 10 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 11 UPON PASSAGE]: Sec. 1. (a) As used in this section, "charter school"
 12 has the meaning set forth in IC 20-24-1-4 and includes a group or entity
 13 seeking approval from a **sponsor an authorizer** to operate a charter
 14 school under IC 20-24-3.

15 (b) Except as otherwise provided in this section, if a governing body
 16 of a school corporation determines that any real or personal property:

- 17 (1) is no longer needed for school purposes; or
 18 (2) should, in the interests of the school corporation, be
 19 exchanged for other property;

20 the governing body may sell or exchange the property in accordance
 21 with IC 36-1-11.

22 (c) Money derived from the sale or exchange of property under this
 23 section shall be placed in any school fund:

- 24 (1) established under applicable law; and
 25 (2) that the governing body considers appropriate.

26 (d) A governing body may not make a covenant that prohibits the
 27 sale of real property to another educational institution.

28 (e) This subsection does not apply to a school building that on July
 29 1, 2011, is leased or loaned by the school corporation that owns the
 30 school building to another entity, if the entity is not a building
 31 corporation or other entity that is related in any way to, or created by,
 32 the school corporation or the governing body. Except as provided in
 33 subsections (k) through (n), a governing body shall make available for
 34 lease or purchase to any charter school any school building owned by
 35 the school corporation or any other entity that is related in any way to,
 36 or created by, the school corporation or the governing body, including
 37 but not limited to a building corporation, that:

38 (1) either:

39 (A) is not used in whole or in part for classroom instruction at
 40 the time the charter school seeks to lease the building; or

41 (B) appears on the list compiled by the department under
 42 subsection (f); and



1 (2) was previously used for classroom instruction;
2 in order for the charter school to conduct classroom instruction.

3 (f) Not later than August 1 each calendar year, each governing body
4 shall inform the department if a school building that was previously
5 used for classroom instruction is closed, unused, or unoccupied. The
6 department shall maintain a list of closed, unused, or unoccupied
7 school buildings and make the list available on the department's
8 Internet web site. Each school corporation shall provide a list of closed,
9 unused, or unoccupied buildings to the department by the date set by
10 the department. The department must update the list not later than
11 fifteen (15) days after being notified of a closed, unused, or unoccupied
12 building.

13 (g) A school building that appears for the first time on the
14 department's list under subsection (f) shall be designated as
15 "Unavailable until (a date two (2) years after the school building first
16 appears on the list)" if the governing body of the school corporation
17 that owns the school building indicates to the department, on a form
18 prescribed by the department, that the school building may be
19 reclaimed during that period for classroom instruction. If a governing
20 body does not indicate that a school building may be reclaimed, the
21 governing body shall designate the school building as "Available" on
22 the department's list. The governing body may change the designation
23 of a building from unavailable to available at any time. If a school
24 building that is designated as unavailable on the department's list
25 remains unused for classroom instruction one (1) year after being
26 reclaimed under this subsection, the governing body shall designate the
27 school building as "Available" on the department's list. A governing
28 body may reclaim a school building only one (1) time under this
29 subsection.

30 (h) If a charter school wishes to use a school building on the list
31 created under subsection (f), the charter school shall send a letter of
32 intent to the department. Within thirty (30) days after receiving a letter
33 from a charter school, the department shall notify the school
34 corporation of the charter school's intent, and, within thirty (30) days
35 after receiving notification from the department, the school corporation
36 that owns the school building shall lease the school building to the
37 charter school for one dollar (\$1) per year for as long as the charter
38 school uses the school building for classroom instruction or for a term
39 at the charter school's discretion, or sell the school building to the
40 charter school for one dollar (\$1). The charter school must begin to use
41 the school building for classroom instruction not later than two (2)
42 years after acquiring the school building. If the school building is not



1 used for classroom instruction within two (2) years after acquiring the
 2 school building, the school building shall be placed on the department's
 3 list under subsection (f). If during the term of the lease the charter
 4 school closes or ceases using the school building for classroom
 5 instruction, the school building shall be placed on the department's list
 6 under subsection (f). If a school building is sold to a charter school
 7 under this subsection and the charter school or any entity related to the
 8 charter school subsequently sells or transfers the school building to a
 9 third party, the charter school or related entity must transfer an amount
 10 equal to the gain in the property minus the adjusted basis (including
 11 costs of improvements to the school building) to the school corporation
 12 that initially sold the vacant school building to the charter school. Gain
 13 and adjusted basis shall be determined in the manner prescribed by the
 14 Internal Revenue Code and the applicable Internal Revenue Service
 15 regulations and guidelines.

16 (i) During the term of a lease under subsection (h), the charter
 17 school is responsible for the direct expenses related to the school
 18 building leased, including utilities, insurance, maintenance, repairs,
 19 and remodeling. The school corporation is responsible for any debt
 20 incurred for or liens that attached to the school building before the
 21 charter school leased the school building.

22 (j) Notwithstanding anything to the contrary in this section, and with
 23 the sole exception of a waiver provided in subsection (n), when a
 24 school building is designated as "Available" under subsection (g), the
 25 school building must remain designated as "Available" and may not be
 26 sold or otherwise disposed of for at least two (2) years. When the two
 27 (2) year period has elapsed, the school corporation may sell or
 28 otherwise dispose of the school building in accordance with
 29 IC 36-1-11.

30 (k) Notwithstanding subsection (e), a governing body may request
 31 a waiver from the department from the requirements of subsection (e).
 32 In order for a governing body to receive a waiver under subsection (n),
 33 the governing body must apply to the department, on a form prescribed
 34 by the department, for the waiver. The application must include a
 35 statement that the governing body believes that a charter school would
 36 not be interested in leasing or purchasing the vacant or unused school
 37 building.

38 (l) If the department receives a waiver request under subsection (k),
 39 the department, within five (5) days after receiving the waiver request
 40 under subsection (k), shall notify each charter school ~~sponsor~~
 41 **authorizer** and statewide organization representing charter schools in
 42 Indiana by certified mail of the waiver request received under



1 subsection (k). The notice must include a copy of the governing body's
2 waiver request.

3 (m) Not later than thirty (30) days after a charter school ~~sponsor~~
4 **authorizer** or statewide organization representing charter schools in
5 Indiana receives a notice described in subsection (l), the charter school
6 ~~sponsor authorizer~~ or a statewide organization representing charter
7 schools may submit a qualified objection to the governing body's
8 request for a waiver under subsection (k). The qualified objection must
9 be submitted to the department in writing. In order for an objection to
10 be considered a qualified objection by the department, the objection
11 must include:

- 12 (1) the name of the charter school that is interested in leasing or
13 purchasing the vacant or unused school building; and
14 (2) a time frame, which may not exceed one (1) year from the date
15 of the objection, in which the charter school intends to begin
16 providing classroom instruction in the vacant or unused school
17 building.

18 (n) If the department receives a qualified objection under subsection
19 (m), the vacant or unused school building shall remain on the
20 department's list under subsection (f) with the designation with which
21 the building is listed under subsection (g) at the time the department
22 receives the waiver request. If the department does not receive a
23 qualified objection, the department shall grant the governing body's
24 request for a waiver. A governing body that receives a waiver under
25 this subsection may sell or otherwise dispose of the unused or vacant
26 school building in accordance with IC 36-1-11.

27 SECTION 48. IC 20-43-13-2, AS ADDED BY P.L.205-2013,
28 SECTION 301, IS AMENDED TO READ AS FOLLOWS
29 [EFFECTIVE UPON PASSAGE]: Sec. 2. The total amount to be
30 distributed under this chapter to a school corporation or charter school
31 for the state fiscal year beginning July 1, 2013, is the amount
32 determined in STEP FOUR or STEP SIX (whichever is applicable) of
33 the following formula:

34 STEP ONE: Determine the greater of zero (0) or the result
35 determined under clause (B) after making the following
36 determinations:

37 (A) Determine the percentage of the school corporation's
38 students who were eligible for free or reduced price lunches in
39 the school year ending in the later of:

40 (i) 2013; or

41 (ii) the first year of operation of the school corporation.

42 For a conversion charter school, the percentage determined



- 1 under this clause is the percentage of the **sponsor authorizer**
 2 school corporation.
- 3 (B) Determine the quotient of:
 4 (i) the percentage determined under clause (A); divided by
 5 (ii) two (2).
- 6 STEP TWO: This STEP applies if the result determined under
 7 clause (B) of STEP ONE is greater than thirty-three hundredths
 8 (0.33). Determine the result of the following:
 9 (A) Subtract thirty-three hundredths (0.33) from the result
 10 determined under clause (B) of STEP ONE.
 11 (B) Determine the sum of:
 12 (i) the result determined under clause (B) of STEP ONE;
 13 plus
 14 (ii) the clause (A) result.
- 15 STEP THREE: This STEP applies if STEP TWO applies.
 16 Determine the product of:
 17 (A) the STEP TWO result; multiplied by
 18 (B) the school corporation's foundation amount for the state
 19 fiscal year.
- 20 STEP FOUR: This STEP applies if STEP TWO applies.
 21 Determine the product of:
 22 (A) the STEP THREE result; multiplied by
 23 (B) the school corporation's current ADM.
- 24 STEP FIVE: This STEP applies if the result determined under
 25 clause (B) of STEP ONE is less than or equal to thirty-three
 26 hundredths (0.33). Determine the product of:
 27 (A) the result determined under clause (B) of STEP ONE;
 28 multiplied by
 29 (B) the school corporation's foundation amount for the state
 30 fiscal year.
- 31 STEP SIX: This STEP applies if STEP FIVE applies. Determine
 32 the product of:
 33 (A) the STEP FIVE result; multiplied by
 34 (B) the school corporation's current ADM.
- 35 SECTION 49. IC 20-43-13-3, AS AMENDED BY P.L.37-2014,
 36 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 37 UPON PASSAGE]: Sec. 3. The total amount to be distributed under
 38 this chapter to a school corporation or charter school for the state fiscal
 39 year beginning July 1, 2014, is the amount determined in STEP FOUR
 40 or STEP SIX (whichever is applicable) of the following formula:
 41 STEP ONE: Determine the greater of zero (0) or the result
 42 determined under clause (B) after making the following



- 1 determinations:
- 2 (A) Determine the percentage of the school corporation's
- 3 students who were receiving financial assistance under
- 4 IC 20-33-5 (or, in the case of a school corporation described
- 5 in IC 20-33-5-7.5(a), the percentage of the school corporation's
- 6 students who were eligible to receive financial assistance
- 7 under IC 20-33-5, as estimated and reported under
- 8 IC 20-33-5-7.5(a)) in the school year ending in the later of:
- 9 (i) 2014; or
- 10 (ii) the first year of operation of the school corporation.
- 11 For a conversion charter school, the percentage determined
- 12 under this clause is the percentage of the **sponsor authorizer**
- 13 school corporation.
- 14 (B) Determine the quotient of:
- 15 (i) the percentage determined under clause (A); divided by
- 16 (ii) two (2).
- 17 STEP TWO: This STEP applies if the result determined under
- 18 clause (B) of STEP ONE is greater than thirty-five hundredths
- 19 (0.35). Determine the result of the following:
- 20 (A) Subtract thirty-five hundredths (0.35) from the result
- 21 determined under clause (B) of STEP ONE.
- 22 (B) Determine the sum of:
- 23 (i) the result determined under clause (B) of STEP ONE;
- 24 plus
- 25 (ii) the clause (A) result.
- 26 STEP THREE: This STEP applies if STEP TWO applies.
- 27 Determine the product of:
- 28 (A) the STEP TWO result; multiplied by
- 29 (B) the school corporation's foundation amount for the state
- 30 fiscal year.
- 31 STEP FOUR: This STEP applies if STEP TWO applies.
- 32 Determine the product of:
- 33 (A) the STEP THREE result; multiplied by
- 34 (B) the school corporation's current ADM.
- 35 STEP FIVE: This STEP applies if the result determined under
- 36 clause (B) of STEP ONE is less than or equal to thirty-five
- 37 hundredths (0.35). Determine the product of:
- 38 (A) the result determined under clause (B) of STEP ONE;
- 39 multiplied by
- 40 (B) the school corporation's foundation amount for the state
- 41 fiscal year.
- 42 STEP SIX: This STEP applies if STEP FIVE applies. Determine



1 the product of:

2 (A) the STEP FIVE result; multiplied by

3 (B) the school corporation's current ADM.

4 SECTION 50. IC 21-12-6.5-2, AS ADDED BY P.L.100-2009,
5 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
6 UPON PASSAGE]: Sec. 2. An individual described in section 1 of this
7 chapter may enroll in the twenty-first century scholars program under
8 IC 21-12-6 and is eligible for higher education benefits under
9 ~~IC 21-12-6~~. **IC 21-12-3.**

10 SECTION 51. IC 23-2-5-5, AS AMENDED BY P.L.156-2009,
11 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
12 UPON PASSAGE]: Sec. 5. (a) An application for a loan broker license
13 or renewal of a loan broker license must contain:

14 (1) consent to service of process under subsection (g);

15 (2) evidence of the bond required in subsection (d);

16 (3) an application fee of two hundred dollars (\$200), plus one
17 hundred dollars (\$100) for each ultimate equitable owner;

18 (4) an affidavit affirming that none of the applicant's ultimate
19 equitable owners, directors, managers, or officers have been
20 convicted, in any jurisdiction, of:

21 (A) any felony within the previous seven (7) years; or

22 (B) an offense involving fraud or deception that is punishable
23 by at least one (1) year of imprisonment;

24 unless such an affidavit is waived by the commissioner under
25 subsection (h);

26 (5) evidence that the applicant, if the applicant is an individual,
27 has completed the education requirements under section 21 of this
28 chapter;

29 (6) the name and license number for each mortgage loan
30 originator to be employed by the licensee;

31 (7) the name and license number for each principal manager; and

32 (8) for each ultimate equitable owner, the following information:

33 (A) The name of the ultimate equitable owner.

34 (B) The address of the ultimate equitable owner, including the
35 home address of the ultimate equitable owner if the ultimate
36 equitable owner is an individual.

37 (C) The telephone number of the ultimate equitable owner,
38 including the home telephone number if the ultimate equitable
39 owner is an individual.

40 (D) The ultimate equitable owner's Social Security number and
41 date of birth, if the ultimate equitable owner is an individual.

42 (b) An application for licensure as a mortgage loan originator shall



1 be made on a form prescribed by the commissioner. The application
 2 must include the following information for the individual that seeks to
 3 be licensed as a mortgage loan originator:

- 4 (1) The name of the individual.
- 5 (2) The home address of the individual.
- 6 (3) The home telephone number of the individual.
- 7 (4) The individual's Social Security number and date of birth.
- 8 (5) The name of the:

9 (A) loan broker licensee; or

10 (B) applicant for loan broker licensure;

11 for whom the individual seeks to be employed as a mortgage loan
 12 originator.

13 (6) Consent to service of process under subsection (g).

14 (7) Evidence that the individual has completed the education
 15 requirements described in section 21 of this chapter.

16 (8) An application fee of fifty dollars (\$50).

17 (9) All:

18 (A) registration numbers previously issued to the individual
 19 under this chapter, if the applicant was registered as an
 20 originator or a principal manager under this chapter before
 21 July 1, 2009; and

22 (B) license numbers previously issued to the individual under
 23 this chapter, if applicable.

24 (c) An application for licensure as a principal manager shall be
 25 made on a form prescribed by the commissioner. The application must
 26 include the following information for the individual who seeks to be
 27 licensed as a principal manager:

- 28 (1) The name of the individual.
- 29 (2) The home address of the individual.
- 30 (3) The home telephone number of the individual.
- 31 (4) The individual's Social Security number and date of birth.
- 32 (5) The name of the:

33 (A) loan broker licensee; or

34 (B) applicant for loan broker licensure;

35 for whom the individual seeks to be employed as a principal
 36 manager.

37 (6) Consent to service of process under subsection (g).

38 (7) Evidence that the individual has completed the education
 39 requirements described in section 21 of this chapter.

40 (8) Evidence that the individual has at least three (3) years of
 41 experience in the:

42 (A) loan brokerage; or



- 1 (B) financial services;
 2 business.
 3 (9) An application fee of one hundred dollars (\$100).
 4 (10) All:
 5 (A) registration numbers previously issued to the individual
 6 under this chapter, if the applicant was registered as an
 7 originator or a principal manager under this chapter before
 8 July 1, 2009; and
 9 (B) license numbers previously issued to the individual under
 10 this chapter, if applicable.
 11 (d) A loan broker licensee must maintain a bond satisfactory to the
 12 commissioner, which must cover the activities of each licensed
 13 mortgage loan originator and licensed principal manager employed by
 14 the loan broker licensee. The bond must be in one (1) of the following
 15 amounts, depending on the total amount of residential mortgage loans
 16 originated by the loan broker in the previous calendar year:
 17 (1) Fifty thousand dollars (\$50,000) if the total amount of
 18 residential mortgage loans originated by the loan broker in the
 19 previous calendar year was not greater than five million dollars
 20 (\$5,000,000).
 21 (2) Sixty thousand dollars (\$60,000) if the total amount of
 22 residential mortgage loans originated by the loan broker in the
 23 previous calendar year was greater than five million dollars
 24 (\$5,000,000) but not greater than twenty million dollars
 25 (\$20,000,000).
 26 (3) Seventy-five thousand dollars (\$75,000) if the total amount of
 27 residential mortgage loans originated by the loan broker in the
 28 previous calendar year was greater than twenty million dollars
 29 (\$20,000,000).
 30 The bond shall be in favor of the state and shall secure payment of
 31 damages to any person aggrieved by any violation of this chapter by the
 32 licensee or any licensed mortgage loan originator or licensed principal
 33 manager employed by the licensee.
 34 (e) The commissioner shall issue a license and license number to an
 35 applicant for a loan broker license, a mortgage loan originator license,
 36 or a principal manager license if the applicant meets the applicable
 37 licensure requirements set forth in this chapter.
 38 (f) Licenses issued by the commissioner under this chapter expire
 39 on December 31 of the year in which they are issued.
 40 (g) Every applicant for licensure or for renewal of a license shall file
 41 with the commissioner, in such form as the commissioner by rule or
 42 order prescribes, an irrevocable consent appointing the secretary of



1 state to be the applicant's agent to receive service of any lawful process
 2 in any noncriminal suit, action, or proceeding against the applicant
 3 arising from the violation of any provision of this chapter. Service shall
 4 be made in accordance with the Indiana Rules of Trial Procedure.

5 (h) Upon good cause shown, the commissioner may waive the
 6 requirements of subsection (a)(4) for one (1) or more of an applicant's
 7 ultimate equitable owners, directors, managers, or officers.

8 (i) Whenever an initial or a renewal application for a license is
 9 denied or withdrawn, the commissioner shall retain the initial or
 10 renewal application fee paid.

11 (j) At the time of application for an initial license under this chapter,
 12 the commissioner shall require each:

13 (1) equitable owner, in the case of an applicant for a loan broker
 14 license;

15 (2) individual described in subsection (a)(4), in the case of an
 16 applicant for a loan broker license; and

17 (3) applicant for licensure as:

18 (A) a mortgage loan originator; or

19 (B) a principal manager;

20 to submit fingerprints for a national criminal history background check
 21 (as defined in IC 10-13-3-12) by the Federal Bureau of Investigation,
 22 for use by the commissioner in determining whether the equitable
 23 owner, the individual described in subsection (a)(4), or the applicant
 24 should be denied licensure under this chapter for any reason set forth
 25 in section 10(c) or 10(d) of this chapter. The equitable owner,
 26 individual described in subsection (a)(4), or applicant shall pay any
 27 fees or costs associated with the fingerprints and background check
 28 required under this subsection. The commissioner may not release the
 29 results of a background check described in this subsection to any
 30 private entity.

31 (k) Every three (3) years, beginning with the third calendar year
 32 following the calendar year in which an initial license is issued under
 33 this chapter, the commissioner shall require each:

34 (1) equitable owner, in the case of a loan broker licensee;

35 (2) individual described in subsection (a)(4), in the case of a loan
 36 broker licensee; and

37 (3) licensed:

38 (A) mortgage loan originator; or

39 (B) principal manager;

40 to submit fingerprints for a national criminal history background check
 41 (as defined in IC 10-13-3-12) by the Federal Bureau of Investigation,
 42 for use by the commissioner in determining whether the equitable



1 owner, the individual described in subsection (a)(4), or the licensee
 2 should be denied continued licensure under this chapter for any reason
 3 set forth in section 10(c) **or 10(d)** of this chapter. The equitable owner,
 4 individual described in subsection (a)(4), or licensee shall pay any fees
 5 or costs associated with the fingerprints and background check required
 6 under this subsection. The commissioner may not release the results of
 7 a background check described in this subsection to any private entity.

8 (l) The commissioner shall require each applicant for licensure as:

- 9 (1) a mortgage loan originator; or
 10 (2) a principal manager;

11 to submit written authorization for the commissioner or an agent of the
 12 commissioner to obtain a consumer report (as defined in IC 24-5-24-2)
 13 concerning the applicant.

14 (m) In reviewing a consumer report obtained under subsection (l),
 15 the commissioner may consider one (1) or more of the following in
 16 determining whether an individual described in subsection (l) has
 17 demonstrated financial responsibility:

- 18 (1) Bankruptcies filed by the individual within the most recent ten
 19 (10) years.
 20 (2) Current outstanding civil judgments against the individual,
 21 except judgments resulting solely from medical expenses owed by
 22 the individual.
 23 (3) Current outstanding tax liens or other government liens or
 24 filings.
 25 (4) Foreclosure actions filed within the most recent three (3) years
 26 against property owned by the individual.
 27 (5) Any pattern of seriously delinquent accounts associated with
 28 the individual during the most recent three (3) years.

29 SECTION 52. IC 23-15-1-1, AS AMENDED BY P.L.63-2014,
 30 SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 31 UPON PASSAGE]: Sec. 1. (a) Except as otherwise provided in section
 32 2 of this chapter, a person or general partnership conducting or
 33 transacting business in Indiana under a name, designation, or title other
 34 than the real name of the person or general partnership conducting or
 35 transacting the business shall file for record, in the office of the
 36 recorder of each county in which a place of business or an office of the
 37 person or general partnership is situated, a certificate stating the
 38 assumed name or names to be used and the full name and address of
 39 the person or general partnership engaged in or transacting business.

40 (b) The recorder shall keep a record of the certificates filed under
 41 this section and shall keep an index of the certificates showing, in
 42 alphabetical order, the names of the persons and general partnerships



1 having certificates on file in the recorder's office, and the assumed
 2 name or names which they intend to use in carrying on their businesses
 3 as shown by the certificates.

4 (c) Before the dissolution of any business for which a certificate is
 5 on file with the recorder, the person or general partnership to which the
 6 certificate appertains shall file a notice of dissolution for record in the
 7 recorder's office.

8 (d) The county recorder shall charge a fee in accordance with
 9 IC 36-2-7-10 for each certificate, notice of dissolution, and notice of
 10 discontinuance of use filed with the recorder's office and recorded
 11 under this chapter. The funds received shall be receipted as county
 12 funds the same as other money received by the recorders.

13 (e) Except as provided in section 2 of this chapter:

14 (1) a corporation conducting business in Indiana under a name,
 15 designation, or title other than the name of the corporation as
 16 shown by its articles of incorporation;

17 (2) a foreign corporation conducting business in Indiana under a
 18 name, designation, or title other than the name of the foreign
 19 corporation as shown by its application for a certificate of
 20 authority to transact business in Indiana;

21 (3) a limited partnership conducting business in Indiana under a
 22 name, designation, or title other than the name of the limited
 23 partnership as shown by its certificate of limited partnership;

24 (4) a foreign limited partnership conducting business in Indiana
 25 under a name, designation, or title other than the name of the
 26 limited partnership as shown by its application for registration;

27 (5) a limited liability company conducting business in Indiana
 28 under a name, designation, or title other than as shown by its
 29 articles of organization;

30 (6) a foreign limited liability company conducting business in
 31 Indiana under a name, designation, or title other than the name of
 32 the limited liability company as shown by its application for
 33 registration;

34 (7) a limited liability partnership conducting business in Indiana
 35 under a name, designation, or title other than the name of the
 36 limited liability partnership as shown by its application for
 37 registration; and

38 (8) a foreign limited liability partnership conducting business in
 39 Indiana under a name, designation, or title other than the name of
 40 the limited liability partnership as shown by its application for
 41 registration;

42 shall file with the secretary of state a certificate stating the assumed



1 name or names to be used and the full name and address of the
 2 corporation's, limited partnership's, limited liability company's, or
 3 limited liability partnership's, foreign or domestic, principal office in
 4 Indiana.

5 (f) An entity may not include an entity indicator, such as "Inc.",
 6 "Corp.", "LLC", "LP", "LLP", or similar description in an assumed
 7 business name filing, that is inconsistent with the entity type for which
 8 the assumed business name is being filed. However, if the entity filing
 9 the assumed business name has filed articles of conversion,
 10 domestication, or merger that ~~changes~~ **change** the entity type, the entity
 11 indicator in the assumed business name filing may be inconsistent with
 12 the entity type if the conversion, domestication, or merger occurred
 13 within the twelve (12) months before the date of the assumed business
 14 name filing.

15 (g) A person, general partnership, corporation, limited partnership,
 16 limited liability company, or limited liability partnership, foreign or
 17 domestic, that has filed a certificate of assumed business name or
 18 names under subsection (a) or (e) may file a notice of discontinuance
 19 of use of assumed business name or names with the secretary of state
 20 or with the recorder's office in which the certificate was filed or
 21 transferred. The secretary of state or the recorder shall keep a record of
 22 notices filed under this subsection.

23 (h) This subsection applies to a foreign or domestic corporation,
 24 limited partnership, limited liability company, or limited liability
 25 partnership that, before July 1, 2009:

- 26 (1) filed a certificate stating the assumed name or names to be
- 27 used in carrying out the entity's business; and
- 28 (2) filed the certificate:
 - 29 (A) with the secretary of state; and
 - 30 (B) in the recorder's office.

31 The entity shall file a notice of dissolution or notice of discontinuance
 32 of use of the assumed business name or names with the secretary of
 33 state and with the recorder's office in which the certificate was filed or
 34 transferred.

35 (i) The secretary of state shall collect the following fees when a
 36 copy of a certificate is filed with the secretary of state under subsection
 37 (e):

- 38 (1) A fee of:
 - 39 (A) twenty dollars (\$20) for an electronic filing; or
 - 40 (B) thirty dollars (\$30) for a filing other than an electronic
 - 41 filing;
 - 42 from a corporation (other than a nonprofit corporation), limited



1 liability company, or a limited partnership.

2 (2) A fee of:

3 (A) ten dollars (\$10) for an electronic filing; or

4 (B) twenty-six dollars (\$26) for a filing other than an
5 electronic filing;

6 from a nonprofit corporation.

7 The secretary of state shall prescribe the electronic means of filing
8 certificates for purposes of collecting fees under this subsection. A fee
9 collected under this subsection is in addition to any other fee collected
10 by the secretary of state.

11 SECTION 53. IC 24-4.4-2-402.3, AS AMENDED BY
12 P.L.103-2014, SECTION 3, IS AMENDED TO READ AS FOLLOWS
13 [EFFECTIVE UPON PASSAGE]: Sec. 402.3. (1) Each:

14 (a) creditor; and

15 (b) person exempt from licensing under this article that:

16 (i) employs a licensed mortgage loan originator; or

17 (ii) sponsors under an exclusive written agreement, as
18 permitted by IC 24-4.4-1-202(b)(6)(a), a licensed mortgage
19 loan originator as an independent agent;

20 must be covered by a surety bond in accordance with this section.

21 (2) A surety bond must:

22 (a) provide coverage for:

23 (i) a creditor; or

24 (ii) a person exempt from licensing under this article that
25 employs a licensed mortgage loan originator, or that sponsors
26 under an exclusive written agreement (as permitted by
27 IC 24-4.4-1-202(b)(6)(a)) a licensed mortgage loan originator
28 as an independent agent;

29 in an amount as prescribed in subsection (4);

30 (b) be in a form prescribed by the director;

31 (c) be in effect:

32 (i) during the term of the creditor's license under this chapter;
33 or

34 (ii) at any time during which the person exempt from licensing
35 under this article employs a licensed mortgage loan originator
36 or ~~that~~ sponsors under an exclusive written agreement (as
37 permitted by IC 24-4.4-1-202(b)(6)(a)) a licensed mortgage
38 loan originator as an independent agent;

39 as applicable;

40 (d) remain in effect during the two (2) years after:

41 (i) the creditor ceases offering financial services to individuals
42 in Indiana; or



- 1 (ii) the person exempt from licensing under this article ceases
 2 to employ a licensed mortgage loan originator, or ceases to
 3 sponsor under an exclusive written agreement (as permitted by
 4 IC 24-4.4-1-202(b)(6)(a)) a licensed mortgage loan originator
 5 as an independent agent, or to offer financial services to
 6 individuals in Indiana, whichever is later;
 7 as applicable;
- 8 (e) be payable to the department for the benefit of:
- 9 (i) the state; and
- 10 (ii) individuals who reside in Indiana when they agree to
 11 receive financial services from the creditor or the person
 12 exempt from licensing under this article, as applicable;
- 13 (f) be issued by a bonding, surety, or insurance company
 14 authorized to do business in Indiana and rated at least "A-" by at
 15 least one (1) nationally recognized investment rating service; and
- 16 (g) have payment conditioned upon:
- 17 (i) the creditor's or any of the creditor's licensed mortgage loan
 18 originators'; or
- 19 (ii) the exempt person's or any of the exempt person's licensed
 20 mortgage loan originators';
- 21 noncompliance with or violation of this chapter, 750 IAC 9, or
 22 other federal or state laws or regulations applicable to mortgage
 23 lending.
- 24 (3) The director may adopt rules or guidance documents with
 25 respect to the requirements for a surety bond as necessary to
 26 accomplish the purposes of this article.
- 27 (4) The penal sum of the surety bond shall be maintained in an
 28 amount that reflects the dollar amount of mortgage transactions
 29 originated as determined by the director. If the principal amount of a
 30 surety bond required under this section is reduced by payment of a
 31 claim or judgment, the creditor or exempt person for whom the bond
 32 is issued shall immediately notify the director of the reduction and, not
 33 later than thirty (30) days after notice by the director, file a new or an
 34 additional surety bond in an amount set by the director. The amount of
 35 the new or additional bond set by the director must be at least the
 36 amount of the bond before payment of the claim or judgment.
- 37 (5) If for any reason a surety terminates a bond issued under this
 38 section, the creditor or the exempt person shall immediately notify the
 39 department and file a new surety bond in an amount determined by the
 40 director.
- 41 (6) Cancellation of a surety bond issued under this section does not
 42 affect any liability incurred or accrued during the period when the



1 surety bond was in effect.

2 (7) The director may obtain satisfaction from a surety bond issued
3 under this section if the director incurs expenses, issues a final order,
4 or recovers a final judgment under this chapter.

5 (8) Notices required under this section must be in writing and
6 delivered by certified mail, return receipt requested and postage
7 prepaid, or by overnight delivery using a nationally recognized carrier.

8 SECTION 54. IC 24-5-24.5-15, AS ADDED BY P.L.65-2014,
9 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
10 UPON PASSAGE]: Sec. 15. If a protected consumer or a protected
11 consumer's representative wishes to remove a security freeze for the
12 protected consumer, the protected consumer or the protected
13 consumer's representative shall:

14 (1) submit a request for the removal of the security freeze to the
15 consumer reporting agency at the address or other point of contact
16 and in the manner specified by the consumer reporting agency;

17 (2) provide to the consumer reporting agency:

18 (A) in the case of a request by a protected consumer:

19 (i) proof that the sufficient proof of authority for the
20 protected consumer's representative to act on behalf of the
21 **protective protected** consumer is no longer valid; and

22 (ii) sufficient proof of identification of the protected
23 consumer; or

24 (B) in the case of a request by the representative of a protected
25 consumer:

26 (i) sufficient proof of identification of the protected
27 consumer and the representative; and

28 (ii) sufficient proof of authority to act on behalf of the
29 protected consumer; and

30 (3) pay to the consumer reporting agency a fee as provided in
31 section 17 of this chapter.

32 SECTION 55. IC 24-7-7-2, AS AMENDED BY P.L.137-2014,
33 SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
34 UPON PASSAGE]: Sec. 2. (a) A person subject to this article shall
35 make the books and records of the person reasonably available for
36 inspection by the department or the department's representative. At a
37 minimum, every lessor shall keep a record of all payments remitted by
38 the lessee on a rental purchase agreement, including the following:

39 (1) The name of the lessee.

40 (2) The date of each transaction.

41 (3) The total amount of each payment.

42 (4) A breakdown of each payment reflecting:



- 1 (A) each type of charge; and
2 (B) the amount of each type of charge.
- 3 The method of maintaining this data is at the discretion of the lessor,
4 if hard copies of the required data are readily available. The record
5 keeping system of the lessor shall be made available in Indiana for
6 examination. The director shall determine the sufficiency of the records
7 and whether the lessor has made the required information reasonably
8 available.
- 9 (b) In administering this article and in order to determine
10 compliance with this article, the department or the department's
11 representative may examine the books and records of persons subject
12 to the article and may make investigations of persons necessary to
13 determine compliance. For this purpose, the department may
14 administer oaths or affirmations, and, upon the department's own
15 motion or upon request of any party, may subpoena witnesses, compel
16 their attendance, compel testimony, and require the production of any
17 matter that is relevant to the investigation, including the existence,
18 description, nature, custody, condition, and location of any books,
19 documents, or other tangible things and the identity and location of
20 persons having knowledge of relevant facts, or any other matter
21 reasonably calculated to lead to the discovery of admissible evidence.
- 22 (c) If the person's records are located outside Indiana, the person
23 shall, at the person's option, either make them available to the
24 department at a convenient location in Indiana, or pay the reasonable
25 and necessary expenses for the department or the department's
26 representative to examine them at the place where they are maintained.
27 The department may designate representatives, including comparable
28 officials of the state in which the records are located, to inspect them
29 on the department's behalf.
- 30 (d) Upon failure without lawful excuse to obey a subpoena or to
31 give testimony and upon reasonable notice to all persons affected
32 thereby, the department may apply to a court for an order compelling
33 compliance.
- 34 (e) The department may not make public the name or identity of a
35 person whose acts or conduct the department investigates under this
36 section or the facts disclosed in the investigation, but this subsection
37 does not apply to disclosures in actions or enforcement proceedings
38 under this article.
- 39 (f) A lessor shall use generally accepted accounting principles and
40 practices in keeping books and records so that the department or the
41 department's representative may determine if the lessor is in
42 compliance with this article or a rule adopted under this article.



1 (g) A lessor shall keep the lessor's books and records that pertain to
 2 a rental purchase agreement for at least two (2) years after the rental
 3 purchase agreement has terminated.

4 (h) To discover violations of this article or to secure information
 5 necessary for the enforcement of this article, the department may
 6 investigate:

7 (1) any person subject to this article; and

8 (2) any person that the department suspects to be operating in
 9 violation of **this** article.

10 The department has all investigatory and enforcement authority under
 11 this article that the department has under IC 28-11 with respect to
 12 financial institutions. If the department conducts an investigation under
 13 this section, the person investigated shall pay all reasonably incurred
 14 costs of the investigation in accordance with the fee schedule adopted
 15 under IC 28-11-3-5.

16 (i) If a lessor contracts with an outside vendor to provide a service
 17 that would otherwise be undertaken internally by the lessor and be
 18 subject to the department's routine examination procedures, the person
 19 that provides the service to the lessor shall, at the request of the
 20 director, submit to an examination by the department. If the director
 21 determines that an examination under this subsection is necessary or
 22 desirable, the examination may be made at the expense of the person
 23 to be examined. If the person to be examined under this subsection
 24 refuses to permit the examination to be made, the director may order
 25 any lessor that receives services from the person refusing the
 26 examination to:

27 (1) discontinue receiving one (1) or more services from the
 28 person; or

29 (2) otherwise cease conducting business with the person.

30 SECTION 56. IC 25-23.4-3-1, AS AMENDED BY P.L.112-2014,
 31 SECTION 28, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 32 JULY 1, 2015]: Sec. 1. (a) This section does not apply to an individual
 33 who has a license under IC 25-23-1-13.1 to practice midwifery as a
 34 certified nurse midwife and is practicing within the scope of that
 35 license.

36 (b) ~~After July 1, 2014,~~ An individual may not engage in the practice
 37 of midwifery unless:

38 (1) the individual is issued a certificate by a board under
 39 IC 25-1-5 and is acting within the scope of the person's license; or

40 (2) the individual has a certified direct entry midwife certificate
 41 under this article and has a collaborative agreement with a
 42 physician as set forth in this article.



1 (c) To become certified as a certified direct entry midwife, an
 2 applicant must satisfy the following requirements:

3 (1) Be at least twenty-one (21) years of age.

4 (2) Possess at least:

5 (A) an associate degree in nursing, associate degree in
 6 midwifery accredited by the Midwifery Education
 7 Accreditation Council (MEAC), or other similar science
 8 related associate degree; or

9 (B) a bachelor's degree;

10 from a postsecondary educational institution.

11 (3) Satisfactorily complete educational curriculum approved by:

12 (A) the Midwifery Education Accreditation Council (MEAC)
 13 or a successor organization; or

14 (B) the educational equivalent of a Midwifery Education
 15 Accreditation Council curriculum approved by the board.

16 (4) Acquire and document practical experience as outlined in the
 17 Certified Professional Midwife credentialing process in
 18 accordance with the standards of the North American Registry of
 19 Midwives or a successor organization.

20 (5) Obtain certification by an accredited association in adult
 21 cardiopulmonary resuscitation that is approved by the board.

22 (6) Complete the program sponsored by the American Academy
 23 of Pediatrics in neonatal resuscitation, excluding endotracheal
 24 intubation and the administration of drugs.

25 (7) Comply with the birth requirements of the Certified
 26 Professional Midwife credentialing process, observe an additional
 27 twenty (20) births, be directly supervised by a physician for
 28 twenty (20) births, assist with an additional twenty (20) births,
 29 and act as the primary attendant for an additional twenty (20)
 30 births.

31 (8) Provide proof to the board that the applicant has obtained the
 32 Certified Professional Midwife credential as administered by the
 33 North American Registry of Midwives or a successor
 34 organization.

35 (9) Present additional documentation or certifications required by
 36 the board. The board may adopt standards that require more
 37 training than required by the North American Registry of
 38 Midwives.

39 (10) Maintain sufficient liability insurance.

40 (d) The board may exempt an applicant from the following:

41 (+) The education requirements in subsection (c)(2) if the
 42 applicant provides proof to the board that the applicant is enrolled



1 in a program that will satisfy the requirements of subsection
 2 (c)(2). An exemption under this ~~subdivision~~ **subsection** applies
 3 for an individual for not more than two (2) years. This ~~subdivision~~
 4 **subsection** expires June 30, 2016.

5 (2) The education requirements in subsection (c)(3) if the
 6 applicant provides:

7 (A) proof to the board that the applicant has delivered over one
 8 hundred (100) births as a primary attendant; and

9 (B) a letter of reference from a licensed physician with whom
 10 the applicant has informally collaborated.

11 This subdivision expires June 30, 2015.

12 (3) The requirement that a physician directly supervise twenty
 13 (20) births in subsection (c)(7) if the applicant provides:

14 (A) proof to the board that the applicant has delivered over one
 15 hundred (100) births as a primary attendant; and

16 (B) a letter of reference from a licensed physician with whom
 17 the applicant has informally collaborated.

18 This subdivision expires June 30, 2015.

19 SECTION 57. IC 25-26-13-2, AS AMENDED BY P.L.94-2007,
 20 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 21 UPON PASSAGE]: Sec. 2. As used in this chapter:

22 "Administering" means the direct application of a drug to the body
 23 of a person by injection, inhalation, ingestion, or any other means.

24 "Board" means the Indiana board of pharmacy.

25 "Controlled drugs" are those drugs on schedules I through V of the
 26 federal Controlled Substances Act or on schedules I through V of
 27 IC 35-48-2.

28 "Counseling" means effective communication between a pharmacist
 29 and a patient concerning the contents, drug to drug interactions, route,
 30 dosage, form, directions for use, precautions, and effective use of a
 31 drug or device to improve the therapeutic outcome of the patient
 32 through the effective use of the drug or device.

33 "Dispensing" means issuing one (1) or more doses of a drug in a
 34 suitable container with appropriate labeling for subsequent
 35 administration to or use by a patient.

36 "Drug" means:

37 (1) articles or substances recognized in the official United States
 38 Pharmacopoeia, official National Formulary, official
 39 Homeopathic Pharmacopoeia of the United States, or any
 40 supplement to any of them;

41 (2) articles or substances intended for use in the diagnosis, cure,
 42 mitigation, treatment, or prevention of disease in man or animals;



- 1 (3) articles other than food intended to affect the structure or any
2 function of the body of man or animals; or
3 (4) articles intended for use as a component of any article
4 specified in subdivisions (1) through (3) and devices.
- 5 "Drug order" means a written order in a hospital or other health care
6 institution for an ultimate user for any drug or device, issued and
7 signed by a practitioner, or an order transmitted by other means of
8 communication from a practitioner, which is immediately reduced to
9 writing by the pharmacist, registered nurse, or other licensed health
10 care practitioner authorized by the hospital or institution. The order
11 shall contain the name and bed number of the patient; the name and
12 strength or size of the drug or device; unless specified by individual
13 institution policy or guideline, the amount to be dispensed either in
14 quantity or days; adequate directions for the proper use of the drug or
15 device when it is administered to the patient; and the name of the
16 prescriber.
- 17 "Drug regimen review" means the retrospective, concurrent, and
18 prospective review by a pharmacist of a patient's drug related history
19 that includes the following areas:
- 20 (1) Evaluation of prescriptions or drug orders and patient records
21 for drug allergies, rational therapy contradictions, appropriate
22 dose and route of administration, appropriate directions for use,
23 or duplicative therapies.
- 24 (2) Evaluation of prescriptions or drug orders and patient records
25 for drug-drug, drug-food, drug-disease, and drug-clinical
26 laboratory interactions.
- 27 (3) Evaluation of prescriptions or drug orders and patient records
28 for adverse drug reactions.
- 29 (4) Evaluation of prescriptions or drug orders and patient records
30 for proper utilization and optimal therapeutic outcomes.
- 31 "Drug utilization review" means a program designed to measure and
32 assess on a retrospective and prospective basis the proper use of drugs.
- 33 "Device" means an instrument, apparatus, implement, machine,
34 contrivance, implant, in vitro reagent, or other similar or related article
35 including any component part or accessory, which is:
- 36 (1) recognized in the official United States Pharmacopoeia,
37 official National Formulary, or any supplement to them;
38 (2) intended for use in the diagnosis of disease or other conditions
39 or the cure, mitigation, treatment, or prevention of disease in man
40 or other animals; or
41 (3) intended to affect the structure or any function of the body of
42 man or other animals and which does not achieve any of its



1 principal intended purposes through chemical action within or on
 2 the body of man or other animals and which is not dependent
 3 upon being metabolized for the achievement of any of its
 4 principal intended purposes.

5 "Electronic data intermediary" means an entity that provides the
 6 infrastructure that connects a computer system or another electronic
 7 device used by a prescribing practitioner with a computer system or
 8 another electronic device used by a pharmacy to facilitate the secure
 9 transmission of:

- 10 (1) an electronic prescription order;
- 11 (2) a refill authorization request;
- 12 (3) a communication; and
- 13 (4) other patient care information;

14 between a practitioner and a pharmacy.

15 "Electronic signature" means an electronic sound, symbol, or
 16 process:

- 17 (1) attached to or logically associated with a record; and
- 18 (2) executed or adopted by a person;

19 with the intent to sign the record.

20 "Electronically transmitted" or "electronic transmission" means the
 21 transmission of a prescription in electronic form. The term does not
 22 include the transmission of a prescription by facsimile.

23 "Investigational or new drug" means any drug which is limited by
 24 state or federal law to use under professional supervision of a
 25 practitioner authorized by law to prescribe or administer such drug.

26 "Legend drug" has the meaning set forth in IC 16-18-2-199.

27 "License" and "permit" are interchangeable and mean a written
 28 certificate from the Indiana board of pharmacy for the practice of
 29 pharmacy or the operation of a pharmacy.

30 "Nonprescription drug" means a drug that may be sold without a
 31 prescription and that is labeled for use by a patient in accordance with
 32 state and federal laws.

33 "Person" means any individual, partnership, copartnership, firm,
 34 company, corporation, association, joint stock company, trust, estate,
 35 or municipality, or a legal representative or agent, unless this chapter
 36 expressly provides otherwise.

37 "Practitioner" has the meaning set forth in IC 16-42-19-5.

38 "Pharmacist" means a person licensed under this chapter.

39 "Pharmacist intern" means a person who is:

- 40 (1) permitted by the board to engage in the practice of pharmacy
 41 while under the personal supervision of a pharmacist and who is
 42 satisfactorily progressing toward meeting the requirements for



1 licensure as a pharmacist;

2 (2) a graduate of an approved college of pharmacy or a graduate
3 who has established educational equivalency by obtaining a
4 Foreign Pharmacy Graduate Examination Committee Certificate
5 and who is permitted by the board to obtain practical experience
6 as a requirement for licensure as a pharmacist;

7 (3) a qualified applicant awaiting examination for licensure; or

8 (4) an individual participating in a residency or fellowship
9 program.

10 "Pharmacy" means any facility, department, or other place where
11 prescriptions are filled or compounded and are sold, dispensed, offered,
12 or displayed for sale and which has as its principal purpose the
13 dispensing of drug and health supplies intended for the general health,
14 welfare, and safety of the public, without placing any other activity on
15 a more important level than the practice of pharmacy.

16 "The practice of pharmacy" or "the practice of the profession of
17 pharmacy" means a patient oriented health care profession in which
18 pharmacists interact with and counsel patients and with other health
19 care professionals concerning drugs and devices used to enhance
20 patients' wellness, prevent illness, and optimize the outcome of a drug
21 or device, by accepting responsibility for performing or supervising a
22 pharmacist intern or an unlicensed person under section ~~18(a)(4)~~ **18.5**
23 of this chapter to do the following acts, services, and operations:

24 (1) The offering of or performing of those acts, service operations,
25 or transactions incidental to the interpretation, evaluation, and
26 implementation of prescriptions or drug orders.

27 (2) The compounding, labeling, administering, dispensing, or
28 selling of drugs and devices, including radioactive substances,
29 whether dispensed under a practitioner's prescription or drug
30 order or sold or given directly to the ultimate consumer.

31 (3) The proper and safe storage and distribution of drugs and
32 devices.

33 (4) The maintenance of proper records of the receipt, storage,
34 sale, and dispensing of drugs and devices.

35 (5) Counseling, advising, and educating patients, patients'
36 caregivers, and health care providers and professionals, as
37 necessary, as to the contents, therapeutic values, uses, significant
38 problems, risks, and appropriate manner of use of drugs and
39 devices.

40 (6) Assessing, recording, and reporting events related to the use
41 of drugs or devices.

42 (7) Provision of the professional acts, professional decisions, and



1 professional services necessary to maintain all areas of a patient's
 2 pharmacy related care as specifically authorized to a pharmacist
 3 under this article.

4 "Prescription" means a written order or an order transmitted by other
 5 means of communication from a practitioner to or for an ultimate user
 6 for any drug or device containing:

- 7 (1) the name and address of the patient;
- 8 (2) the date of issue;
- 9 (3) the name and strength or size (if applicable) of the drug or
 10 device;
- 11 (4) the amount to be dispensed (unless indicated by directions and
 12 duration of therapy);
- 13 (5) adequate directions for the proper use of the drug or device by
 14 the patient;
- 15 (6) the name of the practitioner; and
- 16 (7) if the prescription:
 - 17 (A) is in written form, the signature of the practitioner; or
 - 18 (B) is in electronic form, the electronic signature of the
 19 practitioner.

20 "Qualifying pharmacist" means the pharmacist who will qualify the
 21 pharmacy by being responsible to the board for the legal operations of
 22 the pharmacy under the permit.

23 "Record" means all papers, letters, memoranda, notes, prescriptions,
 24 drug orders, invoices, statements, patient medication charts or files,
 25 computerized records, or other written indicia, documents, or objects
 26 which are used in any way in connection with the purchase, sale, or
 27 handling of any drug or device.

28 "Sale" means every sale and includes:

- 29 (1) manufacturing, processing, transporting, handling, packaging,
 30 or any other production, preparation, or repackaging;
- 31 (2) exposure, offer, or any other proffer;
- 32 (3) holding, storing, or any other possession;
- 33 (4) dispensing, giving, delivering, or any other supplying; and
- 34 (5) applying, administering, or any other using.

35 SECTION 58. IC 25-26-13-18, AS AMENDED BY P.L.58-2014,
 36 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 37 UPON PASSAGE]: Sec. 18. (a) To be eligible for issuance of a
 38 pharmacy permit, an applicant must show to the satisfaction of the
 39 board that:

- 40 (1) Persons at the location will engage in the bona fide practice of
 41 pharmacy. The application must show the number of hours each
 42 week, if any, that the pharmacy will be open to the general public.



- 1 (2) The pharmacy will maintain a sufficient stock of emergency
 2 and frequently prescribed drugs and devices as to adequately
 3 serve and protect the public health.
- 4 (3) Except as provided in section 19 of this chapter, a registered
 5 pharmacist will be in personal attendance and on duty in the
 6 licensed premises at all times when the practice of pharmacy is
 7 being conducted and that the pharmacist will be responsible for
 8 the lawful conduct of the pharmacy.
- 9 ~~(4) Licensed pharmacy technicians or pharmacy technicians in~~
 10 ~~training who are licensed or certified under IC 25-26-19 must~~
 11 ~~practice under a licensed pharmacist's immediate and personal~~
 12 ~~supervision at all times. A pharmacist may not supervise more~~
 13 ~~than six (6) pharmacy technicians or pharmacy technicians in~~
 14 ~~training at any time. As used in this subdivision, "immediate and~~
 15 ~~personal supervision" means within reasonable visual and vocal~~
 16 ~~distance of the pharmacist.~~
- 17 ~~(5)~~ (4) The pharmacy will be located separate and apart from any
 18 area containing merchandise not offered for sale under the
 19 pharmacy permit. The pharmacy will:
- 20 (A) be stationary;
- 21 (B) be sufficiently secure, either through electronic or physical
 22 means, or a combination of both, to protect the products
 23 contained in the pharmacy and to detect and deter entry during
 24 those times when the pharmacy is closed;
- 25 (C) be well lighted and ventilated with clean and sanitary
 26 surroundings;
- 27 (D) be equipped with a sink with hot and cold running water
 28 or some means for heating water, a proper sewage outlet, and
 29 refrigeration;
- 30 (E) have a prescription filling area of sufficient size to permit
 31 the practice of pharmacy as practiced at that particular
 32 pharmacy; and
- 33 (F) have such additional fixtures, facilities, and equipment as
 34 the board requires to enable it to operate properly as a
 35 pharmacy in compliance with federal and state laws and
 36 regulations governing pharmacies.
- 37 (b) Prior to opening a pharmacy after receipt of a pharmacy permit,
 38 the permit holder shall submit the premises to a qualifying inspection
 39 by a representative of the board and shall present a physical inventory
 40 of the ~~drug~~ **drugs** and all other items in the inventory on the premises.
- 41 (c) At all times, the wholesale value of the drug inventory on the
 42 licensed items must be at least ten percent (10%) of the wholesale



1 value of the items in the licensed area.

2 SECTION 59. IC 25-26-13-18.5 IS ADDED TO THE INDIANA
3 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
4 [EFFECTIVE UPON PASSAGE]: **Sec. 18.5. (a) As used in this**
5 **section, "immediate and personal supervision" means within**
6 **reasonable visual and vocal distance of the pharmacist.**

7 **(b) Licensed pharmacy technicians or pharmacy technicians in**
8 **training who are:**

9 **(1) licensed or certified under IC 25-26-19; and**

10 **(2) practicing at a pharmacy;**

11 **must practice under a licensed pharmacist's immediate and**
12 **personal supervision at all times.**

13 **(c) A pharmacist may not supervise more than six (6) pharmacy**
14 **technicians or pharmacy technicians in training at any time.**

15 SECTION 60. IC 27-1-43-7, AS ADDED BY P.L.119-2014,
16 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
17 UPON PASSAGE]: Sec. 7. (a) Except as otherwise provided by law,
18 if an oral communication or a recording of an oral communication from
19 a party can be reliably stored and reproduced by an insurer, the oral
20 communication or recording may qualify as an electronically delivered
21 notice or document under this chapter.

22 (b) If a provision of this title or other applicable law requires a
23 signature, notice, or document to be notarized, acknowledged, verified,
24 or made under oath, the requirement is satisfied if:

25 (1) the electronic signature of the person authorized to notarize,
26 acknowledge, verify, or give an oath; and

27 (2) all other information required to be included by the provision;
28 ~~is~~ **are** attached to or logically associated with the signature, notice, or
29 document.

30 SECTION 61. IC 28-1-29-10.5, AS AMENDED BY P.L.137-2014,
31 SECTION 25, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
32 UPON PASSAGE]: Sec. 10.5. (a) A licensee shall maintain in the
33 licensee's business any books, accounts, and records that enable the
34 department to determine whether the licensee is complying with this
35 chapter. The books, accounts, and records shall be preserved for at
36 least two (2) years after making the final entry of any agreement
37 recorded in the books, accounts, and records. A licensee is subject to
38 IC 28-1-2-30.5 with respect to any records maintained by the licensee.

39 (b) In administering this chapter and in order to determine whether
40 this chapter is being complied with by a person engaging in acts subject
41 to this chapter, the department may examine the records of a person
42 and may make investigations of a person as necessary to determine



1 compliance. Records subject to examination under this section include
2 the following:

3 (1) Training, operating, and policy manuals.

4 (2) Minutes of:

5 (A) management meetings; and

6 (B) other meetings.

7 (3) Other records that the department determines are necessary to
8 perform the department's investigation or examination.

9 (c) The department may also administer oaths or affirmations,
10 subpoena witnesses, compel a witness's attendance, adduce evidence,
11 and require the production of any matter that is relevant to the
12 investigation. The department shall determine whether:

13 (1) the records maintained are sufficient; and

14 (2) the person has made the required information reasonably
15 available.

16 (d) If the department:

17 (1) investigates; or

18 (2) examines the books and records of;

19 a person that is subject to this chapter, the person shall pay all
20 reasonably incurred costs of the investigation or examination in
21 accordance with the fee schedule adopted by the department under
22 IC 28-11-3-5. Any costs required to be paid under this subsection shall
23 be paid not later than sixty (60) days after the person receives a notice
24 from the department of the costs being assessed. The department may
25 impose a fee, in an amount fixed by the department under
26 IC 28-11-3-5, for each day that the assessed costs are not paid,
27 beginning on the first day after the sixty (60) day period described in
28 this subsection.

29 (e) The department shall be given free access to the records
30 wherever located. If the person's records are located outside Indiana, at
31 the discretion of the director, the records shall be made available to the
32 department at a convenient location within Indiana, or the person shall
33 pay the reasonable and necessary expenses for the department or the
34 department's representative to examine the records where the records
35 are maintained.

36 (f) If a person fails to:

37 (1) obey a subpoena without a lawful excuse; or

38 (2) give testimony;

39 the department may apply to a civil court for an order compelling
40 compliance.

41 (g) The department shall not make public the name or identity of a
42 person whose acts or conduct the department investigates under this



1 section or the facts disclosed in the investigation. However, this
 2 subsection does not apply to disclosures of enforcement proceedings
 3 under this chapter.

4 (h) To discover violations of this chapter or to secure information
 5 necessary for the enforcement of this chapter, the department may
 6 investigate any:

7 (1) licensee; or

8 (2) person that the department suspects to be operating:

9 (A) without a license, when a license is required under this
 10 chapter; or

11 (B) otherwise in violation of **this** chapter.

12 The department has all investigatory and enforcement authority under
 13 this chapter that the department has under IC 28-11 with respect to
 14 financial institutions. If the department conducts an investigation under
 15 this section, the licensee or other person investigated shall pay all
 16 reasonably incurred costs of the investigation in accordance with the
 17 fee schedule adopted under IC 28-11-3-5.

18 (i) The department may:

19 (1) enter into a cooperative arrangement with another federal or
 20 state agency having authority over debt management companies;
 21 and

22 (2) exchange with the agency information about a person subject
 23 to this chapter, including information obtained during an
 24 examination of the person.

25 (j) If a person doing business as a debt management company
 26 contracts with an outside vendor to provide a service that would
 27 otherwise be undertaken internally by the person doing business as a
 28 debt management company and be subject to the department's routine
 29 examination procedures, the person that provides the service to the
 30 person doing business as a debt management company shall, at the
 31 request of the director, submit to an examination by the department. If
 32 the director determines that an examination under this subsection is
 33 necessary or desirable, the examination may be made at the expense of
 34 the person to be examined. If the person to be examined under this
 35 subsection refuses to permit the examination to be made, the director
 36 may order any person doing business as a debt management company
 37 that receives services from the person refusing the examination to:

38 (1) discontinue receiving one (1) or more services from the person
 39 refusing the examination; or

40 (2) otherwise cease conducting business with the person refusing
 41 the examination.

42 SECTION 62. IC 28-8-5-19, AS AMENDED BY P.L.137-2014,



1 SECTION 37, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
2 UPON PASSAGE]: Sec. 19. (a) The department may examine the
3 books, accounts, and records of a licensee and may make investigations
4 to determine compliance.

5 (b) If the department examines the books, accounts, and records of
6 a licensee, the licensee shall pay all reasonably incurred costs of the
7 examination in accordance with the fee schedule adopted under
8 IC 28-11-3-5. A fee established by the department under IC 28-11-3-5
9 may be charged for each day a fee under this section is delinquent.

10 (c) To discover violations of this chapter or to secure information
11 necessary for the enforcement of this chapter, the department may
12 investigate any:

13 (1) licensee; or

14 (2) person that the department suspects to be operating:

15 (A) without a license, when a license is required under this
16 chapter; or

17 (B) otherwise in violation of **this** chapter.

18 The department has all investigatory and enforcement authority under
19 this chapter that the department has under IC 28-11 with respect to
20 financial institutions. If the department conducts an investigation under
21 this section, the licensee or other person investigated shall pay all
22 reasonably incurred costs of the investigation in accordance with the
23 fee schedule adopted under IC 28-11-3-5.

24 (d) If a licensee contracts with an outside vendor to provide a
25 service that would otherwise be undertaken internally by the licensee
26 and be subject to the department's routine examination procedures, the
27 person that provides the service to the licensee shall, at the request of
28 the director, submit to an examination by the department. If the director
29 determines that an examination under this subsection is necessary or
30 desirable, the examination may be made at the expense of the person
31 to be examined. If the person to be examined under this subsection
32 refuses to permit the examination to be made, the director may order
33 any licensee that receives services from the person refusing the
34 examination to:

35 (1) discontinue receiving one (1) or more services from the
36 person; or

37 (2) otherwise cease conducting business with the person.

38 SECTION 63. IC 30-4-3-6, AS AMENDED BY P.L.83-2014,
39 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
40 UPON PASSAGE]: **Sec. 6.** (a) The trustee has a duty to administer a
41 trust according to the terms of the trust.

42 (b) Unless the terms of the trust or the provisions of section 1.3 of



1 this chapter provide otherwise, the trustee also has a duty to do the
2 following:

- 3 (1) Administer the trust in a manner consistent with IC 30-4-3.5.
4 (2) Take possession of and maintain control over the trust
5 property.
6 (3) Preserve the trust property.
7 (4) Make the trust property productive for both the income and
8 remainder beneficiary. As used in this subdivision, "productive"
9 includes the production of income or investment for potential
10 appreciation.
11 (5) Keep the trust property separate from the trustee's individual
12 property and separate from or clearly identifiable from property
13 subject to another trust.
14 (6) Maintain clear and accurate accounts with respect to the trust
15 estate.
16 (7) Keep the following beneficiaries reasonably informed about
17 the administration of the trust and of the material facts necessary
18 for the beneficiaries to protect their interests:
19 (A) A current income beneficiary.
20 (B) A beneficiary who will become an income beneficiary
21 upon the expiration of the term of the current income
22 beneficiary, if the trust has become irrevocable by:
23 (i) the terms of the trust instrument; or
24 (ii) the death of the settlor.
25 A trustee satisfies the requirements of this subdivision by
26 providing a beneficiary described in clause (A) or (B), upon the
27 beneficiary's written request, access to the trust's accounting and
28 financial records concerning the administration of trust property
29 and the administration of the trust.
30 (8) Upon:
31 (A) the trust becoming irrevocable:
32 (i) by the terms of the trust instrument; or
33 (ii) by the death of the settlor; and
34 (B) the written request of an income beneficiary or
35 remainderman;
36 promptly provide a copy of the complete trust instrument to the
37 income beneficiary or remainderman.
38 (9) Take whatever action is reasonable to realize on claims
39 constituting part of the trust property.
40 (10) Defend actions involving the trust estate.
41 (11) Supervise any person to whom authority has been delegated.
42 (12) Determine the trust beneficiaries by acting on information:



- 1 (A) the trustee, by reasonable inquiry, considers reliable; and
 2 (B) with respect to heirship, relationship, survivorship, or any
 3 other issue relative to determining a trust beneficiary.
- 4 SECTION 64. IC 31-25-4-27, AS AMENDED BY P.L.53-2014,
 5 SECTION 144, IS AMENDED TO READ AS FOLLOWS
 6 [EFFECTIVE UPON PASSAGE]: Sec. 27. The director of the
 7 department shall adopt rules necessary to implement Title IV-D of the
 8 federal Social Security Act and this chapter. The department shall send
 9 a copy of each proposed or adopted rule to the interim **study**
 10 **committee on** public health, behavioral health, and human services
 11 established by IC 2-5-1.3-4 not later than ten (10) days after proposal
 12 or adoption.
- 13 SECTION 65. IC 31-35-2-4.5, AS AMENDED BY P.L.123-2014,
 14 SECTION 24, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 15 UPON PASSAGE]: Sec. 4.5. (a) This section applies if:
 16 (1) a court has made a finding under IC 31-34-21-5.6 that
 17 reasonable efforts for family preservation or reunification with
 18 respect to a child in need of services are not required; or
 19 (2) a child in need of services or a delinquent child:
 20 (A) has been placed in:
 21 (i) a foster family home, child caring institution, or group
 22 home licensed under IC 31-27; or
 23 (ii) the home of a relative (as defined in IC 31-9-2-107(c));
 24 as directed by a court in a child in need of services proceeding
 25 under IC 31-34 or a delinquency action under IC 31-37; and
 26 (B) has been removed from a parent and has been under the
 27 supervision of the department or county probation department
 28 for not less than fifteen (15) months of the most recent
 29 twenty-two (22) months, beginning with the date the child is
 30 removed from the home as a result of the child being alleged
 31 to be a child in need of services or a delinquent child.
- 32 (b) A person described in section 4(a) of this chapter shall:
 33 (1) file a petition to terminate the parent-child relationship under
 34 section 4 of this chapter; and
 35 (2) request that the petition be set for hearing.
- 36 (c) If a petition under subsection (b) is filed by the child's court
 37 appointed special advocate or guardian ad litem, the department shall
 38 be joined as a party to the petition.
- 39 (d) A person described in section 4(a) of this chapter may file a
 40 motion to dismiss the petition to terminate the parent-child relationship
 41 if any of the following circumstances apply:
 42 (1) That the current case plan prepared by or under the



1 supervision of the department or the probation department under
 2 IC 31-34-15, IC 31-37-19-1.5, or ~~IC 31-37-22-4~~ **IC 31-37-22-4.5**
 3 has documented a compelling reason, based on facts and
 4 circumstances stated in the petition or motion, for concluding that
 5 filing, or proceeding to a final determination of, a petition to
 6 terminate the parent-child relationship is not in the best interests
 7 of the child. A compelling reason may include the fact that the
 8 child is being cared for by a custodian who is a relative (as
 9 defined in IC 31-9-2-107(c)).

10 (2) That:

11 (A) IC 31-34-21-5.6 is not applicable to the child;

12 (B) the department or the probation department has not
 13 provided family services to the child, parent, or family of the
 14 child in accordance with a currently effective case plan
 15 prepared under IC 31-34-15 or IC 31-37-19-1.5 or a
 16 permanency plan or dispositional decree approved under
 17 IC 31-34 or IC 31-37, for the purpose of permitting and
 18 facilitating safe return of the child to the child's home; and

19 (C) the period for completion of the program of family
 20 services, as specified in the current case plan, permanency
 21 plan, or decree, has not expired.

22 (3) That:

23 (A) IC 31-34-21-5.6 is not applicable to the child;

24 (B) the department has not provided family services to the
 25 child, parent, or family of the child, in accordance with
 26 applicable provisions of a currently effective case plan
 27 prepared under IC 31-34-15 or IC 31-37-19-1.5, or a
 28 permanency plan or dispositional decree approved under
 29 IC 31-34 or IC 31-37; and

30 (C) the services that the department has not provided are
 31 substantial and material in relation to implementation of a plan
 32 to permit safe return of the child to the child's home.

33 The motion to dismiss shall specify which of the allegations described
 34 in subdivisions (1) through (3) apply to the motion. If the court finds
 35 that any of the allegations described in subdivisions (1) through (3) are
 36 true, as established by a preponderance of the evidence, the court shall
 37 dismiss the petition to terminate the parent-child relationship.

38 SECTION 66. IC 36-5-1-9, AS AMENDED BY P.L.147-2013,
 39 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 40 UPON PASSAGE]: Sec. 9. (a) ~~This subsection applies only to a~~
 41 ~~petition filed before July 1, 2013. If a petition for incorporation is~~
 42 ~~denied, a petition for incorporation may be refiled under section 8 of~~



1 this chapter not earlier than one (1) year after the date of final denial:
 2 This subsection expires July 1, 2014.

3 (b) This ~~subsection~~ **section** applies only to a petition filed after June
 4 30, 2013. A petition for incorporation may not be refiled within two (2)
 5 years after the date:

6 (1) the petition was denied under section 8(b)(2) of this chapter;
 7 or

8 (2) of the election at which a majority of voters voting on the
 9 public question vote "no" under section 8 of this chapter.

10 SECTION 67. IC 36-7-14-13, AS AMENDED BY P.L.149-2014,
 11 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 12 UPON PASSAGE]: Sec. 13. (a) Not later than March 15 of each year,
 13 the redevelopment commissioners or their designees shall file with the
 14 unit's executive a report setting out their activities during the preceding
 15 calendar year.

16 (b) The report of the commissioners of a municipal redevelopment
 17 commission must show the names of the then qualified and acting
 18 commissioners, the names of the officers of that body, the number of
 19 regular employees and their fixed salaries or compensation, the amount
 20 of the expenditures made during the preceding year and their general
 21 purpose, an accounting of the tax increment revenues expended by any
 22 entity receiving the tax increment revenues as a grant or loan from the
 23 commission, the amount of funds on hand at the close of the calendar
 24 year, and other information necessary to disclose the activities of the
 25 commissioners and the results obtained.

26 (c) The report of the commissioners of a county redevelopment
 27 commission must show all the information required by subsection (b),
 28 plus the names of any commissioners appointed to or removed from
 29 office during the preceding calendar year.

30 (d) A copy of each report filed under this section must be submitted
 31 to the department of local government finance in an electronic format.

32 (e) Before August 1 each year, the redevelopment commissioners
 33 shall also submit a report to the fiscal body of the unit. The report must
 34 include the following information set forth for each tax increment
 35 financing district regarding the previous year:

36 (1) Revenues received.

37 (2) Expenses paid.

38 (3) Fund balances.

39 (4) The amount and maturity date for all outstanding obligations.

40 (5) The amount paid on outstanding obligations.

41 (6) A list of all the parcels included in each tax increment
 42 financing district allocation area and the base assessed value and



1 incremental assessed value for each parcel in the list.
 2 Before October 1 each year, the fiscal body shall compile the reports
 3 received for all the tax increment financing districts and submit a
 4 comprehensive report to the department of local government finance
 5 in the form required by the department of local government finance.

6 (e) (f) A redevelopment commission and a department of
 7 redevelopment are subject to the same laws, rules, and ordinances of
 8 a general nature that apply to all other commissions or departments of
 9 the unit.

10 SECTION 68. IC 36-7-15.1-3.5, AS ADDED BY P.L.149-2014,
 11 SECTION 31, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 12 UPON PASSAGE]: Sec. 3.5. (a) The controller of the consolidated city
 13 is the fiscal officer of a commission subject to this chapter.

14 (b) The controller may obtain financial services on a contractual
 15 basis for purposes of carrying out the powers and duties of the
 16 commission and protecting the public interests related to the operations
 17 and funding of the commission. The controller has charge over and is
 18 responsible for the administration, investment, and disbursement of all
 19 funds and accounts of the ~~authority~~ **commission** in accordance with the
 20 requirements of state law that apply to other funds and accounts
 21 administered by the controller.

22 SECTION 69. P.L.62-2014, SECTION 44, IS AMENDED TO
 23 READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: SECTION
 24 44. (a) The following rules are void after June 30, 2015:

25 75 IAC 2-1-23 ("Wholesale dealer" defined).

26 ~~75 IAC 4-1-32~~ **75 IAC 4-1-31** ("Wholesale dealer" defined).

27 The publisher of the Indiana Administrative Code and Indiana Register
 28 shall remove these provisions from the Indiana Administrative Code.

29 (b) The parts of 75 IAC 4-2-9 concerning wholesale dealer licenses
 30 are void after June 30, 2015.

31 (c) A rule that the secretary of state determines is contrary to this act
 32 is void. The secretary of state shall submit a statement to the publisher
 33 of the Indiana Administrative Code and Indiana Register under
 34 IC 4-22-7-7 indicating which rules the secretary of state determines are
 35 contrary to this act and void. These rules, if any, are void effective
 36 thirty (30) days after submission of the statement. The secretary of state
 37 shall make the determination under this subsection not later than
 38 August 31, 2015.

39 (d) This SECTION expires December 31, 2015.

40 SECTION 70. [EFFECTIVE UPON PASSAGE] (a) **This act may**
 41 **be referred to as the "technical corrections bill of the 2015 general**
 42 **assembly".**



1 (b) The phrase "technical corrections bill of the 2015 general
2 assembly" may be used in the lead-in line of an act other than this
3 act to identify provisions added, amended, or repealed by this act
4 that are also amended or repealed in the other act.

5 (c) This SECTION expires December 31, 2015.

6 SECTION 71. [EFFECTIVE UPON PASSAGE] (a) This
7 SECTION applies if a provision of the Indiana Code is:

8 (1) added or amended by this act; and

9 (2) repealed by another act without recognizing the existence
10 of the amendment made by this act by an appropriate
11 reference in the lead-in line of the SECTION of the other act
12 repealing the same provision of the Indiana Code.

13 (b) As used in this SECTION, "other act" refers to an act
14 enacted in the 2015 session of the general assembly other than this
15 act. "Another act" has a corresponding meaning.

16 (c) Except as provided in subsections (d) and (e), a provision
17 repealed by another act shall be considered repealed, regardless of
18 whether there is a difference in the effective date of the provision
19 added or amended by this act and the provision repealed by the
20 other act. Except as provided in subsection (d), the lawful
21 compilers of the Indiana Code, in publishing the affected Indiana
22 Code provision, shall publish only the version of the Indiana Code
23 provision that is repealed by the other act. The history line for an
24 Indiana Code provision that is repealed by the other act must
25 reference that act.

26 (d) This subsection applies if a provision described in subsection
27 (a) that is added or amended by this act takes effect before the
28 corresponding provision repeal in the other act. The lawful
29 compilers of the Indiana Code, in publishing the provision added
30 or amended in this act, shall publish that version of the provision
31 and note that the provision is effective until the effective date of the
32 corresponding provision repeal in the other act. On and after the
33 effective date of the corresponding provision repeal in the other
34 act, the provision repealed by the other act shall be considered
35 repealed, regardless of whether there is a difference in the effective
36 date of the provision added or amended by this act and the
37 provision repealed by the other act. The lawful compilers of the
38 Indiana Code, in publishing the affected Indiana Code provision,
39 shall publish the version of the Indiana Code provision that is
40 repealed by the other act, and shall note that this version of the
41 provision is effective on the effective date of the repealed provision
42 of the other act.



1 (e) If, during the same year, two (2) or more other acts repeal
2 the same Indiana Code provision as the Indiana Code provision
3 added or amended by this act, the lawful compilers of the Indiana
4 Code, in publishing the Indiana Code provision, shall follow the
5 principles set forth in this SECTION.

6 (f) This SECTION expires December 31, 2015.

7 SECTION 72. An emergency is declared for this act.



COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to which was referred Senate Bill No. 4, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 87, delete lines 38 through 42.

Page 88, delete lines 1 through 17.

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 4 as introduced.)

STEELE, Chairperson

Committee Vote: Yeas 10, Nays 0.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Judiciary, to which was referred Senate Bill 4, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to SB 4 as printed January 8, 2015.)

STEUERWALD

Committee Vote: Yeas 8, Nays 1

