

Adopted Rejected

COMMITTEE REPORT

YES: 10
NO: 0

MR. SPEAKER:

*Your Committee on Insurance, Corporations and Small Business, to which was referred House Bill 1149, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

- 1 Delete the title and insert the following:
- 2 A BILL FOR AN ACT to amend the Indiana Code concerning
- 3 motor vehicles and health.
- 4 Delete everything after the enacting clause and insert the following:
- 5 SECTION 1. IC 9-18-47 IS ADDED TO THE INDIANA CODE AS
- 6 A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE
- 7 JANUARY 1, 2001]:
- 8 **Chapter 47. Indiana Child Protection Trust License Plates**
- 9 **Sec. 1. As used in this chapter, "child adoption agency" means**
- 10 **a nonpublic charitable organization exempt from federal taxation**
- 11 **under Section 501(c) of the Internal Revenue Code that:**
- 12 (1) is licensed as a child placing agency under IC 12-17.4-6;
- 13 and
- 14 (2) facilitates the adoption of children.

1 **Sec. 2. As used in this chapter, "crisis pregnancy center" means**
 2 **a charitable organization exempt from federal taxation under**
 3 **Section 501(c) of the Internal Revenue Code that is:**

- 4 **(1) located within Indiana; and**
 5 **(2) organized for the purpose of providing counseling for**
 6 **pregnant women and persons relative to the pregnancy on**
 7 **matters intended to result in a live birth and possible home**
 8 **placement of the child.**

9 **Sec. 3. The bureau of motor vehicles shall design and issue an**
 10 **Indiana child protection trust license plate. The Indiana child**
 11 **protection trust license plate shall be designed and issued as a**
 12 **special group recognition license plate under IC 9-18-25.**

13 **Sec. 4. A person who is eligible to register a vehicle under this**
 14 **title is eligible to receive an Indiana child protection trust license**
 15 **plate under this chapter upon doing the following:**

- 16 **(1) Completing an application for an Indiana child protection**
 17 **trust license plate.**
 18 **(2) Paying the fees under section 5 of this chapter.**

19 **Sec. 5. (a) The fees for an Indiana child protection trust license**
 20 **plate are as follows:**

- 21 **(1) The appropriate fee under IC 9-29-5-38(a).**
 22 **(2) An annual fee of twenty-five dollars (\$25).**
 23 **(b) The bureau shall collect the fee described in subsection**
 24 **(a)(2).**
 25 **(c) The annual fee described in subsection (a)(2) shall be**
 26 **deposited in the fund established by section 6 of this chapter.**

27 **Sec. 6. (a) The Indiana child protection trust fund is established.**

28 **(b) The treasurer of state shall invest the money in the fund not**
 29 **currently needed to meet the obligations of the fund in the same**
 30 **manner as other public trust funds are invested. Interest that**
 31 **accrues from these investments shall be deposited in the fund.**

32 **(c) The commissioner shall administer the trust fund. Expenses**
 33 **of administering the fund shall be paid from money in the fund.**

34 **(d) On June 30 of each year, the commissioner shall distribute**
 35 **the money from the fund to the organization established under**
 36 **section 7 of this chapter.**

37 **(e) Money in the fund at the end of a state fiscal year does not**
 38 **revert to the state general fund.**

1 **Sec. 7. (a) To qualify for distributions from the Indiana child**
 2 **protection trust fund, representatives of charitable organizations**
 3 **that are located within Indiana, that are exempt from federal**
 4 **taxation under Section 501(c) of the Internal Revenue Code, and**
 5 **that are designated in subsection (b) must establish an organization**
 6 **that:**

7 **(1) is a charitable organization exempt from federal taxation**
 8 **under Section 501(c) of the Internal Revenue Code;**

9 **(2) is registered to do business in Indiana;**

10 **(3) is located in Indiana; and**

11 **(4) exists for the purpose of raising funds on behalf of the**
 12 **organizations designated in subsection (b).**

13 **(b) An organization established under subsection (a) must**
 14 **include two (2) representatives from each of the following:**

15 **(1) Crisis pregnancy centers.**

16 **(2) Child adoption agencies.**

17 **(3) Indiana Citizens for Life.**

18 **(4) Indiana Right to Life.**

19 **(c) The organization established under subsection (a) shall**
 20 **distribute money received through a distribution under section 6**
 21 **of this chapter to the organizations designated under section 8 of**
 22 **this chapter.**

23 **Sec. 8. (a) The organization established under section 7(a) of this**
 24 **chapter shall provide applications that allow a person purchasing**
 25 **an Indiana child protection trust license plate to designate:**

26 **(1) a crisis pregnancy center;**

27 **(2) a child adoption agency;**

28 **(3) a local affiliate of Indiana Citizens for Life;**

29 **(4) a local affiliate of Indiana Right to Life;**

30 **(5) any other charitable organization that is:**

31 **(A) exempt from federal taxation under Section 501(c) of**
 32 **the Internal Revenue Code;**

33 **(B) registered to do business in Indiana;**

34 **(C) located in Indiana; and**

35 **(D) approved by the organization established under**
 36 **subsection 7(a);**

37 **(6) Indiana Citizens for Life; or**

38 **(7) Indiana Right to Life;**

1 as the recipient of the fee collected from the person under section
2 5(a)(2) of this chapter.

3 (b) In any calendar year, an organization referred to in
4 subsection (a) may no longer receive fees paid under section 5(a)(2)
5 of this chapter if the organization has already been designated as
6 the recipient of fees collected under section 5(a)(2) of this chapter
7 in the purchase of at least twenty-five (25) Indiana child protection
8 license plates.

9 (c) Notwithstanding the designation of fees under this section,
10 the organization established under section 7(a) of this chapter may
11 retain from each distribution of funds to the organization under
12 section 6(d) of this chapter an amount sufficient to pay the
13 reasonable costs of administering the program.

14 SECTION 2. IC 16-18-2-14 IS AMENDED TO READ AS
15 FOLLOWS [EFFECTIVE JANUARY 1, 2001]: Sec. 14. "Ambulatory
16 outpatient surgical center" for purposes of IC 16-21 means a public or
17 private institution that meets the following conditions:

18 (1) Is established, equipped, and operated primarily for the
19 purpose of performing surgical procedures and services.

20 (2) Is operated under the supervision of at least one (1) licensed
21 physician or under the supervision of the governing board of the
22 hospital if the center is affiliated with a hospital.

23 (3) Permits a surgical procedure to be performed only by a
24 physician, dentist, or podiatrist who meets the following
25 conditions:

26 (A) Is qualified by education and training to perform the
27 surgical procedure.

28 (B) Is legally authorized to perform the procedure.

29 (C) Is privileged to perform surgical procedures in at least one
30 (1) hospital within the county or an Indiana county adjacent to
31 the county in which the ambulatory outpatient surgical center
32 is located.

33 (D) Is admitted to the open staff of the ambulatory outpatient
34 surgical center.

35 (4) Requires that a licensed physician with specialized training or
36 experience in the administration of an anesthetic supervise the
37 administration of the anesthetic to a patient and remain present in
38 the facility during the surgical procedure, except when only a

- 1 local infiltration anesthetic is administered.
- 2 (5) Provides at least one (1) operating room and, if anesthetics
3 other than local infiltration anesthetics are administered, at least
4 one (1) postanesthesia recovery room.
- 5 (6) Is equipped to perform diagnostic x-ray and laboratory
6 examinations required in connection with any surgery performed.
- 7 (7) Does not provide accommodations for patient stays of longer
8 than twenty-four (24) hours.
- 9 (8) Provides full-time services of registered and licensed nurses
10 for the professional care of the patients in the postanesthesia
11 recovery room.
- 12 (9) Has available the necessary equipment and trained personnel
13 to handle foreseeable emergencies such as a defibrillator for
14 cardiac arrest, a tracheotomy set for airway obstructions, and a
15 blood bank or other blood supply.
- 16 (10) Maintains a written agreement with at least one (1) hospital
17 for immediate acceptance of patients who develop complications
18 or require postoperative confinement.
- 19 (11) Provides for the periodic review of the center and the center's
20 operations by a committee of at least three (3) licensed physicians
21 having no financial connections with the center.
- 22 (12) Maintains adequate medical records for each patient.
- 23 (13) Meets all additional minimum requirements as established by
24 the state department for building and equipment requirements.
- 25 (14) Meets the rules and other requirements established by the
26 state department for the health, safety, and welfare of the patients.
- 27 SECTION 3. IC 16-34-2-1.5 IS ADDED TO THE INDIANA CODE
28 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE
29 JANUARY 1, 2001]: **Sec. 1.5. (a) This section does not apply to a
30 hospital licensed under IC 16-21.**
- 31 **(b) In addition to the requirements under section 1(a)(1) of this**

1 **chapter, if a first trimester abortion is performed in an institution**
2 **described in IC 16-18-2-14(1), the institution must be licensed as an**
3 **ambulatory outpatient surgical center under IC 16-21.**

(Reference is to HB 1149 as introduced.)

and when so amended that said bill do pass.

Representative Fry