

PREFACE

This document contains the digest of each of the 675 Senate bills introduced for the 1999 regular session of the Indiana General Assembly.

Three lists appear at the front of the book, and one index appears at the end of the book. The lists group the bills **BY BILL NUMBER**, **BY AUTHOR**, and **BY COMMITTEE**. The index at the end of the book is a **SUBJECT** index.

We have compiled this book as quickly as possible after receiving committee assignments. Post-introductory information is not reflected in this document. Additional information on each of these bills is available on the Internet at www.state.in.us.

We would like to thank all of the OBDAR staff for their contributions. While this document has been improved again this year, please let us have your comments and suggestions.

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**SB 1: (LS 6909) Merritt (DI:87)
Public access counselor and complaint procedure.**

Creates the office of the public access counselor. Provides for the appointment of a public access counselor by the governor. Establishes a formal complaint procedure for the office of the public access counselor. Provides that the office of the public access counselor and the formal complaint procedure expire July 1, 2003. Requires a court to expedite the hearing of an action filed under the open door law (IC 5-14-1.5) or the public records law (IC 5-14-3). Requires a court to award reasonable attorney's fees, court costs, and other reasonable expenses of litigation to a prevailing plaintiff. (Current law allows a court to award attorney's fees, court costs, and other reasonable expenses of litigation to a prevailing plaintiff if the court finds the defendant's violation was knowing and intentional.) Requires, rather than permits, a court to award reasonable attorney's fees, court costs, and other reasonable expenses of litigation to a prevailing defendant if the court finds that the action is frivolous or vexatious. Requires the public access counselor to submit a report to the general assembly not later than June 30 of each year concerning the activities of the counselor for the previous year.

**SB 2: (LS 6063) Jackman (DI:98)
Custody modification and CHINS or delinquency proceedings.**

Allows a court with child custody jurisdiction to modify a child custody order in a dissolution of marriage proceeding that relates to a child who is under juvenile court jurisdiction as the result of a child in need of services proceeding or a non-offense based

juvenile delinquency proceeding. Provides that whenever a court with child custody jurisdiction modifies child custody under these circumstances, the custody modification takes effect only if the juvenile court: (1) enters an order approving the custody modification; or (2) terminates the child in need of services proceeding or juvenile delinquency proceeding. (Current law provides that child custody may not be modified while the child is under the juvenile court jurisdiction as the result of a child in need of services proceeding or a juvenile delinquency proceeding.)

**SB 3: (LS 6023) Adams K (DI:101)
Nurse licensure.**

Authorizes the Indiana state board of nursing to license by endorsement an applicant who has completed and achieved a passing score on the English version of the Canadian Nurse Association Testing Service Examination, is currently licensed as a registered nurse in a Canadian province or another state, and meets all other requirements for receiving a license to practice as a registered nurse under Indiana law.

**SB 4: (LS 6165) Lawson C (DI:94)
Consumer goods consignment transactions.**

Requires a consignee that receives goods that have a value over \$500 under a consignment from a consignor who is not a merchant to: (1) notify the consignor of the filing requirements for protection of consignments; (2) provide the form required by the Uniform Commercial Code for filing; and (3) obtain the signature of the consignor on the consignment contract acknowledging

the consignee's notification of the consignor of the filing requirements and the provision of the form to the consignor.

SB 5: (LS 6093) Simpson (DI:98)
Domestic violence considerations in domestic cases.

Establishes a rebuttable presumption that a parent who has demonstrated a pattern of domestic violence may not be awarded sole or joint custody of a child. Provides that presumption applies to both dissolution of marriage and paternity cases. Provides that domestic violence includes physical or sexual abuse regardless of whether the abuse resulted in a criminal prosecution. Allows the presumption to be rebutted only: (1) upon evidence that the parent has successfully completed a treatment program and is not abusing alcohol or drugs; and (2) upon a showing that it is in the best interests of the child because of the conduct of the other parent. Allows a court to order only supervised visitation, if any, with a parent who has demonstrated a pattern of domestic violence, conditioned on the parent's participation in a domestic violence treatment program. Provides that unsupervised visitation may be ordered if certain additional conditions are met. Prescribes guidelines for a court to follow in determining custody when both parents have demonstrated a pattern of domestic violence. Prohibits a court from ordering a party in a domestic relations proceeding to participate in counseling or mediation if the court finds that the other party has demonstrated a pattern of domestic violence against the party or a child of the parties.

SB 6: (LS 6050) Simpson (DI:69)
Hazardous waste grant program.

Requires the department of environmental management to provide financial assistance to local units of government and solid waste management districts through matching grants awarded for projects involving the collection and disposal of: (1) household hazardous waste; and (2) hazardous waste generated by conditionally exempt small quantity generators who generate not more than 100 kilograms of hazardous waste and one kilogram of acutely hazardous waste during a month. (Current law requires the department to provide grants only for collection and disposal projects involving household hazardous waste.) Extends the time from 12 months to 24 months in which collection and disposal projects must be completed. Increases from \$250,000 to \$500,000 the amount of money that is available each year from the hazardous substances response trust fund to provide collection and disposal project grants.

SB 7: (LS 6225) Simpson (DI:44)
Income tax deduction for certain insurance premiums.

Provides an adjusted gross income tax deduction to an individual equal to the premiums paid by the individual for certain insurance policies that cover long term health care expenses. Provides that the deduction may be claimed if the premiums are paid for the benefit of the individual or the individual's spouse, or both. Deletes an incorrect cross reference to an Indiana Code section.

SB 8: (LS 6226) Simpson (DI:44)
TRF service credit.

Provides service credit for members of the Indiana state teachers' retirement fund (TRF) who retire after June 30, 1999, and served in the Peace Corps or national guard during or after completing a postsecondary teacher training program.

SB 9: (LS 6095) Simpson (DI:100)
Uniform Prudent Investor Act.

Adopts the Uniform Prudent Investor Act. Requires a trustee to administer the trust prudently by exercising care, skill, and caution; by using the trustee's skills and expertise; by incurring only appropriate costs in investing assets; and by diversifying the investments of the trust unless circumstances or the provisions of the trust require otherwise. Requires the trustee to be loyal to the trust and to treat co-beneficiaries impartially. Allows the trustee to delegate investment and management functions to an agent if the trustee exercises reasonable care, skill, and caution in selecting an agent, in establishing the scope of the delegation, and in periodically reviewing the agent's actions. Makes a trustee immune from liability for the actions of an agent acting within the scope of agency if the trustee has exercised reasonable care, skill, and caution. Creates a duty between an agent and a beneficiary. Subjects an agent to the jurisdiction of Indiana if the agent accepts the delegation of investment and management functions of a trust subject to Indiana law. Makes conforming amendments.

SB 10: (LS 6094) Simpson (DI:97)
Generic drug substitutions.

Specifies that a legend drug must be dispensed in the manner designated on the prescription or drug order or by authorization of the practitioner. Specifies that a "generically equivalent drug product" means a multiple source drug product containing identical active ingredients. Prohibits dispensing a legend drug except as provided in the legend drug act. Requires that only generically equivalent drug products may be substituted under the generic drugs law. Adds advanced practice nurses to the definition of "practitioner" in the generic drugs law. Requires the pharmacist to inform the customer when a generic substitution is made. Repeals the definition of "chemically equivalent drug products". (The introduced version of this bill was drafted by the Interim Study Committee on Health Issues.)

SB 11: (LS 6167) Zakas (DI:92)
Charitable trusts.

Provides that the trust code applies to charitable trusts. Defines "charitable trust". Defines "trust for a benevolent public purpose". Requires the trustee of a trust for a benevolent public purpose to certify to the attorney general that a written statement of accounts has been prepared and is available to the attorney general and the general public upon request.

SB 12: (LS 6168) Zakas (DI:92)
farmland valuation for inheritance tax purposes.

Provides that the finally determined federal estate tax value of a property interest is

presumed to be the fair market value of the property interest for Indiana inheritance tax purposes. (The introduced version of this bill was prepared by the Probate Code Study Commission.)

SB 13: (LS 6156) Zakas (DI:92)
Elimination of the inheritance tax.

Provides a complete exemption from inheritance tax for property interests transferred to lineal descendants or ancestors with respect to persons who die after June 30, 1999. Phases out the inheritance tax on property interests transferred to other categories of transferees by increasing exemptions. Provides that no inheritance tax will be imposed upon property interests transferred to other categories of transferees with respect to persons who die after June 30, 2001.

SB 14: (LS 6351) Zakas (DI:92)
inheritance tax deduction for family business.

Allows a deduction from the value of property interests transferred by a resident decedent in an amount equal to the amount of the decedent's interest in a qualified family owned business deducted from the decedent's gross estate for federal estate tax purposes under Section 2057 of the Internal Revenue Code. (The introduced version of this bill was prepared by the probate code study commission.)

SB 15: (LS 6356) Bray (DI:51)
Juvenile court magistrates.

Repeals a provision authorizing the judge of the juvenile court in a county with a population of more than 50,000 to appoint

one or more full-time magistrates. Replaces the repealed law with provisions authorizing certain courts in Allen County, Elkhart County, Johnson County, Lake County, Marion County, Porter County, Vanderburgh County, and Vigo County to appoint magistrates. Repeals statutes requiring counties to pay part of the salary of a full-time magistrate. Allows juvenile court magistrates appointed under the repealed provisions to continue as magistrates.

SB 16: (LS 6090) Weatherwax (DI:73)
Tax credits for inventory tax payments.

Provides a credit against a taxpayer's state tax liability for property taxes paid on inventory. Provides that the credit is initially equal to 10% of property taxes paid on inventory, and increases the credit percentage over ten years until the credit may be claimed for 100% of property taxes paid on inventory. (The introduced version of this bill was prepared by the local government finance study commission.)

SB 17: (LS 6065) Blade (DI:2)
State textbook funding for school corporations.

Provides an annual state textbook grant to school corporations of \$85 per ADM for providing textbooks to students. Abolishes the textbook rental program and the school textbook library program. Redefines "textbook" to include the various kinds of instructional materials currently eligible for state reimbursement under the textbook assistance program for students from low income families. Continues the textbook reimbursement program for nonpublic school students from low income families. Requires a school corporation to establish a

textbook fund and to appropriate money from the fund to acquire textbooks to loan to all students without charge. Makes conforming changes and transitional provisions.

**SB 18: (LS 6318) Craycraft (DI:44)
EDGE tax credit.**

Allows a person who proposes a project to preserve jobs in Indiana to apply for an economic development for a growing economy (EDGE) tax credit. Allows the economic development for a growing economy board to enter into an agreement for a tax credit with an applicant whose project will preserve jobs in Indiana. Requires the board to find the existence of certain conditions before entering into an agreement with the applicant for a tax credit.

**SB 19: (LS 6170) Craycraft (DI:73)
Community revitalization enhancement districts.**

Allows Muncie to designate an area in the city as a community revitalization enhancement district. (Current law: (1) provides a credit against certain state and local tax liability for a taxpayer that makes an investment for the redevelopment of property located in a community revitalization enhancement district; and (2) provides that the incremental amount of state and local income taxes and state sales tax collected from a community revitalization enhancement district are distributed to the district for deposit in the district's industrial development fund.)

**SB 20: (LS 6325) Lanane (DI:77)
Long term care ombudsman office.**

Establishes the long term care ombudsman

office as a separate governmental entity. Requires the governor to appoint the long term care ombudsman. Provides for the transition of the long term care ombudsman office from within the division of disability, aging, and rehabilitative services to an independent state office.

**SB 21: (LS 6159) Server (DI:2)
ISTEP test subjects and duration.**

Removes the authority for the Indiana statewide testing for educational progress program (ISTEP) to be administered in subject areas other than English/language arts and mathematics. Provides that ISTEP subject area tests may not be longer than two hours each.

**SB 22: (LS 6196) Server (DI:71)
Scholarships for academic honors.**

Establishes the Indiana honors diploma higher education award as a scholarship program for persons domiciled in Indiana who graduate from a public or private high school with an Indiana honors diploma, and attend a public or private nonprofit institution of higher learning in Indiana on a full-time or part-time basis. Provides eligible students with a scholarship award in an amount (subject to the availability of appropriations) equal to 50% of the educational costs at public universities in Indiana, less an adjustment for money awarded to the student under other state higher education award programs. Provides for administration of the program by the state student assistance commission. Appropriates from the state general fund a sufficient amount to provide honors diploma higher education awards.

SB 23: (LS 6194) Server (DI:71)
School treasurers.

Allows a school corporation to appoint assistant or deputy treasurers. Provides that the term treasurer includes an assistant or a deputy treasurer.

SB 24: (LS 6172) Server (DI:44)
Capital improvements for schools.

Allows not more than 5% of the levy for a school capital projects fund to be used for construction, repair, replacement, remodeling, or maintenance of school sports facilities.

SB 25: (LS 6297) Server (DI:2)
Geological survey mapping.

Appropriates \$500,000 per year in the 1999-2001 biennium from the state general fund to the Indiana geological survey to enable the Indiana geological survey to accelerate the process of creating geologic maps of Indiana.

SB 26: (LS 6336) Skillman (DI:101)
Interpretive powers of state building commissioner.

Gives the office of the state building commissioner the power to issue written interpretations of building laws. Requires a written interpretation by the office of the state building commissioner to be treated as a building law until it is amended or repealed. Requires units of local government to comply with the office of the state building commissioner's written interpretations.

SB 27: (LS 6411) Bray (DI:51)
Court officers.

Adds: (1) three full-time magistrates in Allen County; (2) one full-time magistrate in Clark County; (3) one judge in Elkhart County; (4) one full-time magistrate in Floyd County; (5) three full-time magistrates and three judges in Lake County; (6) one full-time magistrate in LaPorte County; (7) four judges and ten full-time magistrates in Marion County; (8) four full-time magistrates in St. Joseph County; and (9) three full-time magistrates in Vanderburgh County. Converts the county courts in Dearborn County and Noble County to superior courts. Repeals a provision applicable to the Tippecanoe county court and relocates the provision within the same chapter of the Indiana Code. (The introduced version of this bill was prepared by the commission on courts.)

SB 28: (LS 6354) Bray (DI:51)
Residency of court officers.

Establishes a uniform requirement that a judge be a resident of the judicial district that the judge serves, which affects all county court judges, the probate court judge in St. Joseph County, and superior court judges in the following judicial districts: (1) Allen County; (2) Cass County; (3) Clay County; (4) Grant County; (5) Floyd County; (6) Howard County; (7) Hancock County; (8) Jasper County; (9) Kosciusko County; (10) Lake County; (11) Lawrence County; (12) Madison County; (13) Morgan County; (14) Ohio and Switzerland Counties; (15) Porter County; (16) St. Joseph County; (17) Tippecanoe County; (18) Vanderburgh County; (19) Vigo County; and (20) Wayne

County. Requires a nominee for a vacancy on the Lake superior court or St. Joseph superior court to be a resident of the county. Specifies that a prosecuting attorney must be a resident of the judicial circuit that the prosecuting attorney serves. Exempts a current judge from the application of the residency requirement until the end of the judge's current term.

SB 29: (LS 6175) Paul (DI:98)
Overtime wages and child support in dissolution actions.

Provides that a court may not consider income from overtime work when setting child support, except when issuing a final dissolution decree.

SB 30: (LS 6428) Wheeler (DI:96)
Requires public restrooms in license branches.

Provides that a full service license branch must have at least one handicap-accessible restroom available for use of the public. Provides that a full service license branch that leases space is not required to provide at least one restroom for the use of the public until the lease for the full service license branch is renewed or a new lease is entered into after June 30, 1999.

SB 31: (LS 6294) Wheeler (DI:96)
Minimum number for issuance of special license plates.

Requires the sale of at least 500 special group license plates in the first four years of the plate cycle beginning January 1, 1997, for an organization that received a special group license plate before January 1, 1998, to remain qualified to participate in the special group license plate program.

Requires the sale of at least 500 special group license plates in the first four years of a plate cycle to remain eligible for the program. Provides that if at least 5,000 of an organization's special group license plates are sold, the representatives of a special group may petition the bureau to design a distinctive special group license plate.

SB 32: (LS 6293) Wheeler (DI:94)
Drainage law duties of county surveyors.

Requires a county surveyor who is not registered as a land surveyor or professional engineer to employ a person registered as a land surveyor or professional engineer to perform the drainage job functions of a county surveyor that require a registered land surveyor or professional engineer. (Current law requires a county surveyor who is not registered as a professional engineer to employ a professional engineer to perform the drainage job functions of a county surveyor that require a professional engineer.) Provides that if a county full-time employee is a registered land surveyor or professional engineer and the county surveyor is not registered as a land surveyor or professional engineer, the drainage board may designate the employee to perform the functions of the county surveyor that are allowed under the employee's land surveyor's or professional engineer's license. Allows a county surveyor registered as a land surveyor or professional engineer to approve plans and hydraulic data for certain regulated drains. (Current law allows a county surveyor registered as a professional engineer to approve plans and hydraulic data for certain regulated drains.)

SB 33: (LS 6071) Wheeler (DI:2)
Resolution of water diversion disputes.

Creates a procedure for resolving surface water disputes. Provides that a person seeking redress for injuries caused to the person's property as a result of a diversion of the natural surface watercourse on a neighboring property may file a petition with the drainage board. Permits the drainage board to investigate, to hold a hearing on the petition, and to issue an order requiring the removal or remedy of the diversion. Permits a person who owns the land that is the subject of the petition to file an action in circuit or superior court to vacate the drainage board's order.

SB 34: (LS 6084) Wheeler (DI:13)
Vehicle Bill.

SB 35: (LS 6085) Wheeler (DI:13)
Vehicle Bill.

SB 36: (LS 6086) Wheeler (DI:13)
Vehicle Bill.

SB 37: (LS 6087) Wheeler (DI:13)
Vehicle Bill.

SB 38: (LS 6425) Kenley (DI:101)
Body piercing.

Requires the executive board of the state department of health to adopt rules to regulate the sanitary operation of body piercing facilities. Makes it a Class A misdemeanor to perform body piercing on a minor unless the minor's parent or legal guardian is present and provides written permission. Exempts ear piercing. Exempts an act of a licensed practitioner of the healing arts when the act is performed in the

course of the practitioner's practice.

SB 39: (LS 6242) Kenley (DI:75)
Legislative ethics committees.

Requires that a complaint to a legislative ethics committee must be made by a member of the committee's house.

SB 40: (LS 6126) Kenley (DI:93)
Technical corrections.

Makes numerous technical corrections throughout the Indiana Code. Reconciles conflicting sections amended during the 1998 legislative session. (The introduced version of this bill was prepared by the Code Revision Commission.)

SB 41: (LS 6347) Ford (DI:69)
Misdemeanor probation.

Specifies that the authority of a court to suspend the sentence for a misdemeanor and place the convicted person on probation for up to one year applies to persons convicted of any class of misdemeanor.

SB 42: (LS 6227) Lubbers (DI:73)
Property tax freeze for elderly homeowners.

Provides a property tax credit to elderly homestead owners so that an elderly individual's net property tax liability on a homestead will not be greater than the individual's net property tax liability in the first year the individual qualified for the credit. Provides that the property tax credit is payable from the property tax replacement fund. Appropriates money from the property tax replacement fund to pay for the property tax credits.

SB 43: (LS 6391) Long (DI:94)
Economic development study committee.

Creates the economic development study committee to study economic development in Indiana cities. Requires the committee to: (1) review the effectiveness of enterprise zones in Indiana; (2) analyze the effectiveness of tax incentives in attracting and retaining business in Indiana; (3) study the use and effectiveness of renaissance zones in Michigan; (4) study the financing of economic development; (5) study the methods used in economic development; (6) study alternative financing techniques for economic development; and (7) review other economic development issues identified by the committee as requiring study. Provides for the appointment of 11 members to the committee. Requires a final report from the committee to the legislative council before November 1, 1999. Requires the approval of a majority of the members appointed to the committee for any committee action.

SB 44: (LS 6348) Ford (DI:69)
Victim rights.

Provides statutory implementation of the victim rights amendment to Article 1, Section 13 of the Constitution of the State of Indiana. Outlines the rights of victims, including the right to be notified of and to be present at hearings concerning the accused and to make statements at sentencing hearings. Repeals and replaces the existing statute concerning victim assistance programs.

SB 45: (LS 6333) Meeks R (DI:96)
License branch operations.

Removes managers and employees of a

license branch of the bureau of motor vehicles from membership in the public employees' retirement fund. Removes a license branch staffed by employees of the bureau of motor vehicles commission from the definition of public agency for access to public agency records. Requires the bureau of motor vehicles commission to contract for the operation of all full service license branches and for the provision of partial service branches.

SB 46: (LS 6443) Meeks R (DI:13)
Vehicle Bill.

SB 47: (LS 6368) Meeks R (DI:69)
Community corrections programs.

Provides that the law concerning direct placement in community corrections programs applies to the sentencing of a person convicted of a misdemeanor whenever any part of the person's sentence may not be suspended.

SB 48: (LS 6041) Meeks R (DI:2)
Nonresident hunt and fish license fees.

Increases nonresident hunting, trapping, and fishing license fees.

SB 49: (LS 6260) Meeks R (DI:96)
Motor vehicle impoundment.

Allows a police agency to impound for 30 days the vehicle of a driver who is subject to arrest for: (1) operation of a motor vehicle or combination of vehicles when the driver's license is suspended; (2) operation of a motor vehicle or combination of vehicles when the driver's license has been revoked; (3) operation of a motor vehicle or combination of vehicles in violation of the

terms and conditions specified in a restricted license or a probationary license; (4) operation of a motor vehicle or combination of vehicles when the driver does not hold a driver's license; (5) operation of a motor vehicle or combination of vehicles when financial responsibility is not in effect with respect to the vehicle; or (6) operation of a vehicle or combination of vehicles while intoxicated. Allows release of the vehicle to the owner before the end of the impoundment period if the vehicle has been stolen or leased to the driver or a third party. Allows release of the vehicle before the end of the impoundment period after a hearing by the court. Allows the vehicle to be declared abandoned if the vehicle is not retrieved at the end of the 30 day impoundment period. Allows a local governmental unit to provide by ordinance for a service fee for impoundment of the vehicle. Allows the driver of a vehicle with cargo to notify a person having a monetary interest in the cargo and allows the cargo to be released to that person or agent. Makes conforming changes in definitions concerning vehicles.

SB 50: (LS 6155) Meeks R (DI:92)
Electronic gaming devices.

Creates a new license under the jurisdiction of the alcoholic beverage commission that permits gambling on electronic gaming devices in establishments that hold liquor, beer, wine, club, restaurant, or hotel permits issued by the alcoholic beverage commission. Provides that the annual license fee for the establishment license is \$1,000 per electronic gaming device. Limits the number of gaming devices that an establishment may have. Creates a license

under the jurisdiction of the alcoholic beverage commission for operators of electronic gaming devices. Requires operators to pay a \$5,000 annual fee. Provides that the fees are deposited in the electronic gaming fund, which is administered by the alcoholic beverage commission, and appropriates amounts sufficient to cover required distributions and administrative costs. Provides that after the amounts have been appropriated for administration, 20% of the money in the fund must be paid to the counties based on population and 20% of the money in the fund must be paid to cities and towns based on population. Provides that the remaining revenue from license fees must be deposited in the property tax replacement fund and used for property tax replacement. Makes it a Class D felony to knowingly or intentionally: (1) tamper with an electronic gaming device; (2) manipulate the outcome, payoff, or operation of an electronic gaming device; or (3) sell, purchase, or lease an electronic gaming device that is not licensed by the alcoholic beverage commission. Requires the alcoholic beverage commission to adopt rules for the operation of the electronic gaming devices.

SB 51: (LS 6204) Meeks R (DI:69)
Civil actions against property owners using force.

Establishes rebuttable presumptions in actions based on fault and in actions based on an intentional act of a defendant that: (1) in an action under comparative fault, a person's contributory fault is greater than the fault of all other persons whose fault proximately contributed to any damages sustained by the person; (2) in an action for an intentional act, the person's intentional

act caused the injury; and (3) in an action under comparative fault or for an intentional act, the person waived the person's right to recover damages sustained by the person if any part of an injury suffered by the person occurred while the person was committing a crime and resulted from another person's use of force or deadly force while the person was on real property owned, leased, or otherwise legally occupied by one or more of the defendants. Specifies that the person's conduct in committing the crime bars any recovery by the person for damages arising from any defendant's use of force or deadly force.

SB 52: (LS 6088) Meeks R (DI:13)
Vehicle Bill.

SB 53: (LS 6062) Meeks R (DI:101)
Alarm system contractor licensing.

Requires a person who operates a business that installs, repairs, or services an alarm system to be licensed. Establishes an alarm system board. Establishes licensure and registration requirements for the regulation of alarm system contractors and their employees. Requires employees of an alarm system contractor to be registered and have identification cards. Staggers the terms of the initial appointments to the board.

SB 54: (LS 6144) Garton (DI:13)
Vehicle Bill.

SB 55: (LS 6140) Garton (DI:13)
Vehicle Bill.

SB 56: (LS 6145) Garton (DI:13)
Vehicle Bill.

SB 57: (LS 6154) Garton (DI:13)

Vehicle Bill.

SB 58: (LS 6150) Garton (DI:13)
Vehicle Bill.

SB 59: (LS 6142) Garton (DI:13)
Vehicle Bill.

SB 60: (LS 6143) Garton (DI:13)
Vehicle Bill.

SB 61: (LS 6135) Garton (DI:13)
Vehicle Bill.

SB 62: (LS 6147) Garton (DI:13)
Vehicle Bill.

SB 63: (LS 6149) Garton (DI:13)
Vehicle Bill.

SB 64: (LS 6146) Garton (DI:13)
Vehicle Bill.

SB 65: (LS 6148) Garton (DI:13)
Vehicle Bill.

SB 66: (LS 6138) Garton (DI:13)
Vehicle Bill.

SB 67: (LS 6141) Garton (DI:13)
Vehicle Bill.

SB 68: (LS 6136) Garton (DI:13)
Vehicle Bill.

SB 69: (LS 6151) Garton (DI:13)
Vehicle Bill.

SB 70: (LS 6137) Garton (DI:13)
Vehicle Bill.

SB 71: (LS 6153) Garton (DI:13)
Vehicle Bill.

SB 72: (LS 6139) Garton (DI:13)
Vehicle Bill.

SB 73: (LS 6152) Garton (DI:13)
Vehicle Bill.

SB 74: (LS 6415) Adams K (DI:2)
High school transfers for certain students.

Permits a parent, in specific circumstances concerning distance from a high school student's residence to the student's assigned school, to transfer the student to certain school corporations in which the student does not have legal settlement. Provides for notice to affected parties. Provides that the school corporation from which the student transfers is responsible for payment of transfer tuition. Provides that the student's parents are responsible for transportation.

SB 75: (LS 6521) Meeks R (DI:75)
Sports franchises.

Provides that the owner of a professional sports team that operates in Indiana and that has at any time received governmental assistance must give the governor and the executive of the municipality in which the team plays a majority of its home games not less than 180 days notice of the owner's intent to relocate the team. Requires that the notice must include the owner's terms and conditions for acquisition of the franchise by a franchise acquisition corporation. Provides that when the governor receives the notice from the owner, a franchise acquisition corporation is formed to acquire the franchise. Provides for appointment of the board of directors of the corporation. Requires the corporation to accept the owner's terms and conditions for acquisition

of the franchise or to negotiate with the owner for acceptable terms and conditions for acquisition. Provides that if the board and the owner cannot agree on the terms and conditions for acquisition of the franchise, the matter must be referred to an arbitrator to determine the terms and conditions for acquisition of the franchise. Provides that the board may waive acquisition of the franchise if the board, the owner, and the league agree on acquisition of a new franchise by the corporation. Requires the board to waive acquisition of the franchise if the corporation is unable to comply with the terms and conditions of the acquisition or if the board determines, by unanimous vote of its members, that acquisition is not in the best interest of the state and the municipality. Provides for dissolution of the corporation if a franchise is not acquired. Provides the general and financial powers of a franchise acquisition corporation. Provides civil penalties if an owner fails to give the required notice or fails to negotiate in good faith. Provides that after June 30, 1999, an agreement between a governmental entity and a franchise to provide governmental assistance to the franchise must acknowledge the effect of the franchise acquisition statute and agree to be bound by it. Provides that a franchise that operates in Indiana irrevocably consents to jurisdiction of Indiana courts and to service of process in a legal proceeding relating to the franchise regardless of the subsequent location of the franchise.

SB 76: (LS 6509) Meeks R (DI:2)
Septic system installation on plats

Provides that the adoption of a rule by the state board of health may not prohibit the

installation of certain residential septic systems.

SB 77: (LS 6221) Simpson (DI:76)
Protection from domestic violence; address confidentiality.

Establishes an address confidentiality program in the Indiana criminal justice institute. Makes the program available to individuals, including minors and incapacitated persons represented by a parent or guardian, who are victims of domestic violence and wish to keep their addresses confidential from their abusers. Prescribes guidelines for the administration of the program. Provides that an address designated by the Indiana criminal justice institute serves as the individual's address for purposes of: (1) service of process; and (2) receipt of mail. Enables the individual to vote without making the individual's address available to the public. Requires the address of the individual who participates in the program to remain confidential except under certain circumstances. Makes it a Class B misdemeanor for an individual to provide false or incorrect information on a program application. Requires the Indiana criminal justice institute to designate certain agencies that provide services to victims of domestic violence to assist an individual who applies to the program.

SB 78: (LS 6130) Simpson (DI:77)
Medicaid disability.

Amends the Medicaid definition of a disabled person to include a person who has a physical or mental impairment, disease, or loss that appears reasonably certain to result in death or that has lasted or appears reasonably certain to last for a continuous

period of at least twelve (12) months without significant improvement. (Current law requires that the impairment continue throughout the lifetime of the individual.)

SB 79: (LS 6098) Simpson (DI:94)
Uniform unclaimed property act.

Includes evidence of receipt of a distribution of a dividend check or other instrument of payment as an indication of interest in the property if the distribution was made by electronic means. Changes the periods for presumption of abandonment for unclaimed property to conform to those in the uniform unclaimed property act. Requires the holder of property presumed abandoned to send written notice to the apparent owner not less than 60 days before reporting the property to the attorney general (current law requires that it be not less than 30 days), but does not require the holder to send notice if the value of the property is less than \$50. Requires that tangible property held in a safe deposit box be held for at least 120 days after the property is reported to the attorney general. Removes the requirement that the attorney general publish a notice relating to a traveler's check, money order, or similar instrument presumed abandoned. Changes the provisions relating to the crediting of dividends, interest, and increments to a presumed owner's account to conform with the uniform unclaimed property act. Requires the attorney general to give notice approving or denying a claim within 90 days after the claim is filed. Allows a person aggrieved by a decision of the attorney general on the person's unclaimed property claim to file an original claim in a court of competent jurisdiction. (Current law requires the aggrieved person to contest the decision

in an administrative hearing before allowing the person to appeal the decision in court.) Allows a court to award reasonable attorney's fees to the prevailing party in an action brought by the attorney general to enforce the unclaimed property act. Changes the penalty provisions for noncompliance to conform with those in the uniform unclaimed property act. Changes the provisions regarding agreements to locate property presumed abandoned to conform with those in the uniform unclaimed property act. Provides that the unclaimed property act does not apply to property held in a foreign country arising out of a foreign transaction. Repeals the provisions relating to the administrative hearing and appeal.

SB 80: (LS 6479) Simpson (DI:51)
Hate crimes.

Makes commission of a crime because of the color, creed, national origin, race, religion, sexual orientation, or sex of the victim an aggravating circumstance that may be considered by a judge when the judge imposes a sentence for the crime. Expands the scope of the offenses relating to civil rights to include violations directed at a person because of the person's sexual orientation.

SB 81: (LS 6357) Zakas (DI:44)
Elkhart County innkeeper's tax.

Deletes the requirement that hotels or motels managed by certain members of the innkeeper's tax commission in Elkhart County must have banquet facilities, a restaurant, and a lounge in one complex under common ownership.

SB 82: (LS 6502) Zakas (DI:87)
St. Joseph County plan commission.

Joseph County plan commission. Requires a member of the county executive body and a member of the county fiscal body of St. Joseph County to be appointed to the area plan commission.

SB 83: (LS 6519) Wheeler (DI:2)
Stormwater runoff from developed real property.

Requires counties and municipalities to establish a policy by January 1, 2001, for the management of stormwater runoff from developed real property. Provides that the policy may, but is not required to, provide for the actual management of stormwater runoff. Establishes the geographic scope that a policy must cover.

SB 84: (LS 6253) Wheeler (DI:100)
Insurance rates for returning drivers.

Prohibits a motor vehicle insurer from establishing a higher rate or a higher premium rate for an individual policyholder or applicant based on the fact that the individual has not been covered by motor vehicle insurance within the last three years.

SB 85: (LS 6477) Wheeler (DI:44)
County jail inmate medical costs.

Establishes the county jail inmate medical care fund. Allows a county to levy a property tax to pay the medical care expenses of a person confined to the county jail for a term exceeding 30 days. Provides that the property tax is outside the government levy limits. Provides the following limits to the amount a county may levy to pay for inmate medical expenses: (1)

\$1,250,000 in a county having a population of at least 100,000; (2) \$500,000 in a county having a population of at least 40,000 but less than 100,000; and (3) \$250,000 in a county having a population of less than 40,000. Provides that a person confined to a county jail for a term of less than 30 days is responsible for the person's medical care expenses. Caps the amount that may be spent on an inmate's medical care expenses from the county jail inmate medical care fund. Provides that the state pays from the Medicaid indigent care trust fund amounts for jail inmate medical care that exceed the amounts paid from a county jail inmate medical care fund.

SB 86: (LS 6453) Wheeler (DI:13)
Vehicle Bill.

SB 87: (LS 6471) Wyss (DI:51)
Trafficking with an inmate.

Provides that the crime of trafficking with an inmate applies to a juvenile facility.

SB 88: (LS 6231) Wyss (DI:71)
Blood alcohol levels.

Reduces from 0.10% to 0.08% the percentage of alcohol by weight in a person's blood or breath that is necessary to constitute prima facie evidence of intoxication in a prosecution for operating a motor vehicle or watercraft while intoxicated. Reduces the range of the percentage of alcohol by weight in a person's blood or breath to at least 0.05% but less than 0.08% that is necessary to constitute relevant evidence of intoxication in a prosecution for operating a motor vehicle or watercraft while intoxicated. (Current law provides that the range for relevant evidence

of intoxication is at least 0.05% but less than 0.10%.) Makes conforming amendments.

SB 89: (LS 6158) Riegsecker (DI:92)
Prohibit vending machine sales of lottery tickets.

Prohibits the sale of lottery tickets from instant ticket vending machines after June 30, 1999. Provides that the sale of lottery tickets from instant ticket vending machines after June 30, 1999, is a Class A misdemeanor. Provides that the possession of an instant ticket vending machine after July 31, 1999, is a Class A misdemeanor.

SB 90: (LS 6381) Riegsecker (DI:92)
Land based casinos on tribal lands.

Provides that the state may not enter into a tribal-state compact to allow gaming on Indian lands in Indiana without the authorization of the general assembly. Prohibits land based casinos in Indiana except for land based casinos located on Indian lands under a tribal-state compact authorized by the general assembly. Provides that a tribal-state compact entered into without the authorization of the general assembly is void. Requires the department of commerce to assess the economic development needs of the Indian tribe and the communities surrounding Indian lands located in Indiana. Requires the department of commerce to do the following to promote economic development on Indian lands: (1) develop a list of potential economic development projects that meet the needs of the tribe and the surrounding communities; (2) host and moderate meetings between the tribe, local governments, and individuals from the surrounding communities invited by the department to identify the economic

development projects preferred by the tribe and the surrounding communities; and (3) assist the tribe in developing a plan to fund and implement the preferred projects. Requires the executive director of the department to appoint an individual to serve as a liaison to the tribe. Requires the liaison to coordinate the department's efforts to assist the tribe's implementation of the economic development plan and to assist the tribe or an entity locating on Indian lands in obtaining any economic development assistance provided by the state that the tribe or the entity is eligible to receive.

SB 91: (LS 6208) Riegsecker (DI:88)
Medicaid eligibility.

Provides that an irrevocable trust, an irrevocable prepaid funeral agreement, or a life insurance policy that provides money for the burial of an individual may not be considered as a resource in determining the individual's eligibility for Medicaid if the value of the irrevocable trust, irrevocable prepaid funeral arrangement, or life insurance policy does not exceed \$10,000. (Current law exempts these instruments from consideration as a resource in determining an individual's eligibility for Medicaid if the value of the instrument does not exceed \$1,400.)

SB 92: (LS 6306) Riegsecker (DI:51)
Indiana commission on restorative justice.

Establishes the 17 member Indiana commission on restorative justice for two years. Defines restorative justice as community based criminal justice that: (1) emphasizes the accountability and responsibility of the offender; and (2)

maximizes participation of the offender, victim, and members of the community to prevent crime and make reparations to the victim and community in the event of a crime. Requires the commission to study the concept of restorative justice and, if appropriate, make recommendations to develop and implement restorative justice programs in Indiana. Enumerates factors for the commission to consider in forming its recommendations. Provides that the commission operates under the direction of the legislative council. (The introduced version of this bill was prepared by the commission on courts.)

SB 93: (LS 6251) Simpson (DI:100)
Revised Uniform Partnership Act.

Incorporates the Revised Uniform Partnership Act into the Indiana Uniform Partnership Act. Provides for partnership administration and partnership property ownership rights, including conveyance procedures. Provides for partnership liability and provides that generally a partnership agreement may not vary the rights and duties of the partners, including duties of loyalty and care and the obligation of good faith and fair dealing. Sets forth the information to which former partners and agents of deceased or legally disabled partners may have access. Allows a partnership to maintain an action against a partner for a breach of the partnership agreement or violation of a duty that causes harm to the partnership. Allows a partner to maintain an action against the partnership or other partners to enforce the partner's rights and protect the partner's interests. Provides the exclusive remedy by which a judgment creditor of a partner or partner's transferee

may satisfy a judgment debtor's transferable interest in the partnership. Provides for dissolution of the partnership and dissociation by a partner that may or may not result in dissolution of the partnership. Provides for the conversion of a partnership to a limited partnership and the conversion of a limited partnership to a partnership. Provides for the merger of partnerships and limited partnerships.

SB 94: (LS 6431) Kenley (DI:51)
Governmental immunity for Y2K computer errors.

Grants immunity to the state of Indiana, a political subdivision, and any employee of the state or a political subdivision from tort and contract liability that is caused by an error resulting from or caused by a failure to recognize the year 1999, 2000, or a subsequent year, including an incorrect date or incorrect mechanical or electronic interpretation of a date that is produced, calculated, or generated by a computer, an information system, or equipment using microchips.

SB 95: (LS 6413) Kenley (DI:51)
Motor vehicle stops.

Allows a law enforcement officer who is not in uniform or operating a marked police car to make a traffic arrest involving a felony or a misdemeanor that involves a breach of the peace.

SB 96: (LS 6314) Kenley (DI:51)
Credit time for inmates.

Allows a person confined by the department of correction to earn additional credit time for the completion of a vocational education

program or substance abuse program approved by the department. Repeals a provision that allows a trial court to reduce the sentence of an offender who completes a vocational education program, a substance abuse program, or another educational program other than one leading to a GED, a high school degree, an associate's degree, or a bachelor's degree.

SB 97: (LS 6331) Kenley (DI:2)
Public school scholarship program.

Establishes a public elementary and secondary school scholarship program. Allows the parent of a public school student to request a scholarship for the student to enroll in: (1) a different public school in the student's base school corporation; or (2) a public school in a different school corporation. Requires the receiving principal and superintendent to jointly agree to enroll a scholarship student. Allocates public funds for students who select a new school corporation, in a manner that counts a scholarship student in the ADM of the student's base school corporation, gives 50% of the state aid for that student to the receiving school corporation, and makes the parent responsible for costs of attendance that exceed the amount of the scholarship. Requires the parent to provide student transportation. Requires a school corporation that enrolls a scholarship student to determine whether to continue to enroll the student for the following year. Provides that the laws concerning transfer students, including court ordered transfer students, do not apply to a student who attends a public school outside the student's base school corporation under the scholarship program. Prohibits enrollment of a scholarship student

that negates compliance with certain court orders. Provides for administration of the program by the department of education.

SB 98: (LS 6548) Meeks R (DI:2)
Sampling alcoholic beverages.

Provides that alcoholic beverage retailers may allow customers to sample limited quantities of wines (if the retailer holds a two-way permit) or wines, liquors, liqueurs, and cordials (if the retailer holds a three-way permit) on the retailer's premises and during regular business hours. Provides that package liquor stores may allow customers to sample limited quantities of liquors at the store during regular business hours.

SB 99: (LS 6562) Meeks R (DI:71)
Driving in the left lane.

Makes it a Class C infraction for a vehicle to be driven continuously in the left lane of a laned roadway if it impedes the flow of other traffic. Requires a person who drives a vehicle in the left lane of a roadway that impedes the flow of traffic to move the vehicle to the right lane when the movement can be made with safety.

SB 100: (LS 6116) Meeks R (DI:73)
Property tax levy appeal for jail funding.

Allows Noble County to petition the state board of tax commissioners to increase the county's property tax levy in excess of its maximum permissible levy if the local government tax control board finds that the county needs the increase to meet the county's share of the costs of operating a jail or juvenile detention center opened after December 31, 1991.

SB 101: (LS 6517) Skillman (DI:96)
Handgun fee exemption for retired police officers.

Provides that the legislative body of a municipality or county may by ordinance eliminate the payment of a fee for an application for a handgun license by the following officers of the state or of the United States who have been honorably retired by a lawfully created pension board or the equivalent after at least 20 years of service or because of a disability: (1) Police officers. (2) Sheriffs and their deputies. (3) Law enforcement officers. (4) Correctional officers.

SB 102: (LS 6705) Lanane (DI:100)
Rental purchase agreement disclosure requirements.

Provides that an annual percentage rate for purposes of a rental purchase agreement is the sum of interest and other charges stated as an annual percentage rate computed according to the guidelines of the federal Consumer Credit Protection Act. Requires a rental purchase agreement to disclose the annual percentage rate.

SB 103: (LS 6304) Washington (DI:69)
Handgun possession.

Adds the possession of a handgun to the statute prohibiting the carrying of a handgun without a license.

SB 104: (LS 6370) Washington (DI:87)
St. Joseph County annexation.

Joseph County annexation. Eliminates the annexation procedures in St. Joseph County that require a court to order an annexation not to take place if: (1) the area already has

adequate police and fire protection and street and road maintenance from a provider other than the municipality seeking annexation; (2) the annexation will have a significant financial impact on the residents or landowners of the area; and (3) the annexation is opposed by a majority of the owners of land in the territory proposed to be annexed or by the owners of more than 75% in the assessed valuation of the land in the territory proposed to be annexed.

**SB 105: (LS 6305) Washington (DI:69)
Misdemeanant transfer from correctional facilities.**

Provides that whenever state correctional facilities are filled to capacity with felons: (1) a county may not commit a misdemeanor to a state correctional facility; (2) a county may not receive a per diem for a misdemeanor committed to the county jail or another local sentencing option because a state correctional facility is unavailable; (3) a misdemeanor confined by a state correctional facility may be returned for confinement by the county that committed the misdemeanor to the state correctional facility; and (4) a county will be charged a per diem for each misdemeanor transferred to a state correctional facility or rejected by the county for transfer back to the county correctional facility after the county has received notice of the unavailability of space in state correctional facilities. Allows a county to transfer misdemeanants and receive per diem when the county receives notice that space is available in the state correctional facility.

**SB 106: (LS 6342) Washington (DI:51)
Six member jury for a Class C felony.**

Provides that a six person jury must be used in a criminal trial for a Class C felony unless the defendant and prosecuting attorney agree to a number of jurors that is more than six and less than 13.

**SB 107: (LS 6478) Waterman (DI:44)
Increase in public employee pensions**

Provides that the multiplier used in calculating PERF or TRF pension benefits for retirees is 1.1% plus an additional 0.02% for each year of service in excess of ten years, with a maximum multiplier of 1.5%. (Current law provides that the multiplier is 1.1%.)

**SB 108: (LS 6545) Lawson C (DI:75)
Political party officers.**

Specifies that a political party office is not an office under Article 15 of the Constitution of the State of Indiana. Provides that an appointed precinct committeeman or vice committeeman may participate in a caucus to fill an early candidate vacancy if the committeeman or vice committeeman was a committeeman or vice committeeman 30 days before the vacancy occurred. Provides that voting by proxy may not be used in a caucus to fill a vacancy in a legislative office. Provides that an appointed precinct committeeman may participate in a caucus to fill a vacancy in a legislative office if the precinct committeeman was a precinct committeeman 30 days before the vacancy occurred. Provides that vice committeemen may participate in a caucus to fill a vacancy in an office.

SB 109: (LS 6541) Lawson C (DI:75)
Various elections matters.

Makes the following changes in election law: (1) Amends the definition of "auxiliary party organization". (2) Allows a precinct election officer to be appointed by a county election board when a county chairman fails to nominate an individual for the precinct office. Removes references to the officer being "of the opposite political party" in other statutes that do not recognize this procedure. (3) Permits a county chairman to nominate, and a county election board to appoint, a precinct election officer to serve a term that expires at noon, or begins at noon, on election day. (Current law does not provide for the appointment of a precinct election officer for a part of an election day.) (4) Provides that an employee of or volunteer in a county voter registration office or a city or town office providing full service voter registration may not engage in certain activity prohibited by current law in other full service voter registration offices. (5) Provides that a person convicted of a crime and imprisoned before conviction and sentenced to serve time in prison is deprived of the right of suffrage as are persons who are convicted of a crime and imprisoned after conviction. (6) Requires a person who requests 10,000 or more voter registration forms to submit a voter registration program plan. (Current law states the co-directors of the election division may require submission of a plan.) (7) Requires that a person preparing an absentee ballot application for a voter state the voter's name on the absentee ballot application. (8) Makes changes relating to challenging the eligibility of an individual to be a candidate. (9) Makes technical changes in statutes relating to

filing petitions of nomination and the filing of certificates of nomination of candidates and certificates of election of delegates to party conventions. (10) Makes several changes in campaign finance law, including the following: (a) Provides that campaign finance reporting requirements do not apply to candidates for a local office that has an annual compensation of less than \$10,000. (Current law states the annual compensation threshold is \$5,000.) (b) Provides for administrative disbanding of a committee. (c) Makes various changes regarding filing campaign finance reports. (d) Repeals the existing large contribution reporting statute and replaces it with a large contribution statute based on federal law. Provides that a large contribution report may be filed by fax. (e) Provides for the application of campaign finance laws to individuals who fill candidate vacancies. (f) Requires electronic submission of campaign finance reports to conform to formats approved by the election commission and other standards. (g) Specifies campaign finance report filing deadlines. (h) Provides that the campaign finance computer data base must have campaign finance reports for calendar years 1997 and 1998 in searchable and digital form, and the reports must be available on the Internet after December 31, 1998, but before January 1, 2000. (i) Specifies that legislative caucus committees and national party affiliate committees are political action committees through December 31, 1997. (j) Specifies reporting requirements under the 1997 campaign finance amendments for reports required during 1997. (k) Repeals the definition of national party affiliate committee and another obsolete statute. (11) Makes changes to the formatting of ballots, including removing the requirement that a

political party device must be printed on the primary election ballot for the party. (12) Makes several changes in election challenge, recount, and contest procedures, including payment of recount and contest expenses. Makes an annual appropriation from the state general fund to the state recount commission of amounts necessary to pay expenses of recounts. (13) Provides that a criminal statute providing penalties for certain actions to influence a voter applies to the same actions intended to influence a candidate. (14) Provides that an appointed deputy of a person who holds a local office does not hold a lucrative office. (15) Makes technical changes in filings of declarations of candidacy and statements of economic interests by candidates for judicial offices. (16) Provides that a reference in an ordinance to the boundary of a political subdivision, a precinct boundary, or an election district boundary refers to the precinct or boundary as the precinct or boundary existed on the date of adoption of the ordinance. (17) Makes other technical changes in election law. (18) Appropriates \$10,000 from the state general fund to the state recount commission to pay claims timely submitted for reimbursement of expenditures for an election recount or contest conducted by the commission after January 1, 1986, and before January 1, 1999. Provides that such a claim must be submitted not later than noon August 1, 1999. (19) Repeals a statute relating to voter registration applications of individuals less than 18 years of age. Repeals statutes relating to ballot messengers. Repeals obsolete statutes.

SB 110: (LS 6074) Howard (DI:69)
Hate crimes.

Requires law enforcement agencies to: (1) collect information concerning crimes that are apparently directed at an individual or a group because of the individual's or group's race, color, religion, sexual orientation, or national origin; and (2) submit the information to the Indiana central repository for criminal history information. Requires the Indiana central repository for criminal history information to submit a compiled report of this information to each law enforcement agency. Allows an individual who suffers a pecuniary loss as a result of: (1) being injured; or (2) having property damaged or destroyed by another individual; because of the individual's race, color, religion, sexual orientation, or national origin to bring a civil action against the individual who caused the loss. Defines bias crime offender. Requires a court, when sentencing an individual who has committed a crime motivated by a bias against another individual's race, color, religion, sexual orientation, or national origin, to impose an additional fixed term of imprisonment not to exceed five years.

SB 111: (LS 6501) Howard (DI:51)
Unsolicited e-mail advertising.

Prohibits a registered user of an electronic mail service provider from using or causing to be used the provider's equipment located in Indiana in violation of the provider's policy prohibiting or restricting the use of its equipment for the initiation of unsolicited electronic mail advertisements. Prohibits a person from using or causing to be used, by initiating an unsolicited electronic mail advertisement, an electronic mail service provider's equipment located in Indiana in violation of the provider's policy prohibiting

or restricting the use of its equipment to deliver unsolicited electronic mail advertisements to its registered users. Allows an electronic mail service provider whose policy is violated to bring a civil action to recover damages. Allows the court to award reasonable attorney's fees to a prevailing party in that action. Makes delivery of an unsolicited electronic mail advertisement a deceptive act if the advertisement is sent after the recipient has notified the sender not to send further advertisements, the advertisement fails to include certain information, or the advertiser fails to provide a return electronic mail address or toll free telephone number where a recipient of the advertisement may contact the advertiser.

SB 112: (LS 6108) Howard (DI:76)
Sentencing for drug offenses.

Enhances various penalties for possessing controlled substances, counterfeit substances, cocaine, narcotic drugs, marijuana, hash oil, or hashish so that a person who possesses the drugs may be subjected to a penalty that is as serious as if the person had been dealing the drugs. Enhances the penalty for visiting a common nuisance from a Class B misdemeanor to a Class D felony, which is the same penalty for maintaining the common nuisance. Repeals a provision that allows for a conditional dismissal of a case in which a person pleads guilty to possessing marijuana or hashish provided that the person has no previous convictions for offenses relating to controlled substances. (A similar provision allowing for the conditional dismissal of the case if the person is dealing in marijuana or hashish does not exist.) Makes conforming

changes.

SB 113: (LS 6484) Breaux (DI:77)
Post-kidney transplant maintenance drugs.

Establishes the post-kidney transplant program within the state department of health. Requires the post-kidney transplant program to pay for the costs of immunosuppressive drugs of eligible kidney transplant patients that: (1) are not paid by other entities; and (2) meet the criteria established by the state department of health.

SB 114: (LS 6532) Paul (DI:96)
Pearl Harbor survivor registration plates.

Eliminates the requirement that at least 2,000 of the Pearl Harbor survivor license plates must be sold or renewed before January 1, 2001, or the organization's special group license plate authorization would be terminated. Requires the bureau of motor vehicles to design and issue license plates for a vehicle that designates the vehicle as being registered to a Pearl Harbor survivor.

SB 115: (LS 6493) Gard (DI:87)
Annexation.

Specifies the information that must be contained in an ordinance of an annexation initiated by a municipality. Provides that a county auditor shall forward a copy of an annexation ordinance to the secretary of state. Provides that an annexation does not take effect until a copy of the annexation ordinance is filed with the secretary of state. Requires the county auditor to notify the secretary of state of the date an annexation ordinance or a disannexation becomes effective. Provides that the secretary of state

must receive various filings and notices concerning a disannexation proceeding. Provides that the township trustee must receive a notice of an annexation or a disannexation. Provides that certain annexation filing requirements are satisfied if annexation is entered by the county auditor on the property tax records as having become effective on or after July 1, 1997, and before July 1, 1999. Provides that certain disannexation filing requirements are satisfied if the disannexation order is filed with the circuit court clerk on or after July 1, 1997, and before July 1, 1999.

SB 116: (LS 6414) Gard (DI:2)
Library cards for certain students.

Provides that a library board may charge a reduced fee or not charge a fee for a local library card that is issued to an Indiana resident who is not a resident of the library district but is: (1) enrolled in a nonpublic school that is located in the library district; or (2) a home schooled resident of the county where the library district is located. (Current law makes this provision for students of public school corporations that are located at least in part in the library district.)

SB 117: (LS 6489) Gard (DI:87)
Annexation remonstrance period.

Provides that an annexation ordinance takes effect at least 120 days after its publication and filing. (Current law provides that an annexation ordinance takes effect at least 60 days after publication and filing.) Allows landowners to file a remonstrance petition not later than 120 days after the publication of an annexation ordinance. (Current law

allows landowners to file a remonstrance petition not later than 60 days after the publication of an annexation ordinance.)

SB 118: (LS 6488) Gard (DI:87)
County approval of annexation ordinance.

Provides that after an annexation ordinance is adopted by a municipality, the ordinance must be approved or denied by the county executive of the county where the territory is located. Provides that if the county executive denies the ordinance, the municipality may not make further attempts to annex the territory for two years after the denial of the ordinance.

SB 119: (LS 6490) Gard (DI:87)
Annexation.

Provides that if a municipality attempts unsuccessfully to annex territory, the municipality may not make further attempts to annex the territory for five years. (Current law provides that if a municipality attempts unsuccessfully to annex territory, the municipality may not make further attempts to annex the territory for two years.)

SB 120: (LS 6730) Zakas (DI:13)
Vehicle Bill.

SB 121: (LS 6732) Zakas (DI:13)
Vehicle Bill.

SB 122: (LS 6733) Zakas (DI:13)
Vehicle Bill.

SB 123: (LS 6303) Miller (DI:75)
Legislative study committees and commissions.

Establishes a fixed number of specified legislative study committees. Requires a

legislative study to be assigned to one of the legislative study committees. Provides that a legislative study committee consists of 12 members, six appointed from each house of the general assembly and equally divided between the political parties. Provides that the president pro tempore of the senate and the speaker of the house of representatives may each appoint two additional members to a study committee. Requires that the members of a legislative study committee must be appointed from the standing committee of each house that has subject matter jurisdiction over the subject matter of the study. Provides general procedures for the operation of a legislative study committee. Repeals existing statutory study committees. Makes conforming amendments.

SB 124: (LS 6390) Miller (DI:88)
Grandfathering of employees.

Requires the social worker, marriage and family therapist, and mental health counselor board to license an individual as a mental health counselor, social worker, or clinical social worker, as appropriate, if the individual meets the following criteria: (1) Is employed by the office of the secretary of family and social services, the department of correction, or the state department of health on January 1, 1999. (2) Is employed within certain job classifications. Requires individuals who receive a license under these criteria to comply with current laws regarding license renewal, reinstatement of an invalid license, and informing the board when the individual retires.

SB 125: (LS 6510) Miller (DI:77)
Traumatic brain injury waiver.

Requires the office of Medicaid policy and planning to seek a home and community based services traumatic brain injury waiver. Requires the office of Medicaid policy and planning to apply for an amendment to the federal waiver if any of the specified services, the eligibility requirements, or the number of traumatic brain injury individuals to be served by the waiver is different in the approved waiver from those specified in this act. (The introduced version of this bill was prepared by the select joint committee on Medicaid oversight.)

SB 126: (LS 6417) Miller (DI:97)
Coverage for breast and prostate cancer screening.

Requires group insurance for public employees, group insurers, and health maintenance organizations to provide the following: (1) Annual prostate specific antigen screening to a man who is at least 40 years of age or whose treating physician determines screening is medically necessary. (2) An annual mammography to a woman who is at least 40 years of age. (Current law mandates offering this coverage only if the woman is at least 50 years of age or a woman at risk.) Requires group insurance for public employees, group insurers, and health maintenance organizations to provide for additional mammography views necessary for a physician to make a proper evaluation and for ultrasound services if those services are determined to be medically necessary by the insured's or enrollee's treating physician.

SB 127: (LS 6315) Miller (DI:98)
Family and social services evaluation committee.

Extends the current administrative structure

of the office of the secretary of family and social services until July 1, 2002. (Current law provides for the expiration of the administrative structure on July 1, 1999.) Creates the family and social services evaluation committee. Requires the committee to study issues relating to the administrative structure of the office of the secretary of family and social services. Provides that the committee consists of eight members and operates under the guidelines of the legislative council. Requires the committee to issue a final report to the legislative council not later than December 1, 2001. Requires the office of the secretary of family and social services to implement methods to facilitate the payment of providers and to submit a report to the legislative council regarding such methods before July 1, 1999.

SB 128: (LS 6547) Miller (DI:88)
Mandatory HIV testing of pregnant women and newborns.

Requires that each pregnant woman be tested for the antibody or antigen to the human immunodeficiency virus (HIV) during pregnancy. Requires a physician who diagnoses a woman's pregnancy to take a sample of blood at the time of diagnosis and submit each sample to an approved laboratory for a standard serological test for HIV. Requires a person other than a licensed physician who attends a pregnant woman, but who is not permitted by law to take blood specimens, to cause a sample of the pregnant woman's blood to be taken by a licensed physician, who must then submit the sample to an approved laboratory for an HIV test. Requires that a blood sample for an HIV test be taken from a woman at the

time of delivery if there is no written evidence that the woman was tested for HIV during her pregnancy. Requires that a blood sample be taken from a newborn infant for HIV testing if the newborn infant's mother has not been tested for HIV. Requires that information pertaining to the woman's HIV testing status be included on each birth certificate or stillbirth certificate. Requires that a pregnant woman be told of all available treatment options if the pregnant woman has a positive HIV test. Requires the individual who orders an HIV test to tell the pregnant woman that the purpose of the test is to protect the health of her unborn child. Repeals a law pertaining to voluntary HIV testing for pregnant women. Requires the state department of health to develop and distribute written materials explaining treatment options for individuals who have a positive test for HIV.

SB 129: (LS 6313) Miller (DI:51)
Rulemaking oversight.

Requires the administrative rules oversight commission to review rules, including emergency rules, that are filed with the secretary of state. Provides for a study of ways in which to give the general assembly more time to review rules before the rules become effective.

SB 130: (LS 6392) Miller (DI:88)
Board of health facility administrators.

Increases from six to eight the number of members of the Indiana state board of health facility administrators who must be present at a meeting to constitute a quorum of the board. Increases from two to three the number of health facility administrator

members on the board who must be present to constitute a quorum of the board. (Reflects the change made during the 1998 legislative session increasing the overall membership on the board from 11 to 14.)

SB 131: (LS 6767) Miller (DI:13)
Vehicle Bill.

SB 132: (LS 6768) Miller (DI:13)
Vehicle Bill.

SB 133: (LS 6769) Miller (DI:13)
Vehicle Bill.

SB 134: (LS 6079) Meeks R (DI:73)
Income tax deductions.

Removes a provision that prohibits a person who is at least 65 years of age from receiving the adjusted gross income tax deduction for disability income.

SB 135: (LS 6652) Meeks R (DI:87)
Industrial development program.

Provides that a Class 2 or a Class 3 railroad is an eligible entity for loans from the industrial development fund. Provides that an industrial development program includes the construction, extension, or completion of railroad infrastructure

SB 136: (LS 6546) Meeks R (DI:75)
Sale of alcoholic beverages on election day.

Removes the prohibition against the sale of alcoholic beverages on election day.

SB 137: (LS 6058) Meeks R (DI:73)
Property tax exemptions.

Provides that the property tax exemption for

certain property that is stored in Indiana for shipment to an out-of-state destination and is in its original package also applies to property that is not stored in its original package if packaging is not practical until receipt of a final customer order.

SB 138: (LS 6644) Meeks R (DI:44)
Authority to claim doctorate degree or title.

Eliminates the authority of certain professional licensing boards to authorize an individual to claim to have a doctorate degree or to use a title associated with a doctorate degree.

SB 139: (LS 6651) Meeks R (DI:87)
Industrial development grant fund.

Provides that a Class 2 and a Class 3 railroad are eligible entities for purposes of the industrial development grant fund. Adds construction, extension, or completion of rail infrastructure to the projects that may be the subject of an economic development program.

SB 140: (LS 6734) Meeks R (DI:87)
Distribution of sales taxes.

Reduces the percentage of sales tax paid into the state general fund by one-tenth percent. Increases the percentage of sales tax deposited into the industrial rail service fund by one-tenth percent.

SB 141: (LS 6724) Meeks R (DI:73)
Appropriation to the railroad grade crossing fund.

Appropriates \$1,000,000 from the state general fund to the railroad grade crossing fund.

SB 142: (LS 6725) Meeks R (DI:73)
Appropriation to the industrial rail service fund.

Appropriates \$5,000,000 from the state general fund to the industrial rail service fund.

SB 143: (LS 6743) Meeks R (DI:44)
Legislators' pensions.

Provides that a legislator who: (1) completed service in the general assembly before April 30, 1989; (2) served at least ten years as a member of the general assembly; and (3) is not a member of another public retirement fund, may participate in the defined benefit plan of the legislators' retirement system.

SB 144: (LS 6224) Riegsecker (DI:92)
Objections to accounting in probate proceedings.

Removes the deadline for filing objections to the personal representative's final account. Provides that the date of publication of the notice of the final account must be at least 14 days before the date set for hearing on the final account.

SB 145: (LS 6321) Riegsecker (DI:51)
Court fees for document management.

Allows a county, city with a city court, or town with a town court to impose a document storage fee or an automated record keeping fee, or both, in all civil, criminal, infraction, and ordinance violation cases. Provides that the fees are to be deposited in the clerk's record perpetuation fund.

SB 146: (LS 6307) Riegsecker (DI:51)
Courts in Elkhart County.

Provides for one additional magistrate to be jointly appointed by the Elkhart circuit court and Elkhart superior court.

SB 147: (LS 6207) Riegsecker (DI:88)
Pharmacist's conscience clause.

Provides that a pharmacist is not required to perform an act or to refrain from performing an act that the pharmacist objects to on the basis of: (1) professional duty; or (2) a matter of conscience on ethical, moral, or religious grounds. Provides that a pharmacist's refusal to act or to refrain from performing an act may not be used as the basis for the following: (1) A claim for damages against the pharmacist or the pharmacy where the pharmacist works. (2) A disciplinary, recriminatory, or discriminatory action against the pharmacist.

SB 148: (LS 6229) Riegsecker (DI:75)
Daylight savings time.

Requires Indiana to observe daylight savings time throughout the state.

SB 149: (LS 6383) Waterman (DI:92)
Payments in lieu of property taxes.

Requires the department of natural resources to make a semi-annual payment in lieu of property taxes (PILOT) for land owned or leased by the department of natural resources, except for land used as a state park. Allows the legislative body of a county and the board of directors of a conservancy district to collect a PILOT. Provides that for purposes of calculating a PILOT, the land is considered to have an assessed value of \$165 per acre. Makes an appropriation for a PILOT from the state general fund.

SB 150: (LS 6558) Wyss (DI:69)
Property tax deductions for disabled veterans.

Allows a disabled veteran to qualify for certain property tax deductions if the veteran's disability is evidenced by: (1) a pension certificate, an award of compensation, or a disability compensation check issued by the United States Department of Veterans Affairs; or (2) a certificate of eligibility issued to the veteran by the Indiana department of veterans' affairs after the Indiana department of veterans' affairs has determined that the veteran's disability qualifies the veteran to receive a deduction. (Current law does not allow a veteran's disability to be evidenced by a certificate of eligibility issued by the Indiana department of veterans' affairs.) (The introduced version of this bill was prepared by the military and veterans affairs commission.)

SB 151: (LS 6437) Washington (DI:51)
Hate crime as an aggravating circumstance.

Makes commission of a crime because of the disability, race, color, religion, sexual orientation, or national origin of the victim an aggravating circumstance that may be considered by a judge when the judge imposes a sentence for the crime.

SB 152: (LS 6473) Washington (DI:51)
Hate crimes.

Requires law enforcement agencies to collect and report information concerning crimes in which the victim was selected because of the victim's color, creed, disability, national origin, race, religion, sexual orientation, or sex. Requires the Indiana central repository for criminal history information to submit a compiled report of this information to each

law enforcement agency. Makes commission of a crime because of the color, creed, disability, national origin, race, religion, sexual orientation, or sex of the victim an aggravating circumstance that may be considered by a judge when the judge imposes a sentence for the crime. Expands the scope of the offenses relating to civil rights to include violations directed at a person because of the person's sexual orientation.

SB 153: (LS 6655) Gard (DI:97)
Insurance coverage of mail order and Internet pharmacies.

Allows insurers to designate a mail order or Internet pharmacy to provide prescription drugs to an insured. Prohibits an insurer from requiring as a condition of coverage that an insured purchase prescription drugs from a designated mail order or Internet pharmacy. Prohibits an insurer from applying a financial penalty if an insured does not purchase prescription drugs from a designated mail order or Internet pharmacy.

SB 154: (LS 6628) Gard (DI:78)
Transportation of high level radioactive waste.

Requires a person who wishes to transport high level radioactive waste in Indiana to submit to the director of the state emergency management agency: (1) a notice that includes the highway or railway route, date, and time of the shipment of high level radioactive waste and certain other information required under federal law; and (2) a transportation fee of \$1,000 for each vehicle and railroad car that will be used to transport high level radioactive waste in Indiana. Specifies that transportation fees are deposited in the nuclear response fund to

provide appropriate education, training, and equipment to local emergency management agency personnel in counties that will be affected by the transportation of high level radioactive waste. Requires the director of the state emergency management agency to consult with: (1) the state health commissioner of the state department of health; (2) the commissioner of the Indiana department of transportation; (3) the commissioner of the department of environmental management; (4) the director of the department of natural resources; (5) the superintendent of the state police department; and (6) representatives of the United States Nuclear Regulatory Commission, Federal Emergency Management Agency, United States Department of Energy, and United States Department of Transportation to prepare a plan for emergency response to a high level radioactive waste transportation accident in Indiana. Allows the director of the state emergency management agency to require preferred highway routes, dates, or times for transporting high level radioactive waste in Indiana under certain circumstances. Requires the director of the state emergency management agency to prepare before July 1, 2000, the initial plan for emergency response to a high level radioactive waste transportation accident in Indiana.

SB 155: (LS 6387) Wheeler (DI:51)
Huntington superior court personnel.

Authorizes the Huntington superior court to appoint a referee and other personnel.

SB 156: (LS 6563) Wheeler (DI:100)
Insurer notice concerning auto body parts.

Requires an insurer to give notice to an

insured regarding body parts to be used in repair if the make of the motor vehicle being repaired is a current motor vehicle model year or the immediate two preceding model years.

SB 157: (LS 6687) Wheeler (DI:75)
Leasing of state property.

Requires any facility used by the news media that is located on state owned or state leased property to be leased from the state by the news media.

SB 158: (LS 6726) Wheeler (DI:96)
Drive tests for driver's license applicants.

Defines a "drive test" as a bureau of motor vehicles, approved examination given either by: (1) a commercial driver training school instructor or a high school driver training instructor for the purpose of determining whether a student has sufficient physical and mental ability to operate a motor vehicle to qualify for a driver's license; or (2) a state driver examiner or a certified motorcycle operational examiner for the purpose of determining whether an applicant has sufficient physical and mental ability to operate a motor vehicle to qualify for a new or renewal driver's license. Changes the references to "operational" and "operating skills" tests for a motorcycle operator's license to "drive tests". Requires the bureau to waive a drive test for a student who passes both a driver education class and a drive test given by: (1) a commercial driver training school; or (2) an instructor holding a driver and traffic safety endorsement from the Indiana professional standards board.

SB 159: (LS 6720) Bray (DI:69)
Bail requirements.

Allows a court that admits a defendant to bail to require the defendant to: (1) execute a bail bond with sufficient solvent sureties; (2) deposit cash or securities in an amount equal to the bail; (3) execute a bond secured by real estate where thirty-three hundredths of the true tax value less encumbrances is at least equal to the amount of the bail; (4) post a real estate bond; or (5) perform any combination of these requirements. Provides that if a court requires a defendant to: (1) deposit cash or securities in an amount equal to the defendant's bail; or (2) execute a bail bond by depositing cash or securities with the clerk of the court in an amount not less than 10% of the defendant's bail, the court shall require the defendant to execute an agreement that allows the court to retain all or a part of the cash or securities to pay publicly paid costs of representation and fines, costs, fees, and restitution the court may order the defendant to pay if the defendant is convicted.

SB 160: (LS 6528) Skillman (DI:78)
State park fees for disabled persons.

Requires the department of natural resources to provide a discount of 50% on the fee for an annual pass to the state parks if the pass is issued to a resident of Indiana who possesses a valid license plate, decal, or parking placard issued by the bureau of motor vehicles to persons with physical disabilities, or who is certified to be blind, visually impaired, or severely and permanently restricted due to illness. Requires the department of natural resources to provide a discount of 50% on the fee for single day admission to a state park for all the occupants of a motor vehicle that is designated with a valid license plate, decal, or parking placard issued by the bureau of motor vehicles for a person with a physical

disability.

SB 161: (LS 6639) Mills (DI:44)
Lottery distributions to police and fire pensions.

Increases from \$10,000,000 to \$20,000,000 the amount of lottery revenue that is annually distributed to the pension relief fund for police and fire pension funds.

SB 162: (LS 6022) Mills (DI:44)
Abolish capital projects review committee.

Provides that townships are eligible applicants for purposes of projects to be funded from the state and local capital projects account of the build Indiana fund. Repeals the statute establishing the Indiana capital projects review committee and other statutes setting forth the committee's powers and procedures. Makes conforming amendments.

SB 163: (LS 6728) Lawson C (DI:94)
Distressed road fund.

Allows a county with a population of not more than 50,000 to apply to the distressed road fund for financial assistance to repair roads if the county has met all requirements. (Current law provides that only counties with more narrowly specified population parameters may apply to the distressed road fund.) Appropriates \$4,000,000 from the state general fund to the distressed road fund.

SB 164: (LS 6716) Lawson C (DI:98)
Child support emancipation.

Provides that a child is emancipated if a court finds that the child has reported for active duty in the United States armed

services unless the child will be returning to school after reporting for active duty for basic training or advanced individual training.

(Current law provides that a child is emancipated if a court finds that the child has joined the United States armed services.)

Makes other changes to provide the same criteria for emancipation in paternity cases as are currently allowed in dissolution of marriage cases.

SB 165: (LS 6505) Alexa (DI:69)
Serious violent felons and firearms.

Makes possession of a firearm by a serious violent felon a Class B felony. Repeals the current law pertaining to possession of a firearm by a person convicted of a felony.

SB 166: (LS 6654) Gard (DI:73)
CEDIT revenue for library property tax replacement.

Allows Hancock County to use county economic development income tax revenue for purposes of replacing public library property taxes.

SB 167: (LS 6492) Long (DI:87)
Terms and conditions of annexations.

Requires (rather than allows) municipalities to include certain terms and conditions in an annexation ordinance. Requires (rather than allows) municipalities to impound certain property taxes collected from annexed territory. Requires that the impounded taxes must be used to provide additional services not specified in the annexation plan. Provides that a municipality: (1) that adopts an annexation ordinance before July 1, 1999; (2) that proves the establishment of a fiscal plan before July 1, 1999; and (3) whose

annexation ordinance is effective after July 1, 1999, is not required to amend its ordinance or fiscal plan but is required to: (1) create terms and conditions of the annexation fairly calculated to make the annexation equitable to the property owners and residents of the municipality and the annexed territory; and (2) with regard to territory that meets certain population and subdivision requirements, impound in a special fund all of the municipal property taxes imposed on the annexed territory for at least three years after the annexation takes effect.

SB 168: (LS 6491) Long (DI:87)
Annexation and noncapital services.

Allows an annexed area, subject to certain requirements, to retain the fire protection, police protection, or emergency medical services that served the area before the annexation. Allows a municipality to adopt two fiscal plans that establish that the municipality: (1) either will not provide fire protection and police protection or will not provide fire protection, police protection, and emergency medical services to the annexed area; and (2) will provide police protection, fire protection, and emergency services to the annexed area. Provides that if a remonstrance is not filed, the plan providing for less than full implementation of noncapital services will take effect. Provides that the annexed area is not responsible for the costs and indebtedness, including pension liability, of the noncapital services not provided by the municipality to the annexed area. Provides that if a remonstrance is filed, the court may consider only the fiscal plan providing for a full implementation of noncapital services.

Allows the annexed area to file a petition to retain police protection, fire protection, or emergency medical services, or any combination of these services after an annexation is effective. Requires a petition to retain noncapital services to be signed by 51% of owners of land in the annexed area or the owners of 75% of the total assessed value of the land for property tax purposes. Provides for a hearing within 60 days of the date the petition is filed. Requires the court to find in favor of retention of services if 51% of the owners of land in the annexed area or the owners of 75% of the total assessed value of the land for property tax purposes support retention of the services specified in the petition. Provides that an annexed area that retains fire, police, or emergency medical services is not responsible for costs or indebtedness, including pension liability, from the municipality's provision of the noncapital services specified in the petition. Requires the municipality to amend its fiscal plan to reflect the court's judgment on the petition. Requires the municipality to submit the amended fiscal plan to the court. States that a petition to retain fire, police, or emergency medical services is not an appeal of the annexation. Provides that a person may file a complaint for the failure of a municipality to implement a fiscal plan not later than one year after the termination of all judicial and appellate review of a petition to retain noncapital services. Provides that the one year period for a municipality to provide police protection, fire protection, and emergency medical services begins on: (1) the date the period expires for filing a petition to retain noncapital services if a petition is not filed; or (2) the date of disposition of all judicial and appellate review of a petition to retain noncapital services.

SB 169: (LS 6388) Long (DI:51)
Study of charitable contribution tax incentives.

Establishes the commission on community renewal to study issues related to encouraging contributions to charitable organizations.

SB 170: (LS 6702) Adams K (DI:58)
Language assistance program grants.

Provides a \$750 per pupil grant to school corporations for a language assistance program.

SB 171: (LS 6789) Paul (DI:94)
Payment of county expenses.

Allows a county executive to adopt an ordinance allowing the county auditor to pay certain expenses before the claim is reviewed by the county executive. Requires that every payment made in advance must have an itemized bill or invoice and a certification by the county auditor. Requires that each expense paid must be approved by the county executive at the next meeting of the county executive. Makes conforming amendments.

SB 172: (LS 6464) Paul (DI:92)
Inheritance tax appraiser.

Allows a county assessor to contract with another county assessor to serve as the county inheritance tax appraiser for the county.

SB 173: (LS 6463) Paul (DI:92)
Safe deposit boxes and inheritance tax.

Provides that a county assessor or the department of state revenue is not required

to examine the safe deposit box of an individual who dies after June 30, 1999. Provides that a person who has possession of or control over a safe deposit box belonging to an individual who dies after June 30, 1999, is not required to provide notice to the county assessor or the department of state revenue before the box is opened. Repeals provisions relating to the duties of the county assessor and the department of state revenue concerning safe deposit boxes.

SB 174: (LS 6604) Zakas (DI:94)
U.S. 31 corridor development.

31 corridor development. Requires the Indiana department of transportation to take the following actions concerning the transportation corridor between St. Joseph County and Marion County: (1) Undertake any additional studies. (2) Undertake any environmental impact statement needed. (3) Determine the right-of-way. (4) Determine the costs of obtaining the right-of-way. Authorizes the Indiana department of transportation to purchase any necessary right-of-way for the improvements. Requires the Indiana department of transportation to prepare an annual report for the governor until the improvements have been completed.

SB 175: (LS 6346) Zakas (DI:101)
Town candidates.

Changes the deadline from September to August for holding a town convention for the nomination of candidates for town offices. Changes the deadline from September to August for filing a declaration of candidacy or a certificate of nomination. Changes the deadline from October to September for a

town election board to rule on the validity of a declaration of candidacy, a petition of nomination, a certificate of nomination, or a declaration of intent to be a write-in candidate. Changes the deadline from August 1 to August 21 for filing a certification of candidates nominated for city or town office by convention.

SB 176: (LS 6568) Ford (DI:78)
State park admission for disabled veterans.

Allows disabled veterans to apply for a Golden Hoosier Passport, which provides a fifty percent discount on the cost of an annual state parks pass. (Under current law, senior citizens and disabled persons eligible for social security benefits are eligible for a Golden Hoosier Passport.)

SB 177: (LS 6806) Long (DI:75)
IURC enforcement authority.

Gives the Indiana utility regulatory commission authority to impose certain penalties on a utility over which the commission has jurisdiction if the utility violates Indiana utility law or fails to comply with an order of the commission or division of the commission. Provides that the commission may impose the following penalties: (1) A civil penalty of not more than \$25,000 for each violation. (2) A cease and desist order. (3) An order that the utility take corrective action to remedy the violation. (4) Revocation or modification of the utility's certificate of territorial authority, certificate of public convenience and necessity, or other permit issued by the commission. Authorizes the attorney general to bring an action to enforce an order of the commission to impose a penalty. Provides

for the deposit of any civil penalties collected under an order issued by the commission in the commission's public utility fund account. Authorizes the commission or a division of the commission to direct a utility to provide service within 24 hours of the direction if the commission or division determines that the provision of utility service is necessary to prevent injury to any person or to alleviate an emergency. Provides that each day that a utility fails to provide service after directed by the commission or a division of the commission is a separate violation for purposes of the commission's authority to impose monetary civil penalties. Repeals a superseded statute relating to the commission's enforcement powers.

SB 178: (LS 6788) Paul (DI:94)
Cemetery rehabilitation grants.

Creates the cemetery rehabilitation grant fund. Provides that the state board of funeral and cemetery service administers and controls the fund. Allows a political subdivision to apply to the fund for a grant to rehabilitate a cemetery. Allows the state board of funeral and cemetery service, subject to budget agency approval, to employ the personnel necessary to efficiently administer the fund. Requires that an applicant for a grant prove financial need and agree to use the grant to rehabilitate a cemetery. Limits grants to \$10,000 or less.

SB 179: (LS 6575) Harrison (DI:13)
Vehicle Bill.

SB 180: (LS 6576) Harrison (DI:13)
Vehicle Bill.

SB 181: (LS 6582) Harrison (DI:13)
Vehicle Bill.

SB 182: (LS 6584) Harrison (DI:13)
Vehicle Bill.

SB 183: (LS 6583) Harrison (DI:13)
Vehicle Bill.

SB 184: (LS 6581) Harrison (DI:13)
Vehicle Bill.

SB 185: (LS 6577) Harrison (DI:13)
Vehicle Bill.

SB 186: (LS 6578) Harrison (DI:13)
Vehicle Bill.

SB 187: (LS 6580) Harrison (DI:13)
Vehicle Bill.

SB 188: (LS 6579) Harrison (DI:13)
Vehicle Bill.

SB 189: (LS 6793) Kenley (DI:92)
Financial institutions tax.

Treats resident financial institutions the same as nonresident financial institutions for purposes of the financial institutions tax by providing that the tax is imposed upon the apportioned Indiana income of financial institutions. (Current law imposes the financial institutions tax on the adjusted gross income of resident financial institutions.)

SB 190: (LS 6670) Kenley (DI:92)
Sales tax exemption for high definition T.V.

Exempts from sales tax the purchase of telecommunications machinery or equipment used to enable a television station to originate and broadcast or to receive and broadcast digital television signals in compliance with federal law.

SB 191: (LS 6416) Kenley (DI:98)
Inspection of radiological machines.

Defines "source of radiation". Requires the state department of health to adopt rules requiring inspections of radiation machines and other sources of radiation by qualified technical personnel who are knowledgeable in the discovery of radiation area incongruities, have at least five years experience in the discovery or control of radiation regulatory noncompliance, and hold certification by the Nuclear Medicine Technology Certification Board. (Current law requires the state department of health to adopt rules regarding inspection of radiation machines, but does not specify who is qualified to make those inspections.)

SB 192: (LS 6907) Kenley (DI:58)
Elimination of school general fund property taxes.

Eliminates the authority of a school corporation to impose a general fund property tax levy for the general operation and maintenance of the school corporation beginning in 2004. Provides a property tax replacement credit for school general fund property taxes in 2000 through 2003 beginning at 20% and increasing by 20% each year. Terminates the authority of: (1) Lake County to impose a property tax for a county supplemental school distribution fund; (2) Dearborn County to impose a property tax for a county school distribution fund; and (3) a school corporation in Lake County to impose a property tax for a supplemental school operating reserve fund. Continues the authority of a school corporation to impose a property tax levy for certain public libraries, nursery schools, historical societies, art associations, cultural institutions, public

playgrounds, and the Children's Museum in Marion County. Provides a method for calculating the amount of financial institution taxes and excise taxes to be distributed to school corporations after the elimination of the school general fund property tax. Recodifies provisions of current law concerning emergency loans to school corporations and the duty of a school corporation to raise sufficient property tax revenues to repay outstanding bonds and other debt payable from the transportation fund, capital projects fund, or debt service fund. Provides that the maximum amount of money that may be loaned to the general fund is computed based on the amount of money available in the general fund rather than the amount of property tax revenue in the fund. Makes related changes.

SB 193: (LS 6459) Borst (DI:71)
University of Central Indiana.

Establishes a commission to evaluate whether an independent, state supported university to succeed Indiana University-Purdue University at Indianapolis (IUPUI) should be established and to investigate and evaluate the delivery of higher education at IUPUI. Requires the commission to submit before July 1, 2000, a report to the governor with the results of the evaluation and investigation and the commission's recommendations.

SB 194: (LS 6259) Borst (DI:73)
Pension relief fund and TRF pension stabilization fund appropriations.

Annually appropriates \$100,000,000 to the pension stabilization fund and \$25,000,000 to the "m portion" of the pension relief fund from the state general fund.

SB 195: (LS 6200) Borst (DI:58)
Phase out of property tax on inventory.

Allows the county fiscal body to phase out the property tax on inventory by allowing assessed value deductions in five increasing gradations over a ten year period. Reduces the property tax levies of all taxing units having assessed value in an adopting county. Allows the county fiscal body to adopt an ordinance imposing an income tax to recover the net property tax revenue lost by the phase out of the property tax on inventory. Provides that the income tax will increase over the ten year period to recover the revenue lost by each increase of the assessed value deduction. Requires the state to distribute revenue to income tax adopting counties to replace property tax replacement credits. Makes an appropriation.

SB 196: (LS 6475) Borst (DI:44)
Homestead credits.

Increases the homestead credit to 20% for calendar years 2000 and 2001 and to 14% in calendar year 2002 and thereafter. (Under current law, the homestead credit is at 10% through 2001 and decreases to 4% beginning in 2002).

SB 197: (LS 6019) Borst (DI:44)
Riverboat admissions tax distributions.

Specifies that the \$0.65 of the riverboat admissions tax that is paid to the Indiana horse racing commission is to be distributed as follows: (1) \$0.23 to breed development funds established by the Indiana horse racing commission. (2) \$0.26 to racetracks approved by the Indiana horse racing commission for purses. (3) \$0.095 to racetracks approved by the Indiana horse racing commission for

purses, promotions, and routine operations of the racetracks. (4) \$0.065 to the Indiana horse racing commission to promote horse racing and the development of the equine industry in Indiana.

SB 198: (LS 6476) Borst (DI:44)
Income tax deduction for the elderly and the blind.

Increases the deduction from adjusted gross income for the elderly and the blind from \$1,000 to \$2,000.

SB 199: (LS 6874) Borst (DI:44)
Appropriation to local road and street account.

Appropriates \$100,000,000 per year for each year of the biennium from the state general fund to the local road and street account. Provides that the appropriation is to be transferred from the state general fund to the local road and street account in monthly installments.

SB 200: (LS 6885) Borst (DI:73)
Appropriation to the pension relief fund.

Appropriates \$100,000,000 from the state general fund to the pension relief fund.

SB 201: (LS 6941) Borst (DI:77)
Emergency animal health and health rules.

Allows the governor, during a disease epidemic in another state, to prohibit the importation of animals or products derived from animals that would be injurious to the health of Indiana's citizens or animals. Provides that if the Indiana state board of animal health determines that a disease presents a definite health hazard: (1) the board may adopt emergency rules; and (2)

the state veterinarian may issue emergency orders. Provides that if the board determines that a disease epidemic will result in a large number of dead animals, the board may adopt emergency rules concerning the disposal of dead animals. Allows the board, when an animal health emergency is declared, to: (1) use any funds appropriated to the board; and (2) request additional funds from the budget agency.

SB 202: (LS 6642) Merritt (DI:44)
Changing a town to a city; utility service boards.

Eliminates the requirement for filing a petition by registered voters before adoption of an ordinance establishing a utility service board. Eliminates the requirement for filing a petition by registered voters before adoption of an ordinance changing a town into a city. (The introduced version of this bill was prepared by the interim study committee on state government issues.)

SB 203: (LS 6405) Merritt (DI:76)
Juvenile justice study committee.

Requests the legislative council to consider establishing a 15 member juvenile justice study commission consisting of legislators and professionals working in the juvenile law area. Requires the commission, if established, to study issues concerning juvenile law, including: (1) modifying the juvenile code to effectively address the rising juvenile crime rate; and (2) examining the delivery of juvenile justice services to delinquent, abused, neglected, and mentally ill children. Provides that the commission operates under the policies and procedures of the legislative council.

SB 204: (LS 6641) Merritt (DI:44)
Internet notice of state meetings and bid lists.

Requires state agencies to provide electronic access to notices of public meetings and invitations to bid on contracts for public works and supplies. (The introduced version of this bill was prepared by the interim study committee on state government issues.)

SB 205: (LS 6320) Merritt (DI:51)
Residency of clerk of the supreme court.

Eliminates the requirement that the clerk of the Indiana supreme court reside in Indianapolis.

SB 206: (LS 6913) Skillman (DI:87)
Locate state government offices in downtown areas.

Provides that the Indiana department of administration shall adopt rules to encourage state agencies to locate leased and state constructed facilities in downtown areas. Provides that the rules adopted by the department shall focus on the following: (1) Local economic considerations. (2) The requirements of the agency. (3) Servicing client needs. (4) The availability of suitable space. (5) Competitiveness in the market place. Requires the rules adopted by the department to give primary consideration to the restoration or reuse, or both of existing structures within a downtown area. Requires the rules adopted by the Indiana department of administration to give secondary consideration to state construction of facilities within a downtown area if the restoration or reuse of existing structures within a downtown area is not determined to be a reasonable alternative by the

department. Requires the Indiana department of administration to adopt rules to implement these provisions not later than January 1, 2001. Provides that not later than July 1 of each year, the Indiana department of administration shall report to the general assembly concerning the implementation of these provisions. Requires the Indiana department of administration to submit the department's first report to the general assembly not later than January 1, 2002.

**SB 207: (LS 6887) Craycraft (DI:73)
1977 pension fund survivor benefits.**

Provides that, for purposes of the 1977 police officers' and firefighters' fund provisions concerning line of duty benefits paid to a survivor, the term "line of duty" also includes any action that a fund member, in the member's capacity as a police officer or firefighter, performs: (1) in the course of controlling or reducing crime or enforcing the criminal law; or (2) while on the scene of an emergency run or on the way to or from the scene. (Current law requires that the member must have been obligated or authorized by rule, regulation, condition of employment or service, or law to perform the action.)

**SB 208: (LS 6810) Craycraft (DI:77)
Drug counselors; employee assistance professionals.**

Allows the health professions bureau to license agencies that certify alcohol and drug abuse counselors. Provides for certification of employee assistance professionals. Defines an "employee assistance professional" as an individual trained to identify and assist employees and their dependents with drug or alcohol related problems or other personal problems that affect the performance of

employees. Provides that matters communicated by a client to an employee assistance professional are privileged information and may not be disclosed except under certain circumstances.

**SB 209: (LS 6828) Craycraft (DI:69)
Late payment fee.**

Allows a court to impose a \$20 late payment fee when court costs, a fine, a civil penalty, or another judgment in a criminal proceeding, infraction proceeding, or a proceeding involving an ordinance violation is not paid by the due date set by the court. Requires the court clerk to collect and forward late payment fees to the appropriate county auditor or city or town fiscal officer for deposit in the general fund of the political subdivision receiving the fees.

**SB 210: (LS 6803) Craycraft (DI:71)
Merging for road construction zone.**

Amends definition of "worksite" to include certain lanes of a highway leading up to an area upon which construction or maintenance activity is being performed on the highway. Provides that after being directed by a sign to merge into another lane because of a worksite, a person who drives a vehicle may not pass another vehicle within the posted no passing zone established by the Indiana department of transportation. Provides that a violation is a Class C infraction and may be subject to an additional fee.

**SB 211: (LS 6800) Craycraft (DI:51)
Allocation of safety belt violation judgments.**

Provides that \$5 of each \$25 fine imposed by a city or town court for a safety belt

violation or another Class D infraction is to be retained by the political division entering the judgment.

SB 212: (LS 6013) Nugent (DI:94)
Conservancy district investments.

Allows the Lawrenceburg conservancy district to invest public funds in municipal securities and equity securities. Allows the Lawrenceburg conservancy district investments to have a maturity of not more than five years. (Current law restricts public funds to investments that have a maturity of not more than two years.)

SB 213: (LS 6042) Nugent (DI:2)
County option fees for natural resources properties.

Allows a county containing all or part of an Indiana state park, reservoir, forest, or recreation area to impose a recoupment fee on each motor vehicle that is admitted to the state park, reservoir, forest, or recreation area. Provides that the recoupment fee may not exceed \$1 per vehicle. Requires the department of natural resources to collect the recoupment fees. Requires the recoupment fees to be used to assist the local unit of government that provides police protection, fire protection, emergency medical services, or road repairs. Provides that a recoupment fee imposed by a county on motor vehicles admitted to a recreation facility that is under a lease arrangement with the United States Army Corps of Engineers must be approved by the United States Army Corps of Engineers before the recoupment fee is collected.

SB 214: (LS 6255) Gard (DI:88)
Regulation of tobacco products.

Repeals a law providing that regulation of the sale, distribution, or display of tobacco products may only be authorized by the general assembly. Makes conforming changes.

SB 215: (LS 6816) Gard (DI:87)
Siting of telecommunications towers.

Allows a municipality or county that exercises or does not exercise planning and zoning powers to regulate the placement, construction, and modification of a telecommunications tower. Provides that if a person must obtain permission: (1) from a zoning authority to place or construct a telecommunications tower in a location where the tower is not a permitted use; or (2) from a local unit to place or construct a telecommunications tower on real property, the person must provide notice by certified mail to each owner of real property that is contiguous to, or not more than 100 feet from, the real property where the tower will be located. Provides additional notice requirements. Specifies that the requirements for telecommunications towers apply to telecommunications towers that are placed, constructed, or modified after May 8, 1999. Provides that a person applying for a permit to place, construct, or modify a telecommunications tower may appeal the decision of the local unit to the Indiana utility regulatory commission. Provides that the law does not affect a person's right under federal law to appeal the decision of the local unit to a court.

SB 216: (LS 6953) Wyss (DI:97)
Termination of participating providers.

Requires that a health maintenance

organization and a limited service health maintenance organization notify an enrollee in writing of the termination of a participating provider seen by the enrollee during the previous year. Requires that a provider contract provide that, at the enrollee's request, a provider must continue to care for an enrollee for up to one year following termination of the provider's contract with a health maintenance organization or limited service health maintenance organization if the termination was not due to a quality of care issue.

SB 217: (LS 6735) Wyss (DI:92)
Homestead credit and certain assessed value deductions.

Provides that an individual owner remains eligible and does not have to file a new statement for certain assessed value deductions and the homestead credit even though other joint owners have been removed.

SB 218: (LS 6729) Wyss (DI:92)
Tax sale surplus fund.

Requires a delinquent taxpayer, before transferring property previously sold at a tax sale, to sign a form that discloses the amount of money in the tax sale surplus fund that the taxpayer will forego by transferring the property. Provides that the person who purchases the property from the delinquent taxpayer may not receive the amount of money in the tax sale surplus fund unless the person is named on the disclosure form.

SB 219: (LS 6989) Lawson C (DI:2)
Home delivery of alcohol.

Provides that alcoholic beverage permittees

who make at-home deliveries of beer, liquor, or wine must obtain: (1) a signed statement from the purchaser stating that the purchaser is at least 21 years of age; and (2) a signed statement from the delivery person stating that the delivery person verified that the recipient is at least 21 years of age and the method the delivery person used to make the verification. Provides that the permittee must retain the statements for one year.

SB 220: (LS 6981) Lawson C (DI:92)
Pearl Harbor survivor license plates.

Requires the bureau of motor vehicles to design and issue license plates for a vehicle that designates the vehicle as being registered to a Pearl Harbor survivor. Removes minimum sales requirements for Pearl Harbor survivor license plates.

SB 221: (LS 6263) Lewis (DI:44)
Appropriation to the Scott County YMCA.

Appropriates \$500,000 from the build Indiana fund to the Scott County YMCA for the construction of a new building.

SB 222: (LS 6401) Lewis (DI:78)
Hunting while intoxicated.

Prohibits hunting while intoxicated. Provides that a person who hunts in Indiana impliedly consents to submit to a chemical test to determine if alcohol is present in the person's blood, breath, urine, or other bodily substance. Provides that a person who hunts with a blood or breath alcohol count of at least 0.10% or while intoxicated commits a Class C misdemeanor. Increases the offense to: (1) a Class D felony if the person has a previous conviction for hunting while intoxicated; or (2) a Class C felony if the

offense results in the death of another person. Permits a court to order a person convicted of hunting while intoxicated not to hunt for one or two years. Provides that a person who hunts after being ordered not to hunt commits a Class A misdemeanor. Permits a court to revoke a person's hunting license for two years if the person has committed a felony offense of hunting while intoxicated.

SB 223: (LS 6755) Simpson (DI:76)
Breastfeeding in public.

Provides that it is a defense for a person charged with public indecency that the person was breastfeeding her child in a public place.

SB 224: (LS 7059) Simpson (DI:13)
Vehicle Bill.

SB 225: (LS 7056) Simpson (DI:13)
Vehicle Bill.

SB 226: (LS 6895) Simpson (DI:2)
Small wineries.

Provides that a small winery may produce, bottle, and sell any wine. (Current law limits these activities to table wine only.) Removes the 100,000 gallon limitation on a small winery's annual production.

SB 227: (LS 6408) Server (DI:2)
School annual performance reports.

Replaces the requirement that a school corporation publish an annual performance report with a requirement that a school corporation distribute and make copies of the report available throughout the school corporation.

SB 228: (LS 6944) Server (DI:71)
Kindergarten funding.

Provides that a kindergarten pupil counts as one pupil for the purposes of state distributions to school corporations if the kindergarten pupil is enrolled in a full-day kindergarten program. (Current law provides that a kindergarten pupil counts as one-half pupil.)

SB 229: (LS 6945) Server (DI:71)
Optional full day kindergarten.

Provides that the governing body of a school corporation may establish a full day, half day, or combination program for kindergarten. For a school corporation that establishes a full day kindergarten program, provides that the parent of an enrolled kindergarten student determines whether the student attends kindergarten for a full or half day.

SB 230: (LS 6826) Zakas (DI:94)
Elkhart train whistle ban.

Allows the city of Elkhart to adopt an ordinance prohibiting the use of train whistles within the city limits.

SB 231: (LS 6827) Zakas (DI:94)
Truck lanes on U.

31 in Howard County. Requires the Indiana department of transportation to adopt rules that restrict a truck traveling on U.S. 31 in Howard County to the right lane. Requires the Indiana department of transportation to place appropriate traffic control signs to inform trucks of the requirement to use the right lane.

SB 232: (LS 6915) Zakas (DI:73)
Sales tax exemptions.

Provides an exemption from the state sales and use tax for tangible personal property sold by a funeral home or cemetery and used in connection with a funeral or burial.

SB 233: (LS 6997) Zakas (DI:75)
Office of Indiana performance review.

Establishes the office of Indiana performance review under the supervision of the state board of accounts. Requires each state agency to develop a management and efficiency plan for its operation. Provides specific items that a plan must include. Requires the governor and the budget agency to establish goals for state government to assist each state agency in developing a plan. Requires the office of Indiana performance review to conduct a performance review of each state agency to include an analysis of the effectiveness and efficiency of the policies, management, fiscal affairs, and operations of the state agency. Requires the office of Indiana performance review to consider the degree to which the state agency conforms to the state agency's management and efficiency plan. Requires the office of Indiana performance review to deliver a copy of each performance review to the governor, the legislative council, and the budget committee. Provides that the general assembly may consider the results of a state agency's performance review in determining the budget for the state agency. Appropriates \$375,000 in fiscal years 1999-2000 and 2000-2001 to the state board of accounts to establish the office of Indiana performance review and to conduct performance reviews.

SB 234: (LS 6446) Weatherwax (DI:73)
Taxation of railroad car companies.

Provides that the property taxes derived from indefinite-situs distributable property of railroad car companies shall be deposited in the state general fund, instead of the commuter rail service fund. Provides that 0.17% of state sales tax revenue shall be distributed to the commuter rail service fund. Grants railroad car companies a credit against indefinite-situs property tax liability for railroad car maintenance and improvement expenditures made in Indiana. Provides that the credit is equal to 50% of the qualified expenditures made by the taxpayer in the taxable year. (The introduced version of this bill was prepared by the local government finance study commission.)

SB 235: (LS 6503) Weatherwax (DI:13)
Vehicle Bill.

SB 236: (LS 7134) Weatherwax (DI:13)
Vehicle Bill.

SB 237: (LS 7135) Weatherwax (DI:13)
Vehicle Bill.

SB 238: (LS 7170) Nugent (DI:97)
Required errors and omissions policy coverage.

Prohibits an insurer from entering into a contract with a licensed insurance agent unless the agent is covered by an errors and omissions policy covering the legal business activities of the insurance agent. Specifies minimum policy limits.

SB 239: (LS 7040) Lanane (DI:100)
Homeowner's private mortgage insurance protection.

Requires private mortgage insurance to terminate once the principal balance on the residential mortgages on a property is less than 75% of the lesser of: (1) the sale price of the property if the loan was made for purchase of the property; or (2) the appraised value of the property, as determined by the appraisal conducted in connection with the making of the loan. Allows the borrower to cancel private mortgage insurance if the conditions and procedures established by the lender for termination are met. Requires a lender to disclose in writing at or before settlement: (1) that the private mortgage insurance may be canceled while the mortgage is outstanding; (2) an address and phone number to contact for information regarding canceling the private mortgage insurance; and (3) that the private mortgage insurance will be terminated by operation of law. Requires the mortgage loan servicer to provide the borrower with annual disclosure statements similar to an initial disclosure statement. Prohibits the mortgage loan servicer from charging the borrower for the costs of the statements. Requires the servicer to notify the borrower within 45 days after the automatic termination of the private mortgage insurance. Excludes a borrower who is not current in the payment of a mortgage loan from the cancellation of the private mortgage insurance. Requires that a condition determined by the servicer for the cancellation of the loan must be reasonably related to the purposes for which the requirement for private mortgage insurance was imposed at the time the loan was made. Provides that a servicer is not liable for the failure of the mortgage holder to comply with the statute. Requires the mortgage holder to provide necessary information to the servicer. Provides that these requirements apply to

mortgages entered after June 30, 1998.

**SB 240: (LS 7121) Gard (DI:69)
Environmental audit privilege.**

Specifies that: (1) the voluntary environmental audit privilege does not apply to criminal investigations or proceedings; and (2) an environmental audit report is admissible as evidence in a criminal proceeding. Makes conforming amendments. Provides that a party that submits an environmental audit report to the department of environmental management waives any privilege to which the party would otherwise be entitled under the voluntary environmental audit privilege law. Provides that any part of an environmental audit report that the department of environmental management determines is excepted from the law concerning access to public records may not be disclosed by a public agency unless access to the report is required by a state or federal statute or is ordered by a court under the rules of discovery. Provides that the voluntary environmental audit privilege does not apply to: (1) documents, communications, data, reports, or other information that must be collected, developed, maintained, reported, or otherwise made available to a regulatory agency or any other person under Indiana environmental laws, permits, or orders or any other federal, state, or local law, permit, or order; and (2) information developed before the environmental audit is initiated.

**SB 241: (LS 6960) Gard (DI:78)
IDEM rulemaking procedures.**

Requires the department of environmental management to publish the legislative

services agency fiscal analysis of certain proposed rules in the Indiana Register before the air pollution control board, the water pollution control board, or the solid waste management board can adopt the rules. Requires the text of the fiscal analysis to be among the written materials considered at a board meeting held before the adoption of certain rules.

SB 242: (LS 7017) Gard (DI:97)
Insurance coverage for certain transplants.

Requires group insurance for public employees, group insurers, and health maintenance organizations to provide coverage for dose-intensive chemotherapy with autologous bone marrow transplant or stem cell transplant for women with breast cancer when performed by institutions approved by the National Cancer Institute or under protocols consistent with the guidelines of the American Society of Clinical Oncologists.

SB 243: (LS 6959) Gard (DI:78)
Environmental revitalization.

Eliminates duplication between two provisions granting authority to establish additional standards related to the establishment of brownfield revitalization zones and the granting of tax deductions in brownfield revitalization zones. Indicates that deductions in a zone may be limited to real or personal property in the zone. Prohibits a person that contaminates soil or surface water in a brownfield revitalization zone from receiving a property tax deduction for revitalizing the area. (Current law prohibits only persons that contaminate groundwater from receiving a deduction.) Indicates that

the order that must be attached to a remonstrance petition is the resolution adopted by the designating body. Limits the duty of a designating body to notify the state board of tax commissioners when a deduction is terminated to terminations related to personal property. Eliminates the requirement that a political subdivision applying for a loan from the environmental remediation revolving loan fund obtain an approving opinion from a nationally recognized bond counsel. Allows the Indiana development finance authority to require an opinion. Limits recovery for release of a hazardous substance or petroleum to reasonable cost to prevent migration that would cause substantial danger to public health, welfare, or the environment. Legalizes the establishment of brownfield revitalization zones established within a specified period if they meet certain conditions. Voids certain brownfield revitalization zones established within the period if they fail to meet certain conditions. Makes related changes.

SB 244: (LS 6982) Gard (DI:87)
Annexation.

Requires a municipality to mail notice of an annexation to the owners of property within the annexed territory not later than 60 days before the public hearing on the annexation. Requires the municipality to publish notice of the public hearing at least 60 days before the date of the hearing. Provides that a municipality may not adopt an annexation ordinance within 30 days after the public hearing on the annexation. Allows an annexation to be appealed by filing a written remonstrance signed by the owners of more than 50%, rather than more than 75%, in

assessed valuation of the land in the annexed territory. Allows a remonstrance to be filed not more than 90 days, rather than 60 days, after publication of the annexation ordinance. Removes the requirement that planned services of a noncapital nature and services of a capital improvement nature must be provided to the annexed territory in a manner equivalent to the services provided to areas within the municipality with similar topography, patterns of land use, and population density. Provides that if a court finds that a remonstrance is sufficient, the court shall order an annexation not to take place. Allows an owner of real property in the annexed territory or the municipality that is annexing the territory to file an action, not more than 120 days after publication of the annexation ordinance, requesting a court to enter a judgment voiding the annexation ordinance on the grounds that the ordinance does not comply with legal requirements. Prohibits a municipality from making further attempts to annex territory for four years, rather than two years, after the later of the circuit or superior court judgment or the date of the final disposition of all appeals if the municipality is unsuccessful in annexing, unless the landowners in the annexed territory petition for annexation. Prohibits a municipality from making further attempts to annex territory for one year after the later of the circuit or superior court judgment or the date of the final disposition of all appeals if the court voids the annexation ordinance because the municipality failed to satisfy the legal requirements. Provides that the owners of more than 50% of the assessed valuation of land may file a petition with the municipal legislative body requesting an ordinance annexing the area described in the petition. (Current law provides that a petition must be

filed by 51% of the owners of land in the annexed territory or the owners of 75% of the total assessed value of land in the annexed territory.) Requires the municipality's fiscal plan to provide the following: (1) Itemized costs for each municipal department or agency for the planned services to be furnished to the territory to be annexed. (2) An explanation of how specific and detailed expenses will be funded. (3) The specific services that will be provided to the annexed territory and the dates the services will commence. Provides that the act applies to an annexation ordinance adopted after June 30, 1999. Requires a court to order part or all of a territory to be disannexed if the municipality fails to implement the fiscal plan or provide services to the territory. Provides that if a municipality obtains a waiver of remonstrance from a landowner as a condition of connection to water or sewer service, the municipality shall file the waiver in the recorder's office of the county not later than 30 days after the date of the waiver. Provides that the secretary of state and township trustee must receive annexation and disannexation filings. Makes a technical correction.

**SB 245: (LS 6974) Craycraft (DI:94)
Unemployment compensation.**

Provides that a person who has voluntarily left employment without good cause or was discharged for just cause is ineligible to receive benefits until the person has earned remuneration equal to or exceeding the weekly benefit amount of the person's claim for four weeks. (Current law provides for eight weeks.) Provides that a person who has left one job for a higher paying job is not

automatically disqualified from receiving unemployment insurance benefits if the person is separated from employment in the second job without just cause. (Current law provides that a person is automatically disqualified unless the person has been employed at the second job for at least ten weeks.) Provides that an employee who is discharged for violation of an attendance policy is not considered to have been discharged for just cause if the employee can show good cause for the absences or tardiness. Provides that "good cause" includes: (1) compelling family obligations of the individual; (2) sexual harassment of the individual in connection with the individual's employment; and (3) financial inability of the individual to maintain two separate places of residence.

SB 246: (LS 7185) Simpson (DI:44)
Homestead credits.

Increases the percentage of the homestead credit to 15%. (Under current law, the percentage of the homestead credit is 10% through 2001 and 4% in 2002 and thereafter.)

SB 247: (LS 7144) Simpson (DI:44)
Renter's deduction.

Increases the renter's deduction under the adjusted gross income tax from \$1,500 to \$2,500.

SB 248: (LS 7184) Simpson (DI:44)
Income tax deductions.

Increases the personal deduction and the deduction for dependents from adjusted gross income for dependents from \$1,000 to \$2,000. Eliminates the additional \$500 deduction from adjusted gross income for

dependent children.

SB 249: (LS 6690) Simpson (DI:2)
Twenty-first century scholarships for homeschool.

Provides that students who participate in homebased instruction are eligible to participate in the twenty-first century scholars program.

SB 250: (LS 7211) Simpson (DI:75)
Precinct size.

Provides that a county executive may establish a precinct by combining precincts regardless of the number of active voters in each of the precincts to be combined if the total number of voters who voted in the last general election in all of the precincts to be combined is not more than the number of active voters normally permitted in a precinct. Repeals a statute relating to precincts located wholly or partially on certain university campuses.

SB 251: (LS 7203) Simpson (DI:69)
Arrest and detention.

Provides that if: (1) a person is arrested for allegedly committing a forcible felony or a misdemeanor that results in bodily injury to another person; and (2) the victim of the felony or misdemeanor is the spouse or former spouse of the person who allegedly committed the felony or misdemeanor, the person must be detained in the custody of a law enforcement agency for 24 hours. Allows the person to be detained for more than 24 hours but not more than 48 hours if the end of the 24 hour period falls on a Sunday.

SB 252: (LS 6951) Simpson (DI:101)
Licensure of midwives.

Establishes the Indiana midwifery board. Sets qualifications for a licensed certified professional midwife (CPM) including completion of the CPM credentialing process as administered by the North American Registry of Midwives. Allows for apprenticeship licensing. Makes it a Class B misdemeanor to practice midwifery without a license. Provides the required elements of informed disclosure that a licensed CPM must provide to a potential client before the midwife accepts the client for midwifery care. Requires a licensed CPM to have a written collaborative plan of treatment with a licensed physician in order to provide services to at-risk clients. Provides that an individual is entitled to give birth in the presence of and receive assistance during the birth process from a midwife. Requires the office of Medicaid policy and planning and the office of the secretary of family and social services to adopt rules providing for Medicaid reimbursement for licensed CPMs. Requires the Indiana midwifery board and the department of insurance to adopt rules providing for insurance and third party payor reimbursement for licensed CPMs. Makes conforming amendments.

SB 253: (LS 7136) Simpson (DI:101)
Certification of midwives.

Allows a person who is neither a physician nor a registered nurse to practice midwifery. Establishes the Indiana midwifery board. Sets qualifications for an Indiana certified professional midwife (CPM), including completion of the CPM credentialing process as administered by the North American

Registry of Midwives. Allows for apprenticeship certification. Makes it a Class B misdemeanor for an individual to profess to be an Indiana CPM unless the individual is certified by the Indiana midwifery board. Provides the required elements of informed disclosure that an Indiana CPM must provide to a potential client before the midwife accepts the client for midwifery care. Requires an Indiana CPM to have a written collaborative plan of treatment with a licensed physician in order to provide services to at-risk clients. Provides that an individual is entitled to give birth in the presence of and receive assistance during the birth process from a midwife. Requires the office of Medicaid policy and planning and the office of the secretary of family and social services to adopt rules providing for Medicaid reimbursement for Indiana CPMs. Requires the Indiana midwifery board and the department of insurance to adopt rules providing for insurance and third party payor reimbursement for Indiana CPMs. Makes conforming amendments.

SB 254: (LS 7207) Simpson (DI:88)
Exemptions for victims of domestic violence.

Provides that an individual who is granted an exemption may be excused from specific provisions of the personal responsibility agreement that the individual must comply with in order to receive benefits under the Temporary Assistance to Needy Families (TANF) program. Provides that certain individuals may receive an exemption from certain requirements under the TANF program if the individual: (1) complies with the personal responsibility agreement; and (2) is a victim of domestic violence. Provides the manner by which an individual

may apply for an exemption. Provides that the director of the division of family and children makes the final determination regarding whether to grant an exemption and the length and extent of an exemption. Provides that an exemption may last only one year but may be renewed.

**SB 255: (LS 7190) Simpson (DI:13)
Vehicle Bill.**

**SB 256: (LS 7189) Simpson (DI:13)
Vehicle Bill.**

**SB 257: (LS 7191) Simpson (DI:13)
Vehicle Bill.**

**SB 258: (LS 7164) Miller (DI:94)
Adult oriented establishment regulation.**

Creates the adult oriented establishment license. Provides for local control over licensing of adult oriented establishments. Prohibits operation of an adult oriented establishment without an adult oriented establishment license. Requires an employee of an adult oriented establishment to have an adult oriented establishment permit. Provides for fees and penalties. Imposes other requirements.

**SB 259: (LS 6968) Miller (DI:77)
Reimbursement of community health centers.**

Adds services provided by certain federally defined community health centers to the services that are provided under Medicaid. Provides that each community health center continues to receive its total reasonable cost reimbursement rate for providing care to recipients of Medicaid. (Current federal law requires community health centers to receive 100% of their reasonable cost reimbursement

rate.)

**SB 260: (LS 6862) Miller (DI:98)
Family and social services expiration date.**

Extends the current administrative structure of the office of the secretary of family and social services until July 1, 2002. (Current law provides for the expiration of the administrative structure on July 1, 1999.) Requires the office of the secretary of family and social services to implement methods to facilitate the payment of providers and to submit a report to the legislative council regarding such methods before July 1, 1999.

**SB 261: (LS 6837) Miller (DI:69)
Controlled substances.**

Provides that the law concerning licensed physicians using Schedule III or Schedule IV controlled substances to treat patients for the purpose of weight reduction or to control obesity expires July 1, 2001. Provides that the law concerning the central repository for controlled substances expires July 1, 2001, instead of July 1, 1999.

**SB 262: (LS 6815) Miller (DI:97)
Out of hospital do not resuscitate orders.**

Provides for use of do not resuscitate orders for certain patients in locations other than acute care hospitals. Allows a patient with a terminal condition or a patient with a medical condition that would ultimately prevent cardiopulmonary resuscitation efforts from being successful to express the patient's wish that cardiopulmonary resuscitation not be undertaken if the patient's cardiac or pulmonary functions cease at a location other than an acute care hospital. Provides for revocation of an "out

of hospital do not resuscitate declaration and order". Provides guidance and immunity for health care providers in caring for a patient with an executed "out of hospital do not resuscitate declaration and order". Establishes criminal penalties.

SB 263: (LS 6824) Miller (DI:77)
Moratorium on methadone clinics.

Provides that the division of mental health may not grant specific approval to become a new methadone provider until July 1, 2001. Requires the division of mental health to prepare an annual report concerning treatment offered by methadone providers.

SB 264: (LS 6958) Alexa (DI:76)
County correctional funds.

Provides that if a county receives community corrections grant funds for adult offenders, the county legislative body is required to participate at level 2 or level 3 funding under the law concerning county corrections funds. Provides that if a county submits a grant application under the law concerning state grants to counties for community corrections, the county legislative body shall elect to participate at level 2 or level 3 funding during the fiscal year for which the financial aid is requested. Increases the dollar amount of multipliers used for level 1 funding, level 2 funding, and level 3 funding in the law concerning county corrections funds.

SB 265: (LS 6978) Alexa (DI:71)
Financial responsibility for motor vehicles.

Raises the amount of financial responsibility required for a motor vehicle from \$25,000 for bodily injury or death of one person to \$50,000 for bodily injury or death of one

person, from \$50,000 per occurrence to \$100,000 per occurrence, and from \$10,000 for property damage to \$20,000 for property damage.

SB 266: (LS 6966) Alexa (DI:69)
Increased penalty for fleeing law enforcement.

Makes the offense of fleeing from a law enforcement officer a Class D felony instead of a Class A misdemeanor. Enhances the offense as follows: (1) From a Class D felony to a Class C felony if the defendant draws or uses a deadly weapon, inflicts bodily injury on another person, or operates a vehicle in a manner that creates a substantial risk of bodily injury to another person. (2) From a Class C felony to a Class B felony if, while committing the offense, the person operates a vehicle in a manner that causes serious bodily injury to another person. (3) From a Class B felony to a Class A felony if, while committing the offense, the person operates a vehicle in a manner that causes the death of another person.

SB 267: (LS 6972) Alexa (DI:76)
Traffic laws.

Raises from 65 miles per hour to 70 miles per hour the speed limit for a motor vehicle weighing 26,000 pounds or less operated on an interstate highway located outside an urban area. Makes it a Class C infraction for a vehicle operated at less than the posted speed limit to be driven continuously in the left lane of a laned roadway if it impedes the flow of other traffic. Requires a person who drives a vehicle in the left lane that impedes the flow of traffic to move the vehicle to the right lane when the movement can be made with safety. Makes it a Class C infraction to

operate a truck while a person less than 18 years of age is in the open bed of the truck. Makes exceptions for parades, certain farm operations, and certain trucks equipped with seat belts.

SB 268: (LS 7069) Alexa (DI:101)
Manufactured home owners' bill of rights.

Provides that all leases for the rental of space in a manufactured home park must be in writing and for a term of at least five years. Requires that a rental agreement must be written in easily understood language and must disclose all fees and charges. Requires residents of manufactured home parks to be given at least 30 days notice of: (1) proposed increases in rent and other fees; (2) eviction; and (3) proposed new rules or changes in existing park rules. Prohibits the manufactured home park operator from placing certain restrictions on the sale and placement of manufactured homes within the park. Prohibits the manufactured home park operator from restricting the organization of resident associations. Requires notice of, and permits resident participation in, the formulation of park rules. Requires a manufactured home park owner who wishes to sell the park to give a resident association the right to make the first offer for the park. Requires the attorney general to enforce the rights of manufactured home owners.

SB 269: (LS 7174) Alexa (DI:97)
Repairs under auto insurance policies.

Prohibits a motor vehicle insurer from unreasonably restricting an insured's access to motor vehicle glass repair or replacement facilities. Allows a motor vehicle insurer to enter into agreements with motor vehicle

glass repair or replacement facilities for cost containment purposes. Prohibits a motor vehicle insurer from requiring unreasonable travel to obtain repair or replacement of a motor vehicle. Requires a motor vehicle insurer's estimate to be in an amount expected to satisfactorily repair damages and to be provided to the insured. Requires a motor vehicle insurer to cause repair of a motor vehicle to its previous condition without additional costs and within a reasonable time. Provides that violation of these provisions is an unfair claim settlement practice.

SB 270: (LS 6523) Skillman (DI:92)
Income tax credits for political contributions.

Allows an individual taxpayer to elect to take a credit against adjusted gross income for certain political contributions. Provides that the credit equals 50% of the aggregate amount of the contributions made during an individual's taxable year. Provides that the credit may not exceed the lesser of: (1) the individual's tax liability; or (2) \$100 for an individual taxpayer and \$200 for a taxpayer filing a joint return.

SB 271: (LS 7092) Skillman (DI:58)
Appropriation to the rural development fund.

Appropriates \$2,000,000 for the biennium to the rural development fund administered by the department of commerce.

SB 272: (LS 6905) Landske (DI:94)
Northwest Indiana Transportation.

Extends the northwest Indiana commuter rail and transportation study commission through November 1, 2001. Provides for the appointment of a vice chairperson.

SB 273: (LS 7374) Landske (DI:13)
Vehicle Bill.

SB 274: (LS 7373) Landske (DI:13)
Vehicle Bill.

SB 275: (LS 7376) Landske (DI:13)
Vehicle Bill.

SB 276: (LS 7371) Landske (DI:13)
Vehicle Bill.

SB 277: (LS 7375) Landske (DI:13)
Vehicle Bill.

SB 278: (LS 7372) Landske (DI:13)
Vehicle Bill.

SB 279: (LS 6898) Jackman (DI:71)
Prohibition against damages for uninsured drivers.

Prohibits the following individuals from recovering certain damages: (1) An individual who is operating a motor vehicle for which financial responsibility is not in effect at the time of an accident that is the cause of the individual's injuries. (2) An individual who is the owner of a motor vehicle for which financial responsibility is not in effect at the time of an accident that is the cause of the individual's injuries.

SB 280: (LS 7363) Miller (DI:100)
Protecting old cemeteries from desecration.

Requires that the person effecting disinterment, removal, and reinterment of a grave give 60 days written notice to the decedent's next of kin and publish the notice in a newspaper of general circulation. Requires the person effecting the removal of graves to file a certificate of removal facts with the county recorder in the county from

which the graves were removed and the county in which reinterment is made. Requires that the certificate of removal facts list information contained on the gravestone or other markers, such as the birth date, death date, and family name. Requires that all expenses associated with the disinterment, removal, acquisition of the new burial site, and reinterment be paid by the person effecting the disinterment, removal, acquisition, and reinterment. Requires the person effecting the disinterment, removal, and reinterment to ensure that the site for reinterment is suitable and reasonably accessible to relatives of the decedent. Requires that disinterment, removal, and reinterment be performed under the supervision and direction of the county executive or the county executive's designee. Requires that due care be taken to furnish suitable coffins or boxes for reintering human remains and to remove, protect, and replace all gravestones or other markers.

SB 281: (LS 7454) Washington (DI:69)
Juvenile court jurisdiction.

Provides that a juvenile court does not have jurisdiction over an individual who is alleged to have committed any offense that may be tried in a court with adult criminal jurisdiction if the individual has ever entered a plea of guilty to or been convicted of: (1) murder; (2) kidnaping; (3) rape; (4) criminal deviate conduct; (5) robbery, if the robbery was committed while armed with a deadly weapon or resulted in bodily injury or serious bodily injury; (6) carjacking; (7) criminal gang activity; (8) criminal gang intimidation; (9) carrying a handgun without a license; (10) children and firearms

offenses; (11) dealing in a sawed-off shotgun; or (12) dealing in cocaine or a narcotic drug or a schedule I, II, III, or IV controlled substance.

**SB 282: (LS 7453) Washington (DI:69)
St.**

Joseph County jury selection. Allows the jury commissioners, the superior court, the circuit court, and the probate court of St. Joseph County to use a computer selected jury panel in St. Joseph County.

**SB 283: (LS 7294) Washington (DI:76)
Grandparent visitation jurisdiction.**

Confers jurisdiction upon a probate court to preside over grandparent visitation proceedings.

**SB 284: (LS 7037) Washington (DI:92)
Family college savings plan tax credit.**

Provides an income tax credit for family college savings deposits in 1999 and for deposits made in the year that the taxpayer opens an individual trust account for taxable years beginning after December 31, 1999. Provides that the credit is equal to the lesser of: (1) 10% of the aggregate of the family college savings deposited by the taxpayer for the taxpayer's dependent; or (2) \$100 per dependent. Provides that the credit is deposited into the taxpayer's family college savings account. Provides that the amount of the credit may only be used for the allowable purposes of the account at a higher education institution.

**SB 285: (LS 6737) Nugent (DI:58)
Dearborn County option income tax.**

Permits counties to adopt an ordinance that changes the basis of distribution of county option income tax (COIT) revenue from property tax levies to population.

**SB 286: (LS 7028) Nugent (DI:94)
Universal 911 emergency telephone number.**

Provides that 911 is the universal emergency telephone number. Requires a communication system established or operated by the state or a local government unit that is available to members of the public as a means to report an emergency and to request assistance to use 911 as the exclusive universal emergency telephone number.

**SB 287: (LS 6822) Miller (DI:77)
Hepatitis B.**

Requires every child residing in Indiana to be immunized against mumps. Requires every child who enters kindergarten or grade 1 to be immunized against hepatitis B. (Current law requires every child to be immunized against hepatitis B without regard to the child entering first grade.)

**SB 288: (LS 7296) Miller (DI:88)
Liability of medical directors.**

Requires a health maintenance organization to appoint a medical director who has an unlimited license to practice medicine in Indiana. (Current law allows a health maintenance organization to appoint a medical director who has an unlimited license to practice medicine in Indiana or an equivalent license issued by another state.) Provides for a duty of ordinary care for the medical director of a health insurance carrier, health maintenance organization, or

other managed care entity when making health care treatment decisions involving covered services. Makes the medical director of a health insurance carrier, a health maintenance organization, or other managed care entity liable for harm resulting from health care treatment decisions made without exercising ordinary care.

SB 289: (LS 7404) Miller (DI:97)
Health insurance claims downcoding.

Provides that for purposes of analyzing health care service claims, to downcode means to change to a lesser paying code the code used by a provider of a health care service on a claim used to bill an insurer for covered services. Allows an administrator or insurer to downcode a claim only if the administrator or insurer notifies the provider and insured of the intent to downcode the claim prior to paying the claim. Requires the administrator or insurer to provide for an appeal of a downcode by the provider of the health care service.

SB 290: (LS 7424) Miller (DI:97)
Health care provider peer review protection.

Amends the definitions of "evaluation of patient care" and "peer review committee" for purposes of the Indiana health care provider peer review law to include evaluation of patient care generally.

SB 291: (LS 7502) Miller (DI:13)
Vehicle Bill.

SB 292: (LS 7432) Miller (DI:88)
Ephedrine.

Requires a court to assess a fee for conviction of certain offenses related to controlled

substances to cover the costs of an environmental cleanup incurred by a law enforcement agency as a result of the offense. Provides that a person who possesses ephedrine or a related substance with the intent to manufacture certain controlled substances commits a Class D felony.

SB 293: (LS 7367) Miller (DI:88)
Hospice licensing and approval.

Establishes requirements for hospice licensure and approval. Provides that a hospice license or approval is valid for one year. Requires the state department of health to charge an annual hospice license or approval fee of \$100. Provides for a provisional license or approval for a hospice program operating before July 1, 1999. Requires an inspection by the state department of health to determine whether a hospice program not operating before July 1, 1999, should receive a license or approval. Provides for an inspection by the state department of health to determine whether a hospice should receive a license or approval. Exempts certain individuals from hospice licensure and approval. Requires the state department of health to provide recommendations to the general assembly regarding the frequency with which hospices should be inspected. Makes it a Class A misdemeanor for a person to represent to the public that the person offers hospice services or to provide hospice services without a hospice license or approval. Requires the state department of health to investigate a hospice about which the state department of health receives a complaint from a hospice patient or a hospice patient's family. Requires the state department of health to

establish and maintain a statewide, toll free number to receive complaints. Allows the state department of health to sanction a hospice that: (1) violates a standard; (2) commits a violation of law; or (3) conducts a practice detrimental to the hospice's patients. Requires the state department of health to notify the attorney general if the state department of health has evidence of an unlicensed or unapproved hospice. Allows the attorney general to seek an injunction and to prosecute a person that operates a hospice without a license or approval. Requires the owner or operator of a licensed or approved hospice program to obtain a limited criminal history of each employee of the hospice program who will provide hospice services. Requires each licensed or approved hospice program to provide a written disclosure to each potential patient that includes the following: (1) A description of available services. (2) A description of the hospice program's internal complaint resolution process. (3) A notice that the patient has the right to refuse any component of the services offered by the hospice program. (4) A statement that a hospice employee may provide extra services to a patient or the patient's family, but may be reimbursed for those services only by providing a written receipt to the patient or to the patient's family. (5) A toll free number that the patient or a member of the patient's family may use to report problems regarding the hospice program. Repeals optional certification of hospice providers by the state department of health. Makes conforming amendments.

SB 294: (LS 7455) Borst (DI:92)
Charity gaming.

Specifies that the state and the political

subdivisions of the state may not conduct games of chance under the charitable gaming statute. Authorizes an Indiana nonprofit corporation that is organized and operated solely to support a state assisted college or university to conduct a game of chance outside the county in which the nonprofit corporation has its principal office.

SB 295: (LS 6879) Borst (DI:94)
Standardbred board of regulations.

Requires the records and office of the standardbred board of regulations to be located with the offices of the Indiana horse racing commission.

SB 296: (LS 7068) Borst (DI:58)
State funding for full day kindergarten.

Provides that a kindergarten pupil counts as one pupil if the pupil is enrolled in a full day kindergarten program, for purposes of state distributions of regular tuition support and categorical grants and for transportation distributions to school corporations. (Current law provides that a kindergarten pupil counts as one-half pupil.)

SB 297: (LS 6474) Borst (DI:44)
Income tax deductions for dependents.

Increases the deduction from adjusted gross income for dependents from \$1,000 to \$2,500.

SB 298: (LS 7000) Mills (DI:69)
Death penalty.

Abolishes the death penalty. Specifies that if a person was sentenced to death and is awaiting execution of the death sentence, the person's death sentence is commuted to a

sentence of life imprisonment without parole. Makes conforming amendments.

SB 299: (LS 7090) Mills (DI:73)
Approval of tax rates in Marion County.

Requires a taxing unit (other than an excluded city) located in Marion County that intends to increase its property tax rate to submit its proposed property tax levy and property tax rate to the city-county council for approval. Provides that the city-county council may approve or deny the proposed property tax rate increase. Provides that if the city-county council denies the proposed property tax rate increase, the state board of tax commissioners may not approve the property tax rate increase unless the state board finds that a failure to increase the property tax rate will adversely affect the health, safety, or well-being of the citizens of Marion County.

SB 300: (LS 6948) Zakas (DI:92)
Income tax credit for inventory taxes.

Provides a credit against a taxpayer's state tax liability for property taxes paid on inventory. Provides that the credit is initially equal to 33% of property taxes paid on inventory, and increases the credit percentage over three years until the credit may be claimed for 100% of property taxes paid on inventory.

SB 301: (LS 7449) Zakas (DI:97)
Reinsurance.

Adds a contractual requirement that must be met by a reinsurer to allow a domestic ceding insurer credit for reinsurance. Requires that reinsurance is payable under a contract reinsured by an assuming insurer on the basis of reported claims in liquidation proceedings

without diminution due to insolvency of the ceding insurer, subject to court approval. Provides that payments under a reinsurance contract must be made to the ceding insurer or the ceding insurer's domiciliary liquidator unless: (1) otherwise provided in the contract; or (2) the assuming insurer assumes the policy obligations to policy payees.

SB 302: (LS 6912) Zakas (DI:69)
Preventive detention.

Prohibits a person charged with committing certain violent crimes, battery of a spouse or former spouse, or stalking from being admitted to bail while the law enforcement agency charging the person with the offense undertakes an investigation to determine whether there are conditions under which the person may be released on bail or recognizance to assure: (1) the person's appearance at any stage of the legal proceedings; or (2) the person will not pose a risk of physical danger to another person or the community. Directs the law enforcement agency conducting the investigation to file a report upon completion of the investigation with the judicial officer who will make the bail determination. Provides that the report must be filed not more than 48 hours after the person's arrest. Provides that if the report alleges that no condition will reasonably assure: (1) the person's appearance at any stage of the legal proceedings; (2) another person's safety; or (3) the safety of the community, the judicial officer shall hold a hearing to consider the report and to make a final determination as to whether the person charged with the offense may be delayed from admittance to bail or recognizance for

not more than 48 hours.

**SB 303: (LS 6712) Riegsecker (DI:97)
Reporting of motor vehicle insurance.**

Requires an insurer who issues a motor vehicle liability policy that covers a motor vehicle registered in Indiana to file with the bureau of motor vehicles a monthly report of policies in effect during the previous month. Requires the bureau to: (1) use the information provided to maintain a data base of insured vehicles; and (2) forward the information to the state police department for inclusion in the law enforcement data base. Requires the bureau to determine on a monthly basis whether financial responsibility may not be in effect for a motor vehicle and to notify the owner of the vehicle of the possible suspension of the owner's driving license or registration, or both. Adds a one dollar fee to each motor vehicle registration for the establishment and maintenance of the data base.

**SB 304: (LS 6980) Riegsecker (DI:97)
Disclosure of insurance benefits responsibility.**

Requires that third party administrators and preferred provider plans provide in any materials provided to an insured or enrollee the name of the insurer, health maintenance organization, or limited service health maintenance organization ultimately responsible for providing benefits under the policy or contract.

**SB 305: (LS 6971) Riegsecker (DI:69)
Bail procedure and pretrial release.**

Provides that if: (1) a defendant executes a bail bond by depositing cash or securities with the clerk of a court in an amount not less

than 10% of the bail; and (2) the defendant fails to appear before the court as ordered, the court must order the remainder of the deposit, after certain civil judgments and fees have been paid, and the bond transferred to the county in which the court has jurisdiction. Requires the deposit and bond to be deposited in the county general fund of the county. Specifies that money deposited in the county general fund may only be used to: (1) operate pretrial release programs; and (2) assist a sheriff in returning persons to custody who have failed to appear before a court as ordered while participating in pretrial release programs. (Current law requires the deposit and the bond to be forfeited and deposited in the common school fund as provided in the Constitution of the State of Indiana.)

**SB 306: (LS 6938) Riegsecker (DI:87)
Leases by airport authorities and boards.**

Extends from 10 to 15 years the term of a contract or lease that a board of aviation commissioners or an airport authority may enter into for the maintenance, operation, or use of the airport or a part of the airport. Extends from 20 to 40 years the initial term of a lease that a board of aviation commissioners or an airport authority may enter into for a parcel of airport land for a use connected with the operation and convenience of the airport.

**SB 307: (LS 7253) Clark (DI:92)
Exemption for Holocaust survivor settlement awards.**

Exempts from the Indiana individual adjusted gross income tax amounts received as a Holocaust settlement payment and included in an individual's adjusted gross

income for federal income tax purposes. Excludes a Holocaust victim's settlement payment from the eligibility considerations of the following programs: (1) AFDC. (2) Supplemental assistance for the blind, aged, and disabled. (3) Township poor relief. (4) Hospital care for the indigent. (5) Destitute children. (6) Medicaid. (7) Residential care assistance. (8) Energy assistance.

SB 308: (LS 6778) Clark (DI:2)
Alcoholic beverage employee permits for volunteers.

Changes from \$20 to \$5 the fee for an alcoholic beverage employee's permit when the permit holder uses the permit only to perform volunteer service that benefits a nonprofit organization. Makes administrative provisions and provides that it is unlawful to use for any other purpose an employee's permit obtained for volunteer use that benefits a nonprofit organization.

SB 309: (LS 7073) Clark (DI:13)
Vehicle Bill.

SB 310: (LS 6932) Clark (DI:76)
Adoption deception and adoption expenses.

Prohibits payments of more than \$2,500 for certain adoption related expenses of a birth mother. Requires adoption related payments to be disclosed to the court supervising the adoption. Limits payments for certain living expenses of a birth mother to expenses that are incurred during the last trimester of a birth mother's pregnancy and six weeks after childbirth. Provides that a birth mother, or a woman who holds herself out to be a birth mother, who benefits from adoption related expenses incurred under certain false pretenses commits adoption deception, a

Class A misdemeanor. Allows a court to order a person who commits adoption deception to make restitution to a prospective adoptive parent, attorney, or licensed child placing agency that incurs an expense as a result of the offense. Requires an attorney or licensed child placing agency to inform a birth mother of the penalties for committing adoption deception before the attorney or agency transfers a payment for adoption related expenses in relation to the birth mother.

SB 311: (LS 6933) Clark (DI:76)
Paternity and adoption procedures.

Provides for the following requirements in paternity actions in which an adoption is pending: (1) Requires the court to conduct an initial hearing not more than 30 days after the filing of the paternity petition or the birth of the child, whichever occurs later. (2) Requires the court to order blood or genetic testing at the initial hearing, and requires the court to order the state department of health to pay for the testing under certain circumstances. (3) Requires the court to conduct a final hearing to determine paternity not later than 90 days after the initial hearing. (4) Requires the court to issue its ruling in the paternity action not more than 14 days after the final hearing. Provides that a licensed child placing agency or an attorney in an adoption shall submit to the court an affidavit setting forth the circumstances surrounding service of prebirth actual notice to a putative father, regardless of who served the notice. Requires a court to enter a default judgment against and terminate the parental rights of a parent who fails to appear at the termination hearing after being located and served with

notice of the hearing. Repeals certain provisions governing unreasonable delay in paternity actions when an adoption is pending. Makes conforming amendments.

SB 312: (LS 6873) Clark (DI:2)
Alcoholic beverages at auto racing facilities.

Revises the description of auto racing facilities in the law concerning the time to begin Sunday sales of alcoholic beverages so that the law is not limited to an oval track. Provides that at certain auto racing facilities, the owner or operator may permit a person to enter with an alcoholic beverage for consumption at the facility and that a person may carry on, convey to, or consume, on or about the facility, an alcoholic beverage that was not then and there purchased at the facility.

SB 313: (LS 7343) Miller (DI:88)
Mandatory testing of pregnant women.

Requires that each pregnant woman be tested for syphilis, the antibody or antigen to the human immunodeficiency virus (HIV), and hepatitis B during pregnancy. Requires a physician who diagnoses a woman's pregnancy to take a sample of blood at the time of diagnosis and submit each sample to an approved laboratory for standard serological tests for syphilis, HIV, and hepatitis B. Requires a person other than a licensed physician who attends a pregnant woman, but who is not permitted by law to take blood specimens, to cause a sample of the pregnant woman's blood to be taken by a licensed physician, who must then submit the sample to an approved laboratory to test for syphilis, HIV, and hepatitis B. Requires that a blood sample for syphilis, HIV, and hepatitis

B tests be taken from a woman at the time of delivery if there is no written evidence that the woman was tested for those diseases during her pregnancy. Requires that information pertaining to the woman's testing status be included on each birth certificate or stillbirth certificate. Requires that a pregnant woman be told of all available treatment options if the pregnant woman has a positive test for syphilis, HIV, or hepatitis B. Requires the individual who orders a test for syphilis, HIV, and hepatitis B to tell the pregnant woman that the purpose of the test is to protect the health of her unborn child. Requires that a newborn infant be tested for HIV if the newborn infant's mother has not been tested for HIV. Requires the state department of health to develop and distribute written materials explaining treatment options for individuals who have a positive test for syphilis, HIV, or hepatitis B. Provides that all records and reports of testing are confidential. Repeals laws pertaining to voluntary HIV testing for pregnant women.

SB 314: (LS 7402) Miller (DI:97)
Point-of-service products.

Requires a health maintenance organization, an accident and sickness insurer, and a state employee health benefit plan that uses a provider network to include a point-of-service product. Requires a health maintenance organization and a state employee health benefit plan that uses a provider network to establish terms and conditions that must be met by providers wishing to enter into participating provider contracts. Prohibits unreasonable discrimination among providers in terms and conditions of participating provider

contracts. Requires a health maintenance organization and a state employee health benefit plan that uses a provider network to provide a written statement of the terms and conditions of its participating provider contract to providers wishing to become participating providers. Provides that a provider agreeing to meet the terms and conditions of a participating provider contract must be allowed to enter into a participating provider contract. Requires a health maintenance organization and a state employee health benefit plan that uses a provider network to provide a written statement of the terms and conditions not satisfied by a provider who is denied the right to enter into a participating provider contract. Specifies that a state employee health benefit plan that uses a provider network may not prohibit a participating provider from disclosing financial incentives and all treatment options available, including those not covered by the plan, through its participating provider contract. Provides that no cause of action shall arise for required disclosure of information or subsequent unauthorized use of the information.

SB 315: (LS 6987) Alexa (DI:2)
International Baccalaureate program.

Recognizes by statute the high school International Baccalaureate (IB) diploma program that is currently available as an option in some schools. Requires a school to report the IB accomplishment of its students to the department of education (department) for certain purposes. Requires the department to pay student fees for IB examinations and to encourage participation in the IB program. Establishes the IB diploma higher education loan program for Indiana residents who

receive an IB diploma from high school, maintain residency in Indiana, and attend an Indiana institution of higher learning. Provides eligible students with a loan in an amount equal to the undergraduate tuition at the student's institution, subject to the availability of funding and less other money awarded to the student. Provides for forgiveness of the loan if the student graduates from the Indiana institution, remains an Indiana resident for four consecutive years after graduation, and is employed in Indiana for at least 42 months of the four consecutive years following graduation. Provides for administration of the loan program by the state student assistance commission. Provides an IB diploma award of \$800 per issued diploma.

SB 316: (LS 7100) Alexa (DI:51)
Limitation on governmental tort liability.

Increases the maximum judgment that may be awarded in a tort claim against a governmental entity or public official.

SB 317: (LS 6985) Alexa (DI:92)
Mobile home property tax deduction.

Provides that the owner of a mobile home that is not assessed as real property is entitled to a standard deduction from the mobile home's assessed value if the owner resides in the mobile home.

SB 318: (LS 7514) Alexa (DI:76)
Alcohol and drug program fees.

Allows an attorney representing a court established alcohol and drug services program to bring an action on a debt for unpaid program fees. Requires a court to award reasonable attorney's fees to the

program's attorney whenever the court enters a judgment on the debt.

SB 319: (LS 7142) Alexa (DI:44)
Municipal sewer jurisdiction.

Provides that a sewage disposal company may not provide sewage disposal service within ten miles outside the corporate boundaries of a municipality unless the legislative body of the municipality authorizes a sewage disposal company to provide sewage disposal service in the area.

SB 320: (LS 6979) Alexa (DI:71)
Reporting requirement for drunk driving arrests.

Requires law enforcement agencies to report certain information concerning drunk driving arrests to the bureau of motor vehicles (BMV). Requires the BMV to compile this information and annually report the information to the law enforcement agencies. Specifies the form for the information and summons in traffic cases.

SB 321: (LS 6799) Skillman (DI:44)
Public records copying fees and uses.

Provides that a public agency may not prohibit a person from using a public record that is obtained on disk or tape in connection with the preparation of a real estate transaction or financing. Provides that the actual cost that public agencies, other than state agencies, may charge for the certification, copying, or facsimile machine transmission of documents may not include labor costs, overhead costs, and profit. (The introduced version of this bill was prepared by the interim study committee on state government issues.)

SB 322: (LS 7360) Zakas (DI:76)
Dissolution of marriage waiting period.

Extends the minimum waiting period from 60 days to 180 days before a dissolution of marriage may be finalized. Retains 60 days as the minimum waiting period upon a showing of domestic violence against a party or the party's minor child.

SB 323: (LS 7221) Meeks R (DI:96)
Various motor vehicle matters.

Defines "flood damaged vehicle" as a vehicle that has been submerged in water to the extent that water has risen above the floorboard of the vehicle. (Current law defines a "flood damaged vehicle" as a vehicle that has sustained water damage above the floorboard of the vehicle.) Provides that a seller may not sell, exchange, or transfer a rebuilt vehicle without disclosing in writing to the purchaser, customer, or transferee that the vehicle is a rebuilt vehicle. Repeals the provision making it an unfair practice for a manufacturer or distributor to fail to supply to the state police the bumper height specifications of motor vehicles sold or distributed in the state.

SB 324: (LS 7223) Meeks R (DI:96)
Unfair practices regarding motor vehicle dealers.

Prohibits manufacturers, distributors, and agents from certain unfair practices regarding new motor vehicle dealers or franchisees.

SB 325: (LS 6721) Meeks R (DI:100)
Group self-insurance.

Provides that an employer may join a

worker's compensation self-insurance group consisting of at least 11 employers that have associated for the purpose of pooling their liabilities under the worker's compensation law and the worker's occupational diseases compensation law. Establishes the group guaranty fund to meet the obligations of defaulting worker's compensation self-insurance groups.

SB 326: (LS 7335) Meeks R (DI:94)
Motor vehicle franchise transfers procedure.

Provides for transactions involving the transfer of a new motor vehicle franchise by a franchisee. Provides for franchisor approval of the transferee. Requires the franchisor to objectively review the transferee. Creates other requirements for franchisors, franchisees, and transferees.

SB 327: (LS 7630) Meeks R (DI:94)
Motor vehicle franchisee protections.

Prohibits a franchisor from acquiring any part of a business that is engaged in a wholly or partially substantially identical business as a franchisee that holds exclusive rights to that territory. Eliminates the requirement that competition be "unfair" before it is unlawful when a franchisor owned business begins competing with a franchisee. Provides that if no designated franchise territory is assigned, the area of competition is the market area. (Current law states that the area of competition is the area.)

SB 328: (LS 7530) Simpson (DI:51)
Disability and retaliation in civil rights cases.

Revises the definitions of "discriminatory practice" and "disability". Expands the provisions prohibiting a retaliatory action

against a person assisting the commission to include a retaliatory action against a person who assists in an investigation or opposes an unlawful discriminatory practice. Eliminates exemptions to applicability of the civil rights law to certain workplace practices. Includes the term "disability" in a provision concerning investigations and recommendations to the general assembly. Requires the provisions in the civil rights law to be construed consistently with other disability provisions.

SB 329: (LS 7578) Simpson (DI:51)
Civil rights remedies and age discrimination.

Transfers jurisdiction over age discrimination proceedings from the commissioner of labor to the Indiana civil rights commission. Adds references to age discrimination to various statutes dealing with discriminatory activity. Allows the Indiana civil rights commission to impose a civil penalty, punitive damages, reasonable attorney's fees, and costs against a person who has been found to have engaged in an unlawful discriminatory practice. Allows a complainant or a respondent to elect to commence a civil action concerning a discriminatory practice in a state court without the consent of the other party. Limits the time in which a civil action may be brought. Allows the Indiana civil rights commission to bring a civil action concerning a discriminatory practice in a state court. Allows the Indiana civil rights commission to intervene as a party in a civil action concerning a discriminatory practice. Makes other changes.

SB 330: (LS 7036) Simpson (DI:71)
Child bicycle safety.

Requires a person who is less than 18 years of age to wear a properly fitted protective bicycle helmet when the person operates or is a passenger on a bicycle on a street, highway, or public bicycle path. Provides that a passenger on a bicycle must be either on a saddle seat or in a restraining seat. Prohibits the rental, lease, or sale of a bicycle to or for the use of a person who is less than 18 years of age unless the person shows possession of a properly fitted protective helmet or acquires a properly fitted bicycle helmet at the time of the rental, lease, or sale. Provides that a violation is a Class C infraction, the penalty for which is waived if the person acquires a protective helmet or restraining seat when ordered to do so by a court.

SB 331: (LS 7199) Simpson (DI:58)
True tax value of depreciable personal property.

Adopts the value for depreciable personal property that is used for federal income tax purposes as the true tax value of the personal property under the property tax.

SB 332: (LS 6934) Wheeler (DI:73)
Cumulative township vehicle and building fund.

Authorizes a township to establish a cumulative township vehicle and building fund for the acquisition of township vehicles or for various township building and property projects. Provides that the property tax rate for the fund may not exceed \$0.05 per \$100 of assessed valuation. Adjusts the maximum rate for property taxes due after 2001, when the definition of assessed value will change from 33 1/3% of true tax value to 100% of true tax value. Provides that for purposes of computing the property tax levy limit imposed on a township, the township's levy

for a particular year includes the cumulative township vehicle and building fund levy for that year.

SB 333: (LS 7071) Wheeler (DI:78)
Salaries of DNR law enforcement officers.

Requires that law enforcement officers of the law enforcement division of the department of natural resources receive the same salaries as police employees of the state police department based upon years of service and rank held.

SB 334: (LS 7081) Wheeler (DI:2)
Indoor golf facilities.

Allows minors to be present in indoor golf facilities where alcoholic beverages are sold.

SB 335: (LS 6973) Wheeler (DI:94)
Railroad trespass and vandalism.

Makes trespassing on railroad property a Class A misdemeanor. Makes recklessly, knowingly, or intentionally vandalizing railroad property a Class C felony. Makes recklessly, knowingly, or intentionally vandalizing railroad property a Class B felony if another person suffers serious bodily injury. Makes recklessly, knowingly, or intentionally vandalizing railroad property a Class A felony if it results in the death of another person. Makes stealing railroad property a Class C felony. Makes buying or receiving stolen railroad property a Class C felony. Repeals the current railroad trespass statute.

SB 336: (LS 6751) Bowser (DI:92)
Appropriation to LaPorte municipal airport.

Appropriates \$200,000 from the build

Indiana fund to the LaPorte municipal airport authority for land acquisition.

SB 337: (LS 6495) Bowser (DI:92)
Appropriation for LaPorte County fairgrounds.

Appropriates \$200,000 for improvements to the offices and restrooms in the community building at the LaPorte County fairgrounds.

SB 338: (LS 6308) Bowser (DI:51)
Magistrate in LaPorte County.

Provides for one additional full-time magistrate in LaPorte County.

SB 339: (LS 6833) Bowser (DI:87)
Annexation as a local public question.

Requires a municipality to annex an entire election precinct. Provides that if a municipality in a county other than St. Joseph County satisfies the annexation requirements at the remonstrance hearing, the court must: (1) enter a judgment that the municipality has satisfied the annexation requirements; and (2) certify the proposed annexation as a local public question to be voted on by voters in the proposed annexed territory at the next general election. Provides that if a city in St. Joseph County satisfies the annexation requirements at the remonstrance hearing and the landowners of the territory to be annexed fail to satisfy the requirements to stop an annexation, the court must enter a judgment that the city has satisfied the annexation requirements and certify the proposed annexation as a local public question. Provides that if a majority of votes cast are in favor of the proposed annexation, the annexation must take place unless a court on appeal finds that the city failed to satisfy the annexation requirements. Provides that if a

majority of votes cast are not in favor of the proposed annexation, the annexation may not take place and a pending appeal of the judgment becomes moot. Requires a municipality to provide written notice of a hearing concerning a proposed annexation to each owner of real property located within the territory proposed to be annexed. Requires the clerk of the municipality to submit a description and a map of the territory proposed to be annexed to the circuit court clerk in the county in which the annexed territory is located. Requires the circuit court clerk to determine the registered voters within: (1) the territory proposed to be annexed; and (2) each precinct within the territory proposed to be annexed. Requires the circuit court clerk to submit the voter information to the county election board. Provides that the act applies to a municipality that adopts an annexation ordinance after June 30, 1999.

SB 340: (LS 7147) Kenley (DI:44)
Riverboat gaming.

Makes it a Class A misdemeanor for a person to knowingly or intentionally aid, induce, or cause a person less than 21 years of age to enter or attempt to enter a riverboat. Makes it a Class C misdemeanor for a person who is less than 21 years of age to knowingly or intentionally enter or attempt to enter a riverboat.

SB 341: (LS 7062) Kenley (DI:51)
Damages for bad gaming checks.

Reduces the amount that may be recovered in a civil action for a loss resulting from a crime related to a riverboat gaming debt, pari-mutuel betting debt, or charity gaming

debt from three times the amount of the loss to the actual amount of the loss.

SB 342: (LS 7233) Kenley (DI:75)
Lobbying regulation study commission.

Establishes the lobbying regulation study commission to review laws regulating lobbying and to make any recommendations to the general assembly for changes in those laws.

SB 343: (LS 6719) Gard (DI:69)
Water pollution control.

Provides that a rule adopted by the water pollution control board to designate a water body as an outstanding state resource water or outstanding national resource water expires one year after the date the rule takes effect unless the rule is approved in a statute enacted by the general assembly before the rule expires. Allows the department of environmental management to issue National Pollutant Discharge Elimination System permits that include provisions that take into account the effect of wet weather events and drought conditions on: (1) normal permit effluent limits; and (2) the ability of permit holders to attain required water quality standards. Specifies that, after June 30, 1999, unless otherwise required by federal law, the air pollution control board, solid waste management board, water pollution control board, the department of environmental management, and the commissioner of the department may not take any action that creates or changes water quality standards concerning antidegradation, sediment criteria, or biocriteria until the earlier of: (1) July 1, 2000; or (2) the date the United States Environmental Protection Agency adopts

regulations to revise the Water Quality Standards Regulation concerning the national water quality standards program as described in the Advance Notice of Proposed Rule Making published July 7, 1998, in the Federal Register.

SB 344: (LS 6929) Gard (DI:13)
Vehicle Bill.

SB 345: (LS 6930) Gard (DI:13)
Vehicle Bill.

SB 346: (LS 7099) Gard (DI:73)
Town marshals in 1977 fund.

Provides that if a town establishes a police department or becomes a city, the age requirements and physical and mental examination requirements of the 1977 fund do not prohibit a police officer or marshal employed by the municipality from becoming a member of the 1977 fund.

SB 347: (LS 7257) Gard (DI:44)
Tie votes on town boards.

Specifies that the town clerk-treasurer is an ex officio member of the town legislative body for the purpose of casting the deciding vote to break a tie, regardless of whether the town legislative body consists of an even or odd number of members.

SB 348: (LS 7015) Gard (DI:2)
Alcohol sale compliance checks.

Provides that, with certain restrictions, a law enforcement officer having full police powers may engage the participation of a minor as part of an action to enforce alcoholic beverage laws. Requires the alcoholic beverage commission to conduct a

number of random, unannounced compliance checks of retail permittees for violations of the alcoholic beverage laws concerning minors.

**SB 349: (LS 6928) Gard (DI:13)
Vehicle Bill.**

**SB 350: (LS 7145) Wolf (DI:101)
Religious exemption from use of a funeral director.**

Exempts licensed physicians who are members of or who serve a religious group that is opposed to using the services of a funeral director from having to be licensed as a funeral director to perform funeral services such as preparing and holding human remains for disposition and supervising a funeral for the disposition of human remains. Prohibits a physician providing funeral services from charging more than the cost of the services. Requires a physician providing funeral services to obtain the services of a funeral director to the extent the physician lacks the skills or facilities to provide the funeral services in a manner that is consistent with the public health and safety. Prohibits a physician from providing funeral services if the services are provided as part of a relationship between the physician and a corporation. Allows a local health official to issue a permit for the disposition of a body to a physician allowed to provide funeral services because of religious considerations.

**SB 351: (LS 7509) Nugent (DI:97)
Mandated benefit exemptions.**

Exempts health insurance policies and health maintenance organization contracts that are issued to individuals or businesses that employ less than 25 employees from statutorily mandated benefits provisions

including provisions requiring the following: (1) No exclusion of coverage for inpatient mental health services provided by a community mental health center or psychiatric hospital. (2) Coverage for prosthetics or reconstruction following mastectomy. (3) Coverage for newborns. (4) An offer of coverage for mammography. (5) Coverage for diabetes. (6) No prohibition on a women's health care provider serving as a primary care provider.

**SB 352: (LS 7475) Weatherwax (DI:94)
Public employees in elective office.**

Requires that a town, township, city, or county employee must resign from public employment before becoming a candidate for elected office, serving in elected office, or serving in appointed office. Provides that a town, township, city, or county employee who is currently serving in an elected office may complete the current term without resigning from public employment.

**SB 353: (LS 7041) Weatherwax (DI:69)
Cass superior court.**

Establishes Cass superior court No. 2 and renames the current Cass superior court as Cass superior court No. 1 on January 1, 2001. Provides for the initial election of the judge of Cass superior court No. 2 at the general election held on November 7, 2000. Allows the judge of the Cass circuit court to appoint one full-time magistrate to serve the Cass circuit court and the Cass superior court until January 1, 2001. Makes related changes.

SB 354: (LS 7155) Weatherwax (DI:44)
Promotion of bond issues by political subdivisions.

Prohibits a political subdivision from using its resources to promote a position on a petition for or remonstrance against a bond issue during the 60 day period following the notice of applicability of the petition and remonstrance process.

SB 355: (LS 7352) Paul (DI:100)
Deferred presentment transactions.

Defines a deferred presentment transaction as a transaction in which a person licensed by the department of financial institutions (licensee) cashes a customer's check without presenting the check for payment for up to 31 days. Provides that a deferred presentment transaction is not a loan. Limits the amount of fees and additional charges a licensee can require the maker of a check to pay. Requires a deferred presentment transaction to be in writing. Provides penalties to the customer in a deferred presentment transaction if the maker's account has insufficient funds, is closed, or there is a stop payment order on the check. Prohibits a customer from having more than four deferred presentment transactions totaling more than \$500 at any one time. Prohibits a licensee from taking an assignment of earnings of the maker for payment or security for payment of a deferred presentment transaction.

SB 356: (LS 6935) Paul (DI:92)
Quarterly payments by retired taxpayers.

Exempts from the requirement of declaring and paying estimated tax retired persons who are at least age 65 and whose sole source of income is retirement income.

SB 357: (LS 6099) Adams K (DI:92)
Interstate commerce exemption for inventory tax.

Provides that the possessors of property held for transshipment to an out-of-state destination may claim certain interstate commerce exemptions from the property tax imposed upon inventory.

SB 358: (LS 7473) Zakas (DI:100)
Real estate agents; sale of certain property.

Redefines certain terms used in the law governing real estate agency relationships. Provides that unless there is an agreement to the contrary, a licensee (formerly referred to as a "real estate broker" under current law) has an agency relationship with and represents a consumer that the licensee is working with. Provides that a licensee acting as a limited agent may disclose and provide property information to both a buyer and a seller so that the clients may make a more informed decision. Describes the duties and obligations of a licensee, managing broker, and principal broker. Prohibits a subagency relationship in a real estate transaction.

SB 359: (LS 7617) Zakas (DI:47)
Presentment and recall of enrolled bills.

Requires all bills and joint resolutions that pass the general assembly to be signed by the presiding officers and presented to the governor not later than seven days after sine die adjournment. Prohibits the recall of a bill that has been presented to the governor unless the recall is agreed to by two-thirds of the members of the senate and the house of representatives.

SB 360: (LS 7548) Zakas (DI:98)

Provision of necessities to married persons.

Provides that both spouses of a marriage are jointly and severally liable for the cost of goods or services found by a court to be necessities provided to either spouse. Allows a provider of necessities to bring suit against either spouse and collect a judgment against the assets and income of either or both spouses.

SB 361: (LS 6942) Alexa (DI:98)

Hospice licensing.

Provides for the licensing of hospices by the state department of health. (Current law provides for optional certification of a hospice by the state department of health.) Provides requirements that a person must follow to obtain a hospice license. Requires the state department of health to adopt rules for hospice licensing that are based on federal regulations. Requires the state department of health to charge an annual hospice license fee of \$100 for each hospice owned or operated by a licensee. Provides that the state department of health may conduct a hearing to determine whether a hospice may receive a license. Allows the state department of health to conduct periodic inspections of a licensed hospice. Allows the state department of health to suspend or revoke the license of a hospice that: (1) violates a standard or rule; (2) commits a violation of law; or (3) conducts a practice detrimental to the hospice's patients. Provides the procedure the state department must follow to suspend or revoke the license of a hospice. Repeals optional certification of hospice providers by the state department of health. Provides that a hospice that is certified under current state

law or that has a certification under federal law is not required to apply for a license under state law until July 1, 2000. Makes conforming amendments.

SB 362: (LS 6918) Merritt (DI:92)

Millennium task force appropriation.

Appropriates \$500,000 to the millennium task force.

SB 363: (LS 7102) Merritt (DI:87)

Copy fees for local units of government.

Specifies that the fiscal body of a county, city, town, or township establishes the fee schedule for an elected office of the county, city, town, or township for certifying, copying, or facsimile transmission of a document and eliminates statutory fees for certifying, copying, or facsimile transmission of a document. Requires the county recorder to charge a supplemental fee of \$3 for recording a document. (Current law provides that the county legislative body may authorize a supplemental fee for recording a document not to exceed \$3).

SB 364: (LS 6807) Waterman (DI:87)

Inspection and copying of death certificates.

Provides that a certificate of death is a public record and is subject to public inspection and copying.

SB 365: (LS 7430) Waterman (DI:69)

Small claims cases.

Allows a corporation, collection agency, sole proprietorship, or partnership to designate a full-time employee who is not an attorney to appear on behalf of the corporation, organization, sole

proprietorship, or partnership in all civil cases filed on a small claims docket of a circuit, superior, or county court.

SB 366: (LS 6878) Waterman (DI:71)
Safety belts.

Provides that a person may not be stopped, inspected, or detained solely to determine compliance with safety belt requirements. Allows a person to be stopped, inspected, or detained to determine compliance with child passenger restraint requirements.

SB 367: (LS 7547) Lanane (DI:87)
Municipal fiscal matters.

Requires a levee authority to use the invoice method rather than the claim method of payment. Allows a governmental entity to pay claims before receiving grant money for which reimbursement has been requested, with the prior approval of the board having jurisdiction over allowance of payment of the claim. Provides that the fiscal officer of a second class city is not liable for an act or omission in connection with the performance of certain duties of the officer unless the act or omission constitutes gross negligence or an intentional disregard of the fiscal officer's duties. Provides that a municipality may deposit license fees from parking meters in a special account of the general fund in addition to a special fund. Allows the municipal fiscal body to transfer money to the special account of the general fund or to the special fund if the fiscal body determines that the transfer is necessary and the transfer is made at a regular public meeting and by ordinance or resolution. Increases from one week to two weeks the amount of time a political subdivision has to respond in writing

to the state board of tax commissioners' notice of a revision, reduction, or increase in the political subdivision's tax levy or rate.

SB 368: (LS 7188) Lanane (DI:94)
Maximum fee for ATM transactions.

Provides that a financial institution may assess a fee on an automated teller machine (ATM) transaction not to exceed \$1.50 per transaction.

SB 369: (LS 7186) Lanane (DI:94)
Prohibits multiple automated teller machine fees.

Allows a financial institution to assess a fee on an automated teller machine transaction only if the financial institution owns the automated teller machine.

SB 370: (LS 6787) Craycraft (DI:71)
Publication of school corporation reports.

Allows the governing body of a school corporation to publish the school corporation's annual financial report and annual performance report at the same time. Allows the annual reports to be published as an insert or special section of a newspaper or qualified publication. (Current law requires publication as a legal advertisement.)

SB 371: (LS 6802) Craycraft (DI:71)
Ball State University faculty trustee.

Requires that a member of the university faculty, chosen from a list provided by a search and screen committee, be appointed by the governor to the Ball State University board of trustees for a two year term.

SB 372: (LS 7614) Simpson (DI:58)
Income tax credit for inventory taxes.

Provides a credit against state tax liability for property taxes paid on \$50,000 of assessed value of inventory.

SB 373: (LS 7580) Simpson (DI:51)
Duty to warn about AIDS and related matters.

Defines "carrier" and "risk counseling". Relocates AIDS crimes from the Indiana Code chapter concerning homicide to the Indiana Code title concerning health. Makes the reckless, knowing, or intentional failure to warn a sexual or needle sharing partner about a person's status as an AIDS, HIV, or Hepatitis B carrier: (1) a Class B misdemeanor for first time offenders; and (2) a Class D felony when the carrier is a repeat offender. Provides standards to govern when a person has a duty to warn. Makes other related changes.

SB 374: (LS 6765) Clark (DI:58)
Price may include sales tax.

Repeals the prohibition of stating the gross retail tax as part of the price in a retail transaction. Makes a conforming amendment.

SB 375: (LS 7004) Gard (DI:88)
Culpability for youth tobacco sales.

Provides that the person who owns or has control over an establishment selling tobacco at retail in which a person sells or distributes tobacco to an individual who is less than 18 years of age commits a Class C infraction. (Current law provides that only the person who sells or distributes tobacco to an individual who is less than 18 years of age commits a Class C infraction.) Provides that

if more than two violations occur within a period of two years, the person who owns or has control over an establishment selling tobacco at retail in which a subsequent violation occurs commits a Class B infraction. Requires an establishment selling tobacco at retail to post and maintain at each cash register a sign that is clearly visible to both the individual selling the tobacco and to the customer indicating that the customer must be at least 18 years of age in order to purchase tobacco products. Provides that a person who owns or has control over an establishment selling tobacco at retail and who fails to post and maintain the required signs commits a Class C infraction.

SB 376: (LS 6240) Gard (DI:98)
Ban sale of tobacco by vending machines.

Prohibits the sale or distribution of tobacco products through vending and other coin machines. Allows law enforcement officers to seal, remove, impound, or disable a coin machine that is used to distribute or sell tobacco. Makes conforming amendments.

SB 377: (LS 7245) Landske (DI:94)
Port commission.

Provides that the Indiana port commission is a governmental entity subject to the Indiana tort claims act. Provides that a tenant, lessee, licensee, or other person has no claim in state property in a state port or port project unless the port commission enters an agreement specifying the conditions for the interest and a legal description of the property.

SB 378: (LS 6835) Landske (DI:75)
State police salary matrix.

Increases the number of increments in the state police salary matrix from 10 to 15. Provides that the top salary of the pay range for each rank of police employee within the state police department may not be less than the average of the top salary paid to state police officers of equivalent rank in the four states that surround Indiana. Appropriates money from the state general fund and the motor vehicle highway account to pay for salary increases that result from changes in the matrix.

SB 379: (LS 7444) Jackman (DI:100)
Veterinary practice.

Provides that the state veterinarian is the executive secretary and technical adviser of the Indiana board of veterinary medical examiners (the board). Provides that the board may enter into an agreement with the Indiana state board of animal health to use the Indiana state board of animal health's staff and facilities. Removes the board from the health professions bureau. Provides a procedure for filing and investigating a complaint against a person licensed under this chapter. Prohibits the board from issuing a license to an individual unless the individual's property taxes are paid. Specifies the effect of a criminal conviction on the status of a person's license. Provides for the revocation of an individual's license if the individual is delinquent in paying child support. Allows a person in the person's last term of study at an accredited veterinary school to submit an application for a license with a letter from the dean of the school instead of a transcript. Provides for an

inactive status of a veterinary license under certain conditions. Provides for the enforcement of standards of practice by the board. Makes conforming amendments. Makes technical corrections.

SB 380: (LS 7567) Adams K (DI:77)
Board of pharmacy.

Removes the requirements: (1) that prescriptions transmitted to a pharmacist from a practitioner by means other than a written order must immediately be reduced to writing by the pharmacist; (2) that not more than four members of the Indiana board of pharmacy may be from the same political party; and (3) that a member of the board must be a hospital pharmacist. Amends qualifications to be on the board to allow licenced pharmacists to serve on the board. (Current law requires the pharmacist to actively practice pharmacy.) Allows a pharmacist who directs the training of an intern or extern in a pharmacy to serve on the board. Requires the governor to appoint pharmacists from different practice settings. Amends the structural requirements concerning security and counter size in pharmacies. Amends requirements for maintaining original prescriptions.

SB 381: (LS 7251) Lawson C (DI:96)
Indiana child protection trust license plate.

Requires the bureau to issue an Indiana child protection trust license plate. Requires the additional fee required for the Indiana child protection trust license plate to be deposited in the Indiana child protection trust fund and distributed to an organization established to raise funds for various charitable organizations.

SB 382: (LS 7204) Simpson (DI:58)
Funding for courts.

Requires a county to deposit court fees in a court fund established by the county instead of depositing them in the county's general fund. Provides that the costs of: (1) paying for judges' salaries, office expenses, and personnel; (2) providing adult probation, juvenile detention, juvenile probation, and public defenders; (3) operating the county clerk's office; and (4) certain other court related expenditures shall be paid from the court fund if they are not paid from the family and children's fund. Provides that each county will receive a monthly distribution from the state beginning in 2000 for deposit in the county court fund. Specifies that each county's distribution is equal to the 1998 court costs paid from the county's general fund and attributable to property taxes plus 10%, less the excise taxes allocated to the fund. Makes a continuing appropriation from the state general fund to make the distributions to counties. Provides for a decrease in the county general fund maximum property tax levy of each county to eliminate the portion previously dedicated to courts.

SB 383: (LS 7500) Simpson (DI:92)
High technology investment credit.

Allows a credit against state tax liability for qualified investments in small Indiana high technology businesses. Provides that the credit equals 10% of the amount of qualified investment made in the taxpayer's taxable year. Provides that the credit applies only to qualified investments made in 2000, 2001, and 2002.

SB 384: (LS 6636) Simpson (DI:58)
Income tax credits.

Provides a refundable state tax credit for low income individuals equal to 20% of the federal earned income credit amount beginning in tax year 1999 (returns filed in 2000). Repeals the earned income deduction.

SB 385: (LS 7230) Simpson (DI:58)
Income tax deduction for child care expenses.

Provides an income tax deduction for employment related child care expenses. The deduction is equal to the lesser of \$4,000 per child or the taxpayer's adjusted gross income.

SB 386: (LS 7244) Bowser (DI:98)
Grandparent visitation.

Allows a parent of a child to petition to establish visitation between the child and the child's grandparent. Establishes factors for the court to consider in determining whether to grant grandparent visitation. Provides that a court may grant grandparent visitation rights over the objection of the child's parent only if the court finds by clear and convincing evidence that denial of grandparent visitation will be detrimental to the child's health, safety, or welfare. Prohibits a grandparent with visitation rights from taking the child outside the state without the consent of the child's custodial parent.

SB 387: (LS 6602) Bowser (DI:97)
Time limit on medical review panel proceedings.

Requires that a medical review panel give its opinion within one year after the selection of the last member of the initial panel. Requires

that the last member of an initial medical review panel be chosen not later than two years after a request for formation of the medical review panel is made. Adds a provision allowing a civil action against a health care provider to be commenced in a court in Indiana if the medical review panel does not give its opinion within one year after the selection of the last member of the initial panel.

SB 388: (LS 7494) Skillman (DI:75)
Holding two elected offices.

Provides that an individual who holds an elected office is considered to have resigned from that office upon assuming another elected office. Provides that an individual who holds a constitutional elected office may not assume another elected office until the individual resigns from the constitutional office. Provides that an individual who performs the duties of two or more elected offices may not be paid for performing the duties of any of the elected offices. Provides that the statute does not apply to an individual or the acts of the individual elected to an office or selected to fill a vacancy in the office before January 1, 2000.

SB 389: (LS 6766) Hume (DI:47)
Railroad employee qualifications and work rules.

Extends the scope of the statute that establishes certain work rules and standards for steam railroads to every railroad in Indiana that is more than 25 miles in length.

SB 390: (LS 6696) Hume (DI:73)
Property reassessment delay.

Postpones the general reassessment of real property scheduled to begin July 1, 1999, to

July 1, 2000.

SB 391: (LS 7025) Alting (DI:71)
Obsolete statutes and school report cards.

Revises the reporting requirements for ISTEP and SAT test scores for school corporation annual performance reports and benchmarks to reflect current test scoring methods. Allows a school corporation to use larger type and graphics when publishing the annual performance report and provides a method to compute costs for publication of the report. Allows a school corporation to appoint assistant or deputy treasurers and provides that the term "treasurer" includes an assistant or a deputy treasurer. Allows a school corporation to adopt textbooks that do not appear on the state adoption list without seeking a waiver from the Indiana state board of education. Repeals the provision requiring a waiver from the department of education to adopt a textbook that does not appear on the state adoption list. Repeals provisions for the following programs that have expired, have not been funded, or are not in compliance with federal law: (1) Inclusion school pilot program. (2) Teacher quality and professional improvement program. (3) Compulsory attendance exception. (4) Governor's scholars academy. (5) Innovative education grant program. (6) Art education grant program. (7) Committee on educational attitudes, motivation, and parental involvement. (8) Readiness testing. (9) Student services summer institute. (10) Early childhood, preschool, and latch key pilot programs. (11) Anti-gang counseling pilot program. Removes references to repealed statutes from related sections.

SB 392: (LS 7624) Skillman (DI:78)
Karst landform definitions.

Requires the solid waste management board to amend a rule to include definitions of the terms cave, sinkhole, and large stream.

SB 393: (LS 7499) Long (DI:78)
Privilege for guardians ad litem.

Provides that a report prepared by a guardian ad litem or court appointed special advocate and attachments to the report may be read only under certain circumstances. Makes communications in a case involving custody or visitation or in a case in juvenile court between a child and a guardian ad litem or court appointed special advocate appointed to represent and protect the best interests of the child privileged, confidential, and protected except in certain circumstances. Abrogates that privilege for purposes of reporting child abuse or neglect or testifying in a case related to abuse or neglect. Exempts from the scope of the privilege the ability of a guardian ad litem or court appointed special advocate to present evidence regarding an investigation or report required by the court in a case involving custody or visitation. Makes a conforming amendment.

SB 394: (LS 7659) Clark (DI:2)
Various ABC matters.

Corrects a reference to the Indiana Administrative Code in order to cite the current rule on Sunday sales of alcoholic beverages by certain retailers. Provides that the alcoholic beverage commission may not issue a beer retailer's permit to a person who, within ten years before the date of application, has been convicted of certain federal or state crimes. Provides that the holder of an alcoholic beverages club permit

may keep a guest book listing members and their nonmember guests, except on designated guest days.

SB 395: (LS 7353) Kenley (DI:2)
School collective bargaining subjects.

Limits the number of certificated employees that the exclusive representative may appoint to serve on statutory or locally created committees of a school corporation.

SB 396: (LS 7018) Gard (DI:97)
Insurance coverage for costs associated with clinical trials.

Defines "associated treatment cost" for purposes of payment for medically necessary treatment and drugs and devices associated with clinical trial treatments. Requires group health benefit plans for public employees, individual and group accident and sickness insurance policies, and individual and group health maintenance organization contracts to provide coverage for associated treatment cost. Prohibits dollar limits, deductibles, copayments, or coinsurance requirements on coverage of associated treatment cost that are less favorable than those for physical illness generally. Requires health benefit plan administrators, insurers, and health maintenance organizations to submit annual reports to the commissioner of the department of insurance describing clinical trials for which associated treatment cost was covered. Requires the insurance commissioner to compile information gathered and make an annual report available to the public. Establishes a work group on health care coverage for associated treatment cost to study and make recommendations regarding costs and benefits of the coverage required under this

act.

**SB 397: (LS 7458) Gard (DI:51)
Rulemaking requirements.**

Requires the department of environmental management, air pollution control board, water pollution control board, and the solid waste management board to adopt statements, policies, and administrative decisions concerning fees, fines, civil penalties, and other charges by rule.

**SB 398: (LS 6280) Craycraft (DI:96)
Disability benefits for public safety officers.**

Provides that members of the 1925 police pension fund, 1937 firefighters' pension fund, 1953 police pension fund, and the 1977 police officers' and firefighters' pension fund who develop cancer or a heart condition that is related to the police officer's or firefighter's duties are entitled to 75% of the salary of a first class patrolman or firefighter. Provides that the death of a police officer or firefighter from cancer or a heart condition related to the police officer's or firefighter's duties is a death in the line of duty.

**SB 399: (LS 6279) Craycraft (DI:96)
Collective bargaining.**

Allows the police officers and firefighters of a unit (a county, city, town, or township) to bargain collectively with an employer through an exclusive representative. Requires the Indiana education employment relations board to implement the collective bargaining law. Specifies the rights and duties of employees and employers in collective bargaining. Provides for the recognition of exclusive representatives, payroll deductions, complaint proceedings before the board,

judicial review of complaints, mediation, and arbitration. Prohibits lockouts and strikes. Provides that an agent appointed by a unit to conduct collective bargaining for the unit is not a "governing body" for open door law purposes. (Current law provides that the agent appointed by a school corporation to conduct collective bargaining is not a "governing body" for this purpose.)

**SB 400: (LS 6648) Weatherwax (DI:73)
Property tax rate controls.**

Establishes a property tax rate control system for local units of government, including school corporations, for all funds. Establishes a property tax control board for each county consisting of elected officials representing each type of taxing unit. Eliminates the discretion of the state board of tax commissioners with respect to increasing, decreasing, or modifying a local unit's budget. Allows increases in the property tax rate above the rate imposed in 1999 only with the approval of the county property tax control board. Combines the school transportation fund with the school general fund. Separates the rate controls into four categories: (1) social service funds; (2) bonds and leases paid from debt service funds; (3) cumulative or capital funds; and (4) all other funds. Exempts the tax levy needed to pay for 1925, 1937, and 1953 pension plans from the controls. Provides that in the year that a general reassessment becomes effective, the rate is adjusted downward using the change in the implicit price deflator for construction costs since the last general reassessment. Establishes a referendum procedure allowing voters to agree or disagree with the county property tax control board's decision if a group of

taxpayers petitions for a referendum. Requires county property tax control board approval of all bonds and leases that will be paid from a taxing unit's debt service fund. Eliminates the approval of the state board of tax commissioners for all cumulative funds. Requires the state board of tax commissioners to review each taxing unit's notices and budget for accuracy. Makes conforming changes.

**SB 401: (LS 7114) Alting (DI:51)
Tippecanoe superior court.**

Eliminates two county courts in Tippecanoe County. Adds three superior courts in Tippecanoe County and gives each court a small claims and misdemeanor division. Abolishes the position of magistrate for the county court. Allows the new superior court to appoint one full-time magistrate.

**SB 402: (LS 7411) Wheeler (DI:73)
Firefighter training facility study.**

Appropriates \$60,000 from the state general fund to the board of firefighting personnel standards and education for the purpose of conducting a study concerning the need for a statewide firefighter training facility.

**SB 403: (LS 7538) Merritt (DI:94)
Local use of money market mutual funds.**

Allows a municipal corporation or a special taxing district to invest in money market mutual funds. Restricts the investment of public funds to an investment fund that has a portfolio limited to obligations of the federal government or fully collateralized repurchase agreements backed by the direct obligation of the federal government. Requires the mutual fund to have a rating of AAAM from

Standard and Poor's or Aaa from Moody's Investors Service.

**SB 404: (LS 7355) Simpson (DI:88)
Advanced practice nurse services.**

Adds services provided by advanced practice nurses to the services that are provided under Medicaid, so long as those services are rendered in a school based clinic, community health center, or federally qualified health center. Provides that an advanced practice nurse is eligible for direct reimbursement from Medicaid for providing services in a school based clinic, community health center, or federally qualified health center.

**SB 405: (LS 7504) Lanane (DI:96)
Computation of worker's compensation premiums.**

Requires the department of insurance to approve a system of schedule rating based on hours of exposure for premium rates for worker's compensation insurance. Defines "hours of exposure" as worker hours that an employer's workers have been exposed to the hazards found within a particular business or industry classification.

**SB 406: (LS 6975) Lanane (DI:94)
Worker's compensation benefits.**

Increases the compensation benefits per degree of permanent partial impairment for worker's compensation through 2002. Provides increases in the worker's compensation average weekly wage through 2001.

**SB 407: (LS 7481) Jackman (DI:94)
County animal disease control coordinator.**

Requires the county executive of each county to designate a county animal disease control emergency coordinator who is responsible for facilitating communication and cooperation with the Indiana state board of animal health on animal disease control matters.

SB 408: (LS 7653) Ford (DI:96)
Operational tests for older drivers.

Provides that the bureau of motor vehicles may not request a demonstration of the applicant's ability to exercise ordinary and reasonable control in the operation of a motor vehicle solely on the basis of the age of the applicant. Provides that if the bureau of motor vehicles finds it necessary to determine the fitness to operate a motor vehicle of an operator who is at least 75 years of age and the bureau is unable to schedule the road test for reasons not the fault of the operator until after the expiration date of the license, the operator's or motorcycle operator's license of the holder does not expire until the date that the bureau conducts the road test. Provides that the bureau of motor vehicles shall: (1) indicate in its records the extended expiration date; (2) upon scheduling, send a certification of the extended expiration date to the operator; and (3) make the extended expiration date accessible immediately to law enforcement officers upon request. Specifies that the bureau may not charge an additional fee for the extension of the expiration date.

SB 409: (LS 7657) Simpson (DI:94)
Uniform Commercial Code.

Adopts the most recent revision to the Uniform Commercial Code article 9, concerning secured transactions. Makes conforming amendments.

SB 410: (LS 7677) Simpson (DI:58)
Transfers obligation for child welfare to state.

Provides that the state shall pay the costs paid by county property taxes from the family and children fund including the costs of caring for children who are adjudicated to be children in need of services or delinquent children (except for probation, guardian ad litem, and court appointed special advocate services), for wards of the county or state, or for foster children, costs for informal adjustments, service referral agreements and adoption assistance, and costs for certain educational services. Repeals the statute that establishes a county family and children's fund to pay for these expenses. Requires the division of family and children to apply for available federal funds to help defray the state's costs of placement of children in these facilities.

SB 411: (LS 7664) Simpson (DI:98)
Penalties for nursing home violations.

Increases the penalties for violations of statutes or administrative rules governing health facilities. Provides that a person who fails to comply with an order for immediate correction may be subject to a civil penalty of not more than \$10,000 per day for each day of continued noncompliance.

SB 412: (LS 7339) Simpson (DI:76)
Uniform child custody jurisdiction and enforcement.

Repeals the Uniform Child Custody Jurisdiction Law and replaces it with the Uniform Child Custody Jurisdiction and Enforcement Act providing for clearer standards regarding interstate child custody modification jurisdiction. Establishes a

process to enforce interstate child custody and visitation determinations with uniformity and harmonizes the law with respect to simultaneous proceedings and inconvenient forums.

SB 413: (LS 7361) Simpson (DI:92)
Uniform principal and income act.

Adopts the Uniform Principal and Income Act. Makes conforming changes. Repeals superseded statutes.

SB 414: (LS 7156) Simpson (DI:76)
Correctional facility nursery program.

Requires a superintendent of a correctional facility to arrange for a pregnant woman who is incarcerated at the facility to be provided with childbirth accommodations and medical care outside the correctional facility. Requires the woman to return to the correctional facility after the birth of the child as soon as the woman's health permits. Establishes a correctional facility nursery program to enable physically and psychologically fit incarcerated mothers to keep their infants with them during incarceration, if: (1) the woman is approved for the program; and (2) vacancies in the program exist. Provides that the infant may be cared for through the correctional facility nursery program until the infant becomes one year of age. Provides that the purpose of the nursery program includes providing counseling and parenting skills education to the program participants.

Requires certain qualified persons to staff the nursery program. Requires medical staff assigned to the nursery program to provide certain medical care and education. Requires, as part of the nursery program, the department of correction to establish and

operate an infant care center for care of the mothers' infants during their absence. Establishes a nursery interdisciplinary committee to address operational problems, make policy changes, and discuss any cases of participant maladjustment within the nursery program. Requires the superintendent of a correctional facility to contact the county office of family and children to provide services for the infant if: (1) an incarcerated mother is not eligible for the nursery program or a vacancy in the nursery program does not exist; and (2) the infant's father is not available to care for the child.

SB 415: (LS 7176) Simpson (DI:100)
Insurance coverage for contraceptives.

Requires insurers, health maintenance organizations, preferred provider plans, and comprehensive health insurance policies providing coverage for outpatient prescription drugs and outpatient services provided by health care providers to provide equal coverage for contraceptive drugs, devices, and services.

SB 416: (LS 7668) Simpson (DI:2)
Minors ringing up alcohol sales.

Prohibits a minor from ringing up a sale of alcoholic beverages. (Under alcoholic beverage laws, a minor is a person less than 21 years of age.)

SB 417: (LS 7619) Clark (DI:47)
Demutualization of insurance companies.

Replaces the current statutory mechanism under which a mutual insurance company may demutualize and become a stock insurance company. Specifies the contents of

a plan of conversion that must be approved by the commissioner of insurance after a public hearing and after a vote of eligible members of the mutual insurance company. Protects the confidentiality of financial information and trade secrets that may be submitted to the commissioner under certain circumstances. Establishes procedures to be followed when allocating and distributing consideration to eligible members. Permits the use of a closed block to preserve dividends for policyholders. Unless otherwise provided by the plan of conversion, establishes limits on the initial ownership and sale of the stock of the new company.

SB 418: (LS 7385) Clark (DI:44)
Tax abatement procedures.

Permits a city, town, or county to grant tax abatement if the application for the abatement was not filed in a timely manner.

SB 419: (LS 6849) Bowser (DI:71)
School textbooks.

Abolishes the textbook rental program for public school students. Expands the definition of textbook to include a variety of materials used in the instruction of students. Requires school corporations to establish a textbook fund and to appropriate money from the fund to purchase all needed textbooks for loan without charge to students of the corporation. Provides an annual state textbook grant in the amount of \$83 multiplied by the average daily membership (ADM) of a school corporation and requires the deposit of grant funds in the textbook account. Makes transitional provisions.

SB 420: (LS 7563) Bowser (DI:73)
Property tax assessment.

Provides that the county assessor is responsible for the assessment of real and personal property in counties other than Marion County. Provides that in Marion County the township assessor retains the assessment duties. Reestablishes county land valuation commissions. Provides that elected township assessors shall serve on the county land valuation commissions. Allows the county assessors to hire any person, including elected township assessors, to perform assessment duties.

SB 421: (LS 7030) Adams K (DI:69)
Environmental remediation.

Requires the department of environmental management to ensure that remediation and closure goals, objectives, and standards for activities conducted under the laws concerning hazardous waste management and underground storage tanks are consistent with: (1) realistic current and reasonably foreseeable exposure; and (2) the remediation objectives of voluntary remediation law. Provides that for environmental remediation projects groundwater quality standards must be consistent with: (1) realistic current and reasonably foreseeable exposure; and (2) the remediation objectives of voluntary remediation law. Requires the department to complete and publish in the Indiana Register the department's "Risk Integrated System of Cleanup" (RISC) guidance document before August 1, 1999. Specifies that the RISC guidance document: (1) may constitute only department guidance; (2) may not be included in an administrative rule; and (3) shall be administered in a manner that allows flexibility and deviations from the RISC guidance document based on site

specific circumstances. Requires the department, until August 1, 2001, to allow a person that performs an environmental investigation, remediation, or closure to choose to use: (1) the department's published RISC guidance document; or (2) the rules, policies, and guidance in effect on January 1, 1998, to perform the investigation, remediation, or closure. Requires the environmental quality service council to submit a recommendation to the general assembly before December 1, 2000, as to whether the department should: (1) continue to allow a person that performs an environmental investigation, remediation, or closure to choose to use the department's published RISC guidance document, or the rules, policies, and guidance in effect on January 1, 1998; or (2) be allowed to fully implement the published RISC guidance document.

SB 422: (LS 6817) Miller (DI:97)
Insurance coverage for infertility treatments.

Prohibits the issuance, delivery, amendment, or renewal of a group policy of accident and sickness insurance providing pregnancy related benefits unless the policy provides coverage for the diagnosis and treatment of infertility. Specifies certain infertility treatment procedures that must be covered, but provides that the coverage of an insured individual for certain procedures is required only under certain circumstances. Does not apply to a group policy issued to a religious institution or organization that finds the fertility treatment procedures incompatible with its religious and moral teachings and beliefs. Provides that a group health maintenance organization (HMO) contract that provides pregnancy related benefits may

not be entered into, delivered, amended, or renewed in Indiana unless it provides coverage for the diagnosis and treatment of infertility. Specifies certain infertility treatment procedures that must be covered as in-plan covered services or out-of-plan covered services, but provides that the coverage of an enrollee for certain procedures is required only under certain circumstances. Does not apply to a group HMO contract entered into with a religious institution or organization that finds the fertility treatment procedures incompatible with its religious and moral teachings and beliefs. Prohibits an insurer or health maintenance organization from providing coverage for certain procedures if the procedures involve the disposal of fertilized eggs.

SB 423: (LS 7596) Miller (DI:92)
Prohibit ATMs at gaming sites.

Prohibits the placement of automated teller machines (ATMs) at racetracks, off-track betting facilities, and riverboats.

SB 424: (LS 7561) Bray (DI:69)
Sentencing.

Specifies that if the state seeks to have a person convicted of an offense sentenced to: (1) an increased penalty because the person was previously convicted of the offense; (2) an additional fixed term of imprisonment as a habitual offender; (3) life imprisonment without parole as a habitual offender; or (4) an additional fixed term of imprisonment as a habitual controlled substance offender, the court alone must conduct the sentencing hearing. (Current law provides that if a person is convicted in a jury trial, the jury

must reconvene for the sentencing hearing.)

SB 425: (LS 7095) Server (DI:71)
Exemptions from ISTEP testing.

Provides that the ISTEP scores of a student for whom the student's school corporation is entitled to receive a special education grant for students with severe disabilities: (1) may not be included in the benchmark reports for performance based awards and published by the school corporation; and (2) may be used only for diagnostic purposes for the student. Provides that a student for whom the student's school corporation is entitled to receive a special education grant for students with severe disabilities is not required to meet the educational proficiency standards tested in the graduation examination to be eligible to graduate.

SB 426: (LS 7094) Server (DI:71)
ISTEP and special education students.

Provides that the ISTEP scores of a student for whom the student's school corporation is entitled to receive a special education grant: (1) may not be included in the benchmark reports used for performance-based awards and published by the school corporation; and (2) may be used only for diagnostic purposes for the student. Provides that a student for whom the student's school corporation is entitled to receive a special education grant is not required to meet the educational proficiency standards tested in the graduation examination to be eligible to graduate.

SB 427: (LS 7560) Nugent (DI:98)
Registration of intrastate motor carriers.

Specifies that the requirement that intrastate motor carriers that are not operating under

authority issued by the United States Department of Transportation must register with the department of state revenue as an intrastate motor carrier does not apply to an intrastate motor carrier operated by the owner of the vehicle or a guest occupant in connection with agricultural pursuits usual and normal to the owner's farming operation.

SB 428: (LS 7763) Gard (DI:77)
Office of women's health.

Establishes the office of women's health within the state department of health. Describes the purposes of the office. Requires the commissioner of the state department of health to appoint a director of the office and any other necessary employees to staff the office. Requires the state health commissioner to appoint an advisory committee on women's health to advise the director of the office regarding duties relating to the office. Makes an appropriation.

SB 429: (LS 6995) Gard (DI:75)
Recycled materials purchasing preference.

Provides that the recycled materials price preference for purchase of supplies by a governmental body must be set in rules adopted by the governmental body, in policies established by the purchasing agency, or in the solicitation. Requires the preference to be set to maximize the use of recycled materials when economically practical. Provides that the price preference may not exceed 15%. Removes statutory preferences that specify particular preference percentages and amounts of recycled materials.

SB 430: (LS 7752) Zakas (DI:76)
Commitment of sexually violent predators.

Provides for the civil commitment for an indeterminate period of a person who is found to be a sexually violent predator. Specifies that the purpose of the civil commitment is to provide treatment for a person with a serious mental disorder and then return the person to the community. Applies to a person who has been convicted of or charged with a sexually violent offense, which is defined as a Class A or Class B felony sex offense, and who suffers from a mental abnormality or personality disorder that makes the individual likely to repeatedly engage in a sexually violent offense. Provides that before a person who may be a sexually violent predator may be released from confinement, the releasing authority shall inform a three member review committee consisting of two psychiatrists or psychologists and one prosecuting attorney or deputy prosecuting attorney with experience prosecuting sex offense cases that the person may be a sexually violent predator. Establishes procedures for a determination of probable cause, a hearing, and other procedural safeguards. Provides that if a person is determined by a court to be a sexually violent predator, the person must be committed to a state institution. Provides procedures for the evaluation and review of a person who is committed. Provides that the person is to be committed for the period that the person's mental abnormality exists to the extent that: (1) the person is not safe to be released back into the community; and (2) if released, the person is likely to engage in acts of sexual violence.

SB 431: (LS 7751) Zakas (DI:76)

Violence witnessed by children.

Raises the penalty for battery from a Class A misdemeanor to a Class D felony if the offense is witnessed by: (1) a minor child or stepchild; or (2) a minor child residing within the household of the victim or of the person who commits the offense. Raises the penalty for criminal recklessness from a Class B misdemeanor to a Class D felony if the offense is witnessed by: (1) a minor child or stepchild; or (2) a minor child residing within the household of the victim or of the person who commits the offense.

SB 432: (LS 7491) Harrison (DI:96)
Employee matters.

Permits a child who is 17 years of age to work before 6 a.m. Provides that an employee of a seasonal amusement or recreational establishment, an organized camp, or a religious or nonprofit educational conference center that is exempt under the Fair Labor Standards Act who is covered by the Indiana minimum wage law is not entitled to overtime wages for a work week longer than 40 hours.

SB 433: (LS 7798) Harrison (DI:88)
Immunity for peer review committees.

Defines a professional review activity as an activity of a hospital's peer review committee with respect to a professional health care provider to do the following: (1) Determine whether the professional health care provider may have privileges with the hospital. (2) Determine the scope or conditions of the professional health care provider's privileges. (3) Modify the professional health care provider's privileges. Exempts from civil liability the

professional review activities of a peer review committee that are made in good faith.

SB 434: (LS 7718) Craycraft (DI:101)
Voting absentee ballots.

Provides that an absentee voter board must make at least one additional visit to the residence or place of confinement of a confined voter, if the voter was unavailable at the time of the board's first visit.

SB 435: (LS 7705) Craycraft (DI:101)
Boards of voter registration.

Provides for the establishment of a board of registration in each county having a second class city. (Current law provides for the mandatory establishment of a board of registration only in counties having a population of more than 125,000.)

SB 436: (LS 7048) Blade (DI:51)
Prejudgment interest.

Requires the payment of prejudgment interest. Make changes in the rate and commencement date for prejudgment interest.

SB 437: (LS 7656) Rogers (DI:71)
School resource officer program.

Establishes the school resource officer grant program, administered by the department of education, to place law enforcement officers in schools to perform law enforcement duties, perform law enforcement related counseling, perform law enforcement related education, and act as role models and mentors. Appropriates \$12,000,000 to the department of education for its use in providing school resource officer grants.

SB 438: (LS 7356) Merritt (DI:51)
Home improvement fraud.

Allows a Class D felony to be imposed in cases of home improvement fraud relating to the formation of a contract in which: (1) the contract price is more than \$7,500; or (2) the contract is unconscionable, the contract price is at least \$4,000, and the victim is at least 60 years of age. Allows a Class C felony to be imposed in all cases of home improvement fraud relating to the formation of a contract in which the contract price is more than \$10,000, regardless of the age of the victim.

SB 439: (LS 7731) Wyss (DI:44)
PERF vesting for elected county officials.

Permits a county council to adopt an ordinance to provide that a person serving as a county clerk, auditor, recorder, treasurer, sheriff, or coroner is vested in the public employees' retirement fund (PERF) after eight years of service in that office. (Current law requires ten years of service to vest in PERF, and the Constitution of the State of Indiana prohibits a person from serving in such an office for more than eight years of any 12 year period.)

SB 440: (LS 7642) Mrvan (DI:96)
Police and fire suspension hearings.

Permits a police officer or firefighter to request a hearing before the public safety board or the merit commission if the police officer or firefighter is suspended by the chief for five days or less. Provides that the police officer or firefighter shall continue regular duties pending the date set for the hearing and shall not serve a suspension for this disciplinary action until the date a

decision against the police officer or firefighter is rendered by the board or commission.

**SB 441: (LS 7678) Mrvan (DI:47)
Technology funding for local schools.**

Appropriates \$30,000,000 from the build Indiana fund to the Indiana technology fund for technology grants in each year of the biennium.

**SB 442: (LS 7487) Hume (DI:87)
Railroad safety division chief.**

Creates the railroad safety division within the Indiana department of transportation. Provides for the appointment of a railroad safety division chief by the commissioner of the Indiana department of transportation.

**SB 443: (LS 7512) Hume (DI:87)
Railroad crossing safety measures.**

Requires the Indiana department of transportation to order the installation of automatic warning signals at a railroad crossing that is the site of at least two fatal accidents. Requires the department to annually upgrade with automatic signals the 20 most hazardous railroad crossings. Provides that the funds to pay for the signals must come first from federal funds dedicated to railroad purposes and then from state highway funds that may be used for railroads. Provides that the state will pay the 10% local match of funds for the automatic signals from the railroad grade crossing fund. Requires the department to facilitate the installation of the following at crossings: (1) Reflective tape on existing crossbucks. (2) Stop signs. (3) Pavement markings or rumble strips. Provides that a local unit may be reimbursed

for installation expenses from the railroad grade crossing fund. Provides that the state and local unit is immune from any civil liability for injury or property damage that is proximately caused by the installation. Creates a diagnostic review team effective July 1, 2009, to evaluate whether to continue upgrading the 20 most hazardous railroad crossings.

**SB 444: (LS 7057) Mills (DI:51)
Eliminate county copayment for juvenile detention.**

Repeals the authority of the department of correction to charge a county 50% of the costs of keeping a delinquent offender committed to the department. Makes a related change to the community correction program.

**SB 445: (LS 6534) Ford (DI:92)
Repeal of inheritance tax.**

Provides that the state inheritance tax does not apply to property interest transfers made by a decedent who dies after June 30, 1999. Amends the Indiana estate tax formula and provides that the amended formula applies to property interest transfers made by a decedent who dies after June 30, 1999.

**SB 446: (LS 6533) Ford (DI:92)
Inheritance tax exemption for lineal descendants.**

Provides a complete exemption from the inheritance tax for property interests transferred to lineal descendants and ancestors (Class A transferees) with respect to decedents who die after June 30, 1999.

**SB 447: (LS 7399) Lawson C (DI:94)
Local government fiscal matters.**

Changes the annual penalty date for delinquent property taxes. Allows the use of recognized express mail carriers for the payment of delinquent property taxes. Provides that a claimant for purposes of bulk sales may hold a claim for taxes due. Provides a specified date for certification of special assessments.

SB 448: (LS 7589) Meeks R (DI:87)
Capitol police salaries.

Requires the state personnel department to establish a salary matrix for the capitol security force. Specifies the lowest and highest salaries in the classifications.

SB 449: (LS 7792) Skillman (DI:44)
Utility service boards; changing a town to a city.

Provides that a utility service board may be established by an ordinance adopted by the municipal legislative body acting on its own motion or pursuant to a referendum initiated by a petition signed by at least 20% of the registered voters of a municipality. Provides that if the municipal legislative body adopts an ordinance establishing a utility service board, and a petition is filed within 60 days after adoption of the ordinance, the effective date of the ordinance is delayed until after the referendum. Provides that a town may be changed into a city by an ordinance adopted by the town legislative body acting on its own motion or pursuant to a referendum initiated by a petition signed by at least 20% of the registered voters of the town. Provides that if the town legislative body adopts an ordinance changing the town into a city, and a petition is filed within 60 days after adoption of the ordinance, the effective date of the ordinance is delayed until after the referendum.

SB 450: (LS 7749) Alting (DI:69)
Grave markers for veterans.

Increases the amount provided by a county from \$30 to \$100 to cover the cost of setting a grave marker provided by the federal government for a person who served as a member of the armed forces of the United States. Requires the cemetery, consumer, and state department of health members of the state board of funeral and cemetery service to establish standards before January 1, 2000, for setting a grave marker provided by the federal government to a member of the armed forces or other qualified person. Specifies that the standards must require a person who sets the grave marker to do so in the most economical manner possible.

SB 451: (LS 7534) Miller (DI:100)
Health professions bureau.

Provides the boards that are under the jurisdiction of the health professions bureau with additional options when considering the renewal application of a practitioner. (Current law provides for license renewal or denial of the license renewal.) Provides that a practitioner is subject to further disciplinary sanctions if, after a hearing, a board finds that the practitioner failed to comply with an order that was issued as a disciplinary sanction.

SB 452: (LS 7805) Mills (DI:44)
Teachers' retirement fund director.

Eliminates the requirement that the director of the Indiana state teachers' retirement fund be a member of the fund.

SB 453: (LS 7359) Server (DI:97)
Restricted sales at flea markets.

Prohibits the sale of baby food, cosmetics, devices, and drugs at flea markets except by authorized manufacturer's or distributor's representatives.

SB 454: (LS 7443) Server (DI:73)
Property tax levy appeal.

Allows Scott Township of Vanderburgh County to appeal to the state board of tax commissioners to increase the maximum permissible levy of the township for fire protection within the township. Permits an additional increase in the levy if a loan is taken to pay for fire protection services in the first year of the levy increase.

SB 455: (LS 7219) Gard (DI:58)
Distribution of highway funds.

Changes the allocation of fuel tax revenue distributed from the motor vehicle highway account from 15% to 18% for cities and towns, 32% to 39% for counties, and 53% to 43% for the state.

SB 456: (LS 7456) Gard (DI:78)
IDEM permit fees.

Requires the commissioner of the department of environmental management to proportionally reduce the fees billed to sources with NPDES permits, solid waste permits, and hazardous waste permits, if the funds in the environmental management permit operation fund less obligated expenditures exceed certain amounts.

SB 457: (LS 7770) Clark (DI:2)
Reading instructions for teachers.

Requires 12 semester hours of academic preparation in the teaching of reading and in

reading techniques, including phonetic and sound processing, for a person to qualify for an elementary teacher license.

SB 458: (LS 7717) Clark (DI:100)
Issuance of insurance with auto rentals.

Exempts employees of motor vehicle rental companies who negotiate or solicit insurance incidental to a rental agreement from insurance agent's licensure requirements.

SB 459: (LS 7879) Borst (DI:73)
Tax credits for inventory tax payments.

Provides a credit against a taxpayer's state tax liability for property taxes paid on inventory. Provides that the credit is initially equal to 10% of property taxes paid on inventory, and increases the credit percentage over ten years until the credit may be claimed for 100% of property taxes paid on inventory.

SB 460: (LS 7358) Paul (DI:94)
Automated telephone collection calls.

Prohibits a caller from using an automatic dialing-announcing device to contact a revolving loan account debtor for the purpose of collection before 8 a.m., after 8 p.m., or on Saturday or Sunday. Provides that using an automatic dialing-announcing device to contact a revolving loan account debtor for the purpose of collection at any other time is a Class C misdemeanor.

SB 461: (LS 7703) Paul (DI:2)
Dismissal of teachers from extracurricular duties.

Provides procedures, including a hearing, that the governing body of a school corporation must follow to dismiss a teacher

from an extracurricular assignment, including coaching duties.

SB 462: (LS 7636) Harrison (DI:100)
Physician assistants.

Changes the certification process for a physician assistant to a licensure process. Authorizes a licensed physician to delegate prescribing privileges to a physician assistant. Authorizes the supervising physician to determine the number of physician assistants to supervise. Authorizes a physician assistant to certify the health status of patients. Authorizes a physician assistant to provide care in a disaster or emergency situation without liability unless the physician assistant is grossly, willfully, or wantonly negligent. Makes certain other changes.

SB 463: (LS 7460) Zakas (DI:92)
Inheritance tax Class A transferees.

Provides that for purposes of the inheritance tax a stepchild of the transferor is a Class A transferee.

SB 464: (LS 6666) Lubbers (DI:71)
Minimum age for kindergarten.

Provides that a child must be at least five years of age on the following dates to officially enroll in a kindergarten program offered by a school corporation: (1) July 1 of the 2000-2001 school year. (2) August 1 of the 2001-2002 school year. (3) September 1 of the 2002-2003 school year or any subsequent school year. (Current law requires that a child must be at least five years of age on June 1 to officially enroll in a kindergarten program.) Allows the governing body of a school corporation to adopt a procedure for a parent to appeal to the school superintendent

for kindergarten enrollment of a child who is not five years old on the statutory date. (Current law requires a school corporation to adopt the procedure.)

SB 465: (LS 7133) Kenley (DI:58)
Assessed value deduction for elderly.

Increases the assessed value deduction for the elderly from \$1,000 to \$10,000. Increases the income level to qualify for the deduction from \$20,000 to \$40,000.

SB 466: (LS 7633) Alexa (DI:75)
Kankakee River basin commission property transfer.

Authorizes and directs the Kankakee River basin commission to convey certain real property in Porter County to Alvin W. Landfadt in exchange for a conveyance by Mr. Landfadt of other real property to the commission.

SB 467: (LS 7485) Alexa (DI:44)
Port commission appointments.

Requires that three members of the Indiana port commission must be residents of counties in which ports under the jurisdiction of the commission are located. (Currently Clark, Porter, and Posey counties.) Requires that one member of the port commission must be a resident of the county with the largest population in the state. (Currently Marion County.) Requires that one member of the port commission must be a resident of the county with the second largest population in the state. (Currently Lake County.) Requires that the port commission must have two members from counties that are not already represented on the board. Requires the

governor to replace members of the port commission, as their terms expire, with new members according to the following order: (1) the member from Porter County; (2) the member from Posey County; (3) the member from the county with the largest population; (4) one of the members from a county not already represented on the port commission; (5) the member from Clark County; (6) the member from the county with the second largest population; and (7) the other member from a county not already represented on the port commission. Makes technical corrections.

SB 468: (LS 7291) Antich (DI:76)
Indiana child support guidelines.

Establishes child support guideline amounts that are based upon a noncustodial parent's net income in relation to the number of children for whom the noncustodial parent is obligated to pay support. Defines net income as the total income from all sources minus certain specified deductions. Provides that there is a rebuttable presumption that the child support guideline amounts must be applied in every case unless the court enters a finding that application of the guidelines would not be appropriate. Requires a court that deviates from the guideline amounts to include the reason for the deviation as part of the court's finding. Provides that if the noncustodial parent's net income is indeterminable, the court shall order child support in an amount that is reasonable.

SB 469: (LS 7292) Antich (DI:76)
Child support emancipation age.

Lowers the age of emancipation from 21 years of age to 18 years of age for purposes of

child support obligations if the child: (1) graduates from high school; or (2) is not enrolled in or is not continuously attending high school. Terminates court ordered child support regardless of educational circumstances after a child becomes 19 years of age, unless the child is incapacitated. Retains a court's ability to order secondary school educational expenses after the child reaches 19 years of age if the child has not obtained a high school diploma as the result of a physician documented illness. Permits court ordered postsecondary educational expenses under certain circumstances. Requires the child to maintain at least a C grade average under certain circumstances in order to be eligible to receive parental financial support for the child's postsecondary education. Prohibits a court from ordering a parent to pay for a child's educational expenses that exceed the costs assessed by a public institution of higher learning. Makes the payment of court ordered child support in dissolution of marriage and paternity cases mandatory. Prohibits a custodial parent from voluntarily withdrawing the parent's child from school without the noncustodial parent's consent unless withdrawing the child from school is the result of a physician documented illness. Allows a court to escrow child support payments until the child is reenrolled in school unless the court determines that the escrowing of child support payments is likely to harm the child's best interests. Makes conforming changes.

SB 470: (LS 6420) Antich (DI:77)
Medicaid prescription drugs for impotence.

Prohibits the Medicaid program from supplying prescribed drugs for the treatment

of erectile dysfunction or impotence. Requires the office of Medicaid policy and planning to limit the monthly amount of the prescribed drug and require a copayment of the prescribed drug if federal law requires the Medicaid program to provide the drugs.

SB 471: (LS 7722) Bowser (DI:2)
Medically accurate education.

Requires the provision of medically accurate information at the various times that health, AIDS, HIV, or abstinence education is required by statute.

SB 472: (LS 7582) Bowser (DI:73)
Adjusted gross income tax deductions.

Provides a 100% adjusted gross income tax deduction for pension and annuity income and individual retirement arrangement distributions received by an individual who is at least 75 years of age. Makes conforming changes to existing provisions that provide certain partial deductions for retirement income.

SB 473: (LS 7611) Washington (DI:100)
Wage garnishment.

Amends the wage garnishment law to give a garnishment order priority over a child support withholding order to the extent that the support withholding is not diminished by the garnishment. (Current law gives priority to a child support order.)

SB 474: (LS 7784) Washington (DI:75)
Legislative pay public question.

Requires a statewide public question to be placed on the 2000 general election ballot asking whether the annual salary of members

of the general assembly should be \$28,000. Provides that if more voters vote in favor of the public question than vote against it, the president pro tempore may authorize each senator and the speaker of the house of representatives may authorize each representative to receive an annual salary beginning January 1, 2001, of \$28,000, rather than the annual salary currently provided by statute.

SB 475: (LS 7807) Merritt (DI:92)
Appropriations for tourism promotion fund.

Appropriates \$7,000,000 in fiscal year 2000 and \$9,000,000 in fiscal year 2001 to the tourism information and promotion fund.

SB 476: (LS 6448) Antich (DI:51)
Limitations on governmental immunity for emergency communication systems.

Specifies that a governmental entity is not immune for the intentional, reckless, or grossly negligent operation, maintenance, or use of an emergency communication system, including a 911 emergency telephone system.

SB 477: (LS 7720) Craycraft (DI:101)
Procedures for voting at residence.

Provides that if the requirements concerning the composition of an absentee voter board are met, a candidate, political party, or political action committee may not appoint or request a watcher to accompany an absentee voter board that visits a confined person's residence or place of confinement.

SB 478: (LS 7850) Lubbers (DI:76)
Domestic battery.

Creates the offense of domestic battery, which is a battery resulting in bodily injury against a person who: (1) is or was a spouse of; (2) is or was living as if a spouse of; or (3) has a child in common with the person who commits the offense. Makes the offense a Class A misdemeanor for a first conviction and a Class D felony for subsequent convictions. Prohibits a court from providing misdemeanor sentencing treatment to a person who is convicted of a subsequent domestic battery. Requires that if a court finds that a noncustodial parent has been convicted of a domestic battery that was witnessed or heard by the noncustodial parent's child, the court shall limit the noncustodial parent's visitation with the child to supervised visitation for a specified period.

SB 479: (LS 6984) Zakas (DI:92)
Inheritance tax exemption increase.

Increases the inheritance tax exemption for Class B transferees from \$500 to \$100,000. Increases the inheritance tax exemption for Class C transferees from \$100 to \$100,000.

SB 480: (LS 7868) Skillman (DI:101)
Disclosure of persuasion polls.

Prohibits a person from conducting a persuasion poll or a political telephone solicitation unless the person identifies at the end of the call the persons sponsoring and authorizing the call. Requires that if a person sponsoring or authorizing a call is a candidate's committee, the caller must also identify the candidate's name and the office sought by the candidate. Requires that if a candidate's committee neither sponsors nor authorizes a call, the caller must state that the call is not authorized by any candidate or

candidate's committee. Provides that a person who fails to make the required disclosures, or who makes false or fictitious disclosures, commits a Class B misdemeanor and must pay civil penalties to the Indiana election commission and a county election board.

SB 481: (LS 7823) Lubbers (DI:71)
Charter schools.

Allows a sponsor to issue a charter to an organizer to establish a charter school. Defines a "sponsor" as the governing body of a school corporation, the board of trustees of an institution of higher learning with an accredited school of education, or a designated employee of the board of trustees of an institution of higher learning with an accredited school of education. Sets forth the organization, powers, method of establishment, charter contents, policies, oversight, and restrictions for charter schools. Provides that a decision concerning the establishment of a charter school may not be restrained by a collective bargaining agreement. Allows the employees of a charter school to organize and collectively bargain. Requires at least 75% of the teachers in a charter school to hold a license to teach in a public school. Requires a nonlicensed individual hired to teach in a charter school to possess certain qualifications. Provides that if a school corporation eliminates a teaching position in a noncharter school because of a charter school, the legal or contractual provisions, if any, otherwise applicable to a teacher continue to apply to that teacher. Allows the conversion of an existing public school to a charter school if at least 50% of the teachers and 50% of the parents approve of the

conversion. Makes conforming amendments to related sections.

SB 482: (LS 7743) Jackman (DI:87)
Audit costs for regional water and sewer districts.

Requires each regional water or regional sewer district with less than 500 customers to be charged \$30 per day for each field examiner, private examiner, expert, or employee of the state board of accounts who audits the district. (Under current law, a regional water or regional sewer district is charged the actual cost of the examination.)

SB 483: (LS 7769) Wolf (DI:71)
Loads of gravel on highways.

Requires a truck hauling gravel on a highway to have the load covered.

SB 484: (LS 7824) Wolf (DI:47)
Appropriation for agricultural extension services.

Appropriates \$2,800,000 to Purdue University for county extension educators and \$400,000 to Purdue University for agricultural research and extension (crossroads program) in each year of the biennium.

SB 485: (LS 7781) Server (DI:101)
Registration of soil scientists.

Creates the board of registration for soil scientists. Provides that the board consists of four registered professional soil scientists and one individual representing the public at large. Requires the board to enter into a contract with the state chemist under which the state chemist provides clerical support, record keeping services, and office space to the board. Creates a program for the

registration of professional soil scientists. Establishes education, examination, and work qualifications for registration as a professional soil scientist and establishes separate qualifications for registration as an associate soil scientist. Requires the board to publish yearly a roster showing the names and places of business of all registered soil scientists. Provides that certain activities may result in the revocation or suspension of the registration of a soil scientist. Provides for administrative and judicial review of a decision of the board regarding a soil scientist's registration. Provides staggered initial terms for board member. Allows certain individuals to obtain registration without satisfying the education and examination requirements for registration. Exempts individuals in certain professions from the registration requirements.

SB 486: (LS 6832) Meeks R (DI:75)
Various administrative matters.

Provides that a certificate of qualification for a contractor or a person performing professional services on a state public works project expires 27 months after the date of issuance. (Under current law, a certificate expires 15 months after issuance.) Requires a person that holds a certificate of qualification to notify the certification board of any material changes in information supplied in the application submitted to the board. Provides that energy cost savings contracts entered into by the state are administered by the Indiana department of administration rather than state agencies that occupy the facilities that benefit from the contracts. Provides that the rules adopted by the Indiana department of administration relating to enforcement of the department's

traffic rules must include an administrative appeals process. Provides that the administrative adjudication act does not apply to the administrative appeals process for enforcement of the department's traffic rules. Provides that a person aggrieved by the imposition of a civil penalty for violation of the department's traffic rules may appeal to a court of jurisdiction. Provides that the attorney general may file an appropriate action to enforce imposition of a civil penalty for a traffic violation. Repeals superseded energy efficiency contract statutes.

SB 487: (LS 7524) Meeks C (DI:51)
Inmate release procedures.

Allows the department of correction to procure public transportation for a released offender to the Indiana city or town that is nearest to the released offender's designated place of residence.

SB 488: (LS 7841) Sipes (DI:47)
Teacher professional development grants.

Creates a professional development grant program, administered by the Indiana state board of education, to provide grants for public schools for professional development activities. Requires a school to develop a professional development plan to be eligible to obtain a grant. Provides criteria for plan development and the evaluation of plans. Requires the department of education to provide each public school with \$5,000 during the 1999-2000 fiscal year to develop an initial plan. Appropriates \$10,000,000 during each year of the biennium for professional development grants and planning grants.

SB 489: (LS 7736) Sipes (DI:47)
ISTEP testing and remediation.

Appropriates \$40,000,000 for ISTEP testing and remediation in each year of the biennium beginning July 1, 1999.

SB 490: (LS 7680) Sipes (DI:47)
Alternative schools.

Appropriates \$10,000,000 to the Indiana department of education for alternative education programs in each year of the biennium beginning July 1, 1999.

SB 491: (LS 7679) Sipes (DI:47)
Indiana safe schools.

Appropriates \$5,000,000 to the Indiana safe schools fund in each year of the biennium.

SB 492: (LS 7924) Kenley (DI:13)
Vehicle Bill.

SB 493: (LS 7685) Clark (DI:2)
Recycling of malt beverage.

Allows certain sales of a malt beverage for recycling and not for human consumption when the brewer's designated expiration date marked on a container or bottle has passed. Provides that the use of alcohol, alcoholic beverages, or a preparation containing alcohol for research or testing purposes is not prohibited but is controlled, regulated, and confined to alcoholic beverage permit holders.

SB 494: (LS 7380) Ford (DI:96)
Reimbursement for expenses of injured employees.

Requires an employer to pay for reasonable

expenses of travel for treatment of an injured employee regardless of where the treatment is located. Requires an employer to reimburse the injured employee for loss of wages using the basis of the employee's average daily wage when treatment or travel to or from the treatment causes a loss of working time to the employee. Computes mileage reimbursement for examination or treatment of an injured employee from the location of the employer to the treatment or the examination, or from the home of the employee to the treatment or the examination, whichever is less.

SB 495: (LS 7700) Ford (DI:78)
Foundry sand.

Requires an inspector from the department of environmental management or a designated agent of the department to provide 48 hours notice to a regulated entity before making a routine inspection that may uncover more than one category of violations. Permits the use of Type III foundry sand in a land application operation or for soil amendments. Requires foundry sand to meet certain requirements to get and maintain Type III criteria status.

SB 496: (LS 7225) Sipes (DI:71)
Minimum age for kindergarten.

Provides that a child must be at least five years of age on the following dates to officially enroll in a kindergarten program offered by a school corporation: (1) July 1 of the 2000-2001 school year. (2) August 1 of the 2001-2002 school year. (3) September 1 of the 2002-2003 school year or any subsequent school year. (Current law requires that a child must be at least five years of age on June 1 to officially enroll in a kindergarten

program.) Allows the governing body of a school corporation to adopt a procedure for a parent to appeal to the school superintendent for kindergarten enrollment of a child who is not five years of age on the statutory date. (Current law requires a school corporation to adopt the procedure.)

SB 497: (LS 7224) Sipes (DI:71)
Full day kindergarten.

Provides that the governing body of a school corporation may establish a full day, half day, or combination program for kindergarten. For a school corporation that establishes a full day kindergarten program, provides that the parent of an enrolled kindergarten student determines whether the student attends kindergarten for a full or half day.

SB 498: (LS 7529) Landske (DI:51)
Representation by attorney general.

Requires the attorney general to represent: (1) a regional or local planning or coordinating council required by a law or a federal program administered by the division of family and children; and (2) any member, officer, employee, or volunteer of the council that is accused of an offense or sued for civil damages because of an act performed within the council's or individual's course of responsibilities or under the authority or order of a superior officer or the division. Makes related changes.

SB 499: (LS 7937) Landske (DI:69)
Publications sent to confined persons.

Requires that books and periodical publications sent to persons confined in

department of correction facilities must be mailed directly from the publisher unless the confined person receives prior approval from the superintendent to receive a book or periodical publication from another source.

SB 500: (LS 7676) Clark (DI:47)
Mutual insurance holding companies.

Establishes a mechanism under which a mutual insurance company (MIC) may reorganize as a mutual insurance holding company (MIHC). Requires the MIC to submit a plan of reorganization for approval by the commissioner of insurance. Requires a public hearing and notice to members of the MIC. Requires a two-thirds vote in favor of the reorganization by those members voting on the question. Specifies rules for the operation of an MIHC, including limits on the issuance and ownership of stock associated with the MIHC.

SB 501: (LS 7870) Lanane (DI:100)
Insurance eligibility for victims of abuse.

Prohibits an insurer of an automobile insurance policy from refusing to issue coverage, terminating coverage, or restricting coverage to an individual based on that individual's history of or potential for being a victim of abuse. Prohibits the insurer of a homeowner's insurance policy from refusing to issue coverage, terminating coverage, or restricting coverage to an individual based on that individual's history of or potential for being a victim of abuse.

SB 502: (LS 7595) Lanane (DI:78)
Wastewater management.

Allows the department of environmental management to determine the appropriate

period for new and renewal wastewater permits, licenses, and approvals not to exceed three years. (Under current law, approval periods may not exceed one year.) Specifies that the commissioner or a designated staff person may revoke or modify a wastewater management permit, license, or approval under certain circumstances.

SB 503: (LS 7730) Simpson (DI:44)
Wage discrimination.

Provides that an employer may not discriminate against an employee on the basis of sex, race, or national origin by paying wages at a rate less than to other employees of another sex, race, or national origin. Requires the department of labor to adopt rules to implement the chapter, including specifying the criteria for determining whether a job is dominated by employees of one sex, a particular race, or a particular national origin. Requires an employer to keep records of wages paid to employees and to document wages paid to employees and support the method, system, calculations, and bases used to establish, adjust, and determine the wage rates paid to its employees. Requires an employer to provide to the employee upon commencement of employment and at least annually thereafter, a statement of the job title, wage rate, and how the wage is calculated. Allows an individual claiming discrimination to file a complaint with the civil rights commission. Allows an individual to file a civil action for violation of the requirement to be furnished an annual statement of wages. Allows the department of labor to file a civil action against an employer for a violation of the record

keeping requirements.

SB 504: (LS 7652) Alexa (DI:76)
Alcohol and drug countermeasures fee.

Provides that when a court or the bureau of motor vehicles suspends a person's driving privileges for violation of a statute concerning alcoholic beverages, the court shall order the collection of a \$200 alcohol and drug countermeasures fee from the person. (Current law specifies collection of the fee only when a person is convicted of operating a vehicle while intoxicated.) Specifies that if the person has a previous conviction for operating a vehicle while intoxicated, the court may order the collection of an alcohol and drug countermeasures fee of at least \$200 but not more than \$500.

SB 505: (LS 7889) Miller (DI:77)
Tobacco product information.

Requires manufacturers of tobacco products that are sold in Indiana to annually provide the state department of health with the identity of certain ingredients and nicotine yield ratings for each brand of the tobacco product. Provides that the nicotine yield rating and certain other information that may reduce the risk to public health are public documents. Requires the state department of health to adopt rules concerning these tobacco reports. Provides that a tobacco manufacturer may not sell a brand of tobacco product unless the annual report has been submitted. Requires the attorney general to advise the state department of health if any public disclosure of the information required in the annual report would constitute an unconstitutional taking of property. Prohibits

the state department of health from publicly releasing information that would constitute an unconstitutional taking of property.

SB 506: (LS 7812) Miller (DI:100)
Acupuncture licensing.

Requires acupuncturist licenses to be renewed every two years. Requires acupuncturists to maintain current diplomate status with the National Certification Commission for Acupuncture and Oriental Medicine. Requires acupuncturists to have a written referral or diagnosis from a licensed physician before practicing acupuncture on a patient. Makes professing to be an acupuncturist without a license and the unlawful practice of acupuncture a Class B misdemeanor. Allows a licensed acupuncturist to practice auricular acupuncture on a patient for the purpose of treating alcoholism, substance abuse, or chemical dependency without a referral or diagnosis from a licensed physician. Allows individuals meeting certain standards to practice auricular acupuncture on patients for the purpose of treating alcoholism, chemical dependency, or substance abuse without a license.

SB 507: (LS 7797) Miller (DI:69)
Controlled substances.

Provides that the law that would prohibit a physician from prescribing or otherwise providing: (1) any amphetamine, sympathomimetic amine drug, or compound designated as a Schedule III or Schedule IV controlled substance for purposes of weight reduction or to control obesity for a patient; and (2) for more than three nonrefillable 30 calendar day supplies in any 365 day period

takes effect July 1, 2001, instead of July 1, 1999. Provides that the law concerning the central repository for controlled substances expires July 1, 2001, instead of July 1, 1999.

SB 508: (LS 6854) Miller (DI:100)
State board of nursing.

Amends continuing education requirements for advanced practice nurses to renew their authority to prescribe legend drugs.

SB 509: (LS 7535) Zakas (DI:92)
Income tax personal exemptions.

Provides individuals an exemption to the adjusted gross income tax equal to the amount of the exemption claimed by the individual under the Internal Revenue Code. (Current law provides an exemption of \$1,000.)

SB 510: (LS 7533) Mrvan (DI:58)
Child care tax credit for individuals.

Provides a refundable child care tax credit against an individual taxpayer's state income tax liability for employment related child care expenses. The credit is equal to the lesser of \$125 per child or 3% of the taxpayer's employment related child care expenses.

SB 511: (LS 7780) Mrvan (DI:92)
Appropriation for the training 2000 fund.

Appropriates \$17,500,000 annually from the state general fund to the training 2000 fund.

SB 512: (LS 7651) Mrvan (DI:76)
Youthful offender system program.

Establishes the youthful offender system (YOS) program within the department of

correction to allow for placement of youthful offenders in a regimented environment that assists in developing certain skills and values in an effort to deter the offender from becoming a repeat or more serious offender. Applies to offenders who are less than 19 years of age and commit a Class C or Class D felony. Provides that the YOS program consists of the following phases: (1) The intake, diagnostic, and orientation phase, which is based in part upon the traditional paramilitary boot camp. (2) Phase I, which takes place at a secure facility for a period of 8 to 48 months, during which time the offender participates in diverse and individually tailored programs ranging from educational to behavioral in nature. (3) Phase II, which consists of a 3 month confinement to a residential facility. (4) Phase III, which consists of a period of community supervision. Allows a court to place a youthful offender in the YOS program for at least 2 but not more than 6 years. Requires the department of correction to collect certain data to evaluate the effectiveness of the program. Makes certain other changes relating to the YOS program.

SB 513: (LS 7817) Gard (DI:69)
Solid waste management districts.

Provides that a resolution passed by a county fiscal body to approve a distribution to a solid waste management district under the laws concerning the county option income tax and the county adjusted gross income tax may: (1) expire on a date specified in the resolution; or (2) remain in effect until the county fiscal body revokes or rescinds the resolution. Provides that the law restricting the provision of waste management services by solid waste management districts does

not apply to: (1) activities conducted as part of household hazardous waste collection and disposal projects; and (2) solid waste recycling, collection, or disposal projects that are conducted for not more than one day.

SB 514: (LS 7517) Gard (DI:44)
Biomedical research fund.

Establishes the Indiana biomedical research fund for the purpose of providing grants to support biomedical research by Indiana based private researchers and faculty of Indiana colleges and universities. Establishes the Indiana biomedical research policy review board to administer the fund. Appropriates \$25,000,000 to the fund during each year of the biennium.

SB 515: (LS 7394) Breaux (DI:75)
Residential tenants' security deposits.

Provides that a landlord who fails to comply with statutes relating to the return of a security deposit is liable to the tenant for two times the amount of the security deposit. (Under current law, the tenant may recover the amount of the security deposit.)

SB 516: (LS 7545) Breaux (DI:98)
Child care facility inspectors.

Requires the division of family and children to employ an additional three individuals to investigate complaints regarding child care facilities.

SB 517: (LS 8022) Bowser (DI:88)
Medical records privacy.

Provides that an employee has the right to examine and receive a copy of the employee's medical records. Provides a mechanism by

which an employee may request and provide corrections to the employee's medical records. Requires that an entity possessing an employee's medical records not collect, use, or disclose the employee's personal health information except under certain circumstances. Provides circumstances under which an entity possessing an employee's medical records may disclose the information contained in the medical records without the employee's consent. Requires the entity to keep a record of each disclosure for five years. Provides circumstances under which an entity possessing an employee's medical records may disclose information contained in the medical records to a research organization without the employee's consent. Provides specific civil penalties and criminal penalties that apply to an entity possessing an employee's medical records or to a research organization that knowingly or intentionally obtains an employee's personal health information or discloses an employee's personal health information to another person for reasons other than those provided by law.

SB 518: (LS 7804) Sipes (DI:44)
Donation of equipment to volunteer firefighters.

Grants immunity from civil damages to a person who donates fire control or fire rescue equipment to a volunteer fire company.

SB 519: (LS 7280) Merritt (DI:71)
Alternative education programs.

Amends the definition of "alternative education program". Provides that governing bodies of school corporations may establish joint programs. Allows an entity other than a

school corporation to manage or operate an alternative education program on behalf of a school corporation. Removes the requirement that a grant for an alternative education program be reviewed by the budget committee. Repeals the definition of program organizer for alternative education programs and makes corresponding changes to related statutes. Appropriates \$15,000,000 from the state general fund to the department of education for its use in providing alternative education grants during the 1999-2001 biennium.

SB 520: (LS 6485) Ford (DI:71)
Veterans license plates.

Requires the bureau of motor vehicles to design and issue a special group recognition license plate to honor Indiana Vietnam era veterans. Specifies that an individual who served in the United States armed forces any time from January 1, 1959, until May 17, 1975, may receive a Vietnam era veteran license plate upon paying the prescribed fees. Requires the bureau of motor vehicles to design and issue a license plate to honor veterans who have received the Silver Star medal. Specifies that an individual who has received a Silver Star medal may receive a Silver Star license plate. Requires the bureau of motor vehicles to design and issue a special group recognition license plate to honor Indiana Korean era veterans. Specifies that an individual who served in the United States armed forces any time from June 27, 1950, until June 31, 1955, may receive a Korean era veteran license plate upon paying the prescribed fees. Allows an individual who is eligible to receive a Vietnam era, Silver Star, or Korean era license plate to receive a personalized license plate. Exempts Vietnam

era, Silver Star, and Korean era license plates from minimum sales requirements.

SB 521: (LS 7849) Hume (DI:47)
Local water and sewer infrastructure grants..

Appropriates \$85,000,000 for the biennium from the build Indiana fund to the supplemental wastewater assistance fund and the supplemental drinking water assistance fund for grants to political subdivisions and public water systems.

SB 522: (LS 7881) Hume (DI:71)
Commercial driver's license.

Exempts an individual who held a commercial driver's license before April 1, 1992, and who is engaged only in intrastate commerce from federal requirements for minimum distant binocular visual acuity.

SB 523: (LS 7958) Lawson C (DI:75)
Various election matters.

Provides that a uniformed police officer may serve as an absentee ballot courier. Increases the population threshold at which a board of registration is established in a county from 125,000 to 200,000. Provides that a board of registration existing under the lower threshold continues unless the county election board votes, by a unanimous vote of its members, to abolish the board of registration. Provides that a declaration of intent to be a write-in candidate and a petition of nomination must be filed not later than noon on the date that is the deadline for filing a declaration of candidacy for a primary election. Provides that filling an early candidate vacancy may not be delegated to a committee other than a caucus of precinct committeemen and vice

committeemen.

SB 524: (LS 7827) Simpson (DI:78)
Pesticide use by schools and day care centers.

Requires the Indiana pesticide review board to develop guidelines for day care centers, preschools, public schools, and nonpublic schools to follow in developing integrated pest management systems. Requires the governing body of a day care center, preschool, or school to designate a contact person. Requires the contact person to provide certain information about pesticide use to each student, a parent or guardian of each student, and each staff member. Requires the contact person to keep a pesticide notification list and to notify each person on the list not less than 48 hours before a planned use of pesticides and not more than 24 hours after an emergency use of pesticides. Requires the governing body to provide an opportunity for the contact person to answer questions about the integrated pest management system at a public meeting. Requires the department of education to notify schools of the need to adopt an integrated pest management system.

SB 525: (LS 7742) Simpson (DI:69)
Operating while intoxicated and open containers.

Makes it: (1) a Class C misdemeanor for a person to operate a vehicle with at least 0.10% by weight of alcohol in the person's blood or breath but less than 0.15% by weight of alcohol in the person's blood or breath; (2) a Class B misdemeanor for a person to operate a vehicle with at least 0.15% by weight of alcohol in the person's blood or breath but less than 0.20% by weight of alcohol in the person's blood or breath; and

(3) a Class A misdemeanor for a person to operate a vehicle with at least 0.20% by weight of alcohol in the person's blood or breath. Requires a court to order a person who has been convicted of operating a vehicle while intoxicated: (1) to be imprisoned for at least five days or to perform at least 30 days of community service if the person has one previous conviction of operating a vehicle while intoxicated; and (2) to be imprisoned for at least ten days or to perform at least 60 days of community service if the person has at least two previous convictions of operating a vehicle while intoxicated. Makes it a Class B infraction for the operator of a motor vehicle to, while the motor vehicle is in operation, knowingly allow an alcoholic beverage container that has been opened, that has a broken seal, or from which some of the contents have been removed to be in the passenger compartment of the motor vehicle.

SB 526: (LS 7382) Miller (DI:77)
Health facility remedies for breaches of certain laws.

Removes a provision concerning repeat deficiencies by a health facility in a 15 month period. Increases the amount of fines that the commissioner of the state department of health may impose for certain violations by health facilities. Specifies that the commissioner may impose a penalty for each violation or repeat of a violation. Limits to 90 the total number of consecutive days that the commissioner may suspend new admissions to a health facility.

SB 527: (LS 7551) Miller (DI:97)
Master licensure of hospitals.

Provides that a hospital licensed under Indiana law may provide health care services within the hospital without additional licensure or an additional licensure inspection by the state department of health.

SB 528: (LS 7956) Miller (DI:88)
Tobacco sales.

Provides that an individual who is less than 18 years of age may not enter a retail establishment if at least 50% of the establishment's revenues are generated from the sale of tobacco products. Requires that an individual be at least 18 years of age to sell tobacco products. Requires that all tobacco products for sale in a retail establishment not be accessible to customers. Provides that a person who owns or has control over an establishment selling tobacco products at retail: (1) must place all tobacco products in a location so that only the employees of the retail establishment may have access to the tobacco products; and (2) commits a Class B infraction for failing to place all tobacco products out of the reach of the establishment's customers. Provides that an individual who knowingly sells or distributes tobacco to a person less than 18 years of age commits a Class B infraction. (Current law makes this violation a Class C infraction.)

SB 529: (LS 6836) Miller (DI:77)
Commission on abused children and their families.

Establishes a 19 member commission on abused children and their families. Provides that the commission's purpose is to develop and present an implementation plan for a continuum of services to abused and neglected children and their families. Prescribes various responsibilities to the

commission, including: (1) examining the family services provided to abused and neglected children and their families; (2) reviewing certain funding sources allocated for the protective services needs of children and their families; (3) reviewing workload standards concerning child protective services; (4) examining the qualifications and training of public service providers; (5) suggesting policy, program, and legislative changes relating to family services for abused and neglected children; and (6) evaluating whether law enforcement personnel or social service providers should initially handle child abuse and neglect complaints. Requires the commission to draft a final report. Provides for the distribution of the commission's final report.

SB 530: (LS 7892) Clark (DI:76)
Methamphetamine and neighborhood impact statements.

Makes the criminal penalties for offenses relating to cocaine equivalent to the penalties for offenses relating to methamphetamine. Makes conforming changes to other statutes relating to cocaine and narcotic drug offenses to incorporate offenses relating to methamphetamine including: (1) specifying that a juvenile court does not have jurisdiction over a person for allegedly dealing in methamphetamine; (2) providing that if a person commits possessing or dealing in methamphetamine, certain occupational and professional licenses and certifications held by the person may be revoked or suspended; and (3) providing that certain property used by the person to commit the offense may be seized. Allows a court to consider a neighborhood impact statement when

sentencing a person for a controlled substance offense. Describes the components of a neighborhood impact statement.

SB 531: (LS 7583) Clark (DI:76)
Changes in juvenile law.

Makes numerous changes to the child protection system, including the following: (1) Provides that a child alleged to be a child in need of services (CHINS) may not be removed from the child's home except under certain specific circumstances. (2) Provides that other family members must first be considered for placement if a child is removed from the child's home. (3) Provides that a child alleged to be a CHINS or delinquent child may not be removed from the child's home if the only evidence in the case is an anonymous report. (4) Requires the division of family and children to destroy within six months all records of an unsubstantiated child abuse or neglect report. (5) Provides that a proceeding to terminate a parent-child relationship must be open to the public upon request of the child's parent, guardian, or custodian. (6) Provides that the rules of evidence apply to detention, dispositional, and placement review hearings. (7) Requires the court to advise a child's parent, guardian, or custodian that alternative reports may be prepared by them for consideration by the court in CHINS and delinquency proceedings. (8) Provides that a child's family is not required to reimburse the state or other provider for expenses relating to supervised visitation. (9) Requires certain juvenile court determinations to be made by a preponderance of the evidence. (10) Repeals a rebuttable presumption, created upon the introduction of certain evidence, that a child is a child in need of services. Makes certain

other changes.

SB 532: (LS 7944) Server (DI:69)
Lead-based paint activities.

Prohibits a state, a municipal corporation, a county, a municipality, a township, certain corporations, certain trusts, and certain other entities exempt from federal income taxation from being required to pay a fee established by the air pollution control board for a lead-based paint training program seeking approval of a lead-based paint training course.

SB 533: (LS 7782) Server (DI:101)
Licensure of professional geologists.

Changes the certification program for professional geologists to a licensure program. Makes conforming amendments. Revises qualifications for licensure as a professional geologist so that equal credit is given for geological work experience, whether performed in the private sector or for a governmental entity. Exempts from the requirements of licensure a soil scientist or soil classifier who is certified by the American Registry of Certified Professionals in Agronomy, Crops and Soils (ARCPACS) and the Indiana Association of Professional Soil Classifiers (IAPSC) and who applies geology in the practice of soil science. Makes it a Class B misdemeanor for a person to publicly practice geology or offer to publicly practice geology in Indiana without being licensed as a professional geologist.

SB 534: (LS 7654) Mills (DI:94)
Various securities matters.

Increases the penalty for violation of

securities laws in certain circumstances. Allows the securities commissioner to adopt rules and orders to prohibit deceptive, fraudulent, or abusive telemarketing or telephone solicitation of securities. Expands the scope of reasons for which the securities commission may deny, suspend, revoke, or bar an entity under the jurisdiction of the securities commissioner.

SB 535: (LS 6638) Mills (DI:44)

Repeal property tax add-back.

Provides that property taxes deductible under the Internal Revenue Code are not to be added back to income in determining Indiana adjusted gross income tax or the financial institutions tax.

SB 536: (LS 8003) Bray (DI:76)

Violent crime victims compensation fund.

Increases from \$10,000 to \$15,000 the maximum award available to each person who is eligible for financial assistance from the violent crime victims compensation fund. Broadens the scope of the fund to include compensation, in an amount not to exceed \$1,000, for counseling for a minor dependent of a victim of a violent crime who witnesses the crime. Eliminates the requirement that the victim of the violent crime incur at least a \$100 out-of-pocket loss before being eligible for compensation from the fund.

SB 537: (LS 6367) Ford (DI:44)

Eliminate property tax add-back.

Provides that property taxes deductible under the Internal Revenue Code are not to be added back to income in determining Indiana adjusted gross income tax or the financial institutions tax.

SB 538: (LS 7945) Kenley (DI:75)

Indiana ethics commission.

Redefines the terms "employer" and "employee" as used in the state ethics statute. Provides that the state ethics commission has jurisdiction over certain individuals who are under contract or are employed by a person under a contract with a state agency. Permits the commission to delegate its authority to its director to issue subpoenas under certain circumstances. Authorizes the commission to dismiss a complaint if the commission is satisfied that a governmental entity has dealt with the complaint appropriately. Provides that commission evidence relating to an investigation is confidential until certain events occur. (Current law provides that commission records relating to a preliminary investigation are confidential until the stated events occur.) Provides that a commission report may recommend that an appointing authority or a state officer issue a letter of counseling to a respondent to a complaint filed with the commission. Makes changes to the information required to be stated on financial disclosure statements filed with the commission. Provides that a state officer or employee may not retaliate against a former employee because the former employee filed a complaint with the commission, provided information to the commission, or testified before the commission. Prohibits a person from taking certain actions that would interfere with a commission proceeding or investigation. Makes other changes in terminology in the state ethics statute.

SB 539: (LS 7974) Kenley (DI:78)

Transportation corridors.

Changes the composition of the transportation corridor planning board to include the director of the department of commerce or the director's designee, a representative of parks and recreation interests, and a representative of a public interest in trails and greenways. Permits the state to acquire a railroad's interest in a corridor to preserve a railroad corridor. Makes the general acceptability of the proposed recreational use to the community at large a factor for the Indiana department of transportation to consider in determining whether to acquire part of a railway's interest in a corridor and for the board to use in reviewing applications. Eliminates the requirement that the responsible party post bond sufficient to cover the cost of installing a fence between property owners' property and the corridor. Permits recreational use of a corridor that has rail traffic under certain circumstances. Repeals the law concerning abandoned railroad rights-of-way. Removes all references to right-of-way in the transportation corridor planning article and replaces the references with the term corridor.

SB 540: (LS 8019) Riegsecker (DI:69)
Bail procedure and pretrial release.

Provides that if: (1) a defendant executes a bail bond by depositing cash or securities with the clerk of a court in an amount not less than 10% of the bail; and (2) the defendant fails to appear before the court as ordered, the court must order the remainder of the deposit, after certain civil judgments and fees have been paid, and the bond transferred to the county in which the court has jurisdiction. Requires the deposit and bond to be deposited in the county general fund of the county. Specifies that money deposited in the

county general fund may only be used to: (1) operate pretrial release programs; and (2) assist a sheriff in returning persons to custody who have failed to appear before a court as ordered while participating in pretrial release programs. (Current law requires the deposit and the bond to be forfeited and deposited in the common school fund as provided in the Constitution of the State of Indiana.)

SB 541: (LS 8072) Lawson C (DI:96)
Automated external defibrillation grants.

Changes the terminology from "automatic" and "semiautomatic" defibrillator to "automated external defibrillator". Establishes the automated external defibrillation fund, to be administered by the state emergency management agency, to provide grants to counties, municipalities, and townships for the purchase of automated external defibrillators and to support public awareness, education, and evaluation of the use of automated external defibrillators. Establishes the automated external defibrillation grant fund advisory committee to advise the state emergency medical services commission and the state emergency management agency regarding use of the automated external defibrillation grant fund. Requires the automated external defibrillation grant fund committee to set up guidelines for the administration of the fund.

SB 542: (LS 7957) Lawson C (DI:75)
State real property.

Provides that the Indiana department of administration may lease real or personal property owned by the state for a term of more than four years, but not more than ten

years, if the commissioner of the department makes a written determination stating the reasons it is in the best interests of the state to enter into such a lease. Provides that a separate body corporate and politic may perform the functions assigned to the Indiana department of administration under the statute governing state real property with respect to real property the separate body holds in the name of the state. Provides that such a body may request that the Indiana department of administration perform those functions. Allows the Indiana department of administration to enter into a lease of real property with a term of more than four years, but not more than ten years, on behalf of an agency if the commissioner makes certain written determinations. Requires the Indiana department of administration to notify state universities and political subdivisions of the availability of surplus state real property available for acquisition at the same time the department notifies state agencies. Shortens from 60 days to 30 days the time during which a political subdivision may notify the department of interest in acquiring surplus state real property. Authorizes the Indiana department of administration to transfer state real property to another person in exchange for like real property to settle a dispute involving any of the real property without first offering the property to other state agencies or at a public sale if the value of the state property does not exceed \$10,000. Allows the department to grant an easement in state real property without money consideration and without the approval of the governor. Allows the department to enter into a real property transaction with the United States not otherwise specifically authorized by the statute.

**SB 543: (LS 8073) Skillman (DI:75)
Campaign finance.**

Provides that a candidate's committee may not transfer more than \$20,000 to another candidate's committee during a calendar year or upon dissolution. Requires the appropriate election board to assess a civil penalty equal to two times the amount of transfers over \$20,000 for a violation. Provides that a candidate for a state office, a legislative office, or a local office may not accept contributions derived from contributions made to a candidate for federal office of more than \$20,000 in a calendar year. Requires the appropriate election board to impose a civil penalty equal to two times any amount over \$20,000 that a candidate receives from federal contributions. Provides that a political action committee may not make aggregate contributions of more than \$5,000 to all candidates for a state office during the period before the nomination date of the candidates or during the period between the nomination date and December 31 following the general election. Provides that a political action committee may not make aggregate contributions of more than \$1,000 to all candidates for a local office or a legislative office during the period before the nomination date of the candidates or during the period between the nomination date and December 31 following the general election. Provides that an individual may not make aggregate contributions of more than \$5,000 to all candidates for a state office during the period before the nomination date of the candidates or during the period between the nomination date and December 31 following the general election. Provides that an individual may not make aggregate contributions of more than \$1,000 to all

candidates for a local office or a legislative office during the period before the nomination date of the candidates or during the period between the nomination date and December 31 following the general election. Attributes contributions made by an unemancipated individual who is less than 18 years of age to the individual's legal guardians. Provides that a violation of the contribution limitations by an individual or a political action committee is a Class B misdemeanor. Requires the election division to make campaign finance reports on the campaign finance report data base available promptly to the public in a searchable format. Requires an additional campaign finance report to be filed current and dated as of September 1 of each year. Requires a campaign finance report to report the name of a contributor's or creditor's employer if the person is an individual who has made aggregate contributions or loans of more than \$1,000 during the calendar year. (Under current law a campaign finance report is required to report only an individual contributor's or creditor's occupation if aggregate contributions or loans exceed \$1,000.) Repeals the existing large contribution reporting statute and replaces it with a large contribution statute based on federal law. Provides that a large contribution report may be filed by fax.

SB 544: (LS 7995) Server (DI:94)
Credit union charter conversion.

Allows a credit union to convert to a mutual savings bank. Eliminates the cap on locator fees for accounts without current address information. Eliminates the requirement that credit union real estate loan proceeds be used for development within one year of the date

of the loan. Makes certain other changes related to credit unions.

SB 545: (LS 8036) Server (DI:100)
Consumer loan organization fee.

Applies the loan origination fee of not more than two percent of the loan amount or line of credit to revolving and nonrevolving consumer loan accounts. (Current law applies the loan origination fee to a consumer loan that is primarily secured by an interest in land.)

SB 546: (LS 7639) Blade (DI:96)
Unemployment insurance computations.

Changes the base period for computation of unemployment benefits to the last four completed calendar quarters. (Current law provides that the base period for computation of unemployment benefits is the first four of the last five calendar quarters.) Increases the earnings base used to compute unemployment compensation to a maximum of \$10,000 in a calendar quarter. (Current law provides that the earnings base used to compute unemployment compensation may not exceed \$5,800.) Provides that the maximum total amount of unemployment compensation benefits payable to an individual during a benefit period may not exceed 26 times the individual's weekly benefit, or 32% of the individual's wage credits with respect to the individual's base period, whichever is less. (Current law provides that the maximum total amount of unemployment compensation benefits payable to an individual during a benefit period may not exceed 26 times the individual's weekly benefit, or 28% of the individual's wage

credits with respect to the individual's base period, whichever is less.) Decreases the minimum wage credit necessary to qualify for unemployment compensation to \$2,000 in the base period, and requires the total wage credits in the base period to equal at least 1.25 times the wages paid in the highest quarter. (Current law requires \$2,750 in the base period with \$1,650 in the last two quarters of the base period, and requires the total wage credits in the base period to equal or exceed 1.25 times the wages in the highest quarter.)

SB 547: (LS 6804) Blade (DI:94)
Waiting periods and award reductions.

Eliminates the one week waiting period for unemployment compensation. Eliminates the 25% reduction of unemployment compensation award for disqualifying conditions and failure to find work. Makes a conforming amendment.

SB 548: (LS 7349) Meeks R (DI:96)
Two license plates on motor vehicles.

Requires the bureau of motor vehicles to issue two license plates to all vehicles other than motorcycles, trailers, yard trailers, and semitrailers. Requires a vehicle for which two license plates have been issued to display a license plate on the front and the rear of the vehicle. Makes conforming changes to related statutes.

SB 549: (LS 7819) Meeks R (DI:76)
OWI enhanced sentencing.

Provides that a person who commits the crime of: (1) operating a vehicle with at least 0.10% by weight of alcohol or a schedule I or II controlled substance in the person's blood;

or (2) operating a vehicle while intoxicated, commits a Class C felony if the crime results in serious bodily injury to at least two other persons and a Class B felony if the crime results in the death of at least two other persons. Prescribes minimum sentencing guidelines for a court to follow in alcohol related driving offenses based upon the percentage of alcohol found in the bloodstream or breath of the person who commits the offense. Allows a court to deviate from the guidelines based upon just and good cause.

SB 550: (LS 7884) Lubbers (DI:51)
Study committee concerning economic development.

Establishes the economic development and job creation study committee.

SB 551: (LS 7497) Gard (DI:69)
Drinking water and wastewater loans.

Allows any entity that is eligible to receive funds under the federal law concerning state water pollution control revolving loan funds to receive financial assistance from the wastewater revolving loan fund and the supplemental wastewater assistance fund. Allows any entity that is eligible to receive funds under the federal law concerning state drinking water treatment revolving loan funds to receive financial assistance from the drinking water revolving loan fund and the supplemental drinking water assistance fund.

SB 552: (LS 7573) Gard (DI:51)
Court powers concerning parental involvement.

Allows a school corporation or special school to obtain a court order when a person

having care of a dependent student fails to participate in a disciplinary proceeding or action involving the person's child. Expands the programs that a juvenile court may require a parent to attend with a child who is adjudicated a delinquent child or child in need of services. Makes related procedural changes. Specifies that a parent, guardian, or custodian of a delinquent child who fails to participate in a program of care, treatment, or rehabilitation as ordered by the juvenile court may be found in contempt of court.

SB 553: (LS 7796) Lutz L (DI:100)
Small loans.

Adds the small loan chapter to the Uniform Consumer Credit Code. Specifies the type and amount of fees that may be charged on a small loan. Provides that a small loan may not be made for a term of less than 14 days, may be secured by only one check per deferred deposit transaction, and may not be secured by personal property other than a check. Provides that a lender may not take an assignment of earnings of the debtor for payment or as security for payment of a debt arising out of a small loan. Provides that a debtor may not refinance the same small loan more than one time. Makes conforming amendments.

SB 554: (LS 6181) Lutz L (DI:73)
Income tax deductions.

Provides that death benefits paid to the survivors of public safety officers who die in the line of duty are deducted from adjusted gross income for purposes of determining state adjusted gross income tax. Provides that pension payments to public safety officers and their survivors are deducted from

adjusted gross income for purposes of determining state adjusted gross income tax.

SB 555: (LS 7852) Waterman (DI:51)
Legal counsel for teachers.

Provides that a teacher is entitled to representation by the attorney general if the teacher is accused of an offense or sued for civil damages because of an act performed within the course of employment or under the authority or order of a superior officer.

SB 556: (LS 7992) Young R (DI:13)
Vehicle Bill.

SB 557: (LS 7989) Young R (DI:13)
Vehicle Bill.

SB 558: (LS 8081) Adams K (DI:98)
Standards for abortion facilities.

Requires a first trimester abortion performed by surgical means to be performed in an ambulatory outpatient surgical center or a hospital.

SB 559: (LS 7844) Clark (DI:47)
Rate filings for industrial insureds.

Exempts insurers of certain industrial insureds from filing rate information with the commissioner of insurance.

SB 560: (LS 7890) Waterman (DI:98)
Prohibiting homosexuals from adopting or being foster parents.

Prohibits the division of family and children from issuing a foster home license to a homosexual. Provides that no person who is a homosexual can adopt.

SB 561: (LS 8115) Wolf (DI:87)
Agricultural nonconforming uses.

Provides that the law concerning agricultural nonconforming use does not prohibit a county, a municipality, or the state from requiring an agricultural use to be maintained and operated in compliance with all state environmental and state health laws and rules. Provides that an agricultural nonconforming use may not be changed to a confined feeding operation if the change is not permitted under the comprehensive plan or zoning ordinance. Provides that a confined feeding operation may not be expanded if the expansion is not permitted under the comprehensive plan or zoning ordinance. Provides that the law concerning agricultural nonconforming use does not prohibit a county, a municipality, or the state from requiring an agricultural use to be maintained and operated in compliance with all state environmental and state health laws and rules.

SB 562: (LS 7829) Wolf (DI:100)
Fireworks regulation.

Prohibits the sale or use of fireworks in privately owned campsites or campgrounds and on any state owned property under the jurisdiction of the department of natural resources. Provides local law enforcement with the authority to assist in the enforcement of fireworks regulations in and around campsites and campgrounds.

SB 563: (LS 8089) Mrvan (DI:77)
Continuing education for local health departments.

Requires officers and employees of a local health department to meet certain continuing education requirements. Establishes the local

health department continuing education commission. Authorizes an additional \$1 fee to birth certificates. Requires the fee to be used to pay for continuing education.

SB 564: (LS 7776) Washington (DI:92)
Family college savings plan matching grants.

Provides a one time matching grant for family college savings deposits made in 1999 and for deposits made in the year that the applicant opens an individual trust account for years beginning after December 31, 1999. Provides that the matching grant is equal to the lesser of: (1) 10% of the aggregate of the family college savings deposited by the applicant for the applicant's dependent; or (2) \$100 per dependent. Provides that the matching grant is deposited into the applicant's family college savings account. Provides that the amount of the matching grant may only be used for the allowable purposes of the account at a higher education institution.

SB 565: (LS 7779) Washington (DI:101)
Voter registration.

Changes the deadline for registering to vote in a primary, general, municipal, or special election from not later than 29 days before an election to not later than 14 days before an election. Makes conforming amendments in the deadlines for registering: (1) in person at the office of the circuit court clerk or board of registration; (2) in person at a license branch; (3) in person at a public assistance agency; (4) in person at an agency serving persons with disabilities; (5) in person at a governmental or nongovernmental office authorized by law to register voters; and (6) by mail. Changes the

deadline for a circuit court clerk or board of registration to prepare certified copies of the list of registered voters from not later than ten days before the election to not later than four days before the election. Changes the time in which a circuit court clerk or board of registration must send an authorization of cancellation to the county of a voter's previous residence from not later than 15 days after receipt of the authorization to not later than five days after the receipt of the authorization.

SB 566: (LS 7845) Alexa (DI:76)
Possession of a firearm by a child.

Makes dangerous possession of a firearm by a child who is less than 16 years of age a delinquent act under the exclusive jurisdiction of the juvenile court. (Current law does not address the appropriate jurisdiction for a case involving the dangerous possession of a firearm by a child who is less than 16 years of age.) Makes conforming changes.

SB 567: (LS 7527) Alexa (DI:51)
Treble damages and riverboat gaming debts.

Allows a person to recover treble damages for a loss resulting from a crime related to collection of a debt only if the person states under penalty of perjury that the action does not involve a riverboat gaming debt.

SB 568: (LS 7901) Harrison (DI:44)
State merit employment.

Amends the policies and purposes of the state personnel act by adopting the current federal standards for merit systems of personnel administration. Provides that classified service vacancies shall be filled by means

approved by the state personnel director in accordance with merit system principles. Repeals provisions that require the state personnel director to administer tests and certify eligible lists. Retains preference for military veterans. Reconciles language on disqualification of applicants with the federal Americans with Disabilities Act. Makes conforming and other technical amendments.

SB 569: (LS 7205) Lanane (DI:76)
Indiana learning and family center.

Requires the department of correction to establish an Indiana learning and family center. Provides that the center's purpose is to offer family and educational services to criminal offenders and their families and the community in an effort to curtail criminal behavior that is perpetuated by poor education and lack of services and resources. Requires the center to establish numerous programs, including: (1) a community based literacy program; (2) a workplace skills enhancement program; (3) a summer enrichment program; and (4) a youth opportunity task force program. Provides that the center is comprised of both a learning center and an educational center. Requires the learning center instructors and the family center advocates to cooperate to assist clients in accessing services most appropriate to their needs and goals. Requires the learning center to offer classes in the following areas: (1) Literacy. (2) Adult basic education. (3) General educational development. Requires the center to collect certain data relating to the center's performance.

SB 570: (LS 7229) Lanane (DI:58)

Child care tax credits for businesses.

Provides a state tax credit to an employer who operates or contracts for a child care program for employees. Allows a 40% credit for capital expenditures made on buildings and equipment for a child care program.

SB 571: (LS 7913) Merritt (DI:100)
Limited liability companies.

Makes the following changes to provisions for limited liability companies that are formed after June 30, 1999 (unless the operating agreement provides otherwise): (1) Provides that if a limited liability company has more than one member, an assignee of an interest may become a member only if the other members unanimously consent. (2) Provides that if a limited liability company has only one member, an assignee of an interest may become a member in accordance with the terms of an agreement between the assignor and assignee. (3) Provides that a member may withdraw from a limited liability company only at the time or upon the occurrence of events specified and in accordance with the operating agreement. Makes changes to the specified circumstances when a limited liability company will dissolve and the company's affairs must be wound up. Makes conforming amendments.

SB 572: (LS 7871) Simpson (DI:58)
Income tax deduction for medical care insurance.

Provides an individual adjusted gross income tax deduction for insurance premiums paid for medical care coverage by sole proprietors, S corporation shareholders, or partners to the extent the premiums are not deductible under the federal Internal Revenue Code.

SB 573: (LS 7670) Simpson (DI:76)
Child support enforcement.

Confers authority upon the Title IV-D program to modify child support orders. Makes income withholding orders applicable to all categories of worker's compensation payments. Applies the chain of custody requirements in paternity testing to genetic testing. Requires that before a child support order may be issued or modified or a paternity affidavit may be properly executed, the child's Social Security number must be provided. Requires an application for a marriage license to contain each of the applicant's Social Security numbers. Specifies that the state's parent locator service applies to a parent who owes child support in addition to a parent who has abandoned or deserted a child. Allows for the attachment of an insurance claim or settlement if the purpose is to fulfill a child support obligation. Requires incentive funds to be used for Title IV-D program activities. Makes changes to bring Indiana into compliance with the Uniform Interstate Family Support Act.

SB 574: (LS 7277) Simpson (DI:78)
Drinking and wastewater loan funds.

Provides that money in the wastewater revolving loan fund may be used to purchase obligations issued by the Indiana development finance authority to provide loans and financial assistance for wastewater collection and treatment systems that are not owned by political subdivisions. Provides that money in the drinking water revolving loan fund may be used to purchase obligations issued by the Indiana development finance authority to provide

loans and financial assistance to public water systems that are not owned by political subdivisions. Makes conforming changes. (Under current law each fund can only be used to benefit a political subdivision.)

SB 575: (LS 8060) Simpson (DI:94)
Minimum cigarette package size.

Requires sales of cigarettes to be made in packages of at least 20 cigarettes and sales of rolling tobacco to be made in packages of at least 0.6 ounces of tobacco.

SB 576: (LS 7891) Wyss (DI:75)
Caller ID blocking.

Requires a telephone company that provides caller ID service to provide the Indiana utility regulatory commission with the name of each customer that has made a pattern of telephone calls that a reasonable individual could believe violate the Indiana law that prohibits the use of caller ID blocking by a person making sales solicitations. Requires the Indiana utility regulatory commission to investigate information provided by a telephone company regarding illegal use of caller ID blocking. Requires the commission to refer cases where there is sufficient evidence of illegal caller ID blocking to the appropriate prosecuting attorney. Authorizes the commission to adopt administrative rules to implement the requirements. Enhances the penalty for illegal caller ID blocking to a Class D felony if a person has two or more unrelated violations of the caller ID blocking statute.

SB 577: (LS 7951) Meeks C (DI:76)
Incarcerated children.

Provides that whenever a child is committed

to an adult correctional facility or program, the department of correction shall restrict the child to an area of the facility or program where the child at all times has complete sight and sound separation from adults who are charged with, imprisoned for, or incarcerated for offenses. Applies regardless of whether the child is a criminal or a delinquent offender. Prohibits a child from being confined to a county jail unless the child is restricted to an area of the county jail where the child at all times has complete sight and sound separation from any adult who is charged with or incarcerated for an offense. Requires the department of correction to enroll each: (1) criminal offender who is less than 18 years of age; and (2) delinquent offender who is committed to or a ward of the department of correction, in an appropriate educational program. Makes an exception if the criminal offender received a sentence of death or life imprisonment without parole.

SB 578: (LS 7963) Meeks C (DI:87)
Temporary administrative appointments.

Allows a sheriff in a county with a population of more than 50,000 to establish temporary administrative ranks and positions and appoint and remove county officers to the temporary positions without the approval of the sheriff's merit board. Provides that a county officer appointed to a temporary administrative position maintains the officer's rank, grade, or position. Requires a sheriff in a county with a population of more than 50,000 to establish written rules and regulations governing the discipline of county police officers with the approval of the merit board.

SB 579: (LS 7954) Meeks C (DI:73)
Pension benefits for sheriff's fund members.

Provides that a county fiscal body shall provide an annual cost of living payment to retired or disabled members of the county's sheriff's pension trust. Provides that the cost of living payment is equal to the greater of: (1) 3%; or (2) the increase in the Consumer Price Index.

SB 580: (LS 7564) Bowser (DI:73)
Property tax assessment.

Reestablishes a county land valuation commission in each county. Requires the county assessor to approve expenditures from the property reassessment fund. Provides that a request for an appropriation from the property reassessment fund must be approved by the county assessor. Requires assessing officials in townships that rely on the county to enter computer records to file the data with the county assessor not later than April 1 (instead of May 15). Provides that only one other level 2 appraiser must be on the property tax assessment board of appeals if the county assessor is a level 2 appraiser. Prohibits an employee or elected official of a county or township, other than a county assessor, from serving on the property tax assessment board of appeals in the county in which the official or employee serves. Provides that the county assessor sets the agenda for the property tax assessment board of appeals. Requires the state board of tax commissioners to develop specifications that prescribe state requirements for computer software and hardware to be used by townships for assessment purposes. Provides that after December 31, 1999, each township assessor shall maintain a state certified

computer system that has the capacity to process and maintain assessment records, forms, and notices and to transfer data to and from the computer systems maintained by the county assessor. Requires the state board of tax commissioners to provide examinations that coordinate with the training sessions for assessing officials. Provides that county, township, and trustee assessors and employees of these offices have priority in attending the training sessions. Permits the state board of tax commissioners to revoke the certification of an assessor if that person committed fraud or misrepresentation with respect to the preparation, administration, or taking of a certification examination. Provides that if the county assessor is a certified level 2 assessor-appraiser, the board of county commissioners may waive the requirement that one of the freehold members appointed by the board to the county property tax assessment board of appeals must be a certified level 2 assessor-appraiser. Provides that a person who is a certified level 2 Indiana assessor-appraiser appointed to a property tax assessment board of appeals may serve on the property tax assessment board of appeals of another county at the same time. Provides that if there are not two freeholders in a county who are certified level 2 assessor-appraisers and who are willing to serve on the county property tax assessment board of appeals, the certified level 2 assessor-appraisers appointed to the board may reside outside the county. Provides that the county assessor, county fiscal body, and board of county commissioners may agree to waive the requirement that not more than three of the five members of the county property tax assessment board of appeals may be of the

same political party if it is necessary to waive the requirement because there are no certified level 2 assessor-appraisers who are willing to serve on the board and who are members of the political party that would otherwise be represented by two members on the board. Provides that beginning January 1, 2000, each county assessor or an employee of the county assessor must be a certified level 2 assessor-appraiser. Provides that the county fiscal body shall increase by \$1,000 the annual salary of a county assessor who attains a level 2 certification and that the county council shall fix the compensation of a county assessor who attains a level 2 certification at an amount that is at least \$1,000 more than the compensation of a county assessor who has not attained a level 2 certification. Requires the county fiscal body to appropriate sufficient money to pay the expenses of the county assessor when the county assessor must perform the functions of the township assessor.

**SB 581: (LS 8120) Weatherwax (DI:13)
Vehicle Bill.**

**SB 582: (LS 8056) Weatherwax (DI:98)
Grain buyers law.**

Makes the following changes to the agricultural commodities warehouse licensing law: (1) Adds popcorn and grain grown for use as seed to the definition of "grain". (2) Adds a person who buys grain to be used predominantly for seed to the definition of "grain buyer". (3) Adds a definition of "seed" to the statute. (4) Changes references in the law from minimum net worth to minimum positive net worth.

**SB 583: (LS 6675) Weatherwax (DI:73)
Elimination of school general fund and**

transportation fund levies.

Eliminates the authority of a school corporation to impose a general fund property tax levy for the general operation and maintenance of the school corporation. Eliminates the authority of a school corporation to impose a transportation fund property tax levy. Terminates the authority of: (1) Lake County to impose a property tax for a county supplemental school distribution fund; (2) Dearborn County to impose a property tax for a county school distribution fund; and (3) a school corporation in Lake County to impose a property tax for a supplemental school operating reserve fund. Continues the authority of a school corporation to impose a property tax levy for certain public libraries, nursery schools, historical societies, art associations, cultural institutions, public playgrounds, and the Children's Museum in Marion County. Provides a method for calculating the amount of financial institution taxes and excise taxes to be distributed to school corporations after the elimination of the school general fund and transportation fund property taxes. Recodifies provisions of current law concerning emergency loans to school corporations and the duty of a school corporation to raise sufficient property tax revenues to repay outstanding bonds and other debt payable from the capital projects fund or debt service fund. Provides that the maximum amount of money that may be loaned to the general fund is computed based on the amount of money available in the general fund rather than the amount of property tax revenue in the fund. Makes related changes.

SB 584: (LS 7897) Lewis (DI:75)
Utility regulatory commission jurisdiction.

Reconciles substantive and technical conflicts between statutes enacted by the 1997 general assembly concerning the jurisdiction of the Indiana utility regulatory commission over local water companies. Modifies terms used in the statute. Elaborates on the process for contesting procedures for withdrawal from commission jurisdiction and for petitioning to return to commission jurisdiction. Repeals obsolete definitions and makes conforming changes.

SB 585: (LS 6674) Craycraft (DI:73)
Property tax credit for low-income elderly homeowners.

Provides a property tax credit to homestead owners who are at least 65 years of age and who have adjusted gross incomes of less than \$30,000. Provides that the credit for an individual with no adjusted gross income is equal to one-half of the net property tax bill on the individual's homestead, and provides that the credit is phased out as the individual's adjusted gross income approaches \$30,000. Provides that the property tax credit is payable from the property tax replacement fund. Appropriates money from the property tax replacement fund to pay for the property tax credits.

SB 586: (LS 6782) Craycraft (DI:71)
Collective bargaining for university faculty.

Repeals the provisions in current law concerning the collective bargaining timetable, impasse, and strike procedures for education personnel. Adds provisions concerning final offer mediation-arbitration. Includes state educational institutions

(colleges and universities) in school units required to bargain collectively with employees. Includes noncertificated education employees under the collective bargaining provisions. Requires school employers to bargain collectively on certain issues. Authorizes the Indiana education employment relations board to issue certain orders and impose certain requirements on a person who commits an unfair practice. Requires the chairman of the Indiana education employment relations board to have certain academic and professional qualifications.

SB 587: (LS 6784) Blade (DI:92)
Appropriation to CHOICE program.

Appropriates \$60 million from the state general fund to the division of disability, aging, and rehabilitative services to provide community and home care services under the CHOICE program in each year of the biennium.

SB 588: (LS 8025) Wolf (DI:44)
Enterprise zones.

Provides for enterprise zones for municipalities that are unable to meet the minimum population requirements of the zone and have a population of less than 5,000. Requires that: (1) at least 50% of the zone must be within the limits of the municipality; (2) the total area of the zone must be less than either three square miles or 25% of the area of the municipality; (3) any zone containing an area that is outside the limits of the municipality must be approved through the adoption of a resolution by the legislative bodies of the municipality and the county; (4) the proposed zone must be

contiguous with the municipality by the greater of: (A) one-fourth of the aggregate external boundaries of the portion of the proposed zone located outside the corporate limits of the municipality; or (B) 150 feet; and (5) the area of the proposed zone must be within the zoning jurisdiction of the municipality as determined by statute. Provides for a representative of the county legislative body to serve on the urban enterprise association for the zone.

**SB 589: (LS 7925) Hume (DI:73)
Economic development.**

Requires the department of state revenue to provide an annual report to the general assembly that describes the amount of uncollected revenues for certain development assistance tax credits and deductions. Requires each county auditor to provide annually to the state board of tax commissioners certain information concerning development assistance property tax deductions and credits claimed during the preceding year. Requires the department of commerce to adopt a standardized information form that must be completed by any person applying for development assistance under any program or fund operated by or administered by the state or a political subdivision. Requires an entity considering an application for development assistance to deny the application unless the applicant proposes to meet certain conditions concerning wages that will be paid to the applicant's employees. Requires a recipient of development assistance to pay back a part of the development assistance if the recipient does not meet its wage and employment goals for a year. Provides that development assistance is void and must be paid back if

the recipient fails to meet the wage and employment goals for three consecutive years. Requires granting bodies that approve development assistance to prepare annual progress reports concerning recipients of development assistance.

**SB 590: (LS 7814) Server (DI:2)
Ordinances and regulations affecting licensed falconry.**

Provides that a local government adopting an ordinance or regulation affecting the licensed practice of falconry must accommodate the practice of falconry by adopting the minimum practicable ordinance or regulation necessary to accomplish the purpose of the ordinance or regulation.

**SB 591: (LS 8034) Server (DI:76)
Death sentences.**

Expands the list of aggravating circumstances that allows the state to seek either a sentence of death or life imprisonment in a murder case to include that the victim of the murder had a protective order against the person who committed the murder. Allows evidence of the defendant's criminal history to be presented at the sentencing hearing of a murder case in which the state has sought either a sentence of death or life imprisonment. Allows a person who is invited based upon the wishes of the victim's survivors to be present at the execution of a person who is convicted of murder.

**SB 592: (LS 8028) Bray (DI:69)
Disposition of seized property.**

Requires property seized under the law

concerning forfeiture of property used in violation of certain criminal statutes to be transferred, upon motion of a prosecuting attorney, to the appropriate federal authority for disposition under federal laws concerning customs duties and drug abuse prevention and control.

SB 593: (LS 7537) Sipes (DI:76)
Students with weapons on school property.

Requires a child who is taken into custody for possession of a firearm on school property or a school bus to be held in detention until a detention hearing. Requires a school administrator or other school employee who reasonably believes that a student is in possession of a firearm on school property or a school bus to notify law enforcement. Applies to both public and nonpublic schools. Requires a court to order a psychological evaluation of the child by a licensed physician or clinical psychologist to determine if the child is a danger to the child or others. Requires the person conducting the evaluation to provide a report to the court before the detention hearing. Requires an additional evaluation of the child to be conducted by a multidisciplinary team appointed by the child's school principal. Provides that the team must include the following members: (1) A representative from the child's school. (2) A representative from a local social services agency. (3) A probation officer. Requires each school to do the following: (1) Implement a plan to encourage students to report to a school administrator or teacher if a student reasonably believes that a person is in possession of a firearm or other weapon on school property. (2) Make drop boxes available within a school for a student to

anonymously place written information about a person who brings a firearm or other weapon onto school property. (3) Establish an anonymous hotline, or designate an existing phone line to be used as an anonymous hotline, for students to report conduct involving firearms or weapons on school property. Amends the offense relating to the possession of a firearm on school property to apply to both public and nonpublic schools.

SB 594: (LS 8071) Clark (DI:51)
Possession of firearms by minors.

Increases the penalty for dangerous possession of a firearm from a Class A misdemeanor to a Class D felony. Provides for a nonsuspendible period of incarceration. Makes dangerous possession of a firearm by a child who is less than 16 years of age a delinquent act under the exclusive jurisdiction of the juvenile court. (Current law does not address the appropriate jurisdiction for a case involving the dangerous possession of a firearm by a child who is less than 16 years of age.) Provides for a minimum period of confinement in a secure facility. Makes conforming changes.

SB 595: (LS 7605) Mills (DI:94)
Secretary of state matters.

Decreases certain fees charged by the secretary of state. Provides for electronic filing of financing statements.

SB 596: (LS 7861) Bowser (DI:73)
Disqualification for enterprise zone incentives.

Provides that the enterprise zone board may disqualify a zone business from eligibility for enterprise incentives if the zone business

conducts business activities on a temporary business site that is located outside, but close to, an enterprise zone. Requires the enterprise zone board to adopt rules setting forth the standards it will use to determine whether such a zone business is disqualified from eligibility for incentives. Requires the enterprise zone board to study whether: (1) enterprise zone businesses that conduct business activities on temporary business sites that are located outside, but close to, an enterprise zone gain an unfair business advantage compared with their competitors; and (2) the board should adopt rules providing that those zone businesses must be disqualified from eligibility for incentives.

SB 597: (LS 8170) Harrison (DI:2)
School programs for high ability students.

Requires a school corporation to have a local plan and local program for high ability students in grades 3 through 12 and provides a time schedule for implementation of these programs.

SB 598: (LS 7873) Breaux (DI:2)
Adult literacy program.

Establishes the department of education adult literacy program to provide state grants to increase the capacity of volunteer literacy programs. Requires the department of education to contract with the Indiana Literacy Foundation to administer the state grants. Appropriates \$550,000 annually from the state general fund for the program and requires the entire amount to be used only for distribution to the Indiana Literacy Foundation for making grants and for administrative expenses.

SB 599: (LS 7213) Smith S (DI:44)
Neighborhood assistance tax credits.

Increases the maximum amount of neighborhood assistance tax credits that may be allowed in each state fiscal year from \$2,500,000 to \$5,000,000.

SB 600: (LS 6310) Alexa (DI:51)
Economic impact statements of court officers.

Specifies that a judge or a prosecuting attorney is not required to provide on the annual statement of economic interest the names of close relatives from whom gifts valued at over \$100 have been received. Provides that a close relative is a person related to a person in a certain degree by blood, adoption, half-blood, marriage, or remarriage. (The introduced version of this bill was prepared by the commission on courts.)

SB 601: (LS 7855) Zakas (DI:2)
Hunting on part of the St.

Joseph River. Prohibits shooting with a firearm from the part of the St. Joseph River that lies between the Twin Branch Dam and the St. Joseph County and Elkhart County lines.

SB 602: (LS 8167) Mrvan (DI:98)
Community mobilization grant program.

Establishes the community mobilization matching grant program for the promotion of various child welfare issues. Appropriates \$2,500,000 for the period beginning July 1, 1999, and ending June 30, 2000, and \$2,500,000 for the period beginning July 1, 2000, and ending June 30, 2001, to carry out the program.

SB 603: (LS 7840) Simpson (DI:88)
Children's health insurance program.

Establishes the children's health insurance program within the office of the secretary of family and social services to provide health insurance coverage to uninsured children. Establishes the children's health policy board to oversee implementation of the program and to coordinate aspects of existing children's health programs. Provides that an individual who is less than 19 years old and who is a member of a family with an annual income that is less than 150% of the federal income poverty level is eligible for Medicaid. Requires the children's health insurance program to use the same infrastructure as the Medicaid managed care program for children to the greatest extent possible. Provides eligibility requirements that a child and the child's family must meet in order to enroll in the program. Provides that providers enrolled under the Medicaid program and providers enrolled under the children's health insurance program are considered to be providers for both programs. Makes conforming changes.

SB 604: (LS 7808) Simpson (DI:73)
Income tax credits for property taxes and rent.

Provides a refundable credit against the state adjusted gross income tax for an individual taxpayer if the property taxes paid by the taxpayer during the taxable year or an amount equal to 10% of the rent paid by the taxpayer during the taxable year exceeds an amount equal to 3% of the taxpayer's Indiana adjusted gross income. Provides that the credit is phased out for taxpayers with an adjusted gross income of more than \$20,000. Provides that the credit is phased out completely for

taxpayers with adjusted gross incomes of \$55,000 or more.

SB 605: (LS 8161) Miller (DI:88)
Children's health insurance program.

Establishes the children's health insurance program within the office of the secretary of family and social services to provide health insurance coverage to uninsured children. Establishes the children's health policy board to coordinate aspects of existing children's health programs. Provides that an individual who is less than 19 years old and who is a member of a family with an annual income that is less than 150% of the federal income poverty level is eligible for Medicaid. Requires the children's health insurance program to use certain aspects of the infrastructure used by the Medicaid managed care program for children to the greatest extent possible. Provides eligibility requirements that a child and the child's family must meet in order to enroll in the program. Provides that providers enrolled under the Medicaid program and providers enrolled under the children's health insurance program are considered providers for both programs. Makes conforming changes.

SB 606: (LS 8080) Riegsecker (DI:77)
Disability and rehabilitative services.

Removes references to the New Castle State Developmental Center and the Northern Indiana State Developmental Center. Relocates provisions within the Indiana Code governing the family support program and the funding requirements for centers for independent living. Requires that a majority of the members appointed to the family

support council must approve any action. Revises the duties of the bureau of developmental disabilities services. Requires the bureau to provide service coordination services to developmentally disabled individuals. Authorizes the adult protective services unit to use the prosecuting attorney to obtain a protective order. Requires the board of interpreter standards to adopt certain rules. Removes the director of the division of family and children's authority over state owned children's facilities. Adds two members to the interagency coordinating council. Removes the state fire marshal's office from the community residential facilities council. Makes numerous changes to transition services offered to disabled students who leave the special education program. Repeals existing provisions governing community residential programs, case management services, respite care, diagnostic assessment, rehabilitation services, the emergency support fund, and the family subsidy program. Makes conforming amendments.

SB 607: (LS 7239) Rogers (DI:69)
Bail and controlled substance offenses.

Establishes a rebuttable presumption for purposes of admitting a defendant to bail, that: (1) there is a risk of nonappearance by the defendant; and (2) the defendant poses a risk of physical danger to another person or the community if the court finds probable cause to believe that the defendant committed a controlled substance offense classified as a Class A felony or Class B felony. Provides that, if a defendant has been charged with a controlled substance offense classified as a Class A felony or Class B felony, the court must impose at least one of certain described

conditions. Requires a court that is setting the amount of bail for a defendant who has been charged with a controlled substance offense classified as a Class A felony or Class B felony to take into account the amount of the controlled substance involved in the offense. Requires a court to carefully consider the necessity of setting a substantial amount of bail to assure a defendant's appearance in court or to assure the physical safety of another person or the community if the defendant has been charged with a controlled substance offense that is classified as a Class A felony or Class B felony.

SB 608: (LS 7978) Rogers (DI:44)
Revenue bonds for sewage works.

Permits the board of sanitary commissioners in certain cities to issue revenue bonds payable solely from the revenues of the sewage works for which they are issued. Applies to: (1) Michigan City; (2) each municipality in Lake County that has adopted the sanitation department statute by ordinance; (3) each second class city in any other county that has adopted the sanitation department statute by ordinance; and (4) Indianapolis. (Under current law, this provision applies only to Indianapolis.) Makes conforming changes.

SB 609: (LS 7935) Sipes (DI:51)
Safety measures at recreational ponds.

Allows the state department of health to adopt reasonable rules concerning small lakes or ponds near residential areas that are attractive nuisances dangerous to the safety of children. Provides for enforcement of the rules by the state department of health and

local departments of health.

SB 610: (LS 7270) Landske (DI:44)
Property tax deduction for blind and disabled persons.

Increases the income limitation for eligibility for the property tax deduction for the blind or disabled from \$17,000 to \$30,000.

SB 611: (LS 7988) Young R (DI:13)
Vehicle Bill.

SB 612: (LS 7990) Young R (DI:13)
Vehicle Bill.

SB 613: (LS 7842) Gard (DI:92)
County Assessors.

Provides that the county assessor is responsible for the assessment of real and personal property in counties other than Marion County. Provides that in Marion County the township assessor retains the assessment duties. Makes conforming amendments to various provisions concerning the transfer of assessment duties from township assessors to county assessors. Provides that county assessors may hire any person, including elected township assessors, to perform assessment duties. Provides that a county assessor or the department of state revenue is not required to examine the safe deposit box of an individual who dies after June 30, 1999. Provides that a person who has possession of or control over a safe deposit box belonging to an individual who dies after June 30, 1999, is not required to provide notice to the county assessor or the department of state revenue before the box is opened. Repeals provisions relating to the duties of the county assessor and the department of state revenue concerning safe

deposit boxes.

SB 614: (LS 7467) Gard (DI:69)
Drinking water and wastewater loan funds.

Allows a private entity that renders wastewater collection and treatment service to the public to receive financial assistance from the wastewater revolving loan fund and the supplemental wastewater assistance fund. Allows a private entity that renders water utility service to the public to receive financial assistance from the drinking water revolving loan fund and the supplemental drinking water assistance fund.

SB 615: (LS 8109) Merritt (DI:78)
Department of Indiana heritage.

Establishes the department of Indiana heritage. Provides that the department is under the direction of a commissioner appointed by the governor. Provides that the department consists of: (1) the office of the commissioner; (2) the division of state museums and historic sites (currently under the department of natural resources); (3) the division of history, historic preservation, and archeology (currently two separate agencies, the Indiana historical bureau under the Indiana library and historical department, and the division of historic preservation and archeology under the department of natural resources); (4) the Indiana state library division (currently part of the Indiana library and historical department); and (5) the division on public records (currently the commission on public records). Eliminates the Indiana library and historical board. Creates the Indiana heritage commission to act as an advisory board for the department of Indiana heritage. Makes certain

conforming amendments and requires the legislative services agency to prepare additional conforming amendments for introduction in the 2000 regular session of the general assembly.

SB 616: (LS 7977) Lanane (DI:98)
Reimbursement of child care providers.

Appropriates \$35,000,000 from July 1, 1999, to June 30, 2000, and \$38,000,000 from July 1, 2000, to June 30, 2001, to the division of family and children for increasing the amount used to reimburse licensed child care providers under federal law. Provides that these amounts are in addition to any other appropriation.

SB 617: (LS 7969) Rogers (DI:51)
Uninsured and underinsured motorists.

Limits the requirement of making underinsured motorist coverage available in an automobile liability or a motor vehicle liability policy of insurance issued by a subsidiary or an affiliate of the originally issuing insurer. Indicates that a named insured on an automobile or a motor vehicle liability policy may reject uninsured and underinsured motorist coverage on behalf of all other named insured and permissive operators.

SB 618: (LS 7258) Merritt (DI:96)
Registration of motor vehicles.

Authorizes a retail lessor or a person licensed to buy or sell motor vehicles to act as agent for registration of a vehicle for a purchaser or lessor of a vehicle. Authorizes insurance agents or authorized insurance representatives of an insurance company authorized to do business in Indiana to act as

an agent for registration of a vehicle for a policyholder and to charge a fee of not more than \$10 for the service. Requires a person seeking a license to buy or sell motor vehicles to state the intent of the applicant to act as an agent for its purchasers or lessors for the registration of a vehicle. Permits the suspension or revocation of a license to buy or sell motor vehicles if there is a willful violation of a federal or state law. Allows a corporation that pays registration fees for vehicles of the corporation on or before the tenth day of the month in which the fees are due to pay a registration fee of \$10 for the transaction. Allows a person who pays a vehicle registration fee on or before the tenth day of the month in which the fees are due to receive a credit of \$10 for each registration.

SB 619: (LS 6640) Johnson (DI:44)
School corporation technology fund.

Requires each school corporation to establish a school corporation technology fund. Provides that money appropriated from a school corporation general fund for technology purposes, plus grants, donations, and other funds received for technology purposes, must be deposited in the school corporation technology fund. Provides that any savings realized by a school corporation as a result of federal legislation calling for universal service discounts must be deposited in the school corporation technology fund. Permits money in the school corporation technology fund to be used for certain technology purposes. Restricts use of money in the school corporation technology fund for administrative software. Requires each school corporation to file an annual report concerning technology expenditures with the

superintendent of public instruction's special assistant for technology. Specifies that a school corporation's capital projects fund may be used for wiring and computer networks and telephone access systems used to connect with computer networks or electronic gateways.

SB 620: (LS 7622) Johnson (DI:100)
Indiana comprehensive health insurance association.

Limits the total value of loss assessments to Indiana comprehensive health insurance association members to \$21,000,000. Requires that an assessment beyond that amount be submitted by the association to the budget agency.

SB 621: (LS 7888) Washington (DI:98)
Temporary support orders in paternity cases.

Specifies that a court may enter a temporary order for child support in a paternity action against either or both parents. Provides that a party must make a motion for a temporary order for child support. Requires the clerk of the circuit court to hold in escrow any money paid under a temporary order for child support until the court makes a determination regarding paternity and directs the clerk regarding distribution of the money.

SB 622: (LS 8047) Washington (DI:75)
Legislative pay.

Provides that the annual salary of a member of the general assembly is \$28,000 beginning January 1, 2001.

SB 623: (LS 8004) Antich (DI:44)
Regional planning commissions.

Provides that Lake County constitutes a region for purposes of establishing a regional plan commission. Specifies that the county commissioners of Lake County are the members of the Lake County regional plan commission.

SB 624: (LS 7979) Antich (DI:96)
Motor vehicle theft prevention.

Establishes the motor vehicle theft prevention fund. Requires that an assessment of \$1 be made when a motor vehicle is insured. Establishes a special fund called the motor vehicle theft prevention fund into which the assessment is deposited. Requires the treasurer of state to distribute the fund to the county sheriffs for deposit into the motor vehicle theft prevention fund in the sheriff's budget. Requires the sheriff to use the funds in the motor vehicle theft prevention fund to set up a tactical unit to combat economic motor vehicle theft. Requires an insurance company to submit to an examination by the insurance commissioner to determine if the proper assessment has been made. Provides that a person who fails to make the assessment, deposit the assessment, or submit to an examination by the insurance commissioner to determine if the proper assessment has been made commits a Class A infraction.

SB 625: (LS 7851) Wheeler (DI:78)
Conservation district clean water program.

Establishes the clean water Indiana program and the clean water Indiana fund, both of which are administered by the division of soil conservation of the department of natural resources, subject to the direction of the soil conservation board. Describes

educational, technical assistance, training, and cost sharing programs supported by the program and the fund to help land occupiers and conservation programs reduce nonpoint sources of water pollution. Provides additional funds available on a matching basis to a district that receives money from political subdivisions. Requires the division of soil conservation to submit an annual report to the executive director of the legislative services agency concerning the program and the fund.

**SB 626: (LS 8129) Weatherwax (DI:73)
Property tax levy appeal for transfer tuition.**

Provides that the state board of tax commissioners shall allow Union Township School Corporation in Fulton County to increase the school corporation's maximum property tax levy in 2000, 2001, and 2002 to pay for certain transfer tuition costs.

**SB 627: (LS 8169) Weatherwax (DI:71)
School safety.**

Establishes the governor's council on safe schools. Requires each school corporation to designate a school safety specialist for the school corporation. Provides that a county may establish a county school safety commission, and requires the county commission to develop a school safety plan for each school corporation represented by the commission. Provides that a school corporation may apply for a grant from the safe school fund for school safety, emergency preparedness, or safe haven programs. Establishes a school safety specialist training and certification program within the Indiana criminal justice institute. During the 1999-2001 biennium, appropriates: (1)

\$8,000,000 annually to the criminal justice institute for safe haven, emergency preparedness, and school safety programs; (2) \$750,000 annually to the criminal justice institute for the school safety specialist training and certification program; and (3) \$2,000 for the first year to each school corporation for its use in developing a school safety plan.

**SB 628: (LS 8163) Clark (DI:94)
Township overlay district.**

Creates the Clay Township overlay district in Hamilton County. Establishes the boundaries for the district. Provides that the district must approve changes to zoning, roads, and other matters within the district before the matter is heard by the board of zoning appeals or the plan commission. Provides for the administration of the board. Provides that a part of the district incorporated as the result of a formation of a new town ceases to be a part of the district. Provides that a part of the district annexed by a city or town remains a part of the district. Provides for an appeal from decisions of the board. Makes conforming amendments.

**SB 629: (LS 8172) Clark (DI:73)
Income tax deductions.**

Provides an individual adjusted gross income tax deduction for insurance premiums paid for medical care coverage by sole proprietors, S corporation shareholders, or partners to the extent the premiums are not deductible under the federal Internal Revenue Code.

**SB 630: (LS 8009) Johnson (DI:92)
Certified capital companies.**

Permits the formation of certified capital companies. Allows certified capital companies to invest in certain Indiana businesses. Allows insurance companies that invest in certified capital companies to claim a credit against the insurance premiums tax. Provides that the credit is equal to the amount of the insurance company's investment in a certified capital company, but allows the insurance company to take only 10% of the allowed credit in a particular taxable year.

SB 631: (LS 8152) Skillman (DI:73)
Rural development appropriation.

Appropriates \$2,000,000 for the biennium beginning July 1, 1999, to the Indiana Rural Development Council for the purpose of assisting and planning for the creation of rural development organizations in Indiana.

SB 632: (LS 8150) Weatherwax (DI:71)
Reading diagnostic assessments.

Establishes the reading diagnostic and remediation program and fund. Provides that the program and fund are to be administered by the department of education. Provides that a grade 1 or grade 2 student who is selected by the student's teacher because of difficulty in reading must be assessed and, if determined to be lacking in reading skills, must have an individualized reading instruction plan prepared for the student. Provides that the student's school must track the student's performance after remediation. Provides that a school may receive diagnostic and remediation grants from the fund. Appropriates to the fund \$8,280,000 from the state general fund for the biennium beginning July 1, 1999.

SB 633: (LS 7448) Lubbers (DI:2)
Education tax credits.

Provides adjusted gross income tax refundable credits for expenses incurred by a taxpayer and paid to others for dependents who receive academic instruction in a grade from kindergarten through grade 12 or the equivalent for: (1) textbooks and instructional materials; and (2) academic instruction approved by the department of education in grade or age appropriate curricula outside a regular school year or school day and in core curriculum areas. Provides an adjusted gross income tax credit for a part of the expense paid by classroom teachers for professional development. Requires the department of education to develop a list of academic instruction programs for dependents and professional development programs for classroom teachers who are approved for tax credit purposes.

SB 634: (LS 7900) Clark (DI:69)
Storm water runoff and construction activity.

Provides that an operator who is required to: (1) submit a notice of intent letter under the administrative rules concerning the NPDES general permit rule program; and (2) comply with the terms of the administrative rules concerning storm water runoff associated with construction activity is presumed to have complied with all applicable provisions of the administrative rule concerning storm water runoff associated with construction activity unless the commissioner of the department of environmental management determines that the operator has not complied with an applicable provision of the rule. Provides that, if the commissioner

determines that an operator has not complied with an applicable provision of the rule, the department of environmental management must determine which person is responsible for the operator's noncompliance by using public records of ownership or building permits issued by local units of government. Requires the water pollution control board to amend the administrative rules concerning storm water runoff associated with construction activity to reflect these changes before February 1, 2000.

SB 635: (LS 6275) Zakas (DI:58)
Valuation of personal property.

Authorizes a taxpayer to value inventory for personal property tax purposes on any date from January 1 through February 28.

SB 636: (LS 7050) Zakas (DI:51)
Courts in Elkhart County.

Adds one superior court judge and one magistrate in Elkhart County.

SB 637: (LS 6341) Bowser (DI:51)
Hate crimes.

Requires law enforcement agencies to collect information concerning crimes that are motivated by bias and to submit the information to the Indiana central repository for criminal history information. Requires the Indiana central repository for criminal history information to submit a compiled report of this information to each law enforcement agency. Requires the law enforcement training board and the superintendent of state police to include courses in identifying, responding to, and reporting offenses that are motivated by bias in the training programs that law enforcement officers are required to

take. Allows a person to bring a civil action to recover actual, consequential, or incidental damages, including damages for emotional distress, resulting from a crime motivated by bias. Provides that a parent with custody of a child is liable for the full amount of a judgment imposed against the child for a bias motivated crime or institutional criminal mischief. Expands the scope of the crime of institutional criminal mischief to include structures that are used for a religious purpose other than worship and educational facilities that do not qualify as a school. Defines "motivated by bias" as conduct that is apparently directed at an individual or a group because of the actual or perceived race, color, religion, national origin, sexual orientation, or gender of the individual or group. Increases the penalty of various Class D felonies and misdemeanors, including battery, criminal recklessness, provocation, computer tampering, criminal confinement, residential entry, criminal trespass, computer trespass, intimidation, harassment, and invasion of privacy, when the offense is motivated by bias. Specifies that a court may impose the death penalty or life without parole for a murder that is motivated by bias.

SB 638: (LS 7247) Clark (DI:71)
Year of manufacture license plates.

Allows a person who registers an antique motor vehicle to furnish and display an authentic license plate or a replica license plate from the model year in which the vehicle was built or two license plates if the vehicle was built in a year during which two plates were required.

SB 639: (LS 7344) Miller (DI:88)

Managed care organization liability.

Provides for a duty of ordinary care for health insurance carriers, health maintenance organizations, or other managed care entities when making health care treatment decisions. Makes a health insurance carrier, a health maintenance organization, or other managed care entity liable for harm resulting from health care treatment decisions made without exercising ordinary care. Prohibits a health insurance carrier, a health maintenance organization, or other managed care entity from removing a health care provider from, or renewing the status of the health care provider with, the health care plan for advocating on behalf of the insured or enrollee for appropriate and medically necessary care. Prohibits contract indemnification or hold harmless clauses that apply to the acts or conduct of the health insurance carrier, health maintenance organization, or other managed care entity. Establishes the health care appeals program to provide an independent utilization review of a final decision by a health insurance carrier, health maintenance organization, or other managed care entity to deny, reduce, or terminate a benefit. Requires the department of insurance to contract with at least two qualifying independent utilization review agents to provide appeal reviews for the health care appeals program. Provides qualifications that a utilization review agent must meet. Requires a utilization review agent to complete its review and make a determination within 60 days of receiving a completed application for an appeal review and to establish procedures for an expedited review in cases when a delay in receiving a health care service could seriously jeopardize an individual's health or well-being. Requires

the utilization review agent to state its findings and recommendations in writing. Makes the decision of the utilization review agent binding on the health insurance carrier, health maintenance organization, or other managed care entity. Provides that all records associated with an appeal review are confidential. Requires the commissioner of the department of insurance to establish a reasonable, per case reimbursement schedule for utilization review agents. Provides that the health insurance carrier, health maintenance organization, or other managed care entity that is the subject of an appeal review is responsible for paying the reasonable expenses of the utilization review agent that conducted the appeal review. Requires the department of insurance to file reports with the general assembly every six months detailing the activity of the health care appeals program.

**SB 640: (LS 6426) Miller (DI:97)
Payment of clean insurance claims.**

Defines a "clean claim" for purposes of provider reimbursement under state employee health benefit plans, accident and sickness insurance policies, and health maintenance organization contracts. Provides specific locators that must be included in claims filed by health facilities. Allows state employee benefit plans, accident and sickness insurers, and health maintenance organizations to change locators in response to changes in federal law or regulations. Provides a procedure to determine whether to pay, deny, or suspend claims for payment submitted by health facilities and other providers. Requires the state employee benefit plan, accident and sickness insurer, or health maintenance

organization to make this determination and to pay each clean claim within 21 days after the claim is filed electronically and within 30 days after the claim is filed on paper.

Requires the state employee health benefit plan, accident and sickness insurer, or health maintenance organization to pay interest to a provider who submits a clean claim that is paid later than the provided deadline.

Describes the period during which interest accrues and provides the interest rate that applies.

SB 641: (LS 8162) Bowser (DI:51)
Prohibition of private operation of prisons.

Eliminates the authority of the state to contract for a correctional facility or jail.

SB 642: (LS 8138) Meeks R (DI:87)
Insurance coverage for police reserve officers.

Requires a city, a town, and a county to provide life, accident, and sickness insurance for the unit's police reserve officers. Requires (rather than allows) a police reserve officer to be covered by the medical treatment and burial expense provisions of the worker's compensation law and the worker's occupational diseases law. Provides that the insurance policy must provide a weekly benefit for total disability of not less than \$250 for a maximum of 260 weeks. Provides that a unit's insurance policy must pay a police reserve officer not less than \$150,000 if the officer becomes totally and permanently disabled for a continuous period of not less than 260 weeks as a result of an injury that occurred in the performance of the officer's duties. Provides that a policy of insurance purchased by a unit may provide for: (1) the extension of the weekly benefit

amount for total disability after the expiration of 260 weeks for the life of the officer with or without the benefits for partial and permanent disability; and (2) the coordination of the officer's other benefits where a disability prevents a member from performing any reasonable employment.

SB 643: (LS 7967) Simpson (DI:92)
Tax credit for brownfield program.

Allows a credit against state tax liability for certain voluntary environmental remediation costs. Appropriates \$10,000,000 to the environmental remediation revolving loan fund.

SB 644: (LS 7389) Simpson (DI:73)
Graduated individual adjusted gross income tax.

Establishes a graduated individual income tax that ranges from 2.8% of adjusted gross income of less than \$32,000 for a husband and wife filing a joint return and \$16,000 for a person filing a single return to 5.6% of adjusted gross income of at least \$150,000 for a husband and wife filing a joint return and \$75,000 for a person filing a single return.

SB 645: (LS 7357) Blade (DI:94)
Disabled from trade compensation.

Creates disabled from trade compensation. Provides that an employee who: (1) has an injury that results in a temporary total disability or a permanent partial impairment; (2) is capable of performing work with limitations or restrictions that prevent the employee from returning to the position the employee held before the employee's injury; and (3) returns to work, may receive compensation for the difference in average

weekly earnings lost. Limits disabled from trade compensation to 52 consecutive weeks or 78 aggregate weeks. Provides a cap of \$762 per week for disabled from trade compensation. Makes a conforming amendment.

SB 646: (LS 8183) Landske (DI:98)
Indiana development finance authority.

Allows the Indiana development finance authority to triple its contribution to a participating lender's loan loss reserve fund if the borrower is a child care facility currently licensed by the state. Allows the Indiana development finance authority to issue bonds for the purpose of financing capital expenditures at licensed child care facilities in the state. Appropriates \$2,900,000 for July 1, 1999, to June 30, 2000, and \$2,900,000 for July 1, 2000, to June 30, 2001, to the finance authority's capital access program. Appropriates \$2,000,000 for July 1, 1999, to June 30, 2000, and \$2,000,000 for July 1, 2000, to June 30, 2001, to the finance authority for developing a debt reserve fund for issuing pooled bonds for the construction or renovation of licensed child care facilities.

SB 647: (LS 8165) Landske (DI:98)
Early childhood development institute.

Establishes the early childhood development institute. Provides that the institute is governed by a 25 member board appointed by the governor. Establishes the child development associate credential and professional scholarship fund. Appropriates \$500,000 from July 1, 1999, to June 30, 2000, and \$500,000 from July 1, 2000, to June 30, 2001, to carry out the purpose of the institute. Appropriates \$1,000,000 from July

1, 1999, to June 30, 2000, and \$1,000,000 from July 1, 2000, to June 30, 2001, to carry out the purpose of the scholarship.

SB 648: (LS 8102) Mills (DI:75)
Electric utility restructuring.

Provides for a choice of an electricity supply company by retail electricity customers after December 31, 2000. Provides for capped electricity rates and charges for retail customers from July 1, 1999, through December 31, 2005, at the levels of the rates and charges in effect on June 30, 1999. Requires an electric utility to file a restructuring plan with the Indiana utility regulatory commission before October 1, 1999. Requires the commission to approve, reject, or modify the plan before October 1, 2000. Provides that a utility's formula for sharing net stranded costs among customers and shareholders may not result in rates and charges greater than the rates and charges in effect on June 30, 1999. Provides for the separation of an electric utility company's production and market functions from its transmission and distribution functions. Requires the commission to adopt a code of conduct for utility companies. Provides other details for implementation of the restructuring. Provides that gross income from producing, transmitting, furnishing, wholesaling, or retailing electrical energy is taxed at a rate of 0.3% rather than 1.2%. Provides that the Indiana sales and use tax is applicable to the sale of electric power by any person.

SB 649: (LS 7462) Mills (DI:44)
Tax abatement; research and development incentives.

Provides that property tax abatement

deductions may be granted for any number of years less than or equal to ten years. (Current law limits the abatement deduction to three, six, or ten years for real property and five or ten years for personal property.) Provides that certain research and development equipment is eligible for property tax abatement deductions. Allows the abatement deduction for research and development equipment only if the equipment is used in a research and development facility engaged in activities devoted directly and exclusively to experimental or laboratory research and development for new products, new uses of existing products, or the improvement or testing of existing products. Provides an exemption from sales and use tax for research and development equipment and for property and utility services consumed in research and development. Modifies the research expense tax credit against gross income taxes and adjusted gross income taxes to equal the taxpayer's Indiana qualified research expenses rather than the lesser of its Indiana qualified research expenses or its apportioned research expenses for the year. Makes the research expense tax credit permanent by eliminating its expiration date.

SB 650: (LS 8145) Gard (DI:98)
Umbilical cord blood bank study.

Requires the state department of health to conduct a study to determine the feasibility and projected cost of establishing and operating a cord blood bank located at the Indiana University Medical Center in Indianapolis. Requires the state department of health to submit a report of the study to the legislative council not later than December 1, 1999.

SB 651: (LS 7045) Hume (DI:73)
PERF pension benefits.

Provides that the multiplier used in calculating pension benefits for a PERF member who retires after June 30, 1999, with at least ten years of service as a state employee is equal to 1.2% plus an additional 0.02% for each year of service that exceeds ten years. Provides that this increased multiplier also applies to employees of a PERF covered employer other than the state if the employer makes an election. Provides that the multiplier used for members of PERF who become disabled after June 30, 1999, with at least five but less than ten years of service is equal to 1.2%. (Current law provides that the multiplier for PERF members is equal to 1.1%.)

SB 652: (LS 6750) Hume (DI:71)
Free tuition for children of state employees.

Permits children of full-time state employees, other than a child of a member of the general assembly, to be reimbursed for tuition expenses for college level courses offered by state supported Indiana educational institutions. Requires the state personnel department to adopt rules and interim written guidelines to administer the tuition expense reimbursement program.

SB 653: (LS 6840) Young R (DI:69)
Firearms and convicted felons.

Provides that a person who: (1) has been convicted of a felony; and (2) owns, carries, or possesses a firearm, commits a Class D felony. Specifies that the law does not apply to a person who owns, carries, or possesses a firearm: (1) in the person's dwelling; (2) on the person's property; (3) in the person's

fixed place of business; or (4) that was made before January 1, 1899, and does not use fixed cartridges or fixed ammunition. (Current law provides that a person who: (1) has been convicted of a felony; and (2) owns, carries, or possesses a firearm not designed to use fixed cartridges or fixed ammunition, or a firearm made before January 1, 1899, commits a Class D felony.)

SB 654: (LS 7187) Lanane (DI:100)
Use of credit checks by auto insurance companies.

Prohibits an issuer of motor vehicle insurance from charging higher rates to an individual based on the insurer's knowledge of an adverse item of information reported on that individual's credit report within the past seven years if the individual has an otherwise good driving record.

SB 655: (LS 8142) Rogers (DI:2)
School accountability.

Provides that a school may be accredited by meeting the criteria for the Malcolm Baldrige National Quality Award for Education rather than under performance based accreditation. Establishes the education roundtable as a permanent advisory body and working group to make recommendations to the Indiana state board of education on a variety of subjects. Transfers the duties of the state standards task force to the education roundtable. Adds additional benchmarks and indicators of performance to the school corporation annual performance report. Establishes a school accountability program for targeted and continuous school improvement. Requires each school and school corporation to develop an annual strategic and continuous school improvement

plan. Requires the department of education to use a school corporation's annual performance report to assess the improvement of each school in the school corporation. Requires the Indiana state board of education to develop categories of school improvement and place each school in a category. Provides a series of interventions for schools that do not show improvement based on the number of years that improvement is not demonstrated. Provides for creation of a system of recognition and financial awards for schools that demonstrate improvement. Requires the Indiana state board of education to obtain an independent evaluation of all state education programs and policies that includes recommendations for improvement or restructuring. Repeals the state standards task force law. Repeals a statute under the performance based accreditation law that requires the development of a level of expected performance for each school in light of the school's socioeconomic factors. Appropriates money to the department of education for staff training and to the Indiana state board of education for operational expenses of the board and the education roundtable.

SB 656: (LS 7875) Alting (DI:2)
Alcoholic beverage retail permits.

Provides that in the case of a municipal annexation, the alcoholic beverage commission may only reclassify a retailer's permit in the former unincorporated territory as a permit inside the municipality if the permittee has actually conducted a retail business at the site for two consecutive years.

SB 657: (LS 7673) Alting (DI:47)
University bonding authority.

Permits state universities and colleges to issue bonds for a project without the approval of the general assembly if the debt service on the bonds is paid entirely from funds donated to the university or college. Permits state universities and colleges to issue bonds for up to \$20 million per campus for qualified energy savings projects. (Current law limits each university or college to \$10 million for all of the campuses of the university or college.)

SB 658: (LS 8033) Bray (DI:87)
Law enforcement assistance funding.

Provides that a law enforcement agency may receive a supplemental grant from the law enforcement assistance fund to assist in paying the salary or other expenses of a law enforcement officer added to the agency with an earlier grant from the law enforcement fund. Establishes the law enforcement assistance program to provide money to assist agencies in paying for extraordinary expenses resulting from criminal conduct and in funding strike forces to address a high rate of crime. Establishes a law enforcement assistance fee of \$10 to be deposited in the fund after it is collected from a person: (1) convicted of a felony or misdemeanor; (2) who has a judgment for a violation constituting an infraction or a violation of an ordinance of a municipal corporation that involves a moving traffic offense; and (3) adjudicated a delinquent child for committing an act that would be a crime if committed by an adult.

SB 659: (LS 8189) Bray (DI:13)
Vehicle Bill.

SB 660: (LS 7217) Sipes (DI:76)
Indiana mentor program.

Establishes the Indiana mentor program for female criminal offenders to be administered by the department of correction. Provides that the purpose of the program is to reduce the recidivism rates of female criminal offenders, ease the transition of the offenders back into the community, and assist the offenders to compete in and contribute to society. Requires the department of correction to establish the program in relation to at least one correctional facility. Requires the department to appoint a 19 member board of directors to conduct the business affairs and oversee the finances of the program. Provides that the program consists of three phases involving a self-awareness program, community outreach, and education. Requires the department, or the department's designee, to collect data concerning housing, education, and employment of the program participants and other information.

SB 661: (LS 7970) Smith S (DI:94)
Consumer item pricing rights.

Requires consumer items to be marked with clear and readable prices. Exempts certain items from the pricing requirements and allows merchants to select additional exempt items. Prohibits merchants from charging more for an item than the price marked on the item. Provides that the attorney general and the attorney general's consumer protection division are responsible for the implementation and administration of the pricing requirements. Establishes advertising standards for consumer items. Requires consumer notification if a product offered is

defective or is manufacturer rejected goods. Provides for enforcement of requirements and for penalties to violators. Exempts media from liability for commercial advertising. Allows an action by the attorney general or a prosecutor and a private civil action for violations of pricing rights. Provides for settlement of certain types of overcharges. Allows merchants to settle for difference in price and price charged plus ten times the difference, with a minimum payment of \$1 and a maximum payment of \$5.

SB 662: (LS 8193) Wolf (DI:98)
Land resources council.

Establishes the Indiana land resources council to provide information, educational and technical assistance, and advice to governmental units regarding land use strategies and issues across the state. Provides for appointment and compensation of council members. Appropriates \$275,000 to the commissioner of agriculture for the council.

SB 663: (LS 6328) Wolf (DI:44)
Property tax exemption for certain nonprofit organizations.

Provides a property tax exemption for real property that is owned by a nonprofit organization and is under or adjacent to a lake or reservoir created by a dam or control structure owned and operated by a public utility. Requires the organization to be engaged in efforts to protect the environment and the water quality of the lake or reservoir to qualify for the property tax exemption. Provides a property tax exemption for real property that is owned by a nonprofit organization and is used in the organization's efforts to protect the environment and the

water quality of the lake or reservoir.

SB 664: (LS 8106) Lubbers (DI:76)
Random drug testing for probationers and parolees.

Requires that whenever a person is placed on probation or parole, the person shall be ordered, as a condition of probation or parole, to: (1) refrain from consuming controlled substances; and (2) undergo periodic chemical testing to detect the presence of a controlled substance. Establishes minimum sanctions that a court or parole board must impose upon a person who violates a condition of the person's probation or parole as the result of undergoing a chemical test that reveals the presence of a controlled substance. Provides that the imposition of the sanctions is dependent upon the number of times the person tests positive for controlled substances while on probation or parole. Provides that the parolee or probationer is responsible for any charges resulting from undergoing the chemical test if the test reveals the presence of a controlled substance.

SB 665: (LS 7525) Alexa (DI:51)
Civil actions for riverboat gaming debts.

Reduces the amount that may be recovered in a civil action for a loss resulting from a crime related to a riverboat gaming debt from three times the amount of the loss to the actual amount of the loss.

SB 666: (LS 8076) Lubbers (DI:51)
Civil liability for year 2000 problems.

Specifies that an exchange in good faith of information related to year 2000 problems is

not an unlawful restraint of trade. Limits class action lawsuits related to year 2000 problems to classes in which each member has damages exceeding \$50,000 or in which the defendant is a manufacturer or vendor of a product that inaccurately processes date data. Gives officers and directors of a business immunity from civil liability resulting from a year 2000 problem if the business exercised due diligence in mitigating year 2000 liability. Gives creditors and fiduciaries immunity from civil liability resulting from the failure of a business to exercise due diligence or to be year 2000 compliant. Specifies that the damages available in a civil action involving a year 2000 problem are limited to the damages allowed by a contract applicable to the person incurring the loss or compensatory damages for pecuniary losses. Prohibits punitive damages in a cause of action related to a year 2000 problem. Provides for arbitration and mediation of disputes related to a year 2000 problem. Makes other changes.

SB 667: (LS 7878) Waterman (DI:75)
Water utility recovery of fire protection costs.

Provides that the charges relating to furnishing water for public fire protection purposes to customers located outside the county of the governmental unit responsible for setting the charges for the utility must be set through negotiation between the governmental unit and the county executive of the county in which the customers are located. Provides that if the governmental unit and the county executive cannot agree on charges within 30 days of beginning negotiation, either the governmental unit or the county executive can petition the Indiana utility regulatory commission to set the

charges. Voids ordinances adopted before July 1, 1999, with respect to charges relating to furnishing water for public fire protection purposes to customers located outside the county of the governmental unit responsible for setting the charges.

SB 668: (LS 8187) Paul (DI:13)
Vehicle Bill.

SB 669: (LS 8070) Paul (DI:75)
Disposal of legislative surplus property.

Provides that an agency within the legislative branch of state government may dispose of surplus property under written policies established by the purchasing agency.

SB 670: (LS 7650) Antich (DI:96)
Pensions for Lake County jail employees.

Provides that the sheriff's department in a county having a population of more than four hundred thousand (400,000) but less than seven hundred thousand (700,000) may set up a pension trust for the correctional officers in the county. Allows contributions to the pension trust fund of 4% deducted from the correctional officers' salaries to be made each month by the county treasurer. Provides that a correctional officer who contributes to the fund is vested for benefits after 10 years of service. Allows full retirement benefits to be paid to a vested correctional officer at 55 years of age, and at 45 years of age if the correctional officer has accrued at least 20 years of service. Provides for disability retirement benefits if the correctional officer is found to not be physically or mentally capable of performing the duties of an officer. Provides that the

normal retirement benefit is: (1) the sum of one dollar plus 2 1/2% of the participant's average monthly compensation during the highest paid five years of service, multiplied by the participant's years of credited service up to 20 years; and (2) an additional 2% of the participant's average monthly compensation during the highest paid five years of service multiplied by the participant's years of credited service in excess of 20 years up to an additional 12 years. Allows a correctional officer participating in the pension plan who had been a member of the public employees' retirement fund to receive credit for the same service if the correctional officer purchases, at the total actual cost to the plan, service credit for prior service in the public employees' retirement fund. Allows the sheriff's department to establish and operate a death benefit program for the survivors of a deceased correctional officer.

SB 671: (LS 8194) Simpson (DI:76)
Child support enforcement.

Confers authority upon the Title IV-D program to modify child support orders. Makes income withholding orders applicable to all categories of worker's compensation payments. Applies the chain of custody requirements in paternity testing to genetic testing. Requires that before a child support order may be issued or modified or a paternity affidavit may be properly executed, the child's Social Security number must be provided. Requires an application for a marriage license to contain each of the applicant's Social Security numbers. Specifies that the state's parent locator service applies to a parent who owes child support in addition to a parent who has abandoned or deserted a child. Allows for the attachment of

an insurance claim or settlement if the purpose is to fulfill a child support obligation. Requires incentive funds to be used for Title IV-D program activities. Makes changes to bring Indiana into compliance with the Uniform Interstate Family Support Act.

SB 672: (LS 7663) Waterman (DI:2)
Surface mining and land reclamation.

Makes certain changes concerning surface coal mine reclamation. Defines high capability land and redefines prime farmland. Requires an application for a surface coal mining and reclamation permit to include a soil survey of high capability land. Limits the statewide acreage of prime farmland and high capability land that is exempt from reclamation to 13,000 acres and provides a method to administer this limitation. Requires a permittee to perform certain procedures for the mining and reclamation of high capability land.

SB 673: (LS 8176) Merritt (DI:94)
Transportation oversight committee.

Creates the motor vehicle transportation oversight study committee to study motor vehicle transportation funds and motor vehicle transportation needs in Indiana. Requires the committee to study the methods and levels of funding for highways, the distribution of highway funds, the use of highway funds after distribution, alternative financing techniques for highway and motor vehicle needs, and other motor vehicle transportation issues identified by the committee as requiring study. Provides for the appointment of members to the committee. Requires annual reports from the

committee to the legislative council. Allows the committee to employ consultants. Requires approval from a majority of the members appointed to the committee for any committee action.

SB 674: (LS 7465) Howard (DI:87)
Study of traffic violation stop patterns.

Requires the office of the attorney general to conduct a study of routine traffic violation stops of individuals by law enforcement officers in the state. Specifies the factors that must be considered in conducting the study. Requires the office of the attorney general to report the results of the study to the general assembly not later than July 1, 2001. Provides that data collected in the study: (1) shall be used only for research or statistical purposes and may not contain any information that may reveal the identity of any individual who is stopped or any law enforcement officer; and (2) may not be used in any legal or administrative proceeding to establish an inference of discrimination on the basis of particular identifying characteristics.

SB 675: (LS 7675) Howard (DI:75)
State mandates oversight committee.

Establishes the state mandates oversight committee. Provides that the committee has legislative and citizen members. Requires the committee to review legislation enacted by the general assembly to determine whether the legislation imposes an unfunded mandate on local government. Provides that the committee may recommend that legislation that imposes an unfunded mandate on local government be repealed or amended or that the general assembly provide the necessary funding for the mandate.

Introduced Senate Bills - 1999
