

2012 SESSION DIGEST OF ENACTMENTS

THE VETO ON SEA 215-2011 WAS SUSTAINED.

THE VETO ON HEA 1177-2011 WAS SUSTAINED.

DIGEST OF HB 1001 (Updated February 1, 2012 11:49 am - DI 84)

Employee's right to work. Makes it a Class A misdemeanor to require an individual to: (1) become or remain a member of a labor organization; (2) pay dues, fees, or other charges to a labor organization; or (3) pay to a charity or another third party an amount that represents dues, fees, or other charges required of members of a labor organization; as a condition of employment or continuation of employment. Provides that the Indiana department of labor may investigate and issue administrative orders for violations or threatened violations. Establishes a separate private right of action for violations or threatened violations. Provides that the statute does not apply to federal employees, employees subject to certain federal laws, certain employees over whom the federal government has jurisdiction, state employees, and employees of a political subdivision. Provides that the statute does not apply to the extent it is in conflict with or preempted by federal law. Provides that the statute is not intended, and should not be construed, to change or affect any other law concerning collective bargaining or collective bargaining agreements in the building and construction industry.

DIGEST OF HB 1002 (Updated March 9, 2012 4:06 pm - DI 84)

Elimination of commissions, boards, and committees. Reenacts the public officers compensation advisory commission that was repealed in 2011. Establishes the environmental rules board. Decreases the membership of the Indiana war memorials commission from ten to nine members with one member from each congressional district. Consolidates duplicative reporting required for the Indiana economic development corporation (IEDC). Consolidates reporting requirements imposed on the IEDC for various programs administered by the IEDC into the state economic incentives and compliance report. Repeals the chapter requiring the IEDC to study the steel industry and provide expertise to public officials regarding the steel industry. Repeals and otherwise eliminates reporting requirements imposed on the IEDC to consolidate those requirements at another location in the Indiana Code. Repeals the commission on the social status of black males and the Native American Indian affairs commission and re-enacts them in the article of the Indiana Code dealing with commissions. Transfers staffing responsibility for the commission on the social status of black males from the division of family resources, family and social services, to the civil rights commission. Transfers staffing responsibility for the Native American Indian affairs commission, the Indiana commission for women, and the commission on Hispanic/Latino affairs from the department of workforce development to the civil rights commission. Makes conforming technical changes. Provides that a capital investment tax credit

may not be granted after December 31, 2016. Repeals the law that establishes the tobacco farmers and rural community impact fund. Repeals the law that allows certain political subdivisions to borrow money for rural community water supply systems. Removes obsolete references to the abandoned railroad corridors board. Reduces the membership of the natural resources advisory council from eleven to seven members; provides for the council to meet in January and on the call of the chairperson; and makes conforming changes. Broadens the requirements for the appointment of one member of the board of animal health. Repeals the following committees, commissions, and boards: (1) Office of community and rural affairs advisory council. (2) Tobacco farmers and rural community impact fund. (3) Air pollution control board. (4) Water pollution control board. (5) Solid waste management board. (6) Indiana arts commission trust fund board. (7) Council on library automation. (8) Library advisory council. (9) Law enforcement, school policing, and youth work group. (10) Affordable housing and community development fund advisory committee. (11) Indiana health informatics corporation. (12) Ohio River bridges project commission. (13) Veterans' home advisory committee. (14) Mental health corrections quality advisory committee. (15) Department of local government finance rule adoption committee. (16) Courthouse preservation advisory commission. (17) Rural community water supply loan program. (18) Water shortage task force. (19) Water resources task force. (20) Corporation for educational technology. (21) Educational technology council. (22) School air quality panel. (23) Building and trades advisory committee. Makes conforming changes.

DIGEST OF HB 1003 (Updated March 10, 2012 12:29 am - DI 87)

Public access issues. Allows a member of the governing body of any public agency of the state to participate in a meeting of the governing body by electronic communication only if: (1) the meeting meets all other requirements of the open door law; and (2) a majority of the governing body adopts a policy regarding the use of meetings by electronic communication. Provides that if a meeting by electronic communication is conducted, the governing body is required to: (1) have the greater of two members or one-third of the governing body physically present at the meeting place; and (2) take only roll call votes. Provides that unless a policy adopted by the governing body provides otherwise, a member who participates in a meeting by electronic communication: (1) is considered to be present at the meeting; (2) must be counted for purposes of establishing a quorum; and (3) may vote at the meeting. Requires each member of the governing body to physically attend at least one meeting annually. Specifies that a governing body may adopt a policy that allows the public to attend meetings conducted by electronic communication at a public place and where a member is physically present and participates by electronic communication, excluding executive sessions. Requires a governing body to post the governing body's electronic meeting policy on the Internet web site of the governing body or public agency. Specifies that the electronic meeting law does not affect a governing body's right to exclude the public from an executive session conducted by electronic communication. Repeals the individual statutory authorizations for the following state entities to have meetings by electronic communication: (1) State ethics commission. (2) Indiana bond bank board of directors. (3) Indiana public retirement system board of trustees. (4) Board for depositories. (5) Education

savings authority board of directors. (6) State board of trustees or a committee of the state board of trustees of Ivy Tech Community College of Indiana, Vincennes University, Ball State University, Indiana State University, Indiana University, Purdue University, and University of Southern Indiana. (7) Commission for higher education. (8) State workforce innovation council. (9) Boards, committees, or commissions administered by the professional licensing agency. (10) Department of financial institutions governing board. (11) Regional services council. Changes the number of annual meetings the following state entities are required to conduct: (1) The state budget committee. (2) The state employees appeals commission. (3) The board for depositories. (4) The commission for a drug free Indiana. Adds electronic media to the definition of "record" for purposes of the public records law. Eliminates a requirement that the public works division of the department of administration solicit sealed bids for public works projects by sending notices by mail and posting notices on a bulletin board in the agency's office. Requires the state police department to publish the following on the state police Internet web site: (1) The forms to be used by valuable metal dealers when purchasing valuable metal. (2) A list that describes valuable metal products that are particularly susceptible to theft. (3) The statutes and rules adopted by the superintendent of the state police department concerning the regulation of valuable metal dealers. Requires a public agency to: (1) allow inspection or copying; or (2) make copies; of a public record within a reasonable time after the request is received by the agency. Provides that a court may impose a civil penalty against: (1) an officer of a public agency or an individual employed in a management level position with a public agency; or (2) the public agency; for violating the open door law with specific intent to violate the law if the plaintiff obtained an advisory opinion from the public access counselor before filing an action. Provides that a court may impose a civil penalty against an officer, management level employee, or the public agency for violating the public records law if the officer, management level employee, or agency: (1) continues to deny a request for a public record after the public access counselor has issued an advisory opinion that instructs the agency to allow access to the public record; and (2) denies the request with the specific intent to unlawfully withhold a public record that is subject to disclosure. Provides that an individual or agency could be subject to a civil penalty if the individual intentionally charges a copying fee that the individual knows exceeds the amount set by statute, fee schedule, ordinance, or court order. Provides that a court may not impose a civil penalty unless the public access counselor has issued an advisory opinion that instructs the public agency to allow access to the public record before the lawsuit is filed. Provides that it is a defense to the imposition of a civil penalty under this section for a violation of the open door law or public records law if the individual acted in reliance on an opinion of the public agency's legal counsel or an opinion of the attorney general. Provides that a court may impose a civil penalty of: (1) not more than \$100 for the first violation; and (2) not more than \$500 for any additional violations. Provides that a court may: (1) impose only one civil penalty against an individual in an action even if the court finds that the individual committed multiple violations; and (2) impose another civil penalty against the individual in a separate action. Provides that if an officer of a state or local government agency orders a management level employee to: (1) not give proper notice of a public meeting or executive session; or (2) deny or interfere with a person's request to inspect or copy a public document; the employee is not subject to a civil penalty for violating the statute. Provides that the civil penalty provisions imposed for violation of the public records law does not

apply to any matter regarding the work product of legislative services agency or the individual members and partisan staffs of the general assembly. Provides that if the governing body of a local government agency adopts a policy, the agency shall provide notice to anyone (other than news media) that makes an annual request for notice by: (1) transmitting the notice by electronic mail; or (2) posting the notice on the agency's Internet web site (if the agency has an Internet web site). Provides that a court may not declare a governmental action void for failure to give notice by electronic mail or posting on the local government agency's web site if the agency made a good faith effort to comply with the statute. Provides that a public agency may withhold personal information from public disclosure regarding an individual less than 18 years of age who participates in an activity conducted or supervised by a state educational institution, including personal information regarding the individual's parent or guardian. Requires (rather than allows) a court to review public records in camera to determine whether redaction of the records violates the public records act. Creates an education fund for a program administered by the public access counselor to train public officials and educate the public on the rights of the public and the responsibilities of public agencies under the public access laws. Provides that a public agency has discretion as to whether to disclose a public record requested by an offender containing personal information relating to a judge, law enforcement officer, or family member of a judge or law enforcement officer.

DIGEST OF HB 1004 (Updated March 8, 2012 11:37 am - DI 84)

Various election law matters. Provides that if there is a contested election for any office of a municipality, all nominees for each office must be shown on the ballot. Authorizes a county election board to provide by resolution adopted by a unanimous vote of the members of the election board, that an election for a municipal office not be held if there is no contest for the office. Provides that such a resolution expires January 1 of the year immediately following its adoption. Authorizes a county election board to provide by resolution adopted by a unanimous vote of the members of the election board, that a municipal election may be limited to legislative body districts of the municipality where there are contests for election of members of the municipal legislative body if there are no contested offices to be elected by all the voters of the municipality. Requires that a circuit court clerk record certain information from an application for an absentee ballot in the statewide voter registration list. Provides that if a caucus called to fill a candidate vacancy or a vacancy in certain local offices does not obtain a quorum, the applicable political party county chairman or state chairman is required to fill the vacancy. Corrects a reference to the terms of office of school board members to conform the law to the amendments made during the 2011 session that provide that all elected school board members are elected at a general election. Makes a technical correction.

DIGEST OF HB 1005 (Updated March 6, 2012 3:58 pm - DI 84)

Nepotism; conflict of interest. Specifies that the following are not lucrative offices: (1) Notary public. (2) Membership on a board administered by the professional licensing agency. Provides that an employee of a county, city, town, or township (unit) is considered to have resigned from

employment with the unit if the employee assumes an elected executive office of the unit or becomes an elected member of the unit's legislative or fiscal body. Provides that a full-time paid firefighter or a volunteer firefighter may not assume or hold a position on the executive, legislative, or fiscal body of a unit that receives fire protection services from the department in which the firefighter serves. Specifies that the restriction does not prevent an elected officer from serving on a board, commission, or committee of the unit. Provides that the restriction does not prohibit an employee (including a full-time paid firefighter) or a volunteer firefighter from holding an elected office of another unit. Allows an employee (including a full-time paid firefighter) or a volunteer firefighter who assumes or holds an elected office on January 1, 2013, to continue to hold the office and be employed by the unit or serve as a volunteer firefighter until the expiration of the term of office. Provides that relatives may not be employed by a unit in positions that result in one relative being in the direct line of supervision of the other relative. Provides that an individual who is employed by a unit on July 1, 2012, is not subject to the provisions regarding nepotism unless the individual has a break in employment with the unit. Provides that for purposes of the nepotism law, the performance of the duties of a precinct election officer or a volunteer firefighter is not considered employment by a unit. Provides that an individual who is employed by a unit on the date the individual's relative begins serving a term of an elected office of the unit: (1) may remain employed by the unit and maintain the individual's position or rank even if the individual would be in the direct line of supervision of the individual's relative; and (2) may not be promoted to a position or, in the case of an individual who is a member of a merit police department or merit fire department, promoted to a position that is not within the merit ranks, if the new position would place the individual in the direct line of supervision of the individual's relative. Makes the following additional exceptions: (1) Allows a township trustee whose office is located in the trustee's personal residence to employ only one relative to work in the township trustee's office and be in the trustee's line of supervision. (2) Allows a coroner who is ineligible for another term of office due to term limits to be hired by the coroner's successor, even though the successor is a relative and will result in the coroner working in the successor's direct line of supervision. (3) Allows a sheriff to hire the sheriff's spouse as prison matron for the county and work in the sheriff's direct line of supervision. Limits the total compensation of the township trustee's employed relative to \$5,000 per year. Provides that provisions concerning nepotism apply to a person who is a party to an employment contract with a unit. Requires a unit to implement a policy under the nepotism and contracting provisions. Allows a unit to implement a policy that is more stringent and detailed. Requires each elected official of the unit to annually certify in writing, subject to the penalties for perjury, that the official is in compliance with the nepotism and contracting law and to submit the certification to the executive of the local unit. Requires the executive of the local unit to file with the annual personnel report filed with the state board of accounts a statement regarding whether the unit has implemented a policy under the nepotism and contracting provisions. Provides that a unit can enter into or renew: (1) a contract for the procurement of goods and services; or (2) a contract for public works; with a relative of an elected official or a business entity in which a relative has an ownership interest if the elected official does not violate the criminal conflict of interest statute and the elected official makes full, written disclosure and satisfies any other requirements of the public purchasing law or the public works law.

DIGEST OF HB 1009 (Updated February 14, 2012 2:14 pm - DI 84)

Technical corrections. Technical corrections bill. Resolves: (1) technical conflicts between differing 2011 amendments to Indiana Code sections; and (2) other technical problems in the Indiana Code, including incorrect statutory references, nonstandard tabulation, grammatical problems, and misspellings. Makes technical corrections and conforming amendments, as required by P.L.229-2011, SECTION 285, related to the repeal and enactment in 2011 of laws concerning the state civil service system. Repeals provisions made obsolete by the 2011 changes in the state civil service system laws.

DIGEST OF HB 1015 (Updated March 5, 2012 6:20 pm - DI 84)

Cemetery access. Provides immunity from civil liability to landowners who grant a decedent's family members or invitees access to cemeteries that are located on the landowners' properties and subject to property tax assessment as cemetery lands. Provides immunity from civil liability to persons who guide family members or invitees to those cemeteries. Provides that a family member is allowed access to those cemeteries at least 3 days a year.

DIGEST OF HB 1016 (Updated February 13, 2012 2:27 pm - DI 84)

Design-build projects. Specifies that a fire protection district is a "public agency" that may use the design-build contracting method for carrying out public projects.

DIGEST OF HB 1018 (Updated February 20, 2012 2:45 pm - DI 84)

Mine electrician certification. Requires mine electricians who perform electrical work in certain coal mines to: (1) be tested by; and (2) receive a certificate of competency from; the mining board. Allows certain individuals certified by the mine safety and health administration or another state to serve as a mine electrician if the individual obtains an Indiana miner's certificate of competency from the director of mines and mine safety. Makes conforming amendments.

DIGEST OF HB 1033 (Updated March 9, 2012 8:04 pm - DI 69)

Criminal history and sentencing. Defines "criminal history provider." Requires a criminal history provider to: (1) update its records annually to remove inaccurate information and information that has been expunged, restricted, or limited; and (2) only disclose certain information relating to a conviction; as of July 1, 2013. Allows the attorney general and a person harmed by a criminal history provider to bring an action against the criminal history provider if the criminal history provider fails to update its records or discloses non-conviction information. Requires a court to restrict disclosure of information relating to an infraction to a noncriminal justice organization or individual if: (1) the person alleged to have committed the infraction is not prosecuted; (2) the infraction is dismissed; (3) the person is found not to have committed the infraction; or (4) the judgment is reversed on appeal. Establishes a procedure for the person to

restrict disclosure of the information relating to the infraction if the court fails to act on its own. Requires records relating to an infraction to be sealed five years after the judgment for the infraction is satisfied. Makes it a Class B infraction for an employer to ask if a person's criminal records have been sealed or restricted. Allows a court to convert a Class D felony conviction to Class A misdemeanor conviction if: (1) the person is not a sex or violent offender; (2) the offense was a non-violent offense; (3) the person has not been convicted of perjury or official misconduct; (4) at least three years have passed since the person completed the sentence; (5) the person has not been convicted of a new felony; and (6) no criminal charges are pending against the person. Provides that if a person whose Class D felony conviction has been converted to a Class A misdemeanor conviction is convicted of a felony within five years after the conversion, a prosecuting attorney may petition a court to convert the person's Class A misdemeanor conviction back to a Class D felony conviction. Specifies that a conviction for a Class A misdemeanor that was originally entered as a Class D felony and converted to a Class A misdemeanor under an express sentencing provision is treated as a Class A misdemeanor.

DIGEST OF HB 1034 (Updated February 16, 2012 2:33 pm - DI 84)

Historic cemeteries. Expands the qualifications of a cemetery that is eligible to be maintained by the county cemetery commission to include cemeteries that were established before 1875 or contain a Civil War veteran. Provides that evidence that a cemetery is the burial ground for a Civil War veteran must be presented to the county cemetery commission.

DIGEST OF HB 1040 (Updated March 8, 2012 3:11 pm - DI 106)

Immunity for fast responders. Provides that if: (1) a county adopts an ordinance approving the provision of community fast responder services; and (2) the nonprofit corporation directing the provision of community fast responder services maintains a certain level of insurance; the liability of a community fast responder is limited to the amount of insurance. Provides that a community fast responder nonprofit corporation does not include a hospital or an entity operated or directed by a hospital. Provides that fast responders have the same immunity from liability as first responders. Requires a community fast responder nonprofit corporation to purchase an insurance policy that provides \$700,000 of insurance coverage for the liability of the corporation's community fast responders. Provides that the limit of liability of a community fast responder nonprofit corporation is \$5,000,000. Makes conforming amendments.

DIGEST OF HB 1047 (Updated February 21, 2012 3:32 pm - DI 84)

Education study committee. Establishes the education issues interim study committee to study the feasibility of establishing a process by which residents of a part of an existing school corporation may elect to disannex from the existing school corporation and either annex to another existing school corporation or establish a new school corporation.

DIGEST OF HB 1049 (Updated March 9, 2012 8:21 pm - DI 107)

Provides that the cap on the fees for program services provided to a person participating in a court established alcohol and drug services program does not apply to fees for education or treatment and rehabilitation services. Provides that a person may participate in a problem solving court program as a condition of an informal adjustment program in a child in need of services proceeding. Eliminates an individual's agreement to the conditions of participation in the program if the case for which the individual is referred to the problem solving court involves a nonsuspendible sentence as a precondition to the placement of the individual in a problem solving court program. Allows a problem solving court to collect program fees. Authorizes the inspector general to directly institute civil proceedings against persons who have failed to pay civil penalties imposed by the state ethics commission. Requires the state board of accounts to provide to the inspector general (in addition to the attorney general) copies of certain reports concerning: (1) malfeasance, misfeasance, or nonfeasance in office by public officials or employees; (2) fraud or misconduct with respect to public contracts; or (3) unlawful expenditure or diversion of public money. Imposes until July 1, 2017, a pro bono legal services fee of \$1 on parties who file certain civil actions, small claims actions, and probate actions. Requires the pro bono legal services fees to be transferred to the Indiana Bar Foundation as the entity designated by the Indiana supreme court to organize and administer the interest on lawyers trust accounts (IOLTA) program. Requires the Indiana Bar Foundation to: (1) deposit in an appropriate account and otherwise manage the fees the foundation receives in the same manner it deposits and manages the net earnings the foundation receives from IOLTA accounts; and (2) use the fees the foundation receives to assist or establish approved pro bono legal services programs. Specifies that the handling and expenditure of the pro bono legal services fees received by the Indiana Bar Foundation are subject to audit by the state board of accounts. Changes the definition of "family or house hold member" to include a person who adopts a child of the other person.

DIGEST OF HB 1050 (Updated February 21, 2012 3:34 pm - DI 84)

Health care sharing ministries. Specifies requirements for a health care sharing ministry. Exempts a health care sharing ministry from requirements of the insurance law.

DIGEST OF HB 1052 (Updated February 21, 2012 3:37 pm - DI 84)

Statewide bid for emergency services equipment. Requires the department of administration to award quantity purchase agreements for the purchase of emergency services equipment.

DIGEST OF HB 1054 (Updated March 5, 2012 6:23 pm - DI 84)

Alcoholic beverage matters. Provides that a restaurant located not more than 700 feet (instead of 500 feet) from a historic district is eligible for a permit to sell alcoholic beverages without regard to the permit quota. Provides that not more than ten permits issued to restaurants within or not more than 700 feet from a historic district may be active at any time. Provides for a cultural

center permit for a city with an indoor theater listed on the National Register of Historic Places and with a population of more than 200,000 but less than 300,000. Specifies that the 30,000 barrel production limitation for small Indiana breweries does not apply to the manufacture of beer for sale or distribution outside Indiana. Provides that a small Indiana brewery may sell the brewery's beer on Sunday at any address for which the brewer holds a brewer's permit if the address is located within the same city boundaries in which the beer was manufactured. (Current law provides that a small Indiana brewery may sell the brewer's beer only at the address for which the brewer's permit was issued.) Provides that a lease and contract concerning the lease of: (1) federally owned land under the control and management of the department of natural resources may permit the retail sale of alcoholic beverages for consumption on the licensed premises of a public golf course located on Brookville Reservoir; and (2) state owned land under the control and management of the department of natural resources may permit the retail sale of alcoholic beverages for consumption on the licensed premises of a pavilion located within Indiana Dunes State Park; if the lessee or concessionaire applies for and secures the necessary alcohol permits. Makes conforming changes.

DIGEST OF HB 1058 (Updated February 23, 2012 2:47 pm - DI 84)

Adoption of budget for reorganized school. Permits two or more school corporations to publish notices, hold public hearings, and take final action for the adoption of property tax levies, property tax rates, and a budget for the reorganized school corporation after the voters approve a plan of reorganization in a general election. Provides that a conversion charter school must publish its estimated annual budget for the ensuing year.

DIGEST OF HB 1059 (Updated March 5, 2012 6:25 pm - DI 84)

Military family relief fund. Extends from one year to three years the time that a service member or a service member's dependent may be eligible to receive assistance from the military family relief fund. Requires the director of veterans' affairs to annually provide a report to the state budget committee concerning the grant program funded from the military family relief fund.

DIGEST OF HB 1060 (Updated February 21, 2012 3:42 pm - DI 84)

Hazardous waste disposal tax. Authorizes a county to use a part of its hazardous waste disposal tax revenue to pay costs associated with the maintenance or repair of county roads. Provides that any annual expenditures for county roads may not exceed 10% of the balance of the county's separate fund for the deposit of hazardous waste disposal taxes as of January 1 of the calendar year in which the expenditures are made.

DIGEST OF HB 1065 (Updated March 6, 2012 4:10 pm - DI 84)

Military custody and parenting time matters. Requires a court, upon motion by a parent who has received military temporary duty, deployment, or mobilization orders: (1) to hold an expedited

hearing to determine or modify custody or parenting time; and (2) to allow, with reasonable notice, a parent to present testimony and evidence by certain electronic means in a custody or parenting time proceeding; if the military duties of a parent have a material effect on the parent's ability to appear in person at a regularly scheduled hearing concerning custody or parenting time. Allows a court, upon motion by a parent who has received military deployment orders, to delegate the parent's parenting time, or a part of the parent's parenting time, during the time that the parent is deployed to a person who has a close and substantial relationship with the parent's child, if the court determines delegating the time is in the best interests of the child. Provides that an order delegating parenting time automatically terminates after the parent returns from deployment. Allows the court to terminate an order delegating parenting time if the court determines that the delegated parenting time is no longer in the best interests of the child.

DIGEST OF HB 1072 (Updated March 10, 2012 12:31 am - DI 51)

Tax administration. Changes dates for budget and levy adoption actions. Changes property tax, sales tax, and income tax reporting and filing requirements. Specifies the assessed value for outdoor signs. Changes the formula for applying the circuit breaker among debt and nondebt levies, permits the department of local government finance to authorize the exclusion of more than 2% of the assessed value of a taxing unit for purposes of calculating property tax rates, and changes the formula for calculating adjustments to the maximum permissible tax rate for cumulative funds and capital project funds to reflect changes in the total assessed value in a taxing unit. Provides for a loan to replace revenue lost from applying the prior adjustment formula. Expands the circumstances under which the budgets and supplemental budgets of a political subdivision with a nonelected governing body (other than a library) is subject to review by a county, city, or town fiscal body. Exempts from the utility receipts tax any payments of severance damages or other compensation resulting from a change in assigned service area boundaries. Provides a sales tax exemption for sales of wrapping material and empty containers that are acquired for shipping or delivery and a sales tax exemption concerning recycling. Provides a property tax deduction for solar power devices. Extends the Hoosier business investment tax credit, the venture capital investment tax credit, the alternative fuel vehicle manufacturer tax credit, and the new employer tax credit. Removes (from current law) the prohibition of taking a case to the tax court if the department of state revenue takes longer than three years to settle a claim. Permits an additional local income tax rate in Starke County. Provides for an adjustment of certain maximum levy limits for two townships in Jasper County and the Frontier School Corporation. Makes changes in the administration of local income tax laws. Changes the date that a Miami County resolution related to the use of local income taxes for property tax credits takes effect. Eliminates certain local income tax rates for Tippecanoe County and Parke County. Makes changes related to the allocation of certain taxes in Allen County. Updates certain internal references to population and the Internal Revenue Code. Provides that the projection of the jobs to be created by a project funded from the Indiana twenty-first century research and technology fund may not be kept confidential. Provides for a continuous abatement notice regarding weeds and vegetation. Permits a political subdivision or municipally owned utility to collect a fee for a credit or bank card payment. Permits a political

subdivision or the board of a municipally owned utility to use an electronic funds transfer method of payment of claims. Provides that a county auditor may require an individual to provide evidence proving that the individual's residence is the individual's principal place of residence for purposes of the homestead standard deduction. Requires various legislative studies.

DIGEST OF HB 1080 (Updated March 9, 2012 1:04 pm - DI 106)

Sex offenders. Provides that a person is a sex offender if the person commits sexual misconduct by a service provider with a child who is subject to lawful detention. Creates a defense to the offense of recruiting, harboring, or transporting a child less than sixteen years of age with the intent of inducing the child to participate in sexual conduct if: (1) the child is 14 or 15 years old and the person is less than 18 years old; or (2) the person is within four years of the child's age, the person was in a dating relationship with the child, and certain other conditions apply. Makes it sexual battery, a Class D felony, for a person to, with intent to arouse or satisfy the person's own sexual desires or the sexual desires of another person, touch another person's genitals, pubic area, buttocks, or female breast when that person is unaware that the touching is occurring.

DIGEST OF HB 1090 (Updated March 5, 2012 6:27 pm - DI 84)

Payment of delinquent property taxes. Applies statewide the authority that currently applies only in Lake County allowing the county auditor to remove real property from a tax sale if the county treasurer and the taxpayer agree to a mutually satisfactory arrangement for the payment of the delinquent taxes. Establishes a period during which a taxpayer who fails to make a payment under the delinquent property tax payment arrangement may not enter into another arrangement. Allows the county treasurer to extend the tax sale redemption period applicable to real property if a tract or item of real property did not sell at a tax sale and the county treasurer and the taxpayer agree to an arrangement for payment of the amount required for redemption before the expiration of the extended redemption period. Provides for cancellation of the agreement and the extension if the taxpayer fails to meet the terms of the agreement. Provides that the total amount required for redemption includes all taxes, special assessments, interest, penalties, and fees on property that accrued after the tax sale. Provides that the fiscal body of a county may adopt an ordinance authorizing the county treasurer to accept a minimum bid on real property subject to sale for delinquent taxes equal to the lesser of: (1) the delinquent taxes, penalties, and other related costs; or (2) 75% of the gross assessed value of the real property. Provides that the fiscal body of a county may adopt an ordinance to establish a property tax amnesty program and require waiver of interest and penalties added before January 1, 2012, on delinquent taxes and special assessments on real property in the county if: (1) all of the delinquent taxes and special assessments on the real property were first due and payable before January 1, 2012; and (2) before July 1, 2013, the taxpayer has paid all of these delinquent taxes and special assessments and has also paid all of the taxes and special assessments that are first due and payable after December 31, 2011. Requires the waiver of interest and penalties in these circumstances, notwithstanding any payment arrangement entered into by the county treasurer and the taxpayer.

DIGEST OF HB 1091 (Updated March 5, 2012 6:31 pm - DI 84)

Agricultural operations. Provides that if a court finds that the prosecution or defense of a nuisance action brought against an agricultural operation was frivolous, the court shall award court costs and reasonable attorney's fees to the prevailing party. Specifies that reasonable attorney's fees may only include the fees for one attorney, and must be calculated on the basis of the reasonable and customary hourly rates charged in the county in which the action was brought. Provides that the determination that an action was frivolous may not be based on the mere fact that a party did not prevail. Requires a court to order a person who manufactures: (1) methamphetamine; or (2) marijuana; on property owned by another to pay certain liquidated damages as restitution to the property owner.

DIGEST OF HB 1092 (Updated March 8, 2012 9:07 pm - DI 69)

Johnson superior court and Wabash city court. Adds a fourth judge to the Johnson superior court as of January 1, 2015. Prohibits the auditor of state from paying the part of the total salary and benefits that would otherwise be paid by the state for the fourth judge of the Johnson superior court until the auditor of state receives a resolution of the board of county commissioners of Johnson County that sets forth the board's determination that a building in existence on January 1, 2012, has been rehabilitated and is ready as a place for the new court to hold sessions. Provides that the Wabash city court has concurrent jurisdiction with the Wabash circuit court in civil cases in which the amount in controversy does not exceed \$1,500.

DIGEST OF HB 1107 (Updated February 21, 2012 3:44 pm - DI 84)

Hydraulic fracturing treatments. Defines "hydraulic fracturing" and "base fluid" for purposes of the law concerning oil and gas wells. Requires the natural resources commission, in regulating oil and gas wells, to adopt rules for the reporting and disclosure of hydraulic fracturing treatments.

DIGEST OF HB 1112 (Updated February 14, 2012 2:21 pm - DI 84)

Telecommunications providers of last resort. Amends references to federal telecommunications law made obsolete by amendments to the federal law. Repeals the statute that requires the utility regulatory commission (IURC) to determine, under certain circumstances, a successor local telephone exchange carrier for an area in which an exiting local exchange carrier ceases operations. Makes conforming amendments. For purposes of the statute that allows the IURC to declare an emergency in an area in Indiana in which voice service is not offered by a communications service provider, specifies that if the IURC authorizes a provider to offer voice service in the area, the IURC must permit the provider to offer the service through any available technology or medium determined by the provider. Provides that upon notice to the IURC by an incumbent local exchange carrier that is the provider of last resort in one or more parts of the incumbent local exchange carrier's service area, the incumbent local exchange carrier is relieved

of its obligation as the provider of last resort in any part of the incumbent local exchange carrier's service area in which there are at least two communications service providers (one of which may be the incumbent local exchange carrier) offering certain voice telephony services specified in federal regulations. Provides that after June 30, 2014, upon notice to the IURC by an incumbent local exchange carrier that is the provider of last resort in one or more parts of the incumbent local exchange carrier's service area, the incumbent local exchange carrier is relieved of its provider of last resort obligation with respect to any part of its service area identified in its notice. Specifies that relief from a provider of last resort obligation does not affect an incumbent local exchange carrier's obligations under federal law.

DIGEST OF HB 1116 (Updated March 6, 2012 4:12 pm - DI 84)

Military education and training. Requires a state educational institution to adopt a policy to award educational credit to an individual who is enrolled in a state educational institution and successfully completes courses that: (1) are part of the individual's military service; (2) meet the standards of the American Council on Education for awarding academic credit; and (3) meet the state educational institution's role, scope, and mission. Requires that the commission for higher education must adopt rules that establish uniform guidelines for state educational institutions to follow when implementing the requirements. Provides that an occupational or professional licensure board shall issue a license, certificate, registration, or permit to a military service applicant or military spouse who meets certain requirements. Allows a board to issue a temporary practice permit or provisional license while the military service applicant or military spouse is satisfying certain requirements as determined by the board.

DIGEST OF HB 1117 (Updated March 8, 2012 11:41 am - DI 84)

Regional water, sewage, or waste districts and utilities. Provides that if a not-for-profit sewer utility (utility) uses eminent domain to acquire an easement or right-of-way, the easement or right-of-way may not exceed 50 feet. Specifies that the following are not a not-for-profit utility: (1) A conservancy district. (2) For certain purposes, a utility owned, operated, or held in trust by a consolidated city. (3) A regional water, sewage, or solid waste district (district). Requires notice and a hearing before a petition may be filed to establish a district. Establishes requirements for appointment to the board of trustees of a district. Provides that a district or utility may not require a property owner to connect to the district's or utility's sewer system under certain conditions for ten years. Allows the property owner to apply for two five year extensions. Limits to \$100 the daily penalty for failing to connect to a sewer system. Provides that if a district uses a flat charge to determine a rate or charge for a sewage works, the district must provide a written summary of how the flat charge was calculated. Allows a campground or youth camp to be billed for sewage service at a flat rate or by installing a meter to measure the actual amount of sewage. Provides that, for billing purposes, a bed at a youth camp equals 1/8 residential equivalent unit. Establishes a procedure by which a ratepayer may object to initial rates and charges established by a district. Provides that sewer lien that is the only lien on a property may not be foreclosed. Requires a health officer to verify the existence of unlawful conditions that

transmit, generate, or promote disease before ordering their abatement. Provides that a person who provides false information to a health officer commits a Class C infraction. Requires a local health department to notify an applicant for a residential septic system permit of the existence of a district. Provides that a homeowner may include in a residential sales disclosure form information relating to a district.

DIGEST OF HB 1123 (Updated March 9, 2012 1:11 pm - DI 102)

Public pensions. Provides that not later than December 1 each year, the office of management and budget shall submit to the state budget committee the following: (1) A report prepared by the office of management and budget concerning post-employment benefits and liabilities of state agencies. (2) Reports prepared by state educational institutions concerning post-employment benefits and liabilities of those institutions. Permits trust funds to be established to provide for prefunding annual required contributions to retirement funds and to cover other post-employment benefit liability for employees of the legislative, judicial, and executive departments, including employees of the state police department, conservation officers of the department of natural resources, and the state excise police. Provides that any modification to: (1) eligibility requirements; (2) required premiums; or (3) any other plan provisions; that increases the amount of the state's contribution to a plan of self-insurance established for the state police department, conservation officers of the department of natural resources, or the state excise police or that increases the post-employment liability under such a plan may not be made unless the modification is first approved by the budget agency. Provides for an annual review of the modifications by the state budget committee. Provides for a thirteenth check to certain members of the: (1) Indiana state teachers' retirement fund (TRF); (2) public employees' retirement fund; (3) state excise police, gaming agent, gaming control officer, and conservation officers' retirement fund; and (4) state police 1987 benefit system. Makes a state general fund appropriation for the state fiscal year beginning July 1, 2012, to cover the one-time thirteenth check for TRF retirees.

DIGEST OF HB 1126 (Updated March 9, 2012 10:50 pm - DI 14)

Water and wastewater issues. Provides that: (1) a municipality that operates a water, wastewater, or combined water and wastewater utility; or (2) users of the utility's works whose property is located outside the corporate boundaries of the municipality; may petition the IURC under certain circumstances for review and revision of the rates and charges imposed by ordinance on the users. Requires the IURC to prescribe the form and content of the petition. Provides that a petition is dismissed and the underlying ordinance takes effect if the IURC does not approve or disapprove the petition within 120 days. Authorizes the IURC to adopt rules. Provides that certain requirements for trustees of a regional sewage district apply only to a district established in response to an agreed order entered into after December 31, 1982.

DIGEST OF HB 1128 (Updated March 5, 2012 6:38 pm - DI 84)

Corn marketing council. Repeals provisions concerning deductions to retail merchants under the E85 reimbursement program. Amends the definition of "producer" for purposes of the corn marketing laws. Adds requirement that a producer has had an assessment in the previous two years to qualify as a member of the corn marketing council (council). Provides that vacancies on the council are filled by the appointing authority. Changes the date that a petition for candidacy to the council may be filed. Provides that the council operates on a fiscal year. (Current law requires the council to operate on a state fiscal year.) Establishes a formula to determine the maximum administrative expenses of the council. Provides that the cost of processing refunds and applying for grants are not administrative expenses. Requires a first purchaser of corn to remit the assessment when payment is received. Provides that a first purchaser that is not subject to assessment is to sign and date an exemption form. Establishes an assessment refund schedule based upon the amount owed. Makes a technical change.

DIGEST OF HB 1129 (Updated March 5, 2012 6:40 pm - DI 84)

State chemist issues. Provides civil penalty authority to the state chemist under the agricultural ammonia law and subpoena authority to the state chemist under the agricultural ammonia law and the commercial fertilizers laws. Provides that the state chemist may impose a civil penalty only according to a schedule recommended by the fertilizer advisory board. Amends the pesticide laws and the pesticide use and application laws as follows: (1) Expands the definition of "produce". (2) Makes changes to the qualifications of certain members on the pesticide review board. (3) Makes changes to the duties and rule making authority of the pesticide review board. (4) Exempts employees of not-for-profit organizations from the annual pesticide applicator license fee. (5) Repeals registration requirements and fees for pesticide consultants. (6) Amends provisions of state pesticide law to apply to all pesticide products, including both chemicals and devices. (Current law only applies to chemicals.) (7) Makes changes to comply with federal pesticide laws. Amends the commercial feed laws as follows: (1) Adds and amends numerous definitions. (2) Adds a late fee for distributing feed before applying for a license. (3) Allows the state chemist to revoke, suspend, or place conditions on a commercial feed license that is not in compliance. (4) Makes changes to required labeling information. (5) Provides conditions that make commercial feed adulterated. (6) Adds authority to adopt rules concerning specialty pet foods. (7) Adds as Class A infractions: (A) distribution of raw milk that is not labeled "Not for Human Consumption"; and (B) distributing animal feed and stating, promoting, or advertising that it is fit for human consumption. (8) Directs the state board of animal health to conduct a study of the issue of farmers selling unpasteurized milk to consumers. (9) Makes conforming changes. (10) Makes technical changes.

DIGEST OF HB 1134 (Updated March 8, 2012 8:45 pm - DI 84)

School transportation. Provides that no fee may be charged to a parent or student for transportation to and from school if a school corporation provides transportation or contracts with an educational service center to provide transportation. Provides that parent supplemental transportation contracts do not apply to transportation provided by an educational service center.

Makes a technical correction concerning school bus replacement plans.

DIGEST OF HB 1141 (Updated March 8, 2012 3:08 pm - DI 58)

Home energy assistance. Establishes the mortgage foreclosure multi state settlement fund. Provides that the fund consists of: (1) money that is received by the state under a multi state agreement related to litigation concerning mortgage foreclosure activities and that is designated by the attorney general for deposit in the fund; (2) appropriations made to the fund by the general assembly; and (3) grants, gifts, and donations intended for deposit in the fund. Specifies that the fund shall be administered by the budget agency, and that money in the fund does not revert to the state general fund. Specifies that an amount equal to the state sales tax revenue that was collected in the preceding state fiscal year on the assistance provided through the federal low income home energy assistance block grant program (LIHEAP) is appropriated and transferred from the fund each year for a separate state home energy assistance program to provide assistance exclusively for individuals who own a home using the LIHEAP standards. Repeals the expired sales tax exemption for home energy purchased through the state program.

DIGEST OF HB 1148 (Updated February 14, 2012 2:23 pm - DI 84)

Engineer and land surveyor examinations. Provides that the examinations for: (1) registration as a professional engineer; and (2) certification as a land surveyor or land surveyor in training; may be computer based. Removes provisions specifying the duration of the examinations. Specifies that an applicant for registration as a professional engineer has three chances to pass the examination for registration, subject to the rules and discretion of the board of registration for professional engineers. Makes a technical correction.

DIGEST OF HB 1149 (Updated March 9, 2012 2:54 pm - DI 77)

Smoking ban. Prohibits smoking: (1) in public places; (2) in enclosed areas of a place of employment; (3) in certain state vehicles; and (4) within 8 feet of a public entrance to a public place or an enclosed area of a place of employment. Allows smoking in certain: (1) gaming facilities; (2) cigar and hookah bars; (3) fraternal, social, and veterans clubs; (4) tobacco stores; (5) bars and taverns; (6) cigar manufacturer facilities; and (7) cigar specialty stores; if certain requirements are met. Allows smoking on the premises of a business that is located in the business owner's residence if certain requirements are met. Requires certain signs to be posted. Requires the alcohol and tobacco commission (commission) to enforce this prohibition. Allows certain governmental agencies and law enforcement officers to enforce the prohibition. Makes it a Class B infraction to violate the smoking prohibition and a Class A infraction if the person has been adjudged to have committed three prior unrelated infractions for violations. Prohibits firing, refusing to hire, or retaliating against a person for reporting a violation or exercising any right or performing any obligation under the smoking prohibition. Requires the commission to present an annual report to the health finance commission. Removes the authority of the director of the division of mental health and addiction to regulate smoking within certain state institutions.

Provides authority for a physician to prescribe smoking cessation devices to residents of state institutions. (Current law allows prescribing nicotine patches.) Moves the prohibition against smoking on a school bus during the school week to IC 7.1. Repeals the current clean indoor air law. Makes a technical correction.

DIGEST OF HB 1154 (Updated February 20, 2012 2:50 pm - DI 84)

Local purchasing and public works preferences. Provides that the local Indiana business preference applies to a contract for a purchase made by a political subdivision only if the political subdivision provides in the solicitation that the preference is applicable to the purchase. Provides that the term "affected county" refers only to an Indiana county. Repeals the local Indiana business preference for public works projects.

DIGEST OF HB 1163 (Updated March 5, 2012 6:41 pm - DI 84)

Bonding and retainage in public works projects. Provides that a person who has a claim against the retainage or the payment bond of a contractor on a public works project must make the claim and deliver a copy of the claim to the contractor not later than stated times after that person performed the service or labor or supplied the materials for the public works project. Decreases the amount that may be withheld on state public works projects upon substantial completion to cover remaining uncompleted minor items. Makes stylistic and technical changes.

DIGEST OF HB 1169 (Updated March 8, 2012 8:48 pm - DI 84)

School discipline. Requests the legislative council to establish a study commission on the topic of school discipline best practices.

DIGEST OF HB 1171 (Updated March 9, 2012 9:13 pm - DI 84)

Relocation of new motor vehicle dealers. Provides that certain restrictions pertaining to the relocation of new motor vehicle dealers do not apply to a new motor vehicle dealer located in a county of over 100,000 inhabitants under certain circumstances. Provides that an action challenging the establishment or relocation of a new motor vehicle dealer within a relevant market area is filed with the dealer services division of the secretary of state. (Current law provides that the action is filed in the circuit court). Requires an auto dealer to serve a demand for mediation on a manufacturer or distributor before or at the same time as filing a complaint or petition for relief with the dealer services division of the secretary of state alleging an injury caused by an unfair practice.

DIGEST OF HB 1173 (Updated March 5, 2012 6:43 pm - DI 84)

Various IOSHA matters. Provides that when an employee believes that a workplace violation of safety or health standards exists, the name of the complainant and any identifying information

and the name and identifying information of other individual employees may be nondisclosable and confidential for purposes of public records law. Provides that neither the commissioner of the department of labor (department) nor any employee or former employee of the department is subject to subpoena for purposes of inquiry into any occupational safety and health inspection, except when: (1) enforcement proceedings are brought under the Indiana Occupational Safety and Health Act; (2) an action is filed in which the department is a party; (3) the commissioner consents in writing to waive the exemption; or (4) a court finds that: (A) the information sought is essential to the underlying case; (B) there are no reasonable alternate means for acquiring the information; and (C) a significant injustice would occur if the requested testimony was not available. Provides that the annual tax imposed to finance the safety and health consultation services for the INsafe division of the department is due and payable on or before May 1 of each year when the tax is imposed. (Current law provides that the tax is due and payable on or before April 10 of each year when the tax is imposed.) Makes technical corrections.

DIGEST OF HB 1186 (Updated March 8, 2012 9:27 pm - DI 104)

Emergency medical services personnel. Authorizes the Indiana emergency medical services commission (commission) to implement an emergency services personnel certification program through emergency rules. Provides for the licensure of paramedics by the emergency medical services commission. (Current law provides for the certification of paramedics by the emergency medical services commission.) Renames "emergency medical technician-intermediate" as "advanced emergency medical technician". Deletes the term "emergency medical technician-basic advanced". Renames "first responders" as "emergency medical responders". Requires that an emergency medical dispatcher must have completed training that meets specified standards and removes language in which the commission certified an emergency medical dispatch agency. Allows an individual who is currently certified as: (1) an emergency medical technician-basic advanced; or (2) an emergency medical technician-intermediate; two years to comply with new certification requirements for emergency medical services personnel. Provides that certain provisions relating to the unlawful or unauthorized practice of medicine do not apply to respiratory care practitioners practicing respiratory care. Requires the health finance commission to study during the 2012 legislative interim issues concerning the licensing of paramedics. Makes conforming changes.

DIGEST OF HB 1189 (Updated March 10, 2012 12:38 am - DI 51)

School finance. Requires an accredited nonpublic school to provide sufficient verbal information to permit a requesting school to which a child transfers to make an appropriate placement decision when the parent of the child is in breach of a contract that conditions release of student records on the payment of outstanding tuition and other fees. Requires the state board of education to conduct a second count of students enrolled in school corporations and charter schools in February of each school year. Expires the school funding formula on July 1, 2013. Transfers the appropriation and funding for charter school start-up grants to the appropriation for state tuition support. Increases the amount of the charter school start-up grant for charter schools

that begin operation in calendar year 2012 and provides that the grant is to be paid in six installments with one installment in each of the last six months of calendar year 2012. Specifies that the amount distributed as special grants to school corporations to reflect the savings resulting from the education of students under a choice scholarship rather than in a school corporation are limited only by the state fiscal year appropriation and not the calendar year cap that limits the amount of state tuition support payable in a calendar year.

DIGEST OF HB 1192 (Updated March 9, 2012 7:58 pm - DI 73)

School corporation and local government finances. Provides that before January 1, 2014, a school corporation may use the debt restructuring statutes if the school corporation has a circuit breaker impact of at least 20%, as certified by the department of local government finance (DLGF) (rather than 30%, under current law). Requires that such a school corporation must either: (1) have the distressed unit appeal board (DUAB) approve the school corporation's financial plan for paying any refunding bonds; or (2) meet certain criteria concerning debt-ADM ratios, debt-assessed value ratios, and the amount of homestead assessed valuation in the school corporation. Provides that a school corporation that meets these requirements may restructure its debt without going through the petition and remonstrance process requirements and referendum requirements that would otherwise apply under current law. Specifies that if a school corporation restructures its debt under these provisions, any extension of the debt repayment period may not exceed ten years after the latest maturity date for any of the bonds being retired or refunded by the school corporation. Provides that a school corporation is eligible to obtain a loan from the rainy day fund if the school corporation is designated as distressed by the DUAB or the school corporation is otherwise approved for a loan by the DUAB. Provides that in the case of a school corporation that petitions the DUAB, the DUAB shall make a recommendation to the state board of finance concerning the loan. Provides that the state board of finance may not after December 31, 2017, approve such loans to a school corporation from the rainy day fund. Specifies that at the time the DUAB designates a school corporation as distressed or otherwise recommends that a loan from the rainy day fund be approved for the school corporation, the DUAB may also recommend to the state board of finance that a loan from the rainy day fund to the school corporation be contingent upon any of the following: (1) The sale of specified unused property by the school board. (2) The school corporation modifying one or more specified contracts entered into by the school corporation. Provides that in making a loan from the rainy day fund to a school corporation, the state board of finance may make the loan contingent upon any such condition recommended by the DUAB. Provides that a school corporation's loan may not exceed the lesser of \$5,000,000 or the result of multiplying the school corporation's ADM by \$1,000. Provides for the interception of revenues otherwise payable to the school corporation if the school corporation fails to pay an obligation associated with the loan. Specifies that the treasurer of state may not impair the rights of the school corporation's bondholders regarding rainy day fund loan payments. Provides that the interest rate on rainy day fund loans to a school corporation is equal to the interest rate on state taxes, minus 2%, but in no case shall the interest rate be less than 1%. Changes the membership of the DUAB. Provides that a political subdivision may file a petition with the DUAB seeking designation of the political subdivision as a distressed political

subdivision, based on any one of several failures by the political subdivision to meet its financial obligations. Specifies that the DUAB may consider whether a political subdivision has exercised all of its local options. Provides that if the DUAB designates a political subdivision as a distressed political subdivision, the board shall (except in the case of a school corporation that is designated as distressed) appoint an emergency manager for the distressed political subdivision. Provides that an emergency manager of a distressed political subdivision has broad powers to effect the financial rehabilitation of the distressed political subdivision. Provides that a school corporation that is designated as distressed may not carry out certain actions without the approval of the DUAB. Provides that if a school corporation that covers its active and retired employees under a state employee health plan consolidates, reorganizes, or merges after May 1, 2012, with a school corporation that does not cover its active and retired employees under a state employee health plan, the school corporation that results from the consolidation, reorganization, or merger must allow an individual for whom the first school corporation had (as of the effective date of the consolidation, reorganization, or merger) health insurance liability under a state employee health plan to continue the individual's coverage under the state employee health plan for at least five years, as long as the individual otherwise remains eligible for coverage under the plan. Provides that a school corporation that carried out a general program in at least one school year beginning after June 30, 2010, to provide transportation to and from school for eligible students must carry out a program to provide transportation to and from school, unless the governing body of the school corporation: (1) approves the termination of the transportation program; and (2) provides public notice of the termination; at least three years before the date after which the transportation will no longer be provided. Allows the department of education to waive these requirements if the department determines that a transportation plan presented by the school corporation, with or without revisions required by the department: (1) will protect the safety of eligible students enrolled in the school corporation; and (2) is otherwise in accordance with applicable law. Provides that before January 1, 2018, costs attributable to transportation may be budgeted in and paid from a school corporation's general fund. Provides that the DLGF may upon petition by a school corporation adjust the school corporation's levy for the school bus replacement fund to reflect the school corporation's school bus acquisition plan. Reduces (by 75% in 2013, 50% in 2014, and 25% in 2015) the amount by which a school corporation must otherwise reduce the school corporation's other levies to offset a pension debt levy, if the school corporation adopts a resolution to apply such a reduction. Requires the DUAB to report to the budget committee before certain dates concerning actions taken by the DUAB under the statute allowing a school corporation with a circuit breaker impact to restructure its debt.

DIGEST OF HB 1195 (Updated March 10, 2012 12:42 am - DI 73)

Property taxes. Delays the date after which a current county assessor must attain certification as a level three assessor-appraiser. Requires the department of local government finance to establish a program to approve sponsors of courses and courses that qualify a candidate for certification as a level three assessor-appraiser. Provides that if a taxpayer wishes to have the income capitalization method or the gross rent multiplier method used in the initial assessment of the taxpayer's property, the taxpayer must submit the necessary information to the assessor not later

than the March 1 assessment date. Specifies that the taxpayer is not prejudiced or restricted in filing an appeal, if the data is not submitted by March 1. Provides a taxpayer the right to a continuance of a property tax assessment board of appeals hearing for just cause. Permits a taxpayer to request that the board make a decision based upon submitted evidence without the presence of the taxpayer. Sets a deadline for filing a notice of withdrawal of a petition. Imposes a \$50 penalty if a request for continuance, a request for the board to take action without the taxpayer being present, or a withdrawal is not timely filed and the taxpayer or representative fails to appear at the hearing. Permits an appeal of the assessment of the penalty. Provides that in the case of an assessment that is decreased by the Indiana board or the Indiana tax court, the taxpayer is not entitled to the greater of \$500 or 20% of the interest to which the taxpayer would otherwise be entitled on a refund if substantive evidence supporting the taxpayer's position was not presented by the taxpayer to the assessor before or at the hearing of the county property tax assessment board of appeals. Provides that an appraisal may not be required by the county board or the assessor in a proceeding before the county board or in the preliminary informal conference. Specifies that a taxpayer and an assessing official may introduce certain evidence of the assessment of comparable properties. Permits various entities to file a late property tax exemption application for previous assessment years and provides for refunds regarding these exempt properties.

DIGEST OF HB 1196 (Updated March 5, 2012 6:45 pm - DI 84)

Synthetic drugs (including "bath salts"). Changes the term "synthetic cannabinoid" to "synthetic drug". Adds additional chemical compounds (including some compounds sold as "bath salts") to the definition of synthetic drugs and expands the definition of synthetic drugs to include certain chemical compounds that are structurally related to synthetic drugs. Allows the board of pharmacy (board) to adopt an emergency rule to declare that a substance is a synthetic drug. Provides that the definition of synthetic drug includes a compound determined to be a synthetic drug by a rule adopted by the board. Enhances penalties for dealing in or possessing a synthetic drug if the amount of the synthetic drug is more than two grams. Provides that if the department of state revenue (department) finds that a person has been convicted of selling or offering to sell a synthetic drug that was offered for sale in the normal course of business by a retail merchant in a place of business for which the retail merchant has been issued a registered retail merchant certificate, the department: (1) shall suspend the registered retail merchant certificate for the place of business for one year; and (2) may not issue another retail merchant certificate for one year to any person that applied for or made a retail transaction under the suspended retail merchant certificate or that owned or co-owned, directly or indirectly, or was an officer, a director, a manager, or a partner of the retail merchant that was issued the suspended retail merchant certificate. Makes technical corrections.

DIGEST OF HB 1200 (Updated March 9, 2012 8:18 pm - DI 107)

Various corrections matters. Requires a sentencing court to inform the department of correction (department) if the person sentenced is a credit restricted felon. Requires a court that determines

that a person sentenced is a credit restricted felon to state in the sentencing order and the abstract of judgment that the person is a credit restricted felon. Requires the judicial conference to adopt rules concerning swift and certain sanctions that a probation officer may use in supervising persons on probation. Provides procedures for a person on probation to be sanctioned by a probation officer. Requires that credit time earned by certain offenders shall be reduced to the extent that application of the credit time would result in postconviction release or a community transition program assignment in less than 45 days after the person earns the credit time. Requires the department to: (1) establish an automated victim notification system; and (2) notify a registered crime victim of certain changes affecting the committed offender who committed the crime against the victim. Specifies when the department shall make certain victim notifications. Provides that if a court imposes a felony sentence that involves a commitment to the department, the court shall state certain information in the sentencing order and abstract of judgment. Provides that if a court orders probation for a person, the person, or in the case of a child, the child's parents, are responsible for certain costs.

DIGEST OF HB 1201 (Updated March 5, 2012 6:46 pm - DI 84)

State provision and use of communications service. Provides that after March 31, 2012, the I-Light communications network may not be used to offer or provide, directly or indirectly, communications service to the public or to any private or governmental entity. Provides exceptions to this prohibition to allow for the following: (1) The provision of communications service for 911 services or emergency or law enforcement purposes. (2) The provision of communications service to institutions of higher education in furtherance of education or research for the direct benefit of students, faculty, or staff, and, under certain conditions, to other persons with a research and development relationship with the institution. (3) The provision of communications service for the direct benefit of public broadcasting. Provides that after March 31, 2012, a person that is not: (1) a state educational institution; or (2) a private postsecondary educational institution; may not become a member of the I-Light network or otherwise connect to or use the I-Light network or any services made available through I-Light.

DIGEST OF HB 1205 (Updated March 9, 2012 10:50 pm - DI 84)

School employee contracts. Requires a school corporation to give public notice and hold a public meeting pertaining to a proposed superintendent employment contract. Provides that the public meeting must occur at least seven days before a contract for employment is entered. Provides that the governing body is not required to disclose the identity of the candidate for superintendent at the public meeting. Requires that the governing body shall post the provisions of a superintendent's employment contract on the school corporation's Internet web site. Requires a school corporation to post the provisions of an employment contract with a certificated employee that is not represented by an exclusive representative on the school corporation's Internet web site. Provides that after a governing body and the certified employees' exclusive representative have reached an agreement on a contract, the governing body shall post the contract on the school corporation's Internet web site. Requires the organizer of a charter school to publish the names of

the members of the charter school's governing body on the school's Internet web site.

DIGEST OF HB 1207 (Updated February 23, 2012 2:51 pm - DI 84)

State civil service system. Makes the following changes as the result of the enactment of SECTION 56 of HEA 1001(P.L.229-2011) concerning the state civil service system: (1) Removes responsibility for public employee collective bargaining from the budget agency. (2) Removes references to a state employee who is a party to a collective bargaining agreement or an employment contract in connection with leave for bone marrow or organ donation. (3) Amends or repeals provisions that conflict with the state civil service system law concerning: (A) the director and environmental law judges of the office of environmental adjudication; (B) the director and employees of the state library and the historical bureau; (C) the director of the state commission on public records; (D) veterans' home personnel; (E) a superintendent of a state owned or operated correctional facility; (F) employees of the protection and advocacy service commission; (G) the director, administrative law judges, property managers, and employees of the department of natural resources; (H) the state veterinarian and employees of the board of animal health; (I) employees of the state department of health; (J) the superintendent of the school for the blind and visually impaired; (K) the superintendent of the school for the deaf; (L) employees of the department of labor; (M) employees of the civil rights commission; (N) the commissioner and employees of the department of insurance; (O) employees of the department of financial institutions; (P) the state lottery commission; (Q) the victim services division of the criminal justice institute; and (R) the appointment of assistants to administer welfare activities in the county offices of the division of family resources. (4) Provides that the executive director of the arts commission is the commission's appointing authority. (5) Provides that the director and employees of the state library and the historical bureau are not subject to board approval for appointment and removal. (6) Removes restrictions on political activity by employees of the state library, historical bureau, department of transportation, and department of natural resources. (7) Removes the requirement for political party balance in hiring at the law enforcement training academy, the department of state revenue, the state police department, state board of accounts, and the department of natural resources. (8) Provides that the director of the criminal justice institute is the institute's appointing authority. (9) Removes a reference to public retirement system employee classifications covered by a labor agreement. (10) Eliminates a term of office for the director of the state commission on public records, and provides that the director is the commission's appointing authority. (11) Repeals unique personnel provisions for employees of the department of transportation. (12) Provides that the appointment of employees of the department of veterans' affairs is not subject to approval by the veterans' affairs commission. (13) Repeals obsolete transitional provisions concerning employees of predecessor agencies of the department of homeland security, state board of health, and department of workforce development. (14) Repeals provisions concerning salary schedules and contracts for teachers employed by the department of correction, state institutions, special institutions administered by the state department of health, school for the blind and visually impaired, and school for the deaf. (15) Repeals an obsolete provision concerning the compensation of district foresters and natural science managers. (16) Repeals a provision requiring the restoration of an individual who served

as commissioner of labor to the same or similar position the individual held before the individual's service. (17) Provides that the commissioner of the department of insurance is the department's appointing authority. (18) Makes technical corrections and conforming amendments.

DIGEST OF HB 1211 (Updated February 21, 2012 3:57 pm - DI 84)

Nursing facility screening and notification. Requires the dissemination of specified information as part of a nursing facility's notification to applicants. Specifies assessments that must be completed during a nursing facility preadmission screening.

DIGEST OF HB 1212 (Updated March 5, 2012 6:51 pm - DI 84)

Blue lights on vehicles. Defines funeral escort vehicle. Provides that a vehicle utilized in a funeral procession or a funeral escort vehicle may display certain flashing lights in certain colors. Requires a funeral escort vehicle to bear certain markings. Prohibits a funeral escort vehicle from bearing certain markings. Provides that, in order for the vehicles in a funeral procession to have the right-of-way at an intersection, the vehicle heading the funeral procession must display a flashing red light, flashing red and white lights, or a flashing amber light. (Current law allows the vehicle to display alternately flashing red and blue lights.) Provides that certain equipment requirements that apply to a funeral escort vehicle do not apply to an authorized emergency vehicle that is used in a funeral procession or as a funeral escort vehicle. Provides that a person who displays a red and blue lamp upon a vehicle or fails to remove a red and blue lamp from a vehicle under certain circumstances commits a Class C misdemeanor.

DIGEST OF HB 1216 (Updated March 5, 2012 6:52 pm - DI 84)

Self-donated blood. Provides that certain blood disposal requirements do not apply to autologous donations for stem cell transplantation. Provides that the crime of transferring contaminated body fluids does not apply to autologous blood donations for stem cell transplantation.

DIGEST OF HB 1220 (Updated March 6, 2012 10:45 am - DI 84)

Commission for higher education. Allows the commission for higher education to approve or disapprove existing or new associate, baccalaureate, or graduate degrees, or programs leading to a certificate or other indication of accomplishment. Requires degree proposals submitted to the commission for higher education for approval to provide justifications for any additional credit requirements. Requires each state educational institution to review its undergraduate degree programs to determine the number of credit hours required for the degree and to report the results of the review to the commission, including a justification for any associate degree program of more than 60 hours or baccalaureate degree program of more than 120 hours.

DIGEST OF HB 1226 (Updated March 6, 2012 4:14 pm - DI 84)

Insurance matters. Makes various changes to the insurance law, including the law concerning: (1) derivatives transactions; (2) life insurance company filing requirements; (3) insurance producer education; (4) insurer response to department of insurance requests; (5) notice of individual health insurance market withdrawal; (6) confidentiality of information concerning certain insurer filings; (7) insurance holding company regulation; (8) health maintenance organization risk based capital requirements; (9) material transaction reports; (10) credit for reinsurance; (11) external review of health coverage determinations; and (12) bail and recovery agent licensing. Provides for deposit of new civil penalties in the department of insurance fund. Removes obsolete provisions. Makes conforming amendments.

DIGEST OF HB 1237 (Updated March 9, 2012 8:06 pm - DI 101)

Home improvement contracts. Amends the statute governing home improvement contracts to specify that "home improvement" includes an "exterior home improvement". Defines "insured consumer" and "exterior home improvement" for purposes of the statute. Provides that, with respect to a home improvement that is to be paid, in whole or in part, from the proceeds of certain insurance policies, a home improvement supplier must: (1) if the home improvement contract includes an exterior home improvement, furnish information to the insured consumer concerning cancellation of the contract by the insured consumer if the insured consumer receives written notification from the insured consumer's insurance company that all or part of the claim or contract is not a covered loss; and (2) have a presence in Indiana or a previous business relationship with the consumer. Prohibits certain activities by a home improvement supplier intended to induce a person to enter into a home improvement contract or otherwise purchase goods or services from the home improvement supplier. Provides for the cancellation of a home improvement contract by an insured consumer and the resolution of certain financial obligations. Prohibits a home improvement supplier from acting as a public adjuster.

DIGEST OF HB 1238 (Updated March 6, 2012 4:16 pm - DI 84)

Finding of abandonment for mortgaged property. Provides a procedure that allows: (1) a creditor in a mortgage; or (2) an enforcement authority with jurisdiction in the location of the mortgaged property; to petition the court having jurisdiction over an existing mortgage foreclosure action to find that the mortgaged property is abandoned. Provides that upon receiving a petition for a determination of abandonment, the court shall issue an order to show cause as to why the property should not be found to be abandoned and to direct the appropriate parties to appear before the court on a date and time specified in the order. Provides that a party subject to the order has the right to: (1) present oral or written evidence or objections on the issue of abandonment to the court; and (2) be represented by an attorney when appearing before the court. Provides that certain specified conditions existing with respect to the mortgaged property constitute prima facie evidence that the property is abandoned. Provides that the debtor's failure to either: (1) present written evidence or objections on the issue of abandonment before the appearance date; or (2) appear before the court on the appearance date; constitutes prima facie evidence that the property is abandoned.

DIGEST OF HB 1239 (Updated February 27, 2012 6:22 pm - DI 84)

Financial institutions and consumer credit. Makes various changes to the laws concerning: (1) financial institutions; (2) debt management companies; (3) pawnbrokers; (4) money transmitters; (5) check cashers; (6) persons licensed under the Uniform Consumer Credit Code; (7) first lien mortgage lenders; and (8) rental purchase agreements. Repeals the definition of "office of thrift supervision" in the statutes governing the charter conversion of a: (1) building and loan association to a stock building and loan association; (2) mutual or stock savings association to a commercial bank; (3) mutual savings association to a mutual savings bank; (4) mutual or stock savings association to a stock savings bank; and (5) mutual savings bank to a stock savings bank. Changes the statute governing savings banks: (1) to repeal the definitions of "community based economic development" and "community development corporation"; and (2) to recodify the definitions in another provision of the statute. Repeals a provision that requires a savings bank to maintain 60% of its assets in certain qualified investments under the Internal Revenue Code. Repeals a provision that: (1) concerns the effect of a revocation, suspension, or surrender of a pawnbroker license on existing pawnbroker contracts; and (2) is incorporated into another provision of this bill.

DIGEST OF HB 1247 (Updated March 6, 2012 10:48 am - DI 84)

Operator's license renewal schedule and fees. Provides for expiration dates and sets fees for the renewal of certain operator's licenses that are set to expire in 2012. Makes conforming changes.

DIGEST OF HB 1249 (Updated March 8, 2012 11:46 am - DI 84)

Land banks and tax sales process. Urges the legislative council to assign to an existing study committee, for study during the 2012 interim, the following topics: (1) Land banks. (2) Indiana's tax sales process. If the topics are assigned to a study committee, requires the committee to study: (1) the use and effectiveness of Indiana's current land bank statute; (2) issues relating to creation of land banks at the municipal level, as opposed to the county level; (3) the implications that land banks would have for Indiana's current tax sale process; (4) the effect of Indiana's current tax sale process on the disposition of vacant and abandoned property; (5) the effect that creation of municipal land banks would have for local revenues; (6) land bank issues unique to Marion County; (7) reducing the amount of time needed to complete the tax sales process; and (8) other issues related to land banks and the tax sales process.

DIGEST OF HB 1250 (Updated March 6, 2012 4:18 pm - DI 84)

State government nepotism. Prohibits an individual who is employed by a state agency from being: (1) employed in the same agency in which the individual's relative is the appointing authority; and (2) placed in the direct line of supervision of a relative. Allows a job assignment that existed on July 1, 2012, to be continued. Allows an individual employed in an agency for at least 12 consecutive months immediately preceding the date the individual's relative becomes the

appointing authority of the agency to: (1) remain employed by the agency; and (2) be within the direct line of supervision of the relative. Prohibits an individual from contracting with or supervising the work of a business entity of which a relative is a partner, executive officer, or sole proprietor. Provides that a person within an agency who violates the nepotism statute may be subject to the penalties enforced by the state ethics commission. Repeals provisions concerning employment of relatives in state agencies.

DIGEST OF HB 1258 (Updated March 9, 2012 8:14 pm - DI 92)

Various estate administration matters. Specifies that an individual holding a beneficial or ownership interest in an entity is considered the transferee when a transferor makes a transfer subject to the inheritance tax to the entity. Provides that the individual is liable for the same percentage of the inheritance tax as the individual's percentage of beneficial or ownership interest in the entity. Eliminates authority to file a recovery claim against the estate of the recipient's spouse. Eliminates rules of will construction that applied only to decedents dying in 2010. Authorizes foreign wills to be probated after the expiration of the probate deadlines for the same limited purposes for which Indiana wills may be probated after the deadlines. Provides that costs of administration include the fee of a surrogate attorney for purposes of determining the priority of claims when an estate's resources are insufficient to pay all claims. Eliminates the requirement that a declaration designating a standby guardian include the Social Security number of the child or protected person. Specifies that a standby guardian has all of the powers granted by the guardianship statute. Provides that amendments to the trust code apply to trusts created prior to the effective date of the amendment unless certain adverse events would occur because of the application of the amendment. Provides that amendments to the transfer on death (TOD) statute apply to TOD transfers created before the effective date of the amendment. Specifies that a testamentary trust receiving a TOD transfer is considered to have been in existence as of the owner's death if the owner's last will and testament is admitted to probate. Provides that the practice of law by a person who is not an attorney is considered racketeering activity for purposes of the law concerning racketeer influenced and corrupt organizations. Removes authority for a transferring entity to adopt rules concerning TOD transfers in whole or in part by incorporation by references. Removes possible exceptions concerning the rules that apply to a beneficiary designation. Provides that a guardian does not need to be appointed if custodial property is less than \$10,000. Makes technical corrections. Provides that a personality does not have rights of publicity if the personality has commercial value solely because the personality has been charged with or convicted of a crime. Provides that: (1) a deceased personality's rights of publicity apply to the personality whether the personality died before, on, or after July 1, 1994 (the original effective date of the rights of publicity law); (2) if the personality died before July 1, 1994, the deceased personality's rights of publicity are considered to have existed on and after the date the personality died; (3) a claim for a violation of a personality's right of publicity may not be asserted unless the alleged act or event of violation occurs within Indiana; and (4) a claim for a violation of the personality's right of publicity may not be asserted under this chapter unless the alleged act or event of violation occurs after June 30, 1994. Repeals rules of trust construction that applied only to decedents dying in 2010. (The introduced version of this bill was prepared by

the probate code study commission.)

DIGEST OF HB 1264 (Updated February 29, 2012 8:27 am - DI 84)

Flood control in Lake County. Expands the Little Calumet River basin development commission (LCRBDC) from five members to nine members. Requires the LCRBDC to levy a special assessment on parcels of land within the Little Calumet River and Burns Waterway watershed in Lake County. Specifies that the special assessment applies only to parcels that are not exempt from property taxation. Specifies the permissible uses of the assessments, including the repayment of bonds. Specifies that projects for which bonds are payable from special assessments are not controlled projects. Specifies that certain procedural laws apply to the issuance of bonds payable from special assessments. Provides for the repayment of money to the Northwest Indiana Regional Development Authority. Requires the LCRBDC to meet at least four times per year and to submit annual reports to the board of county commissioners of Lake County. Establishes the Little Calumet River basin project advisory board.

DIGEST OF HB 1269 (Updated March 10, 2012 1:11 am - DI 104)

Health care compact. Establishes the health care compact. Requires the securing of the consent of the United States Congress. Specifies that the state legislature of each member state has the primary responsibility to regulate health care in the member state's jurisdiction. Allows the governor to enter into the compact on behalf of the state only after: (1) the budget committee reviews the compact and an implementation plan developed by the budget agency; (2) the budget agency prepares an implementation plan showing how Indiana will provide access to health care under the compact; and (3) the budget agency presents the plan to the health finance commission. Specifies that Indiana's participation in the compact does not include the administration of the federal Medicare program unless the General Assembly takes action that specifically authorizes the inclusion of Medicare in the compact. Allows member states of the compact to suspend all federal laws, regulations, and orders concerning health care that are inconsistent with the laws and regulations adopted by the member state under the compact, to the extent allowed under the Constitution of the United States and the constitution of the member state. Creates the interstate advisory health care commission consisting of individuals from member states.

DIGEST OF HB 1270 (Updated March 8, 2012 11:48 am - DI 84)

Higher education. Abolishes the state student assistance commission (SSAC). Abolishes the commission on proprietary education (COPE). Requires the commission for higher education (CHE) to administer the functions formerly administered by SSAC. Establishes the board for proprietary education (BPE). Permits the BPE to adopt reasonable rules. Specifies that the BPE must meet at least four times each year. Provides that the BPE is responsible for accrediting a postsecondary credit bearing proprietary educational institution. Provides that the CHE is responsible for providing staff and office space for the BPE. Specifies that the CHE is to determine the maximum higher education award and freedom of choice award, subject to

approval by the budget agency with review of the budget committee. Requires the CHE to submit annual higher education award reports to the budget committee. Provides that the state workforce innovation council is responsible for accrediting postsecondary proprietary educational institutions that are non credit bearing. Establishes the office for career and technical schools within the state workforce innovation council. Provides that the market research of a postsecondary credit bearing proprietary educational institution may not be considered or required by the BPE as a condition for accrediting or renewing the accreditation of or for approval of the programs of a postsecondary credit bearing proprietary educational institution. Transfers proceedings pending before the Indiana commission on proprietary education on July 1, 2012, to the BPE for a proceeding pertaining to a postsecondary credit bearing proprietary educational institution or to the state workforce innovation council if the proceeding pertains to a postsecondary proprietary educational institution. Requires the auditor of state to transfer \$300,000 of the balance of the career college student assurance fund to the career college student assurance fund administered by the BPE. Requires the state auditor to transfer the balance of the current career college student assurance fund to the student assurance fund administered by the state workforce innovation council. Requests the legislative council to assign issues relating to the accreditation of proprietary institutions to an appropriate study committee. Repeals: (1) provisions relating to establishment and administration of SSAC; (2) provisions relating to establishment and administration of COPE; (3) certain provisions requiring the CHE to provide SSAC information to implement the minority teacher or nursing scholarship program; and (4) definitions relating to SSAC or COPE. Adds transitional provisions. Makes conforming and technical amendments.

DIGEST OF HB 1273 (Updated March 6, 2012 10:50 am - DI 84)

Administrative law judge study. Requests the legislative council to study, during the 2012 legislative interim, the topic of creating a centralized department of administrative law judges within the office of the attorney general.

DIGEST OF HB 1279 (Updated March 9, 2012 7:59 pm - DI 109)

CORRECTED MARCH 15, 2012

Various natural resources matters. Moves the state land office from the department of administration to the department of natural resources (DNR). Increases the amount that an office of DNR or the department of state revenue must deposit on the business day following receipt from \$100 to \$500. Increases the inspection period for each parcel of land classified as native forest land, a forest plantation, or wildlands from five to seven years. Amends law concerning the lake and river enhancement fund to prohibit funds from being used for projects related to a ditch or manmade channel. Defines "inland water". Provides that certain regulations related to using a spotlight or firearm silencer in the hunting of birds and mammals do not apply to a person acting in accordance with the conditions of a license held by the person. Allows the director of DNR to give certain individuals permission to spotlight wild animals or use a silencer. Requires that hunting license stamps be electronically generated. Removes the requirement that commemorative stamps be furnished to the circuit court. Allows fishing by means of a crossbow.

Makes the invasive species pilot program a permanent program. Removes the authority for an individual with a hunting, trapping, or fishing license to ship, carry, or take outside of Indiana, in one week, more than two times the possession limit for the wild animal. Repeals the prohibition on raccoon hunting by nonresidents. Removes a provision allowing a federal Fish and Wildlife Service officer or a conservation officer from another jurisdiction to hunt or fish in Indiana after obtaining a resident license. Creates a resident license to hunt and fish that is valid for 10 years for certain veterans. Allows DNR to issue a nonresident fishing license for commercial fishing in Indiana on the Ohio River. Creates a license for nonresident roe harvesters and dealers. Allows the natural resources commission (commission) to establish the minimum application fees for nonresident roe harvester and dealer licenses. Gives residents of Indiana priority in receiving roe harvester and dealer licenses. Requires a business that sells or barter live minnows or crayfish to have a bait dealer's license. (Current law requires a business that takes, catches, sells, or barter live minnows or crayfish to have a bait dealer's license.) Increases the number of annual free sport fishing days that may be designated from two to four. Allows the sale of game and furbearing mammals for food purposes under a game breeding license. Removes authority to obtain a game breeder's license for game birds and game mammals acquired alive and legally in open season. Removes nutrias and swamp rabbits from the list of exempted animals under a game breeding license. Requires all individuals to have a hunting license to shoot on a shooting preserve, and removes the requirement that nonresidents have a special license to shoot on shooting preserves. Provides that the entirety of an area declared to be infested with a pest or pathogen must be operated according to standards of the natural resources commission. (Current law specifies the infested area in terms of portions of townships.) Changes the nursery stock certificate expiration date from September 30 to December 31. Changes the procedures that the commission must follow when mediating surface water disputes. Requires that bonds forfeited under the abandoned oil and gas well law be placed in the oil and gas environmental fund. Makes technical and conforming changes.

DIGEST OF HB 1280 (Updated March 10, 2012 1:06 am - DI 58)

Regulatory matters. Provides that intrastate commerce in Indiana is not subject to the authority of the United States Congress. Permits certain administrative adjudication notices to be delivered by electronic mail or another method approved by the Indiana Rules of Trial Procedure. Requires the division of government efficiency and financial planning in the office of management and budget to advise and assist state agencies and instrumentalities with the implementation of continuous process improvement techniques. Provides that an agency may solicit comments from members of the public who are likely to be affected by a rule because they are the subject of the potential rulemaking or are likely to benefit from the potential rulemaking. Requires that state documents provided to the public must comply with certain document drafting standards. Requires each unit of local government that receives franchise fees paid to the unit from an entity providing video services to submit to the IURC an annual report on the unit's receipt and use of those franchise fees during the calendar year for which the report is submitted. Consolidates six

categories of pharmacy licenses into three categories.

DIGEST OF HB 1283 (Updated March 6, 2012 4:21 pm - DI 84)

Libraries and historic matters. Designates the "Grouseland Rifle" as the official rifle of Indiana, and requires the duplication and sale of the rifle to be authorized by the Grouseland Foundation. Make changes to the qualifications of certain members of the library and historical board (board). Repeals laws authorizing the board to apportion the duties of employees to work for various divisions. Requires the board to make policies, instead of rules, for the library department and its divisions. Repeals the council on library automation. Repeals: (1) certain state library employee qualifications. Requires the board to establish policies, instead of rules for: (1) loans; (2) fees for lost or damaged materials; and (3) third party fees for certain copyright material. Restructures and renames the Indiana state library advisory council as the state library advisory council. Repeals the requirement that the historical bureau maintain and sell certain commemorative medallions and other items. Specifies that state format markers installed after 1945 and markers installed by the Indiana Civil War centennial commission are the property of the state. Requires that the historical bureau shall commemorate George Rogers Clark. (Current law requires that the memory of George Rogers Clark must be celebrated.) Adds electronic media to the definition of "record" for purposes of the public records law. Requires the public records commission to coordinate the use of all scanning equipment in state government. Requires the county commission of public records to implement retention schedules for use by local government officials as part of a records management program for local government public records not more than 30 days after adoption by the oversight committee on public records. (Current law requires the county commission of public records to adopt retention schedules at the first meeting of the county commission after the commission receives the retention schedule.) Removes an application of prior statutes provision from Class 1 library law. Provides that four members of a Class 1 library board constitute a quorum. Provides that six members of a county contractual library board constitute a quorum. Makes changes to the list of persons who may use and be issued library cards at a Class 1 library. Allows Class 1 libraries to charge reduced fees to certain nonresident users of the library district. Requires the disposal of personal property at a Class 1 library to comply with certain requirements. Repeals certain merger requirements for libraries located in consolidated cities. Makes certain changes to the procedure to expand Class 1 libraries. Makes changes to the list of persons who may use and be issued library cards at a Class 2 library. Allows Class 2 libraries to charge reduced fees to certain nonresident users of the library district. Repeals laws concerning library service authorities. Changes the duties and procedures for the investigation and resolution of complaints by the library certification board. Makes conforming changes. Makes technical changes.

DIGEST OF HB 1294 (Updated March 6, 2012 10:52 am - DI 84)

Various securities division matters. Provides that in addition to micrographically copying certain documents that the secretary of state is charged with preserving, the secretary of state may copy those documents by an equivalent method. Amends the definition of "residential mortgage loan"

for purposes of the statute concerning the regulation of loan brokers and adds the definition of "residential real estate" to that statute. Allows the securities commissioner (commissioner) to take certain actions and impose certain penalties with respect to an individual who is registered as, or who applies to register as, an agent for a securities broker-dealer or as an investment adviser representative if the individual has failed to comply with a court order imposing a child support obligation. Repeals a provision that allows the commissioner to award up to 10% of a penalty imposed and recovered under the Indiana uniform securities act (act) to a person who provides information leading to the imposition of the penalty. Provides that the commissioner may provide an award, in an amount determined by the commissioner and paid from the securities restitution fund, to an informant who provides to the securities division of the office of the secretary of state original information concerning a violation of the act, if the information provided leads to the successful enforcement of a judicial or an administrative action concerning the violation. Provides that the total amount of awards in any proceeding may not exceed 10% of the total monetary sanctions imposed or ordered. Sets forth certain factors that the commissioner must consider in determining the amount of an award. Prohibits the commissioner from providing an award to an informant in certain circumstances. Amends the statute concerning the licensing of collection agencies by the secretary of state to: (1) allow the secretary of state to designate a multi state automated licensing system and repository to serve as the sole entity responsible for processing applications for licenses and license renewals; and (2) provide that a license expires on the last day of the calendar year in which the license was issued (instead of expiring on the last day of the calendar year after the year in which the license was issued, as provided for in current law). Makes technical changes. Makes an appropriation.

DIGEST OF HB 1298 (Updated March 8, 2012 11:55 am - DI 84)

Transportation of food products. Provides that a person who operates a motor vehicle for the transportation of food without complying with health rules or certain health requirements concerning food transportation commits a Class A infraction. Authorizes a law enforcement officer to inspect, detain, and, in certain cases, impound a motor vehicle that does not comply with the health rules. Provides that a health inspector may order the disposal of certain food and the impoundment of noncomplying motor vehicles. Provides that a person who transports food that was ordered disposed commits a Class A misdemeanor. Provides civil immunity for certain individuals enforcing food transportation safety laws.

DIGEST OF HB 1312 (Updated March 6, 2012 10:53 am - DI 84)

Sale of poultry at farmer's markets. Provides that an individual vendor of a farmer's market or roadside stand is not considered to be a food establishment if the individual vendor's food product is made, grown, or raised by an individual at the individual's primary residence, property owned by the individual, or property leased by the individual. (Current law requires the food product to be made in the vendor's primary residence.) Requires the department of health to adopt rules that: (1) incorporate certain federal rules; and (2) require the poultry to be frozen at the point of sale and labeled in compliance with federal requirements. Requires the legislative

council to establish an interim study committee to study obstacles to local food production, processing, and distribution.

DIGEST OF HB 1325 (Updated March 8, 2012 8:50 pm - DI 84)

Sales and use tax exemptions. Specifies the use tax exemption for certain aircraft when there is an addition to or reconfiguration of the interior of an aircraft. Specifies when delivery occurs. Provides a sales and use tax exemption for transactions involving tangible personal property by a company that is engaged in offering a competitive racing experience in a two-seater Indianapolis 500 style race car during a competitive racing event. Provides an exemption from the state gross retail tax for tangible personal property acquired for the exclusive purpose of complying with the state tobacco tax laws. Provides a sales and use tax exemption for transactions involving tangible personal property related to the repair, maintenance, refurbishment, remodeling, or remanufacturing of an aircraft or an avionics systems of an aircraft with a country of registration that is outside the United States and that either: (1) has a minimum landing weight of at least 5,000 pounds; or (2) is equipped with a turboprop or turbojet power plant. Requires the commission on state tax and financing policy to study issues related to whether the exemption should be made to apply to all aircraft and avionic devices.

DIGEST OF HB 1360 (Updated March 9, 2012 8:28 pm - DI 77)

Health matters. Provides a process for approval of an entity that is approved by a national accrediting body to provide certain services under home and community based services waivers. Requires the Indiana Donation Alliance Foundation and Donate Life Indiana to submit an annual audited report concerning the anatomical gift promotion fund (fund) to the: (1) speaker of the house of representatives; (2) president pro tempore of the senate; (3) senate health and provider services committee; and (4) house of representatives public health committee; before February 1. Provides that money in the fund may not be distributed for any quarter of a year until the report for the previous year has been submitted. Requires that any annual reports that were not submitted before March 15, 2011, must be submitted by August 1, 2012. Extends the expiration date of the fund from July 1, 2012, to July 1, 2014. Exempts the health and hospital corporation from following certain procedures in the sale, lease, or disposal of property. (Current law exempts the health and hospital corporation from following these procedures in the disposal of surplus property.) Adds the violations of failing to disclose, or negligently omitting, documentation requested for license renewal to the list of violations for which the medical licensing board of Indiana may investigate and assess a civil penalty against a physician.

DIGEST OF HB 1367 (Updated March 6, 2012 10:55 am - DI 84)

Deaf and hard of hearing education services. Establishes the center for deaf and hard of hearing education (center) to ensure that children who are deaf or hard of hearing acquire optimal communication and academic abilities. Specifies the duties of the center. Provides that before July 1, 2013, the office of management and budget (OMB) shall, in consultation with the Indiana

School for the Deaf, the department of education, the state department of health, and the office of the secretary of family and social services, recommend to the general assembly through the budget process an appropriate agency to provide support for the center. Specifies that until the center is established and operating, the Indiana School for the Deaf shall continue to provide those services that will be transferred at the time the center is established and operating. Provides that the state board of finance and the state budget agency may not transfer for use by or for the center any appropriation made to the Indiana School for the Deaf by the 2011 budget act. Transfers the outreach services and consultative services to local education agencies to assist in meeting the needs of locally enrolled students with hearing disabilities of the Indiana School for the Deaf to the center. Provides that, before October 1, 2012, the OMB (in consultation with the Indiana School for the Deaf, the department of education, the state department of health, and the office of the secretary of family and social services) must submit a transition report to the state budget committee. Requires the OMB in developing the transition report to also consult with other specified entities, and to conduct two public meetings prior to submitting its transition report. Requires the OMB to post the final transition report on its Internet web site. Requires the state budget committee to consider the transition report in the state budget report and budget bill. Changes references throughout the Indiana Code from "hearing impaired" to "hard of hearing". Requires the state board of education to make recommendations before October 1, 2012, to the legislative council and to the state budget committee concerning the unique and appropriate methods of evaluation and accountability that should be applied to the Indiana School for the Blind and Visually Impaired and the Indiana School for the Deaf.

DIGEST OF HB 1376 (Updated March 10, 2012 1:34 am - DI 51)

State and local administration. Provides that for purposes of the automatic taxpayer refund statutes, the amount of the refund for qualifying taxpayers is determined on a per capita basis by dividing the total amount of excess state reserves available to provide automatic taxpayer refunds by the total number of qualifying taxpayers. Provides that a taxpayer qualifies for the refund if the taxpayer filed a resident tax return in the preceding year. Effective January 1, 2013, makes the threshold for use of excess reserves 12.5% (rather than 10%, under current law) of general revenue appropriations for the state fiscal year. Specifies that: (1) if the amount of the excess reserves, including any carryover amounts, are less than \$50,000,000, the excess reserves shall be carried over to the next year; and (2) if the excess reserves are \$50,000,000 or more, 50% of the excess reserves shall be transferred to certain pension funds and 50% of the excess reserves shall be used for the purposes of providing an automatic taxpayer refund. Provides that beginning in 2013, the office of management and budget shall calculate, after the end of each odd-numbered state fiscal year, the total amount of state reserves. Reestablishes the office of the secretary of family and social services and other divisions and offices within FSSA. Specifies that the authority of the secretary of family and social services or the office of Medicaid policy and planning to adopt an emergency rule concerning federal Medicaid waiver program provisions or federal programs administered by the office of the secretary expires on December 31, 2012. Provides for the expiration of rules adopted before January 1, 2013. Defines "parcel" for purposes of the statute allowing the Little Calumet River basin development commission

(commission) to levy a special assessment on parcels of land within the Little Calumet River and Burns Waterway watershed in Lake County. Specifies areas in which the commission may operate. Specifies the total amount of the loan repayment by the commission to the Northwest Indiana RDA. Provides that none of the four members from a unit that borders the Little Calumet River may be from the same municipality. Provides that the attorney general shall attempt to resolve before January 1, 2013, all claims and suits brought against the state or its employees for a death or injury occurring as the result of an accident at the 2011 state fair for an amount that, in the aggregate, does not exceed \$11,000,000. Specifies the amount of relief that victims of the accident at the state fair may receive. Authorizes the attorney general to establish a process for determining the amount of compensation for persons who suffered physical injuries involving permanent paralysis or permanent physical trauma or requiring major and ongoing long-term care. Establishes the supplemental state fair relief fund for the purpose of providing additional relief to the victims of the accident. Appropriates \$6,000,000 from the state general fund to the supplemental state fair relief fund. Caps attorney's fees for representation of an eligible person regarding compensation from the supplemental fund at 10% of the total compensation paid to the eligible person from the supplemental fund. Provides that an eligible person may assign to the attorney general the eligible person's right to pursue a cause of action for the tortious breach of an insurer's duty to deal with an insured person in good faith. Provides that if the insurance commissioner determines after a hearing that a person has committed an act that is listed as an unfair claim settlement practice and is related to a death or injury resulting from the accident at the 2011 state fair, the insurance commissioner may order certain remedies. Specifies that the insurance commissioner may take such action without having to demonstrate that the act or practice occurs with such frequency as to indicate a general practice by the person. Provides that neither a hospital nor an ambulance may place a lien on a distribution made from the supplemental state fair relief fund to a victim of the state fair accident. Prohibits an insurer from claiming subrogation or reimbursement rights with respect to a distribution made from the supplemental state fair relief fund. Requires a person who intends to challenge the constitutionality of the prohibition against asserting subrogation or other reimbursement rights to file written notice of the person's intent to challenge this prohibition not later than 40 days after a distribution is made from the supplemental state fair relief fund. Provides that distributions to the estates of persons whose death was caused by the accident at the state fair are exempt from inheritance tax. Permits augmentation of the appropriation for full-day kindergarten. Changes the amount distributed per child. Establishes the select commission on education to study: (1) the process of adoption and content of rules adopted by the Indiana state board of education concerning categories or designations of school improvement including the matrices used for the A-F designations; and (2) proposed rules, adopted rules, and policies of the department of education and the Indiana state board of education to implement the provisions of P.L.90-2011, concerning teacher evaluations and licensing. Makes changes to the process in which a school corporation may modify the department's model staff performance evaluation plan. Makes changes to the definition of a turnaround academy. Provides that if the state board assigns a special management team to a school, the state board shall enter into a contract with a special management team that includes: (1) a requirement that the special management team and the governing body conduct a public meeting two times each year to provide a report concerning

student achievement of affected students; and the condition of the school property and to address issues related to the school property and (2) a requirement that the student instruction must be provided by teachers licensed under IC 20-28-5. Provides that individuals employed by the special management team are entitled to participate in either PERF or TRF. Provides that employees are not required to collectively bargain. Returns IC 20-26-11-8, as amended by SEA 283-2012, to law existing before the enactment of SEA 283-2012.

DIGEST OF SB 1 (Updated March 9, 2012 11:49 pm - DI 106)

Self defense. Specifies that a person may use reasonable force against any other person in certain circumstances. Provides that a person is justified in using reasonable force against a public servant if the person reasonably believes the force is necessary to: (1) protect the person or a third person from unlawful force; (2) prevent or terminate the public servant's unlawful entry into the person's dwelling; or (3) prevent or terminate the public servant's criminal interference with property lawfully in the person's possession. Specifies that a person is not justified in using force against a public servant if: (1) the person is committing or is escaping after the commission of a crime; (2) the person provokes action by the public servant with intent to injure the public servant; (3) the person has entered into combat with the public servant or is the initial aggressor; or (4) the person reasonably believes the public servant is acting lawfully or is engaged in the lawful execution of the public servant's official duties. Provides that a person is not justified in using deadly force against a public servant whom the person knows or reasonably should know is a public servant unless: (1) the person reasonably believes that the public servant is acting unlawfully or is not engaged in the execution of the public servant's official duties; and (2) the force is reasonably necessary to prevent serious bodily injury to the person or a third person.

DIGEST OF SB 4 (Updated January 27, 2012 9:57 am - DI 84)

Human trafficking. Provides that recruiting, harboring, or transporting another person to participate in sexual conduct by force, threat of force, or fraud constitutes human trafficking. Provides that a person who recruits, harbors, or transports a child less than 16 years of age with the intent of engaging the child in forced labor, involuntary servitude, prostitution, or sexual conduct commits promotion of human trafficking of a minor, a Class B felony. Prohibits a person at least 18 years of age from selling or transferring custody of a child less than 16 years of age for the purpose of prostitution or participation in sexual conduct. Provides that the name of a victim of human trafficking is confidential for purposes of the public records law. (The introduced version of this bill was prepared by the Criminal Code Evaluation Commission.)

DIGEST OF SB 13 (Updated February 14, 2012 2:22 pm - DI 84)

Cash assistance point of service and drug reports. Prohibits the distribution of cash assistance benefits at a point of sale terminal that is located on the premises of an adult entertainment establishment. Requires specified establishments to post signs on point of sale terminals on the premises that state that the terminal may not be used to receive cash assistance benefits. Requires

the drug utilization review board to prepare and submit a preferred drug list report to the select joint commission on Medicaid oversight one time per year. (Current law requires the report twice a year.) (The introduced version of this bill was prepared by the select joint commission on Medicaid oversight.)

DIGEST OF SB 15 (Updated March 8, 2012 3:05 pm - DI 104)

Brain injury services and Medicaid. Requires the state department of health (state department) and the office of the secretary of family and social services (office) to study current brain injury services that are offered in Indiana, determine whether there are deficiencies in the services, and determine how to implement additional services and neurobehavioral rehabilitation programs in Indiana. Establishes an advisory committee to assist the state department and the office in the study. Requires the following to be provided to the health finance commission: (1) Information concerning the study of brain injury services in Indiana; and (2) Information concerning the feasibility and development of a risk based managed care pilot program for aged, blind, and disabled Medicaid recipients. (The introduced version of this bill was prepared by the health finance commission.)

DIGEST OF SB 18 (Updated March 9, 2012 12:14 pm - DI 84)

Duty to support a child. Provides that the duty to support a child, which does not include support for educational needs, ceases when the child becomes 19 years of age. (Current law provides that the duty to support a child ceases when the child becomes 21 years of age.) Permits a child who is receiving child support under an order issued before July 1, 2012, to file a petition for educational needs until the child becomes 21 years of age, and specifies that a child who is receiving child support after this date may petition until the child becomes 19 years of age. (The introduced version of this bill was prepared by the child custody and support advisory committee.)

DIGEST OF SB 19 (Updated March 9, 2012 12:50 pm - DI 73)

Property taxes. Requires the county assessor of each county before July 1, 2013, and before July 1 of every fourth year thereafter to prepare and submit to the department of local government finance (DLGF) a reassessment plan for the county. Specifies that the reassessment plan is subject to approval by the DLGF. Requires the DLGF to complete its review and approval of the reassessment plan before March 1 of the year following the year in which the reassessment plan is submitted by the county. Provides that subject to review and approval by the DLGF, the county assessor may modify a reassessment plan. Provides that the reassessment plan must divide all parcels of real property in the county into different groups of parcels. Requires that each group of parcels must contain at least 25% of the parcels within each class of real property in the county. Requires the assessor to submit land values to the county property tax assessment board of appeals by the dates specified in the county's reassessment plan. Requires the reassessment of the first group of parcels under a county's reassessment plan to begin July 1, 2014, and be completed

on or before March 1, 2015. Specifies procedures for taxpayers to petition the DLGF for reassessment of parcels in a group and a schedule for completion of reassessment of parcels in a group. Provides that the notice of assessment that must be sent to taxpayers by assessing officials is in addition to any required notice of assessment included in a property tax statement. Specifies that the assessing official may provide the notice by mail or by using electronic mail that includes a secure Internet link to the information in the notice. Specifies that the soil productivity factors used for March 1, 2011, shall be used for the March 1, 2012, assessment date, instead of the new values determined by the DLGF for March 1, 2012. Specifies that any required provisional statement shall be based on the latest assessed values certified by the DLGF, as adjusted under the procedures specified by the DLGF. Specifies procedures for resolving multi year delays in the issuance of tax bills for counties that are at least three years behind in issuing tax bills. Provides that these provisions expire December 31, 2016. Provides that the county executive of a covered county may employ one or more special masters to carry out substantially all of the duties of: (1) the county auditor; (2) the county treasurer; or (3) the county assessor; or any combination of these offices, as is necessary to issue property tax bills in each year that the county is a covered county. Specifies that local income taxes withheld to pay state expenses incurred to issue expedited tax bills in these counties reduces only the share of local income taxes that would be distributable to the county unit of government. Specifies that money must be set aside to reimburse eligible taxing units for interest costs on the schedule specified by the Indiana bond bank. Indicates that some or all of the required set aside is waived if certain conditions are met. Requires that the extension of time to file for credits or deductions related to reconciliation issued in a covered county for a past tax year must be explained in the tax bill. Provides that the extension is the later of July 1 in the year the county becomes a covered county or 45 days after the reconciliation bill is issued. Permits the current owner of property to file the deduction or credit application. Specifies additional reporting requirements for redevelopment commissions. Requires redevelopment commissions to submit copies of the required reports to the DLGF.

DIGEST OF SB 22 (Updated March 9, 2012 12:56 pm - DI 109)

Conservancy district director compensation. Provides compensation for directors of conservancy districts commensurate with their workload and responsibilities. Provides that compensation may not be based upon a tax assessment imposed by the district.

DIGEST OF SB 24 (Updated February 28, 2012 12:57 pm - DI 84)

Mental health issues. Renames the "mental health and addiction advisory council" the "mental health and addiction planning and advisory council" and adds members to consolidate the current council with a body required by federal law. Repeals provisions concerning terms of appointed members and repeals a provision that applies general rules for family and social services administration bodies to the planning and advisory council. Removes a provision under which lay members of the commission on mental health and addiction are ineligible for per diem or traveling expenses. Provides that superintendents of state hospitals serve at the will of the director of the division of mental health and addiction and not for a term of four years. Removes

provisions requiring bonds for superintendents of state operated facilities. Gives the director of the division of mental health and addiction instead of the superintendent of each hospital the authority to regulate smoking at state hospitals. Requires individuals applying for a social worker, marriage and family therapist, or counselor license to have a criminal history background check. Clarifies a provision that requires an applicant for a license as a marriage and family therapist to have two years of postdegree clinical experience. Reestablishes a provision that expired in 2011 concerning exempting certain individuals from the licensure requirement for addiction counselors. Repeals obsolete provisions concerning: (1) the dawn project; (2) the biennial opioid report; (3) the closing of Central State Hospital; (4) mandated bond requirements for superintendents of state hospitals; and (5) the definition of "maintain". Makes conforming changes. Urges the assignment to an interim committee the study of the regulation of pain management facilities and prescribers of controlled substances. (The introduced version of this bill was prepared by the commission on mental health and addiction.)

DIGEST OF SB 26 (Updated March 8, 2012 9:31 pm - DI 107)

Title 35 definitions. Organizes definitions in Title 35. Makes technical corrections. (The introduced version of this bill was prepared by the criminal code evaluation commission.)

DIGEST OF SB 32 (Updated March 8, 2012 9:33 pm - DI 106)

Guardianships. Allows a minor who has not been adjudicated an incapacitated person and the minor's guardian to jointly petition the court to extend the guardianship beyond the date the minor attains 18 years of age. Requires the petition to be verified. Authorizes the court to extend the guardianship, but not beyond the date on which the protected person attains 22 years of age, if the court finds that extending the guardianship is in the best interests of the protected person. Specifies that the extension of the guardianship does not place the person under a legal disability.

DIGEST OF SB 52 (Updated March 8, 2012 2:59 pm - DI 104)

HIV testing. Allows a physician or physician's authorized representative to test an individual for HIV if certain conditions are met unless the individual to be tested refuses to consent to the test. (Current law prohibits a physician from performing the test without the oral or written consent of the individual.) Requires a refusal by an individual to have the test to be documented in the individual's medical record. Requires the physician or authorized representative to: (1) discuss with the patient the availability of counseling concerning the test results; (2) notify the patient of the test results; and (3) inform a patient with a test result indicating that the patient is HIV infected of treatment and referral options available to the patient. Provides that under certain circumstances, a physician may order an HIV test for a patient without informing the patient or despite the individual's refusal of the test. (The introduced version of this bill was prepared by the health finance commission.)

DIGEST OF SB 56 (Updated February 28, 2012 2:34 pm - DI 84)

Ball State board of trustees. Adds definition of a "research intensive campus". Removes a requirement that all members of the Ball State University board of trustees be residents of Indiana. Removes a requirement that at least one member of the Ball State board of trustees be a resident of Delaware County. Modifies the manner in which alumni members of the Indiana University board of trustees are elected. Allows the board of trustees of Indiana University to hold meetings at the dates, times, and places the board of trustees agrees upon. Repeals a provision concerning emergency appointments to the board of trustees of Indiana University.

DIGEST OF SB 97 (Updated March 9, 2012 12:51 pm - DI 69)

Public intoxication. Provides that a person may not be convicted of certain offenses relating to public intoxication unless the person: (1) endangers the person's life; (2) endangers the life of another person; (3) breaches the peace or is in imminent danger of breaching the peace; or (4) harasses, annoys, or alarms another person. Prohibits a person from initiating or maintaining an action against a law enforcement officer based on the officer's failure to enforce certain laws concerning public intoxication offenses.

DIGEST OF SB 98 (Updated March 1, 2012 10:38 am - DI 84)

County highway maintenance funding. Provides that a county may use property taxes and miscellaneous revenue deposited in the county general fund for the maintenance of county highways. (Current law permits property taxes to be used for highway maintenance only in an emergency and by unanimous vote of the county fiscal body, and the county general fund to be used only for county highway department employees' personal services.) Allows a city department, officer, or employee to obligate the city beyond the amount of money appropriated for that department, officer, or employee if: (1) the obligation is made under a multi-year interlocal cooperation agreement entered into by the city and one or more political subdivisions or governmental entities; and (2) the agreement is approved by the city fiscal body.

DIGEST OF SB 107 (Updated March 8, 2012 2:56 pm - DI 87)

Deadline for adoption of salary ordinances. Requires a second or third class city to adopt a salary ordinance not later than November 1 (instead of September 30) for the ensuing budget year.

DIGEST OF SB 109 (Updated February 28, 2012 2:45 pm - DI 84)

Deposit of public funds by local units. Expands the existing authority of counties and other political subdivisions to invest, through a selected local depository institution, in certificates of deposit issued by federally insured banks or savings and loan associations (wherever located) to include the authority to invest in interest bearing deposit accounts of federally insured banks or savings and loan associations (wherever located) through the same procedure and under the same conditions. Specifies that for purposes of this statute, the term "deposit account" includes only: (1) accounts subject to withdrawal by negotiable orders of withdrawal; (2) passbook savings

accounts; (3) certificates of deposit; and (4) money market deposit accounts.

DIGEST OF SB 111 (Updated February 28, 2012 12:58 pm - DI 84)

Group personal excess and umbrella insurance. Provides for and specifies requirements for insurer issuance of group personal excess and umbrella liability insurance to group members. Requires the interim study committee on insurance to study the effect of the provision on the liability insurance market during the 2016 interim.

DIGEST OF SB 113 (Updated March 8, 2012 3:04 pm - DI 96)

Golf carts in unincorporated areas. Revises provisions governing the use of golf carts on certain roadways. Provides that an ordinance authorizing the use of golf carts in a county: (1) must require that an individual who operates a golf cart in the county hold a driver's license; (2) must provide that a fine assessed for a violation of the ordinance be deposited in the general fund of the county; (3) must set a limit as to the number of passengers (other than the operator) that may be permitted on a golf cart; and (4) may allow an operator of a golf cart to cross a highway in the state highway system, at right angles, in order to travel from one highway under the jurisdiction of the county to another highway under the jurisdiction of the county when the operation can be done safely. Specifies that a violation of an ordinance governing the use of a golf cart on a state highway in a county is considered an ordinance violation (instead of a Class C infraction).

DIGEST OF SB 114 (Updated February 14, 2012 2:24 pm - DI 84)

Driving while suspended. Makes a technical correction concerning calculating the ten year recidivism period under the driving while suspended statute.

DIGEST OF SB 115 (Updated March 9, 2012 1:00 pm - DI 75)

Classification of political subdivisions. Changes population parameters in various statutes to reflect the population count determined under the 2010 decennial census. Specifies that changes in population parameters in legislation enacted during the 2012 regular session take effect April 1, 2012. Updates multipliers that are based on a county's population and used in determining distributions made by the department of correction to county misdemeanor funds. Substitutes names for population parameters in the following types of statutes: (1) Statutes legalizing certain actions of particular political subdivisions. (2) Statutes that have been challenged unsuccessfully as special or local legislation. (3) Statutes reserving certain powers to certain political subdivisions at the time of recodification of laws relating to political subdivisions. (4) Statutes relating to certain local taxes. Resolves a conflict in the statute that defines the classes of cities to provide that a city becomes a first class city when the city attains a population of 600,000. Allows a third class city that adopted second class city status as a result of the 2010 federal decennial census to adopt an ordinance or resolution providing for the city's legislative body to serve as the park authority and to be subject to all or part of the provisions applicable to a park

authority. Makes conforming amendments. (The introduced version of this bill was prepared by the census data advisory committee.)

DIGEST OF SB 119 (Updated February 27, 2012 2:31 pm - DI 84)

Redistricting technical corrections. Makes technical corrections to the 2011 redistricting plans.

DIGEST OF SB 127 (Updated March 1, 2012 10:40 am - DI 84)

Indiana public retirement system. Makes required technical corrections and conforming amendments following the enactment of SEA 524-2011 (P.L.22-2011) and SEA 549-2011 (P.L.23-2011). (The introduced version of this bill was prepared by the pension management oversight commission.)

DIGEST OF SB 128 (Updated February 29, 2012 9:17 am - DI 84)

Administration of public retirement plans. Requires the Indiana public retirement system (system) to pay the direct and indirect costs of the state board of accounts' examination of the public pension and retirement funds administered by the system. (Currently, only the teachers' retirement fund is required to pay these costs.) Urges the assignment to the pension management oversight commission the study of a reporting system for retirement plans of the state or a political subdivision not administered by the system. (Currently, these plans must report to the public employees' retirement fund (PERF) information necessary for the PERF actuary to perform an actuarial valuation of the plan.)

DIGEST OF SB 131 (Updated March 1, 2012 10:41 am - DI 84)

Environmental matters. Defines "program year" as a calendar year for certain electronic waste programs. Establishes program year dates for certain recycling goals. Requires the department to include restrictive covenants on a property transfer disclosure form. Includes tire disposal as a "waste tire processing operation". Removes certain requirements for a septage management vehicle identification. Allows the department of environmental management (department) to issue a septage management permit that incorporates approval of a land application site. Establishes certain waste source reduction goals. Requires the holder of an incinerator permit to notify the department and appropriate local government officials about certain contaminant effects from incineration exceeding control levels of an air pollution control permit. Exempts a manufacturer of tires that keeps 5,000 waste tires or less in an enclosed structure from certain registration provisions. Exempts a person that obtains a certificate of registration from having to obtain a solid waste processing facility permit: (1) for activities covered under the registration; or (2) if the person stores or processes waste tires in a facility according to certain regulations. Excludes a waste tire amnesty day sponsored by a local government from certain registration requirements. Allows disposal of waste tires by: (1) delivery to a facility that retreads tires; (2) delivery to a facility that is registered as a storage site or processing operation; or (3) collection

by a registered transporter. Provides that waste tire transporters may not design their own manifest form. Requires from a recycler a list of collectors from which the recycler received covered electronic devices. Requires the department to: (1) provide information on a property's restrictive covenants; and (2) include environmental defects on a property transfer disclosure form. Abolishes the clean manufacturing technology board. Repeals provisions pertaining to: (1) waste exchange; (2) solid and hazardous waste materials exchange; (3) waste incineration; and (4) waste tires. Requires the department to provide solid waste management districts with a curriculum model that includes educational core principles concerning: (1) the reuse, recycling, and collection of mercury; and (2) the reuse, recycling, collection, and proper disposal of solid waste. Provides that solid waste management districts must implement educational programs that meet the minimum standards established by the department in the curriculum model. Provides that, in 2015 and every fifth year thereafter, the legislative council must require an interim study committee or a statutory study committee to: (1) assess solid waste management districts; and (2) determine whether any changes should be made to the statutes governing districts. Specifies additional information that a solid waste management district must include in the annual report prepared by the district and provided to the department, the department of local government finance, and the legislative council. Requires a solid waste management district to publish the report on an Internet web site maintained by the district or on the Internet web sites maintained by the counties that are members of the district. Requires the commission on state tax and financing policy to study issues related to the financing of solid waste management districts during the 2012 interim. Requires the environmental quality service council to study issues concerning the powers of solid waste management districts to: (1) establish and issue permits that are not specifically authorized by a statute; and (2) impose and collect fees that are not specifically authorized by a statute; during the 2012 interim.

DIGEST OF SB 132 (Updated March 1, 2012 10:45 am - DI 84)

Water utility resource data. Requires each water utility that provides water service to the public in Indiana for a fee to annually submit to the Indiana utility regulatory commission (IURC) a report on the following: (1) The types of use of the water resources used by the utility in providing water service to Indiana customers. (2) The utility's operations and maintenance costs in providing water service to Indiana customers. Allows the IURC to prescribe the process, deadlines, and other requirements for submitting the annual reports. Requires the IURC to collect in each annual report certain information concerning each water utility's plant in service, use of water resources, and sources of funding. Requires the IURC to include a summary of the data and information contained in the reports in: (1) an annual report to the legislative council; and (2) the commission's annual report on the water and wastewater industries provided to the regulatory flexibility committee. Provides that in making the required reports, the IURC shall: (1) use aggregated data to protect the confidential information of individual water utilities; and (2) include in the reports recommendations concerning the use of financial resources by water utilities, necessary infrastructure investments by water utilities, and actions to minimize impacts on rates paid by water and wastewater customers. Authorizes the IURC to adopt rules to implement the reporting requirements. Excludes an underground aquifer or water in an

underground aquifer from the definition of "watercourse".

DIGEST OF SB 133 (Updated February 28, 2012 2:48 pm - DI 84)

Underground storage tanks. Allows the solid waste management board to adopt rules and establish requirements for underground storage tanks in conformance with the delivery prohibition program under 42 U.S.C. 6991k. Provides that the commissioner of the department of environmental management (commissioner) may: (1) determine whether an underground storage tank (tank) is eligible for delivery, deposit, or acceptance of a regulated substance; and (2) issue a temporary order to enforce compliance. Allows the commissioner to enforce the delivery prohibition program if an owner or operator of an underground petroleum storage tank fails to register the tank or pay annual registration fees. Requires the commissioner to provide notice before issuing such a temporary order. Requires compliance with such an order by the new owner of an underground storage tank after ownership of the tank is transferred. Allows the commissioner to implement the delivery prohibition program prior to the adoption of rules by the board. Repeals requirements to pay certain tank fees. Exempts the implementation of the delivery prohibition program from certain administrative procedures. Provides a defense to noncompliance with such an order if the owner or operator of the underground storage tank has not been notified that the tank is ineligible. Makes a technical correction.

DIGEST OF SB 144 (Updated March 9, 2012 1:39 pm - DI 58)

Provides an exemption from the state gross retail tax for tangible personal property acquired for the exclusive purpose of complying with the state tobacco tax laws. Changes the wholesale price on which the tobacco products tax is based (excludes cigarettes and moist snuff) to make the wholesale price the net price as shown on the manufacturer's invoice, excluding any discount or other reduction that is not shown on the invoice.

DIGEST OF SB 147 (Updated March 6, 2012 2:18 pm - DI 84)

Local government financial matters. Specifies that a county may provide notices of property tax information by electronic mail that provides a secure Internet link for the recipient to obtain the information. Allows a person to request electronic transmissions in an online format developed by a county and approved by the department of local government finance. Requires the county treasurer to record whether electronic mail to a person was undeliverable. Specifies that a monthly payment plan may include an automatic monthly deduction from a taxpayer's financial institution account or monthly payments made by written instrument or electronically. Specifies that the payment cycle for a property tax payment plan may be up to 12 months and may begin in December of the year preceding the year the taxes would be due under the May and November installment method and end in the following November. Clarifies that penalties do not apply if the amount due under a monthly payment plan is paid by the due date in November that is designated by the taxpayer. Provides that a real property parcel is not to be listed on a tax sale notice if the delinquent property taxes or special assessments are \$25 or less. Provides that the

interest rate owed on property tax refunds or when a taxpayer owes more property taxes because of an assessment increase after the tax due date, an appeal, or when collection has been enjoined by court order is equal to the rate established by the commissioner of the department of state revenue for refunds on excess state tax payments. Requires county treasurers and county auditors to attend training sessions approved by the state board of accounts. Provides that money in the county elected officials training fund may be used to provide this training. (Under current law, the fund is used to provide training to county recorders and surveyors.)

DIGEST OF SB 148 (Updated February 14, 2012 2:32 pm - DI 84)

Portable electronics insurance. Specifies requirements related to insurance covering portable electronic devices, including limited lines producer licensing for vendors of the devices to sell, solicit, or negotiate the insurance.

DIGEST OF SB 152 (Updated February 28, 2012 3:00 pm - DI 84)

Allen circuit court. Beginning July 1, 2013, allows the judge of the Allen circuit court to appoint a second full-time magistrate. Repeals the judge's authority to appoint a hearing officer: (1) who has the powers of a magistrate; and (2) whose salary is paid by Allen County.

DIGEST OF SB 154 (Updated February 28, 2012 1:00 pm - DI 84)

Operating a motorboat while intoxicated. Makes operating a motorboat while having a schedule I or II controlled substance in the person's body a Class C misdemeanor. Transfers the crime of operating a motorboat while intoxicated from Title 14 concerning natural resources to Title 35 concerning criminal law and procedure. Removes provisions that required a court, in addition to any criminal penalties, to order a person to not operate a motorboat for at least: (1) one year for committing a misdemeanor; and (2) two years for committing a felony; under the law concerning operating a motorboat while intoxicated. Makes conforming amendments and repeals superseded provisions.

DIGEST OF SB 156 (Updated March 6, 2012 2:20 pm - DI 84)

Partition. Establishes a new procedure for partitioning real and personal property that: (1) requires a court to refer the matter to mediation; and (2) requires the court to order that the property be sold using a method the parties agree upon, or if the parties are not able to reach an agreement, at auction. Repeals superseded provisions.

DIGEST OF SB 157 (Updated February 28, 2012 1:02 pm - DI 84)

Power of attorney and attorney in fact. Provides that a copy of the power of attorney has the same force and effect as the original power of attorney if the person granting the power of attorney certifies that the copy is a true and correct copy. Specifies that a child of the principal may

request an accounting with respect to transactions entered into by an attorney in fact. Urges the legislative council to study issues related to powers of attorney during the 2012 interim.

DIGEST OF SB 168 (Updated February 21, 2012 2:43 pm - DI 84)

Liability for underground storage tank fees. Provides that the state may impose a lien on the property of an owner or operator of an underground storage tank, if the owner or operator of the tank fails to register or pay certain fees. Requires the department of environmental management (department) to: (1) provide 30 days written notice before filing a lien; and (2) perfect a lien by recording the lien with the county recorder in the county in which the property is located. Provides that a bona fide purchaser is eligible to receive funds from the underground storage tank excess liability trust fund if the: (1) transferee acquires an underground storage tank as a result of a bona fide transaction; (2) transferor fails to pay any registration fees; (3) department fails to record the lien; and (4) transferee pays past due fees and interest not more than 30 days after receiving notice of indebtedness.

DIGEST OF SB 173 (Updated March 6, 2012 2:21 pm - DI 84)

Airport boards. Establishes requirements for membership on a board of aviation commissioners or an airport authority board. Provides that after a board of aviation commissioners or an airport authority board enters into a loan contract, the board may use funds received from state or federal grants to satisfy the repayment of part or all of the loan contract.

DIGEST OF SB 175 (Updated March 10, 2012 1:18 am - DI 84)

Absentee ballots. Provides that an absentee ballot application may not be pre-printed with the voter's voter identification number. Requires the election commission, not later than June 30, 2012, to modify the absentee ballot application form to request that a voter provide the last four digits of the voter's Social Security number or state that the voter does not have a Social Security number. Provides that the form must indicate that a voter's compliance with the request is optional. Provides that a voter's failure to provide the requested information does not affect the voter's ability to receive an absentee ballot. Provides that an earlier version of the absentee ballot form authorized for use on June 30, 2012 may be used by a voter to apply for an absentee ballot. Requires a circuit court clerk to record certain information from an absentee ballot application in the statewide voter registration list. Provides that if an appointed member of a county election board cannot be present for the opening of the place where absentee ballots are kept, the member must designate an individual from the member's political party to be present with the key to open the place where the absent ballots are kept. Provides that the key of an appointed member shall be kept secure in the manner determined by that appointed member. Urges the legislative council to assign to a study committee during the 2012 legislative interim the topics of: (1) ballot security for an absentee ballot transmitted to and from a voter by mail; and (2) connection of the statewide voter registration list and files maintained by the department of state revenue.

DIGEST OF SB 176 (Updated March 8, 2012 3:09 pm - DI 106)

Immediate detention orders. Permits a court to order an individual to be transported to an appropriate facility for a preliminary medical and psychological evaluation if the court has reasonable grounds to believe that the individual has a mental illness, is dangerous, and is in immediate need of hospitalization and treatment. Specifies that the individual may not be transported to a state institution. Provides that the costs of transportation and care must be paid by the county if there were not reasonable grounds to believe that the individual had a mental illness and was dangerous.

DIGEST OF SB 182 (Updated February 20, 2012 2:48 pm - DI 84)

State educational institutions; credit transfers. Requires the commission for higher education to create a common course numbering system, into which each state educational institution shall map its own course numbers, for courses in the core transfer library. Requires state educational institutions to create a statewide transfer general education core to be implemented by May 15, 2013. Provides that an individual who holds an associate degree is considered to have met at least 30 semester credit hours of the general education requirements for a bachelor's degree. Requires a state educational institution to accept an associate degree from another state educational institution as credit toward a related bachelor's degree.

DIGEST OF SB 190 (Updated March 9, 2012 1:01 pm - DI 110)

Study of terminating parenting rights. Urges the legislative council to assign to the Indiana child custody and support advisory committee the task of studying the termination of parenting rights of an individual with a child who was conceived as a result of an act of rape by the individual.

DIGEST OF SB 191 (Updated February 28, 2012 3:04 pm - DI 84)

Local government investments. Permits a political subdivision to authorize its investing officer to invest public funds for a maximum term of five years. (Under current law, the maximum term is generally two years.) Requires the fiscal body of the political subdivision to approve a written investment policy and adopt an ordinance to provide this authority. Provides that the authority expires on the date of the expiration of the policy which may not exceed four years. Limits the amount that may be invested for more than two years to 25% of the political subdivision's total portfolio of public fund investments, including transaction accounts. Changes population parameters to reflect the population count determined under the 2010 decennial census.

DIGEST OF SB 192 (Updated February 27, 2012 3:01 pm - DI 84)

Sales of motorcycles on Sunday. Permits the purchase, sale, or trade of motorcycles on Sunday. (Current law provides that a person who buys, sells, or trades motor vehicles, including motorcycles, on Sunday commits a Class B misdemeanor.)

DIGEST OF SB 193 (Updated March 1, 2012 10:46 am - DI 84)

Local elected officials. Requires a candidate for a local or school board office to file a statement of economic interests with the candidate's declaration of candidacy, petition of nomination, declaration of intent to be a write-in candidate, or certificate of candidate selection. Requires an individual who fills a vacancy in an elected local or school board office to file a statement of economic interests not later than 60 days after the individual assumes the office. Repeals a provision that allows a member of a county executive or a county fiscal body: (1) who is elected from and must reside within a district; and (2) who is relocated outside the member's district as the result of the state's acquisition of the member's residence for a public use after the member has begun a term of office; to complete the member's term of office as long as the member remains a resident of the county that contains the member's district.

DIGEST OF SB 201 (Updated February 28, 2012 3:05 pm - DI 84)

Transfer of human organisms exemption. Exempts from the crime of unlawful transfer of a human organism certain types of payments to a fertility clinic that meets specified requirements. Provides that not more than \$4,000 may be paid to a woman donor or exempted fertility clinic for recovery time. (Current law provides that not more than \$3,000 may be paid to a woman donor for recovery time.) Establishes a Class C felony for a person who recklessly, knowingly, or intentionally uses a human embryo created with an ovum provided to a qualified third party for purposes of embryonic stem cell research.

DIGEST OF SB 212 (Updated February 14, 2012 2:36 pm - DI 84)

Utility facility relocation. Requires the Indiana department of transportation (INDOT) to amend its rules concerning utility facility relocation to require utilities to provide contact information for authorized representatives for purposes of highway and local improvement projects. Requires INDOT to publish and update an electronic database of authorized utility representatives for purposes of utility facility relocation. Urges the legislative council to assign to the regulatory flexibility committee the task of studying utility facility relocation in local improvement projects.

DIGEST OF SB 223 (Updated March 9, 2012 7:41 pm - DI 104)

Department of health matters. Requires a local health officer to show identification and receive consent before entering a premises to inspect or perform other tasks to determine compliance with public health laws and rules and to prevent and suppress disease. Sets forth circumstances in which consent is not required. Sets forth multiple actions that a court may take to enforce a local board of health order, citation, or administrative notice. (Current law allows the court to enforce an order by injunction.) Specifies that the entries into the Indiana death registration system are required only for deaths that occurred after December 31, 2010. Allows the state department of health (department) to adopt rules concerning who may input and retrieve data from the immunization data registry (registry). Allows an individual to file a registry exemption with the

department. Allows the release of registry information to specified persons without the consent of the person. Removes language that requires the department to convene a panel concerning expanding access to the registry. Removes a requirement that a health care professional work at least one year in a shortage area or at other specified health centers in order to be eligible for the loan repayment program. Requires that the health care professional agree to practice in the shortage area for at least one year. Allows the Indiana health care professional recruitment and retention fund to be used to encourage delivery of health care in shortage areas on a full-time or less than full-time basis.

DIGEST OF SB 224 (Updated March 9, 2012 4:48 pm - DI 104)

Emergency ambulance services report. Requires the state department of health, the division of fire and building safety, and the Indiana emergency medical services commission to report to the health finance commission before October 1, 2012, concerning specified information on ambulances and emergency medical services. Requires the agencies to consult with entities that may be affected by a proposal being considered for the report.

DIGEST OF SB 225 (Updated February 21, 2012 2:45 pm - DI 84)

Hospital assessment fee matters. Allows the hospital assessment fee committee, before July 1, 2013, to set a later date for the submission of specified documents. Removes language that required specified documents to have a retroactive implementation of July 1, 2011. Makes technical corrections.

DIGEST OF SB 231 (Updated February 21, 2012 3:07 pm - DI 84)

Contracting with persons that invest in Iran. Provides that agencies of state government, state educational institutions, and political subdivisions may not enter into contracts with persons that engage in investment activities in Iran. Provides that a financial institution may not be designated as a public depository if the financial institution engages in investment activities in Iran. Requires the Indiana department of administration, using credible information available to the public, to establish a list of persons who engage in investment activities in Iran. Provides for the inclusion of persons on the list and the removal of persons from the list.

DIGEST OF SB 233 (Updated March 6, 2012 2:24 pm - DI 84)

Various election law matters. Provides that if there is a contested election for any office of a municipality, all nominees for each office must be shown on the ballot. Authorizes a county election board to provide by resolution adopted by a unanimous vote of the members of the election board, that an election for a municipal office not be held if there is no contest for the office. Provides that such a resolution expires January 1 of the year immediately following its adoption. Authorizes a county election board to provide by resolution adopted by a unanimous vote of the members of the election board, that a municipal election may be limited to legislative

body districts of the municipality where there are contests for election of members of the municipal legislative body if there are no contested offices to be elected by all the voters of the municipality. Provides that a candidate filing required to be made with the election division is void if the filing is made with a county election official. Adds a cross-reference concerning the election of Republican Party precinct committeemen. Provides that a candidate's nomination by petition is not effective unless the candidate files all required documents. Provides that a petition of nomination for a candidate in a special election called by the governor must be filed not later than 74, rather than 50, days before the election. Specifies noon July 3 before election day, rather than noon on the second Tuesday in September before a general election, as the deadline for filing a certificate of nomination to replace an independent or minor party candidate nominated by petition. Provides that an official responsible for receiving a certification of candidate selection may not receive a filing of the certificate if certain other documents are offered to be filed after the deadline for the filing of the certificate.

DIGEST OF SB 237 (Updated February 20, 2012 2:52 pm - DI 84)

Noncode statutes. Adds expiration dates to temporary noncode provisions regarding members of the Indiana Education Employment Relations Board and a report by the budget agency for the annual projected growth in appropriated dollars for several programs. Codifies a statute concerning the interpretation of the emergency administrative rules law. Codifies a severability clause and instructions for amendments concerning school scholarships. Repeals numerous obsolete criminal law applicability provisions added to the Indiana Code by the noncode statutes bill, P.L.220-2011. Repeals: (1) an allocation provision under the department of commerce; (2) a provision that excluded transactions before July 1, 1988, from certain disclosure requirements; (3) a provision that excluded sales, leases, transfers, or replacements before February 29, 1988, from certain laws regarding motor vehicle protection; (4) a provision that provided instruction regarding amounts of state tuition support in 2010 and 2011; (5) a provision that provided instruction regarding the placement of the public question regarding property taxes on the 2010 general election ballot; and (6) certain noncode provisions that are codified. Makes a technical correction. (The introduced version of this bill was prepared by the code revision commission.)

DIGEST OF SB 246 (Updated February 28, 2012 3:09 pm - DI 84)

Lab technician testimony in criminal cases. Requires a prosecuting attorney who intends to introduce a laboratory report into evidence to file a notice of intent at least 20 days before the trial, and requires a defendant who wishes to cross-examine the technician who prepared the laboratory report to file a pretrial demand for cross-examination not later than ten days after receiving the notice from the prosecutor. Prohibits a prosecuting attorney who fails to comply with the notice requirement from introducing a laboratory report into evidence without the testimony of the person who prepares the report, and provides that a defendant who does not comply with the demand requirement waives the right to confront and cross-examine the person who prepared the laboratory report.

DIGEST OF SB 249 (Updated February 23, 2012 3:20 pm - DI 84)

Record of marriage. Provides that a clerk of a circuit court: (1) may forward a record of marriage to the state department of health in a paper form or in an electronic form by using an automated system developed by the judicial technology and automation project or another automated system approved by the state department of health; and (2) who forwards a record of marriage to the state department of health in an electronic form is not required to forward the record of marriage to the state department of health in a paper form.

DIGEST OF SB 255 (Updated February 27, 2012 3:04 pm - DI 84)

Various homeland security matters. Provides that local emergency planning funds withheld by the state emergency response commission may be used by the commission for purposes related to hazardous materials. Authorizes the executive director of the department of homeland security (executive director) to grant variances to rules governing the state disaster relief fund.

DIGEST OF SB 256 (Updated February 20, 2012 2:56 pm - DI 84)

Correctional professionals assistance fund. Changes the name of the correctional peace officer's fund to the correctional professionals assistance fund of Indiana ("fund"). Provides that payment of monetary assistance from the fund is subject to the approval of the commissioner. Adds catastrophic events, as determined by the commissioner, to the list of purposes for which monetary assistance may be paid from the fund. Makes a technical correction to delete a reference to a repealed statute.

DIGEST OF SB 257 (Updated March 10, 2012 12:15 am - DI 96)

Motor vehicle law. Makes various changes to motor vehicle law, including changes to: (1) definitions; (2) the bureau of motor vehicles; (3) the bureau of motor vehicles commission; (4) license branches; (5) certificates of title; (6) registration of vehicles, including special group recognition license plates; (7) abandoned, salvaged, and scrap vehicles; (8) drivers licenses; (9) financial responsibility; (10) accidents and accident reports; (11) the driver education advisory board; (12) interstate compacts and agreements; (13) fees; (14) general penalty provisions; and (15) watercraft titling and registration. Establishes the interim study committee on special group recognition license plates. Makes conforming changes and technical corrections.

DIGEST OF SB 259 (Updated February 21, 2012 2:50 pm - DI 84)

School consolidation executive session. Allows discussion of strategy with respect to school consolidation to be conducted in an executive session.

DIGEST OF SB 262 (Updated March 10, 2012 12:17 am - DI 106)

IC 4 and IC 5 revision. Reorganizes certain crimes relating to state and local administration by: (1) relocating and renumbering crimes currently codified as offenses against public administration (IC 35-44) into a new article and repealing IC 35-44; and (2) relocating certain other crimes codified in IC 4 and IC 5 into the criminal code. Repeals redundant provisions. Repeals a provision adopted in 1855 prohibiting certain governmental officers from recklessly lending more money than they are authorized to lend. Exempts from the conflict of interest statute a physician employed or contracted by a hospital. Makes the disclosure of certain confidential information a Class A infraction (under current law the disclosure of certain confidential information is a Class A misdemeanor). Makes technical corrections.

DIGEST OF SB 267 (Updated March 6, 2012 2:26 pm - DI 84)

Education concerning child abuse. Requires the department of education, in collaboration with the department of child services and organizations that have expertise in child abuse, including child sexual abuse, to identify or develop model education materials, response policies, and reporting procedures on child abuse, including child sexual abuse, for use by schools for grade 2 through grade 5.

DIGEST OF SB 268 (Updated February 27, 2012 6:20 pm - DI 84)

Advisory committee on early education. Requires the education roundtable to establish an advisory committee on early education, with members from around the state, to provide professional and technical assistance to the roundtable.

DIGEST OF SB 271 (Updated February 27, 2012 6:21 pm - DI 84)

Security deposits and motor vehicle liens. Prohibits a landlord from requiring a lien on a motor vehicle that is owned by a tenant as a security deposit or to secure the payment of rent by the tenant. Provides that, if a landlord accepts a lien on a motor vehicle as a security deposit, the landlord must file or record the lien and comply with requirements concerning security deposits to enforce the lien.

DIGEST OF SB 273 (Updated March 1, 2012 10:48 am - DI 84)

Regulation of outdoor stage equipment. Specifies that the fire prevention and building safety commission ("commission") may adopt rules to regulate outdoor stage equipment used in connection with an outdoor performance as a Class 1 structure. Specifies that the rules apply to outdoor stage equipment used after the later of June 30, 2012, or 60 days after the commission adopts its initial rules. Permits the commission to exempt or provide alternative requirements for small assemblies of outdoor stage equipment. Validates local programs regulating outdoor stage equipment that were implemented before March 15, 2012. Specifies that a local unit has jurisdiction to require compliance with state requirements on both private and public property, including the state fairgrounds. Provides that state authority over outdoor stage equipment

expires on January 1, 2014. Provides for a study committee to study the issues related to the regulation of outdoor stage equipment and recommend permanent legislation to the general assembly to regulate the use of outdoor stage equipment in Indiana for the purpose of protecting the safety of persons at an outdoor performance. Requires copies of reports related to the collapse of an outdoor stage on the state fairgrounds to be submitted to the study committee.

DIGEST OF SB 274 (Updated March 1, 2012 10:51 am - DI 84)

Immunity for certain alcohol offenses. Prohibits a law enforcement officer from taking a person into custody for a crime of public intoxication or minor possession, consumption, or transportation of an alcoholic beverage if the officer, after making a reasonable determination and considering the facts and surrounding circumstances, reasonably believes that: (1) the officer has contact with the person because the person requested emergency medical assistance, or acted in concert with another person who requested emergency medical assistance, for an individual who reasonably appeared in need of medical assistance due to alcohol consumption; and (2) the person meets other requirements. Specifies that a person may not bring an action against a law enforcement officer based on the officer's compliance with or failure to comply with this prohibition. Provides that a person meeting these conditions is immune from criminal prosecution for public intoxication or minor possession, consumption, or transportation of an alcoholic beverage.

DIGEST OF SB 275 (Updated March 1, 2012 10:52 am - DI 84)

Real estate brokers. Eliminates, after June 30, 2014, the license for real estate salespersons and the designation of principal real estate brokers. Prohibits, after June 30, 2014, an individual who holds a salesperson's license from performing certain acts as a salesperson without obtaining a broker's license. Establishes, for individuals who hold a salesperson's license on or after June 30, 2012, certain requirements to obtain a broker's license. Requires, after June 30, 2014, a person to meet certain requirements before the person may become a managing broker. Changes the appointment of members to the real estate education advisory council. Provides that broker's licenses are issued for three years. (Currently licenses are issued for two years.) Revises education and continuing education requirements. Makes conforming changes.

DIGEST OF SB 283 (Updated March 1, 2012 10:54 am - DI 84)

Nonpublic alternative high schools; residential facilities. Requires the department of education to waive accreditation standards for an accredited nonpublic alternative high school that contracts with a school corporation to provide alternative education services for students who: (1) have dropped out of high school; (2) have been expelled; or (3) were not successful in the school corporation; to accommodate the nonpublic alternative high school's program and student population. Provides that a school corporation that enrolls a student who has legal settlement in another school corporation for the student to receive services from a nonpublic alternative high school receives state tuition support for the student. Provides that a student who is placed in a

residential facility is entitled to receive certain defined educational services from the school corporation in which the facility is located.

DIGEST OF SB 286 (Updated March 6, 2012 2:27 pm - DI 84)

Department of child services. Requires the department of child services (department) to conduct a criminal history check of certain individuals before reunification of a child with the child's parent, guardian, or custodian. Provides that an audio recording of a telephone call to the child abuse hotline is confidential and may be released only upon court order. Provides that an audio record of a report of child abuse or neglect that is the subject of a complaint made to a prosecuting attorney shall be released to the prosecuting attorney upon request of the prosecuting attorney. Allows the department to consider the results of a criminal history check in deciding if a child can be reunified with the child's parent, guardian, or custodian. Requires a court to order a guardian to provide financial assistance to support a protected person if the department is going to provide financial assistance to a guardian for the benefit of the protected person. Requires the department to establish a residential placement committee and a permanency roundtable to review certain placements of children. Requires a person filing a petition to terminate parental rights to request a hearing on the petition. Provides that if a hearing regarding a petition to terminate parental rights is not commenced or held within a certain time, the court shall dismiss the petition. Removes requirements that a county pays for certain child placements. Provides that a court may appoint a court appointed special advocate or guardian ad litem only if the person has training appropriate for that role. Changes the number of days for which the department may grant a waiver for the maximum stay for a child if the child caring institution or group home caring for the child is a licensed shelter care facility. Provides that operators of therapeutic foster homes are certified and not licensed. Provides that the department may make certain reports and material available to the state superintendent of public instruction. Provides that the results of an administrative hearing regarding an investigation into child abuse or neglect shall be forwarded to the department of education in certain circumstances. Modifies the definition of "child abuse or neglect", "victim of child abuse or neglect", "child", "related", "court appointed special advocate", "guardian ad litem", "shelter care facility", and "foster family home". Provides that a person may operate a foster family home for a related person without a license. Provides for the creation of regional based fatality review teams. Changes the law regarding: (1) the disclosure of certain reports regarding the fatality or near fatality of a child; (2) the expungement of reports of child abuse and neglect; and (3) requirements of a motion to dismiss a petition to terminate parental rights. Provides that certain administrative hearings may be stayed pending a decision to prosecute the case. Expands the applicability of a chapter concerning child videotape testimony in child in need of services (CHINS) proceedings. Requires a court to hold an initial hearing regarding a child alleged to be a CHINS within 10 days of the filing of the petition. Provides additional circumstances establishing prima facie evidence that there is a reasonable probability that: (1) the conditions that resulted in the removal of a child from a parent will not be remedied; or (2) the continuation of the parent-child relationship poses a threat to the well-being of a child. Requires the department to annually prepare a report of all child fatalities in Indiana that are the result of child abuse or neglect. Provides that an alleged victim of a child sex crime may submit

an application for assistance for victims of violent crime until the victim become 31 years of age. Provides that an alleged victim of a battery upon a child may submit an application for assistance for victims of violent crime not later than five years after the commission of the offense. Provides that the department of child services ombudsman shall employ at least two full time employees to assist the ombudsman. Creates the interim study committee on underserved youth with mental health issues which is required to study: (1) whether prosecuting attorneys should be allowed to file certain CHINS petitions; and (2) the unmet mental health needs of children within the juvenile justice system. Creates the department of child services interim study committee to: (1) study and review the progress and improvements made by the department; (2) review best practices concerning child welfare, child mental health, and delinquent children; (3) receive and review status reports from the department of child services ombudsman; (4) review and study the department's child services child abuse and neglect hotline; and (5) make legislative recommendations. Repeals older youth foster care and replaces it with a collaborative care program. Repeals a chapter requiring the department to make certain reports to the general assembly.

DIGEST OF SB 287 (Updated March 6, 2012 2:37 pm - DI 84)

Department of child services. Makes conforming changes to the interstate compact for the placement of children. Changes references of the "county office of family and children" to the correct agency. Adds Title IV-D of the Social Security Act to the list of programs to which an agency may disclose a Social Security number. Removes a requirement that a local child protection team shall assist the department of child services ombudsman with redacting or reviewing certain reports. Removes a duty of the division of family services to administer preservation services to high risk youth. Removes language regarding deposits by the family and social services administration (FSSA) into the child welfare services account. Removes language requiring the department of child services (department) to prepare and submit information to the state board of accounts. Requires certain information to be included in a paternity affidavit. Removes language requiring the department to investigate and report to a court regarding the conditions of a minor and the fitness of a guardian if ordered by a court. Makes statutes consistent regarding the age of a child that a person may give up under the safe haven statute. Provides that the department has authority to redirect a payment to the appropriate government agency when there is an assignment under Title IV-A or IV-E. Removes the requirement that an obligee must disclose the person's Social Security number on certain child support related forms. Changes references to the Indiana support enforcement tracking system to include the successor statewide automated support enforcement system. Makes changes to background check statutes to be consistent with federal law. Requires the department to consult with the division of family resources regarding the adoption of rules concerning child caring institutions and group homes that are licensed for infants and toddlers. Modifies statutes concerning licensing procedures and criminal history checks that the department performs. Removes certain facilities that may be licensed as a secure private facility. Removes the requirement that the department must purchase one computer for every two case managers. Provides that certain Title IV-D fees may be set according to rules adopted by the department. Provides that a corrective action for emergency

protection of children includes a hold on new placements. Requires the department to advise a parent who is voluntarily relinquishing parental rights that the parent's consent may not be based upon a promise regarding the child's adoption or contact of any type with the child after the parent voluntarily relinquishes parental rights. Requires the department to require a consumer report on certain children in state foster care. Requires a court to enter findings of fact that support the entry of its conclusions granting a termination of parental rights. Repeals the county child advocacy fund. Repeals language requiring the department and probation department to make progress reports on certain children. Repeals language regarding destitute children. Repeals the definition of "kinship caregiver". Adds cross references. Makes technical corrections.

DIGEST OF SB 293 (Updated March 9, 2012 8:03 pm - DI 92)

Inheritance tax. Reclassifies a spouse, widow, or widower of a child of the transferor as a Class A transferee instead of a Class B transferee. Reclassifies a spouse, widow, or widower of a stepchild of the transferor as a Class A transferee instead of a Class C transferee. Increases the inheritance tax exemption amount for Class A transferees from \$100,000 to \$250,000 with respect to taxable transfers resulting from the deaths of individuals dying after December 31, 2011. Phases out the inheritance tax over 9 years beginning in 2013. Phases out the inheritance tax replacement amounts payable to counties over 10 years beginning with amounts payable for the state fiscal year beginning July 1, 2012.

DIGEST OF SB 296 (Updated March 9, 2012 7:54 pm - DI 84)

Certified scholarship program eligibility. Provides that an individual is eligible for a scholarship from a scholarship program that is certified by the department of education if the student received a scholarship in a preceding school year, including a school year that does not immediately precede a school year in which the individual receives a scholarship from a scholarship granting organization. Provides that an individual must be a member of a household with an annual income of not more than 200% of the amount required for the individual to qualify for the federal free or reduced price lunch program each year that an individual receives a scholarship from a scholarship granting organization.

DIGEST OF SB 298 (Updated March 8, 2012 9:40 pm - DI 75)

Mortgages and liens on real property. Removes a provision specifying that a mortgage or vendor's lien that was created before September 1, 1982, on real estate in Indiana expires 20 years after the last installment of the secured debt is due. Provides that if a mortgage or vendor's lien does not show the due date of the last installment, the mortgage or lien expires 10 years (instead of 20 years under current law) after the date of execution of the mortgage or lien. Provides that if: (1) the record of the mortgage or lien does not show the due date of the last installment; and (2) the execution date is omitted from the mortgage or lien; the mortgage or lien expires 10 years (instead of 20 years under current law) after the mortgage or lien is recorded. Provides exceptions to these expiration periods if a foreclosure action is brought or maintained

not later than the applicable expiration period. Makes corresponding changes in the provision that allows the mortgagee or lienholder to file an affidavit stating when the debt becomes due. Provides that at any time after a judgment and decree of sale is entered in an action to foreclose a mortgage on an interest in real property in Indiana, an interested person or an omitted party may bring a civil action concerning an omitted party's interest in the property. Provides that upon the filing of such an action, the court shall determine the extent of the omitted party's interest and issue a decree terminating that interest, subject to the right of the omitted party to redeem the property if the omitted party would have had redemption rights under existing law. Sets forth factors that the court must consider in determining the terms of redemption. Provides for the amount to be paid for redemption and the time allowed for payment. Provides that: (1) the senior lien on which the foreclosure action was based is not extinguished by merger with the title to the property conveyed to a purchaser at the judicial sale until the interest of any omitted party has been terminated; and (2) until an omitted party's interest is terminated, the purchaser at the judicial sale is the equitable owner of the senior lien. Provides that an interested person's rights under the new provisions may not be denied because of certain acts or omissions by the interested person. Makes technical changes.

DIGEST OF SB 301 (Updated February 28, 2012 4:00 pm - DI 84)

Extra heavy duty highways. Authorizes the department of transportation (INDOT) to adopt rules to establish and designate a highway as an extra heavy duty highway. (Under current law, extra heavy duty highways are designated by statute.) Requires INDOT to include in the rules: (1) highways designated by statute as extra heavy duty highways; and (2) statutory size and weight limits. Provides that statutory extra heavy duty highway designations and size and weight limits expire on the later of the date on which INDOT's rules are finally adopted or December 31, 2014.

DIGEST OF SB 302 (Updated March 9, 2012 1:08 pm - DI 73)

Taxation. Provides that the property tax exemption for qualified enterprise information technology equipment applies only to property located in a high technology district area designated by the fiscal body of the county or municipality. Specifies the procedure for the designation of such an area. Provides that an entity that leases qualified property for use in a facility or data center dedicated to computing, networking, or data storage activities is also eligible for the exemption. (Current law provides that only a business that operates such a facility is eligible for the exemption.) Requires that at least \$10,000,000 must be invested in the facility or data center after June 30, 2012, by the entity entering into the agreement for the exemption and by the lessor of the qualified property (if the business is a lessee) and all lessees of qualified property.

DIGEST OF SB 307 (Updated February 28, 2012 4:03 pm - DI 84)

Fire protection territories. Codifies and makes permanent certain additional public hearing and information requirements that must be satisfied before the legislative body of a local unit can

adopt an ordinance or a resolution to form a fire protection territory. (These additional requirements were enacted in P.L.172-2011, but under current law they are temporary and will expire on June 30, 2012.) Specifies that the notice provision applies to the notice of the hearing at which public comment is received regarding a proposed ordinance or resolution. Repeals the temporary provision.

DIGEST OF SB 309 (Updated February 27, 2012 6:52 pm - DI 84)

Local purchasing and public works preferences. Provides that the local Indiana business preference applies to a contract for a purchase made by a political subdivision only if the political subdivision provides that the preference is applicable to the purchase. Provides that the term "affected county" refers only to an Indiana county. Authorizes the purchase of vehicles for community corrections programs from money in any of the following: (1) A county cumulative building fund. (2) A county, municipal, or township cumulative capital improvement fund. (3) (As a result of cross references) a county or municipal cumulative capital development fund. . Repeals the local Indiana business preference for public works projects.

DIGEST OF SB 311 (Updated March 9, 2012 12:16 pm - DI 84)

Cost benefit analysis for administrative rules. With certain exceptions, requires the office of management and budget (OMB) to prepare for each administrative rule that: (1) has been adopted; and (2) has taken effect; after December 31, 2011, a cost benefit analysis with respect to the first three years following the rule's effective date. Provides that if the OMB finds that a proposed rule is: (1) an adoption or incorporation by reference of a federal law, regulation, or rule that has no substantive effect on the scope or intended application of the federal law or rule; or (2) a technical amendment with no substantive effect on an existing Indiana rule; the OMB may not prepare a cost benefit analysis of the proposed rule or with respect to the first three years following the rule's effective date. Requires the OMB to submit its findings that the OMB may not prepare a cost benefit analysis on the rule to the administrative rules oversight committee (committee) and the governor. Requires the OMB to submit a cost benefit analysis to: (1) the governor; and (2) the committee; not later than six months after the third anniversary of the rule's effective date. Provides that a cost benefit analysis prepared before or after a rule's adoption and effective date must include certain information, including information concerning: (1) the rule's primary and direct benefits; (2) the rule's secondary and indirect benefits; and (3) any cost savings to regulated persons as a result of the rule. Provides that a cost benefit analysis may contain additional information that the governor or the committee requests in writing. Provides that the governor or the committee may prescribe: (1) the form of a cost benefit analysis; and (2) the process, deadlines, and other requirements for submitting a cost benefit analysis. Provides that in preparing a cost benefit analysis: (1) before a rule's adoption under the existing statute that requires a cost benefit analysis for proposed rules; or (2) after a rule's adoption and effective date under the act; the OMB shall consider any verified data provided voluntarily by interested parties, regulated persons, and nonprofit corporations whose members may be affected by the rule. Provides that if the OMB or an agency is unable to obtain verified data for a cost benefit

analysis, the OMB shall state in the analysis which data were unavailable. Provides that a cost benefit analysis prepared before or after a rule's adoption is a public document, subject to the following: (1) The OMB or an agency may not require an interested party or a regulated person to provide information in connection with an analysis. (2) If an interested party or a regulated person voluntarily provides information, the OMB or an agency responsible for proposing or administering the rule shall ensure adequate protection of any confidential or proprietary information provided. (3) At least 30 days before presenting the cost benefit analysis to the governor and the committee, the OMB shall make the cost benefit analysis available to interested parties, regulated persons, and nonprofit corporations whose members may be affected by the rule. Provides that if an agency has adopted rules regarding the confidentiality of information, interested parties and regulated persons must submit the information in accordance with the confidentiality rules adopted by the agency to ensure proper processing of confidentiality claims. Requires the OMB to submit its findings and cost benefit analyses to the committee by electronic means.

DIGEST OF SB 315 (Updated February 28, 2012 1:04 pm - DI 84)

Charity gaming. Establishes an annual comprehensive charity gaming license for national organizations and foundations meeting certain eligibility requirements. Permits the Indiana affiliates of a national organization or foundation to conduct raffle events and door prize events under a single annual comprehensive charity gaming license. Prescribes the following: (1) Who may serve as an operator or worker under the license. (2) The procedural requirements for obtaining the license. (3) The requirements for conducting particular events. (4) When a worker may purchase a raffle ticket at a raffle event conducted under the license. (5) Limits on the frequency of events. (6) The method of determining an organization's initial license fee. (7) The method of determining an organization's license renewal fee. Reduces the time an organization must exist in Indiana before becoming eligible to obtain a charity gaming license from five years to three years. Provides that the initial license fee for a charity gaming license is \$50 for licenses other than the annual comprehensive charity gaming license. (Current law grants the IGC discretion to establish the initial license fee at an amount that may not exceed \$50, which is the amount the IGC has selected.) Allows patrons to deal the cards in certain poker games conducted at a charity game night. (Current law allows patrons to deal only in euchre games.) Prohibits a patron from playing at a table for which the patron deals the cards. Specifies rules applicable to games of Texas hold'em or Omaha poker in which a patron deals the cards. Requires the operator or a worker to deal the cards at the final table of a tournament.

DIGEST OF SB 329 (Updated February 28, 2012 4:07 pm - DI 84)

Eminent domain filing deadlines. Specifies that a party to an eminent domain action aggrieved by the assessment of benefits or damages in a report of the appraisers filed with a court may file written exceptions to the assessment in the office of the circuit court clerk: (1) after the report of the appraisers is filed with the court; and (2) not later than 45 days after the date the circuit court mails the report.

DIGEST OF SB 330 (Updated February 20, 2012 2:58 pm - DI 84)

Certified public accountants. Permits the board of accountancy or the executive director of the licensing agency on behalf of the board to adopt an emergency rule that incorporates by reference the latest statement, edition, or compilation of nationally recognized professional standards governing the competent practice of accountancy.

DIGEST OF SB 345 (Updated March 10, 2012 1:08 am - DI 101)

Statewide 911 system. Requires the Indiana advisory commission on intergovernmental relations to: (1) study the appropriate roles and responsibilities of the state and various political subdivisions in providing 911 and enhanced 911 services in Indiana; and (2) report its findings and recommendations to the legislative council and the budget committee not later than November 1, 2012. Amends the statute concerning deceptive commercial electronic mail to provide that a communications service provider (rather than a telephone company or a commercial mobile radio service (CMRS) provider, as provided under current law) is not subject to a civil lawsuit for a violation of the statute. Repeals the statutes concerning: (1) the emergency telephone system fee (assessed by counties or municipalities for enhanced 911 service for users of wireline telephone service); (2) enhanced wireless emergency telephone service (and the accompanying fee assessed statewide on users of wireless service to provide for enhanced 911 service); and (3) emergency telephone notification systems. Requires the wireless enhanced 911 advisory board to increase the amount of the prepaid wireless charge so that the amount of the charge imposed after June 30, 2012, equals \$0.50. Repeals the provision that provides for the expiration and sunset on July 1, 2013 (if certain conditions are met), of the statute establishing the enhanced prepaid wireless charge. Establishes a statewide 911 system (which does not include a wireline enhanced emergency telephone system funded at the county level before the bill's repeal of the statute governing the wireline enhanced emergency 911 fee on July 1, 2012). Establishes the 13 member statewide 911 board (board) to administer the new system. Provides that the treasurer of state serves as the chair of the board. Provides that the board may do the following in addition to other enumerated powers: (1) Administer statewide 911 grants in accordance with state and federal guidelines. (2) Obtain from each PSAP operating statistics and other performance measurements. With respect to the purchase of communications service or equipment by the board, provides that: (1) a contract for such a purchase must be awarded through an invitation for bids or a request for proposals; and (2) the board must enter into a cooperative agreement with the Indiana department of administration for the department to administer such a purchase using the department's purchasing agents. Provides that the board shall be considered a state agency for purposes of the statute governing the Indiana transparency Internet web site. Establishes the statewide 911 fund (fund). Provides that the fund is considered a trust fund and that no transfers may be made from the fund by the state board of finance or the budget agency. Appropriates money in the fund. Provides that the board shall administer the fund. Provides that the treasurer of state may invest money in the fund. Requires the state board of accounts to audit the fund annually. Requires the board to impose a monthly statewide 911 fee (fee) on each standard user of communications service in Indiana. Provides that the amount of

the initial fee is \$0.90. Provides that the following users of communications service are exempt from the fee: (1) The federal government or a federal agency. (2) The state or a state agency or instrumentality. (3) A political subdivision or an agency of a political subdivision. (4) A user that accesses communications service solely through a wireless data only service plan. Requires communications service providers to collect the fee as part of the monthly billing process. Requires the board to deposit the fees collected into the fund. Provides that the fee may not be raised or lowered more than one time in a calendar year. Provides that the fee: (1) may not be raised or lowered more than \$0.10 without legislative approval; and (2) may not be raised by \$0.10 or less without review by the budget committee. Prohibits a state agency or a local governmental unit from imposing any additional fee relating to the provision of 911 service. Provides that the board shall require a provider to report to the board, on at least an annual basis, the amount of fees collected from all of the provider's standard customers and remitted to the board. Allows the board to retain in each state fiscal year the lesser of: (A) 10% of the statewide 911 fees deposited in the fund in the previous state fiscal year; or (B) the amount of fees deposited in the fund in the previous state fiscal year that would provide for the operating expenses of the statewide 911 system during the state fiscal year for which the fees are retained; to recover the board's administrative expenses and to develop, operate, and maintain a statewide 911 system. Specifies how the board must distribute money from the fund to counties. Provides that in determining a distribution from the fund for a county for any state fiscal year beginning after June 30, 2012, the board shall ensure that the distribution is at least equal to the average annual amount distributed to the county in wireless 911 fees and to all PSAPs in the county in wireline 911 fees during the three state fiscal years ending: (1) June 30, 2009; (2) June 30, 2010; and (3) June 30, 2011; increased by a percentage that does not exceed the percent of increase in the Consumer Price Index during the preceding twelve months. Provides that if any statewide 911 fees remain in the fund after these ensured distributions, the board shall distribute the fees as follows: (1) 90% of the fees shall be distributed to the counties based upon each county's percentage of the state's population. (2) 10% of the fees shall be distributed equally among the counties. Specifies the permissible uses of funds distributed to a PSAP. Requires each PSAP to annually report to the board all call data and statistics specified by the board. Provides that if the board verifies that an expenditure by a PSAP does not comply with requirements of the statute, the board shall ensure that the fund is reimbursed in the dollar amount of the noncomplying expenditure from any source of funding available to the PSAP or to a unit in which the PSAP is located. Requires a communications service provider to provide to a PSAP the necessary user data to enable the PSAP to implement and operate a 911 system. Provides that proprietary information submitted to the board is confidential. Allows a county to establish an emergency notification system with the approval of the board. Retains those provisions from the repealed statute concerning enhanced wireless emergency telephone service that provide that after December 31, 2014, a county may not contain more than two PSAPs. Provides that after December 31, 2014, if a county contains more than two PSAPs, the county may not receive a distribution from the fund until the county contains no more than the authorized number of PSAPs. Requires the state board of accounts and the board to submit certain reports concerning the fund and the use of statewide 911 fees by PSAPs to the budget committee for the two calendar years ending: (1) December 31, 2013; and (2) December 31, 2014. Requires the budget

committee to review the statewide 911 system for the same two calendar years. Requires the budget committee to submit to the legislative council, not later than June 1, 2015, a report that includes a recommendation as to whether the statewide 911 fee should continue to be assessed and collected after June 30, 2015. Provides that if the budget committee does not recommend that the statewide 911 fee should continue to be assessed and collected after June 30, 2015, the statewide 911 fee expires July 1, 2015, and may not be collected or assessed after June 30, 2015. Specifies that funds that remain on June 30, 2012, in the wireless emergency telephone system fund shall be transferred on July 1, 2012, to the statewide 911 fund. Provides that funds that remain on June 30, 2012, in: (1) a county wireless emergency telephone system fund; or (2) a county wireline emergency telephone system fund; shall be transferred on July 1, 2012, by the county treasurer to the new county 911 fund required to be set aside by the county treasurer under the act. Makes conforming amendments.

DIGEST OF SB 362 (Updated February 27, 2012 7:02 pm - DI 84)

White River park foundation. Authorizes the White River state park development commission (commission) to establish a nonprofit subsidiary corporation to solicit and accept private funding. Provides that the voting members of the commission and any other directors that the commission appoints are the members of the board of directors of the subsidiary corporation. Requires the state board of accounts to annually audit the subsidiary corporation.

DIGEST OF SB 370 (Updated February 27, 2012 7:04 pm - DI 84)

Funeral services courtesy cards. Provides for the board of funeral and cemetery service to create a courtesy card for funeral directors licensed in states that border Indiana beginning January 1, 2013, authorizing the funeral directors to provide certain funeral services in Indiana.

DIGEST OF SB 378 (Updated February 27, 2012 7:12 pm - DI 84)

Conservancy district contracts. Permits the board of directors of a conservancy district (board) to enter into contracts with local governmental agencies for purposes of implementing the district plan. (Current law permits such contracts with a person or a federal or state agency.) Adds security of any part of the district as a purpose for which the board may enter into such a contract. (Current law permits contracts for construction, maintenance, or operation of any part of the district.)

DIGEST OF SB 402 (Updated March 6, 2012 2:39 pm - DI 84)

Indiana uniform law commission. Specifies the membership of the Indiana uniform law commission (commission), which is the Indiana delegation of the National Conference of Commissioners on Uniform State Laws (NCCUSL). Specifies the commission is to work with the NCCUSL to research, draft, and promote the enactment of uniform state laws in areas of state law where uniformity is desirable and practical. Provides for the reimbursement of expenses

incurred by commission members in attending the annual meeting of the NCCUSL.

DIGEST OF SB 407 (Updated March 9, 2012 7:46 pm - DI 104)

Pharmacy matters. Allows a hospital holding a Type II pharmacy permit to offer drugs and devices to certain individuals who work or volunteer at the hospital and their dependents. Allows a pharmacist to supervise not more than six licensed pharmacy technicians or pharmacy technicians in training at any time. (Currently, a pharmacist may supervise not more than four licensed pharmacy technicians or pharmacy technicians in training.) Prohibits the Indiana board of pharmacy from issuing a pharmacy technician certificate to an individual who has been convicted of a felony involving controlled substances. Allows a pharmacist, upon request of the patient, to dispense a 90 day supply of a prescription under specified circumstances. Requires the pharmacist to notify the prescriber of the change in the quantity filled and inform the customer concerning whether the additional drug supply of the prescription is covered under the patient's insurance. Specifies pharmacy audit requirements, including notice procedures and limitations on an initial audit and onsite audits. Requires a period of at least 30 days during which a pharmacy may appeal preliminary audit report findings. Provides for the correction of clerical errors. Requires the health finance commission to study during the 2012 legislative interim: (1) the issue of certain pharmacies and whether any limitation should be placed on the dispensing of a prescription drug by the pharmacies; and (2) specified health insurance plans and the number of covered people with copayments, coinsurance amounts, and out-of-pocket costs incurred for prescription drugs that exceed specified amounts for the coverage.