



SENATOR
JIM ARNOLD
116TH INDIANA GENERAL ASSEMBLY ★ SENATE DISTRICT 8

NEWS RELEASE

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General Assembly approves Arnold initiatives

INDIANAPOLIS—The 2010 session of the 116th General Assembly ended on March 13, with 115 bills sent to the governor. State Senator Jim Arnold (D-LaPorte) sponsored or authored a number of bills that gained approval by the legislature and are awaiting final action by the governor or set to become law. They include:

Law enforcement matters

Senate Enrolled Act (SEA) 81, authored by Arnold, will provide that the driver's license of a person convicted of resisting law enforcement while using a vehicle may be suspended for one year for a first offense and two years for a second or subsequent offense. If the individual receives a sentence of incarceration, the license suspension will begin on the day the individual is released.

The final draft of SEA 81 was unanimously approved by the Senate and approved by the House of Representatives 91-4. The act will now be sent to the governor for final action. If enacted, the law becomes effective July 1, 2010.

Also authored by Arnold is SEA 281 that will allow local law enforcement agencies to use money from the agency's Firearms Training Fund to purchase body armor. Sen. Arnold said that this law will make technical changes that allow law enforcement agencies to use existing funds to purchase life-saving equipment.

SEA 281 was unanimously approved by both the Senate and House of Representatives. It was signed into law by the governor March 12 and becomes effective July 1, 2010.

Transportation of radioactive material

SEA 186, authored by Arnold, will increase the regulation of transporting radioactive materials within the state. It will require shippers to obtain a permit from the Indiana Department of Homeland Security for the transportation of radioactive material in Indiana. Any permit issued under this proposal will also carry an expiration date and levy a fee based on the amount of material being transported by truck or train.

The Indiana State Police, including motor carrier inspectors, rail safety inspectors and other eligible law enforcement officers would be permitted to conduct vehicle inspections to enforce the new law. Vehicles found in violation could be seized, detained or impounded. Any illegal transportation of radioactive material would also be considered a class B infraction.

The governor signed the act into law March 12 and it becomes effective July 1, 2010.

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Public employee pension funds

SEA 30 was coauthored by Arnold and will allow members of the Indiana Public Employees Retirement fund (PERF) and the Indiana Teachers Retirement fund (PRF) to withdraw from their annuity savings account if the member has separated employment and is not employed in a covered position after 30 days. Current law provides that a member in this position would have to wait 90 days before drawing benefits.

SEA 30 will also give members the ability to petition the board of trustees of their respective funds to correct an error in a determination of the member's creditable service or benefit at any time, and to appeal if the request is made within 6 years of the determination.

The act further provides that, before July 1, 2012, an active member of the 1977 Police Officers' and Firefighters' Pension and Disability Fund who is eligible to receive an unreduced retirement benefit may elect to receive a partial lump sum distribution equal to the monthly benefit times the years of service in exchange for an reduced monthly benefit.

A bicameral compromise on the final draft of SEA 30 was unanimously approved by the Senate and House of Representatives. The bill awaits final action by the governor. Upon enactment the new law will become effective July 1, 2010.

House Enrolled Act (HEA) 1008 was sponsored by Arnold in the Senate and will allow law enforcement officers and firefighters who move to Indiana to purchase service credit for their Indiana retirement plan for years of service in another state. Sen. Arnold said the new law will provide equity in the system by allowing those in special circumstances to consolidate their time of service under their Indiana retirement plan.

The bill was sent the bill to the governor for final action on March 15. The governor has seven days to sign the act into law, veto it or let it become law without his signature. If enacted, the law will become effective July 1, 2010.

HEA 1050, cosponsored by Arnold in the Senate, are two pieces of legislation that allow for a member of the 1977 Police and Firefighters Pension and Disability Fund to designate one or more beneficiaries to receive the member's contributions to the fund plus interest if the member dies without collecting benefits. Sen. Arnold said this initiative will allow those that have served the state and not collected benefits or designated a beneficiary like a child, spouse or parent to determine where the benefits will go. This bill also provides that if a member does not specify a beneficiary, the member's contributions and accumulated interest will be refunded to the member's estate.

HEA 1050 was also approved unanimously in both chambers and sent to the governor and is awaiting final action.

Veteran benefits

HEA 1165, sponsored by Arnold in the Senate, will protect a veteran's service-connected benefits from being seized through legal action to collect a debt. Sen. Arnold said these benefits are for the years of service to the country and that service members and their families should have those benefits protected.

The Senate and House of Representatives both unanimously approved this bill before it was signed into law by the governor on March 12 to become effective July 1, 2010.

Returning National Guard

HEA 1178 was sponsored by Arnold in the Senate and will require that post-deployment health assessments be conducted face-to-face with a trained health care provider for members of the Indiana

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National Guard. Arnold said that the men and women returning from deployment deserve to have the opportunity to receive better health assessments and receive more opportunities to address issues that need to be discussed in person. Currently, health assessments can be conducted by phone.

The bill was unanimously approved in both the Senate and House of Representatives and the final draft of the act was signed into law by the governor on March 12 becoming effective July 1, 2010.

Government ethics and lobby reform

Lawmakers worked this session to establish a bipartisan government ethics reform package. HEA 1001, cosponsored by Arnold, will bar legislators from entering a lobbyist position for a year after leaving office, require universities to report the tickets and gifts they give to legislators, require more lobbyist disclosure of gifts by lowering the threshold for reporting a meal or gift from \$100 to \$50 for a single day, and bars the governor from raising campaign funds during the budget session of the legislature.

A bipartisan, bicameral compromise on HEA 1001 was approved unanimously in both chambers and sent to the governor on March 11. The governor has seven days to sign the act into law, veto it or let it become law without his signature. If enacted, the law will become effective January 1, 2011.

Sexting study commission

SEA 224, a bill coauthored by Arnold, will require the Sentencing Policy Study Committee to make recommendations to the next General Assembly regarding the dissemination of sexually explicit material over the internet, with a cellular phone or a similar device by youth.

The study committee was the result of "sexting" legislation which failed that would have made it a delinquent act for a child to create, transmit or possess a photograph or video that shows a minor in the state of nudity. SEA 224 would have also allowed a school corporation to offer classes or instruction regarding the risks and consequences of creating and sharing sexually explicit material.

Inmate cell phone possession

HEA 1100, cosponsored by Arnold in the Senate, will ban inmates in a county jail from possessing cell phones or other wireless communications devices. The ban will apply to people incarcerated in county jails, including those awaiting trial or returned for additional trials by the Department of Corrections.

As of 2009, there are about 17,500 inmates in county jails the bill would apply to. Violation of the law by inmates would be a class A misdemeanor. Last year, Arnold was successful in passing a state law that upgraded the crime of providing or trafficking a cell phone to an inmate to a class C felony.

The bill was approved by the House of Representatives 94-0 and the Senate approved the initiative 46-4. The governor signed the act into law on March 12 and it becomes effective July 1, 2010.

For more information on Senator Arnold, his legislative agenda or other State Senate business call 1-800-382-9467 or visit www.senatedemocrats.in.gov.

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