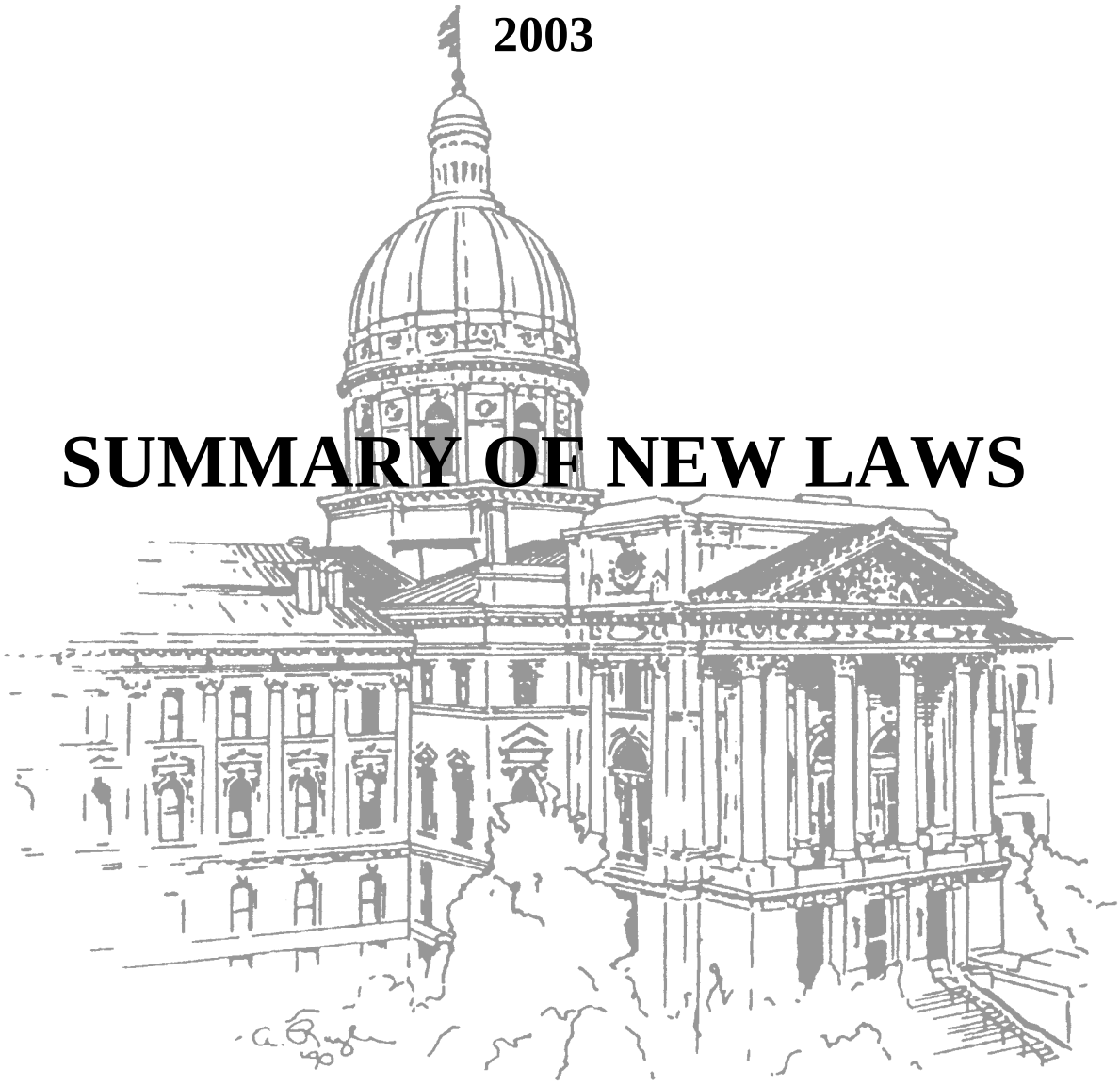
FIRST REGULAR SESSION OF THE 113TH INDIANA GENERAL ASSEMBLY 2003



SUMMARY OF NEW LAWS

Distributed by:

Indiana State Senator Larry Borst

PREFACE

This document is a comprehensive summary of laws passed by the 2003 General Assembly, including the 114 Senate Bills, 169 House Bills, 2 House Joint Resolutions and 1 Senate Joint Resolution passed during the Legislative Session completed on April 27, 2003. These bills have been categorized by general subject matter, as listed in the Table of Contents. This summary includes the 3 Senate Bills and 3 House Bills that were subsequently vetoed by the Governor after they were presented to him. (Bills vetoed by the Governor are subject to review by the General Assembly at the following regular legislative session.) The index at the back of this document lists all Senate and House bills in numerical order and notes the page number for each bill.

For further information concerning laws passed, please contact either the Senate Majority Attorney's Office at (317) 232-9415 or the Legislative Information Center of the Legislative Services Agency at (317) 232-9856 or visit the General Assembly home page at **www.in.gov/serv/lsa_billinfo.**

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AGRICULTURE

SENATE BILL 219 (Public Law 53-2003)
Author(s): Jackman
Citations Affected: IC 15-4.
Effective: July 1, 2003.
Seed arbitration council. States the duties and powers of the Indiana seed arbitration council. Increases filing fees for arbitration by the council. Requires parties to an arbitration to share equally the council's investigation costs. Requires the council to maintain trade secrets and other proprietary information as confidential. Provides other procedures under which the council conducts arbitration. Authorizes the state seed commissioner to adopt administrative rules to supplement the arbitration procedures and to describe the conditions and circumstances under which arbitration is applicable. Repeals a seed arbitration council statute that is superseded by the new procedures.

SENATE BILL 533
Author(s): Jackman, Lewis
Citations Affected: IC 13-11; 13-18; 13-30.
Effective: Upon passage.
VETOED
Confined animal feeding operations. Establishes National Pollutant Discharge Elimination System permit procedures for concentrated animal feeding operations (CAFOs). Establishes civil penalties for CAFOs that commit multiple violations of water pollution control laws or rules or standards adopted by the water pollution control board relating to water pollution control laws.

HOUSE BILL 1571 (Public Law 102-2003)
Sponsor(s): Hershman, Lewis
Citations Affected: IC 15-4.
Effective: July 1, 2003.
Seed contracts. Provides that a contract for the delivery of seed in Indiana or seed intended to be grown in Indiana is considered to contain certain provisions relating to: (1) the law under which the contract is interpreted; and (2) litigation concerning the contract or property rights in the seed. Provides a farmer a cause of action against a seed supplier that attempts to enforce certain rights purportedly arising under a seed contract that violates the statute. Amends the statute covering inspections under seed contracts to change certain definitions and inspection and notice provisions. Repeals a section of the statute relating to choice of law contract provisions.

HOUSE BILL 1623 (Public Law 103-2003)
Sponsor(s): Weatherwax, Lewis
Citations Affected: IC 15-1.5.
Effective: July 1, 2003.
State fair commission and barn trustees. Revises the membership of the state fair commission and the board of trustees for the center for agricultural science and heritage ("the barn"). Provides for the commission and the trustees that a majority of members constitutes a quorum.

HOUSE BILL 1657 (Public Law 238-2003)
Sponsor(s): Gard, Hume
Citations Affected: IC 13-17.
Effective: July 1, 2003.
Open burning. Permits open burning of vegetation from agricultural land in an unincorporated area for maintenance purposes.

ALCOHOLIC BEVERAGES AND TOBACCO

SENATE BILL 504 (Public Law 117-2003)
Author(s): Miller, Lanane
Citations Affected: IC 24-3; 34-24.
Effective: July 1, 2003.
Delivery sale of cigarettes. Requires a merchant who sells cigarettes to a person in Indiana through direct mail or the Internet to: (1) ensure that the customer is at least 18 years of age; and (2) pay the state cigarette tax or provide notice that the customer is responsible for the unpaid state taxes on the cigarettes. Establishes penalties for violations.

HOUSE BILL 1738 (Public Law 250-2003)
Sponsor(s): Merritt, Alting
Citations Affected: IC 7.1; 35-46.
Effective: Upon passage (May 8, 2003); July 1, 2003.
Various alcoholic beverage and tobacco matters. Limits the deposit of an alcoholic beverage dealer or retailer permit with the alcohol and tobacco commission to three years. Reduces the fee for a tobacco sales certificate from $100 to $50. Increases the supplemental caterer's permit fees and employee permit fees. Establishes a fee of $10 for a duplicate or reissued permit. Requires tobacco retailers to have certificates to sell tobacco products. Authorizes the alcohol and tobacco commission to issue and enforce certificates. Provides that fees collected for tobacco sales certificates shall be deposited in the enforcement and administration fund. Provides that civil penalties collected for violating the tobacco sales provisions are deposited in the youth tobacco education and enforcement fund. Amends provisions concerning the sale and distribution of tobacco products. Provides that the prosecutor for the alcohol and tobacco commission has the powers pertaining to tobacco that the prosecutor has for alcohol offenses. Provides that failure to pay civil penalties for certain violations is a Class B infraction. Provides that a person who sells or distributes tobacco products without a certificate commits a class A infraction. Provides that selling tobacco products to minors at least six times within six months is a Class B infraction. Repeals prohibition on certain tobacco billboard advertisements. Repeals a provision prohibiting the issuance of a season permit to a person who: (1) owns, manages, or controls a resort hotel; and (2) has violated an alcoholic beverage law. Makes a liquor wholesaler's permit effective for two years. Allows the holder of an excursion and landsite

permit to provide alcoholic beverages to guest free of charge if the holder has the approval of the commission and certain requirements are satisfied. Repeals a provision concerning advertising of tobacco products that is preempted by federal law.

HOUSE BILL 1788 (Public Law 252-2003)
Sponsor(s): Weatherwax, R. Meeks
Citations Affected: IC 6-7; 7.1-3; 7.1-6; 16-18; 16-41; 24-3; 35-46.
Effective: July 1, 2003.
Sale of tobacco. Provides that a cigarette distributor with five consecutive years of good credit standing with the state is not required to post a bond as a condition of paying for revenue stamps within 30 days of the purchase date. Requires a cigarette distributor to include an invoice in each shipment or delivery of cigarettes to a retailer. Requires a retailer to keep an invoice for at least two weeks. Authorizes the department of state revenue (department) or the alcohol and tobacco commission (commission) to impose a civil penalty upon a retailer who fails to produce an invoice or other evidence that cigarettes were purchased from a legitimate distributor. Permits the state to seize undocumented cigarettes. Increases the penalty for selling cigarettes below cost from a Class C to a Class A infraction and deposits monetary judgments in the commission's enforcement and administration fund. Prohibits smoking on a school bus during a school week or a school activity. Renames the youth tobacco education and enforcement fund the Richard D. Doyle youth tobacco education and enforcement fund. Provides that excess escrow payments made in Indiana by a nonparticipating tobacco product manufacturer revert to the nonparticipating tobacco product manufacturer. Requires a tobacco product manufacturer to: (1) certify that it is a participating manufacturer in the tobacco master settlement agreement or maintain a qualified escrow fund; and (2) list the manufacturer's brand families of cigarettes. Requires the attorney general to electronically publish a directory of tobacco product manufacturers and brand families and notify a cigarette distributor at least 30 days before the attorney general removes a tobacco product manufacturer or brand family from the directory. Prohibits the attorney general from restoring a tobacco product manufacturer or brand family to the directory until the tobacco product manufacturer refunds any money due a distributor, stamping agent, or retailer. Requires a foreign nonparticipating manufacturer to appoint an agent for service of process. Provides that: (1) the department may revoke or suspend the license of; and (2) the department or commission may impose a civil penalty on; a distributor or stamping agent that affixes a stamp on or sells cigarettes of a manufacturer or brand family that is not listed in the directory. Deposits the civil penalties in the commission's enforcement and administration fund. Allows the state to recover the costs of an action to enforce the certification requirements.

HOUSE BILL 1791 (Public Law 253-2003)
Sponsor(s): Miller, Lanane
Citations Affected: IC 24-3; 34-24.
Effective: July 1, 2003.
Internet tobacco product sales. Requires a merchant who sells tobacco products to a person in Indiana through direct mail, telephone, or the Internet to: (1) ensure that the customer is at least 18 years of age; and (2) pay the state cigarette and tobacco tax or provide notice that the customer is

responsible for the unpaid state taxes on the cigarettes and tobacco products. Establishes penalties for violations.

BUSINESS AND OTHER ASSOCIATIONS

See also:
HB 1212: Purchase and resale of used jewelry by jewelers.

SENATE BILL 308 (Public Law 155-2003)
Author(s): Long
Citations Affected: IC 23-7.
Effective: July 1, 2003.
Professional fundraisers. Sets a July 1 expiration date for professional fundraiser registration renewals. Modifies information that registrants must provide to the attorney general.

SENATE BILL 383 (Public Law 213-2003)
Author(s): Clark
Citations Affected: IC 23-1.
Effective: July 1, 2003.
Shareholder consent, entity conversion, and funding agreements. For a corporation not registered under the Security and Exchange Act of 1934, permits controlling shareholders to authorize a corporate action by their written consent without prior notice or meeting if subsequent notice is provided to nonconsenting and nonvoting shareholders. Allows for the use of electronic as well as written consents. Permits the conversion of a domestic other entity, such as a limited partnership or limited liability company, to a different domestic other entity. Permits the conversion of a foreign other entity to a different foreign other entity.

SENATE BILL 435 (Public Law 270-2003)
Author(s): Clark, Broden
Citations Affected: IC 23-2.
Effective: July 1, 2003.
Securities commissioner. Provides the procedure for the securities commissioner to obtain the assistance of county prosecutors and the attorney general for enforcement actions. Removes the commissioner from the conduct of hearings by permitting the appointment of hearing officers. Allows the commissioner to enter orders of rescission, restitution, and disgorgement, including interest at the rate of 8%, to loan brokers.

HOUSE BILL 1129 (Public Law 41-2003)
Sponsor(s): M. Young, Rogers
Citations Affected: IC 4-13.

Effective: Upon passage (April 22, 2003).
Governor's commission on minority and women's business enterprises. Provides that expenditures with business enterprises that qualify as both a minority business enterprise and a women's business enterprise may be counted toward the attainment of the goal for either but not for both.

HOUSE BILL 1151 (Public Law 169-2003)
Sponsor(s): R. Meeks, Lewis
Citations Affected: IC 23-14.
Effective: July 1, 2003.
Disposal of cremated remains. Provides that a person who fails to file an annual report for a crematory commits a Class A misdemeanor. Provides that a funeral home has no liability for: (1) disposing of cremated remains held in excess of 60 days; or (2) holding cremated remains in excess of 60 days; if the funeral home provides notice to the authorizing agent explaining the intentions of the funeral home.

CIVIL PROCEDURE

See also:
SB 363: Immunity for defibrillation instructors.
SB 479: Protective orders.
SB 485: Immunity for inoculation.
SB 504: Delivery sale of cigarettes.
HB 1034: Alternative dispute resolution pilot project.
HB 1044: Immunity for court clerks for protective orders.
HB 1102: Enforcement of foreign judgements.
HB 1378: Abandoned buildings.
HB 1571: Seed contracts.

SENATE BILL 201 (Public Law 150-2003)
Author(s): Clark
Citations Affected: IC 36-7.
Effective: July 1, 2003.
Land use. Specifies that review of a land use decision of a legislative body or the board of zoning appeals by certiorari is initiated by filing a petition with the court. Sets forth the persons that a remonstrator must notify of the filing of a petition for writ of certiorari. Provides that an adverse party is not required to be named as a party to the petition for writ of certiorari. Provides that a person who is not an elected official may serve on an advisory plan commission, which is created by joinder agreement, to fill the vacancy of a commission member who also a member of a local legislative body, if no member of the local legislative body will accept appointment to the

commission.

HOUSE BILL 1271 (Public Law 84-2003)
Sponsor(s): Hershman
Citations Affected: IC 34-30.
Effective: July 1, 2003.
Immunity for defibrillator instructors. Grants immunity from civil liability to certain licensed physicians or the instructor of a person who renders emergency care using an automatic external defibrillator, if the licensed physician or instructor's act or omission does not amount to gross negligence or willful or wanton misconduct.

CORRECTIONS

SENATE BILL 205 (Public Law 110-2003)
Author(s): Zakas, Long
Citations Affected: IC 11-13.
Effective: July 1, 2003.
Interstate compact on adult supervision. Adopts the interstate compact for adult offender supervision. Creates a national interstate commission for adult offender supervision made up of the compact administrators from states that join the interstate compact. Delegates to the interstate compact the authority to adopt rules concerning the transfer of probationers and parolees between states, and permits the interstate compact to impose fines or seek injunctive relief against counties or the state if the county or state does not comply with the compact. Establishes the state council with up to nine members. Specifies that the older compact applies to states that have not adopted the new compact, but provides that the administrator of the new compact also administers the old compact. Requires offenders to pay a $75 application fee to apply for transfer out of state. Provides that a parolee's application fee is paid to the department of correction and a probationer's fee is split between the Indiana judicial center and the supervising county. (The introduced version of this bill was prepared by the criminal law study commission).

COURTS AND COURT OFFICERS

See also:
SB 528: Reentry court program.
HB 1408: Direct deposit of child support.
HB 1850: Commitment of minor for drug and alcohol treatment.

SENATE BILL 27 (Public Law 17-2003)
Author(s): Bray

Citations Affected: IC 33-1.
Effective: June 15, 2003.
Commission on courts. Extends the authorization for the commission on courts to June 30, 2007. (The introduced version of this bill was approved by the commission on courts.)

SENATE BILL 247 (Public Law 133-2003)
Author(s): Wyss, Broden
Citations Affected: IC 12-23; 33-10.1.
Effective: July 1, 2002 (retroactive); Upon passage (May 1, 2003).
Drug courts. Allows a drug court to accept an eligible individual who is referred from another court located in the same county as the drug court. Removes an incorrect reference concerning adoption of rules in the law that allows the Indiana judicial center to adopt rules concerning drug courts. Provides that, when a person referred to a drug court: (1) has the person's participation in the drug court terminated, the drug court must enter a judgment of conviction against the person or refer the case back to the originating court so that court may enter a judgment of conviction; and (2) fulfills the conditions established by the drug court, the drug court must dismiss the charges against the person or refer the case back to the originating court so that court may dismiss the charges. Requires the judge of the Greenwood city court to be an attorney.

HOUSE BILL 1034 (Public Law 94-2003)
Sponsor(s): Long, Lanane
Citations Affected: IC 33-4.
Effective: July 1, 2003.
ADR pilot project. Permits a county to operate an alternative dispute resolution program for domestic relations cases if the county: (1) uses a plan submitted to the judicial conference; and (2) obtains approval by a majority of the judges in the county exercising jurisdiction over domestic relations and paternity cases. Permits a senior judge to serve as a domestic relations mediator. Prohibits a court from ordering or referring parties into mediation if a party is currently charged with or convicted of certain crimes. (The introduced version of this bill was approved by the commission on courts.)

HOUSE BILL 1044 (Public Law 39-2003)
Sponsor(s): Clark, Rogers
Citations Affected: IC 34-26.
Effective: July 1, 2003.
Immunity for court clerks for protective orders. Provides immunity from civil damages for circuit court clerks and court employees when providing clerical assistance to persons requesting orders for protection.

HOUSE BILL 1047 (Public Law 167-2003)
Sponsor(s): Long, Howard
Citations Affected: IC 33.
Effective: July 1, 2005.

Small claims court jurisdiction. Makes the small claims jurisdictional limit $6,000 across the state. Requires a person who files a small claims action to pay a small claims service fee of $5 per defendant after June 30, 2005.

HOUSE BILL 1092 (Public Law 139-2003)
Sponsor(s): Bray, Skinner
Citations Affected: IC 33-4; 33-13.
Effective: July 1, 2003.
Judges. Provides that a senior judge receives a per diem of $50 for each of the first 30 days of service in a calendar year and, for each day after the first 30 days, a $100 per diem. Provides that the supreme court may adjust the compensation rate if there are insufficient funds in the payroll fund. Allows a judge to purchase service credit for service as a full-time judge pro tempore. (The introduced version of this bill was prepared by the pension management oversight commission.)

HOUSE BILL 1102 (Public Law 40-2003)
Sponsor(s): Long, Broden
Citations Affected: IC 34-6; 34-54.
Effective: July 1, 2003.
Enforcement of foreign judgments. Provides for the filing in an Indiana court of the judgment decree or order of a U.S. court, the court of another state, or another court to which Indiana extends full faith and credit.

CRIMINAL LAW AND PROCEDURE

See also:
SB 6: Air bag tampering.
SB 242: Medical review and driver's licenses.
HB 1154: Reporting sale of methamphetamine precursors.
HB 1510: Breastfeeding in public.
HB 1731: Motor vehicle air bags.

SENATE BILL 13 (Public Law 147-2003)
Author(s): Bowser
Citations Affected: IC 35-50.
Effective: July 1, 2003.
Newly discovered evidence. Provides that if a person is sentenced to death and has completed state postconviction review proceedings, the person may file a written petition with the supreme court seeking to present undiscovered evidence challenging the person's guilt or the appropriateness of the death sentence, if the person also notifies the attorney general. Requires the supreme court to determine, with or without a hearing, whether the person has presented

previously undiscovered evidence that undermines confidence in the conviction or sentence, and permits the supreme court to remand the cause to the trial court for an evidentiary hearing; however, the supreme court may neither make a determination in the person's favor nor remand the cause to the trial court without providing the attorney general with an opportunity to be heard on the matter.

SENATE BILL 144 (Public Law 266-2003)
Author(s): Bowser
Citations Affected: IC 35-42; 35-50.
Effective: July 1, 2003.
Sexual offenses. Removes certain defenses related to sexual misconduct with a minor. Makes the offense of sexual misconduct with a minor that involves deadly force, a deadly weapon, or a drug or controlled substance a "crime of violence" for purposes of the law concerning consecutive and concurrent sentencing where the defendant is at least 18 years of age and the victim is 14 or 15 years of age.

SENATE BILL 225 (Public Law 55-2003)
Author(s): Long, Bray
Citations Affected: IC 5-2; 35-38.
Effective: July 1, 2003.
Electronic monitoring of sex offenders. Provides that a sex offender may be placed on home detention only if the offender is subject to 24-hour supervision. Specifies that the offender's duty to register arises as of the date that the offender is released from confinement, is placed on probation, or is otherwise required to register. Makes conforming amendments.

SENATE BILL 286 (Public Law 154-2003)
Author(s): Broden
Citations Affected: IC 5-2; 36-2.
Effective: July 1, 2003.
Sex offender registration. Makes it a Class D felony for a registered sex offender to fail to submit a new registration form with the proper law enforcement authority after changing addresses. Requires the sex offender web site to be updated at least every seven days.

SENATE BILL 314 (Public Law 58-2003)
Author(s): Long
Citations Affected: IC 35-48.
Effective: July 1, 2003.
Drug paraphernalia. Makes the reckless possession or sale of drug paraphernalia a Class B misdemeanor or a Class D felony for repeat offenses. Makes the knowingly or intentionally possessing drug paraphernalia a Class A misdemeanor, or a Class D felony for repeat offenses.

SENATE BILL 320 (Public Law 22-2003)

Author(s): Clark, Rogers
Citations Affected: IC 35-38; 35-43.
Effective: July 1, 2003.
Identity theft. Specifies that a person's address, telephone number, place of employment, employer identification number, and mother's maiden name constitute identifying information for purposes of the identity theft statute. Provides that a person commits identity theft if the person acts with intent to assume another person's identity or profess to be another person. Provides that the trial court, upon motion, may issue an order describing the victims of a crime of deception, and permits this order to be used in correcting a person's credit history. Makes technical corrections.

SENATE BILL 482 (Public Law 164-2003)
Author(s): Waterman
Citations Affected: IC 35-50.
Effective: July 1, 2003.
Credit time. Allows a prisoner to receive additional credit time for a diploma or degree completed before July 1, 1999, unless the prisoner has been convicted of certain sex crimes. Provides that a prisoner may receive credit time for completion of a literacy and basic life skills program. Provides that credit time for multiple degrees at the same education level is awarded based upon department of correction guidelines.

SENATE BILL 506 (Public Law 277-2003)
Author(s): C. Meeks
Citations Affected: IC 6-8.1; 11-13; 31-31; 31-40; 33-19; 35-33; 35-38; 36-2.
Effective: July 1, 2003.
Probation user's fees. Permits a clerk to collect a credit card service fee from a person who uses a credit card to make a transaction with the clerk. Specifies that the credit card service fee is in addition to the amount of bail set by the trial court. Requires the county fiscal body to establish a salary schedule for probation officers and permits the county fiscal body to make appropriations from the county supplemental juvenile probation services fund and the county supplemental adult probation services fund to supplement the salaries of probation officers. Imposes an administration fee for each person placed on probation in a juvenile or adult court. Requires the administration fee to be collected before any other probation user fee. Allows a probation department to: (1) receive payment for fees by credit card; and (2) petition a court to impose or increase probation fees if the financial position of a person changes while the person is on probation. Allows a court to: (1) enforce an order to pay probation user fees by lien or garnishing of wages; (2) impose an increased probation user fee in certain circumstances; and (3) issue an order preventing a person from receiving a driver's license or permit if the person is delinquent in payment of probation fees. Provides up to 3% of the probation fees collected to the clerk's record perpetuation fund and up to 3% to the county, city, or town general fund.

SENATE BILL 519 (Public Law 222-2003)
Author(s): Long

Citations Affected: IC 5-2.
Effective: July 1, 2003.
Sex offender registry. Provides that a person who is found to be a sexually violent predator is required to register for life.

HOUSE BILL 1077 (Public Law 9-2003)
Sponsor(s): Long, Lanane
Citations Affected: IC 35-46.
Effective: July 1, 2003.
Law enforcement, service, and search and rescue animals. Increases penalties for causing serious injury to or the death of a law enforcement animal or service animal. Creates penalties for causing injury to or death of a search and rescue dog.

HOUSE BILL 1082 (Public Law 225-2003)
Sponsor(s): Bray
Citations Affected: IC 35-48.
Effective: July 1, 2003.
Provides that a person may be charged with an offense under the controlled substances act for certain acts involving a controlled substance analog. Makes the possession of certain chemical reagents or precursors with the intent to manufacture methamphetamine a Class D felony. Makes the possession of more than 10 grams of ephedrine, pseudoephedrine, or phenylpropanalomine a Class D felony. Provides a defense to a charge of possession of a chemical reagent or precursor for a licensed health care professional, pharmacist, and certain other persons required to possess a reagent or precursor in the regular course of business, and for person who possess more than 10 grams of certain precursors in a manner consistent with ordinary household usage. Prohibits the sale of chemical reagents or precursors to a methamphetamine or other controlled substance manufacturer. Requires a person convicted of certain methamphetamine offenses to provide restitution for the costs of environmental cleanup. Makes it a Class A misdemeanor for a person to take a person less than 18 years of age or an endangered adult into a place that is being used to unlawfully possess, manufacture, store, sell, or deliver drugs or controlled substances.

HOUSE BILL 1104 (Public Law 80-2003)
Sponsor(s): Lewis, Kenley
Citations Affected: IC 12-7.
Effective: July 1, 2003.
Alcohol and drug services program. Extends the alcohol and drug services program to persons accused of infractions.

HOUSE BILL 1145 (Public Law 140-2003)
Sponsor(s): Clark, Howard
Citations Affected: Noncode.
Effective: July 1, 2003.
Sentencing policy study committee. Establishes a two year sentencing policy study committee to

evaluate sentencing laws and policies.

HOUSE BILL 1260 (Public Law 98-2003)
Sponsor(s): Long, Broden
Citations Affected: IC 35-38; 35-50.
Effective: July 1, 2003.
Entering judgment of conviction. Allows a court reduce judgment of conviction from a Class D felony to a Class A misdemeanor in certain circumstances. Prohibits alternative misdemeanor sentencing for possession of child pornography.

HOUSE BILL 1325 (Public Law 232-2003)
Sponsor(s): C. Meeks
Citations Affected: IC 35-44; 35-47.
Effective: July 1, 2003.
False complaints against police. Provides that making a false complaint against a law enforcement officer is a Class B misdemeanor. Makes pointing a laser pointer at a state police motor carrier inspector a Class B misdemeanor.

HOUSE BILL 1358 (Public Law 175-2003)
Sponsor(s): Clark, Dillon
Citations Affected: IC 35-41; 35-42; 35-45.
Effective: July 1, 2003.
Community policing volunteers. Defines "community policing volunteer" as a person who is actively participating in a plan, system, or strategy: (1) established by and conducted under the authority of a law enforcement agency; and (2) in which citizens work with members of the law enforcement agency to reduce or prevent crime within a defined geographic area. Increases the penalties for battery and intimidation if the victim is a community policing volunteer.

HOUSE BILL 1367 (Public Law 123-2003)
Sponsor(s): Bray, Long
Citations Affected: IC 35-42; 35-45.
Effective: July 1, 2003.
Repeat indecent offenders. Provides that a person commits performing sexual fondling in the presence of a minor, a Class D felony, if the person: (1) engages in sexual intercourse; (2) engages in deviate sexual conduct; or (3) touches or fondles the person's own body; in the presence of a child less than 14 years of age. Provides that a person commits public indecency, a Class A misdemeanor: (1) if the person appears nude in a public place with the intent to arouse the person's own sexual desires or the sexual desires of another person; or (2) if the person is at least 18 years of age and appears nude in a public place with the intent to be seen by a child less than 16 years of age. Makes public indecency a Class D felony if the person has a prior unrelated conviction for public indecency. Provides that a person who appears nude in a nonpublic place with the intent to be seen by persons other than invitees or occupants of that place commits indecent exposure, a Class C misdemeanor. Provides that a person who appears nude in a public

place commits public nudity, a Class C misdemeanor. Makes public nudity a Class B misdemeanor if the person intends to be seen by another person, and makes a second offense a Class D felony. Makes public nudity a Class A misdemeanor if the person appears nude in a department of natural resources owned or managed property with the intent to arouse the sexual desires of the person or another person, or on school grounds or in a public park; and makes a second offense a Class D felony.

HOUSE BILL 1417
Sponsor(s): Lawson, Clark
Citations Affected: IC 16-18; 16-39; 36-2.
Effective: July 1, 2003.
Autopsy of a child. Requires a county coroner to have an autopsy performed on the body of a child whose death is sudden and unexpected except in certain circumstances, including when the child's next of kin requests that an autopsy not be performed. Permits a physician or coroner to use a photograph, a video recording, or an audio recording of an autopsy to consult with a forensic scientist or pathologist. Describes identifying information that must be masked or removed from an autopsy photograph, video recording, or audio recording before it may be used for training or educational purposes. Makes it a Class A misdemeanor for a physician, coroner, or coroner's designee to fail to warn each person to whom the information is released that the information is confidential and may not be used for a purpose other than the purpose for which it was originally released. Makes it a Class A misdemeanor for: (1) a person who is granted access to autopsy information for training, education, or professional consultation to use it for a purpose other than the purpose for which it was originally released; (2) a coroner or coroner's designee who is custodian of a photograph or recording of an autopsy to violate the provisions concerning autopsy records; (3) a person who uses autopsy information in a manner other than for the purpose for which it is intended; and (4) a person to violate a court order issued under the law concerning autopsy records. Makes a technical correction.

HOUSE BILL 1425 (Public Law 85-2003)
Sponsor(s): Paul, Lewis
Citations Affected: IC 35-43.
Effective: July 1, 2003.
Check deception. Provides a defense for check deception for a person who issues or delivers a check, a draft, or an order for payment on an account with insufficient funds if the person pays the payee or holder the amount due plus protest fees and any service fee or charge imposed by the payee or holder in an amount that may not exceed the greater of: (1) $27.50; or (2) 5% of the amount due up to $250. (Current law provides that the fees and charges imposed by the payee or holder may not exceed the greater of $20 or 5% of the amount due up to $250.)

HOUSE BILL 1431 (Public Law 181-2003)
Sponsor(s): Clark, Simpson
Citations Affected: IC 12-7; 12-18; 34-30.
Effective: July 1, 2003.

Domestic violence fatality investigations. Allows a county or group of counties to establish a domestic violence fatality review team to investigate a homicide or suicide that may have resulted from domestic violence.

HOUSE BILL 1525
Sponsor(s): Landske, Antich
Citations Affected: IC 35-40; 35-44; 35-46.
Effective: July 1, 2003.
Criminal law matters. Provides that unless ordered by the court, a prosecutor may not disclose information identifying a crime victim during discovery and other proceedings. Provides that the court may impose reasonable restrictions on disclosures of crime victim identifying information. Makes the offense of resisting law enforcement a Class D felony instead of a Class A misdemeanor if, while committing the offense, a person draws or uses a deadly weapon or inflicts bodily injury on another person. Makes the offense a Class C felony if: (1) a person uses a vehicle to flee from a law enforcement officer; or (2) while committing the offense, a person operates a vehicle in a manner that creates a substantial risk of bodily injury to another person or causes serious bodily injury to another person. Provides a defense to the offense of trafficking with an inmate. Provides that certain penal facility employees are entitled to a review of an adverse employment determination based upon trafficking with an inmate. Makes contributing to delinquency a Class C felony instead of a Class A misdemeanor if a person furnishes alcohol or a controlled substance to a minor and consumption of the alcohol or drug is the proximate cause of the death of any person.

VETOED

HOUSE BILL 1660
Sponsor(s): Lawson, Breaux
Citations Affected: IC 12-10; 35-42; 35-46.
Effective: July 1, 2003.
Abuse of an endangered adult. Removes the requirement that the state department of health must request assistance before the division of disability, aging, and rehabilitative services or adult protective services may investigate a report of an endangered adult residing in a health facility. Provides that an endangered adult is not a an adult who is an alcoholic or a drug abuser. Makes battery that results in serious bodily injury to an endangered adult a Class C felony. Makes battery that results in death to an endangered adult a Class B felony. Makes failing to report an abused endangered adult a Class B misdemeanor instead of a Class A infraction. Corrects code cite references.

VETOED

HOUSE BILL 1849 (Public Law 195-2003)
Sponsor(s): Long, Broden
Citations Affected: IC 3-7; 33-4; 35-35; 35-38; 35-41; 35-47.
Effective: July 1, 2003.
Possession of firearm by domestic batterer. Provides that a person convicted of a crime of domestic violence may not possess a firearm even after the person's right to vote or right to serve on a jury has been restored. Permits a person to have the right to possess a firearm restored: (1) after the expiration of a five-year period; or (2) if the underlying domestic violence conviction is reversed on appeal or on post-conviction review.

EDUCATION

See also:
SB 169: School bus drivers under open door law.

SENATE BILL 117 (Public Law 130-2003)
Author(s): Rogers, Drozda
Citations Affected: IC 20-12.
Effective: Upon passage (May 1, 2003).
Eligibility for SSACI programs. Provides that if a dependent student has resided with a caretaker relative other than the student's parent for at least 4 years, the student's eligibility to participate in financial aid programs administered by the state student assistance commission is determined according to the residence of the caretaker relative. Requires the income of the student's legal parent to be considered in making eligibility determinations.

SENATE BILL 186 (Public Law 202-2003)
Author(s): Lubbers
Citations Affected: IC 20-8.1.

Effective: July 1, 2003.
Student discipline. Provides that a student who is expelled from a charter school is subject to the same requirements for enrollment in another school corporation or charter school as a student who is: (1) expelled from a public school; or (2) required to separate from a nonpublic school or a school in a state other than Indiana.

SENATE BILL 230 (Public Law 206-2003)
Author(s): Long
Citations Affected: IC 20-6.1; 20-10.1.
Effective: July 1, 2003.
Joint summer school programs. Allows a school corporation to enter into an agreement with other school corporations and accredited nonpublic schools to provide joint summer school programs for high school students. Allows the joint programs to be conducted by state educational institutions and students to receive high school and college credit for the programs. Requires the scorer of an examination required for licensure as a teacher or school administrator to provide certain information to an individual who did not pass all or part of the examination.

SENATE BILL 501 (Public Law 276-2003)
Author(s): Lubbers
Citations Affected: IC 6-1.1; 20-5.5; 20-6.1; 20-8.1; 21.
Effective: January 1, 2002 (retroactive); January 1, 2003 (retroactive); Upon passage (May 8, 2003); July 1, 2003.
Charter schools. Specifies that the school employees of a conversion charter school cannot have their benefits or employment with the school corporation that sponsored the charter school terminated. Allows a school corporation to increase its maximum levy by the amount of any local funding provided to a charter school. Excludes the levy increase from the school corporation's previous year revenue and tuition support calculation. Requires the department of local government finance to inform each county auditor of the amount of local funding to distribute to a charter school. Creates a separate average daily membership ("ADM") count for a charter school. Provides that all university sponsors together may sponsor not more than five charter schools each year. Provides that a university may not sponsor a charter school in Marion County. Requires a university to conduct a public meeting in the county where the university intends to sponsor a charter school. Prohibits the mayor of a consolidated city from banking charter schools from 2003 through 2005. Requires the department of education ("department") to distribute tuition support and other state funding to a charter school beginning in the second semester of the charter school's operation. Requires the department to provide the department of local government finance information necessary to calculate a charter school's share of local funding. Provides that the school corporation in which a conversion charter school is located provides state funding and a proportionate share of local funding to the conversion charter school during its first semester of operation. Requires the organizer of a charter school to apply for federal funding. Allows a charter school to borrow from the common school fund for first semester operational costs and operational costs associated with a growth in enrollment of at least 15%. Provides for repayment of any outstanding obligation from the common school fund of a charter

school that terminates operation. Provides that the at risk and complexity indices for a charter school are the at risk and complexity indices of the school corporation in which the charter school is located. Provides that the at risk and complexity indices for Campagna Academy Charter School are the weighted averages of the at risk and complexity indices of the school corporations in which the charter school's students have legal settlement. Includes charter schools in the following categorical distributions: (1) free lunch and textbook reimbursement; (2) primetime; (3) at risk; (4) growing enrollment; (5) academic honors diploma; (6) special education; and (7) vocational education. Forgives outstanding obligations of charter schools from the abandoned property fund. States the intent of the general assembly to fund charter schools under the same formula as other school corporations. Resolves conflicts.

HOUSE BILL 1088 (Public Law 10-2003)
Sponsor(s): Kenley
Citations Affected: IC 20-5; P.L. 253-2001.
Effective: Upon passage (April 14, 2003); December 31, 2004.
School bonds for retirement or severance liability. Extends the sunset date for issuance of school corporation bonds for retirement or severance liability from December 31, 2003, to December 31, 2004. Provides that the total amount of bonds issued for this purpose may not exceed 2% of the total true tax value of property in the school corporation. Specifies that the school bus replacement fund is one of the funds that the school corporation may reduce in order to satisfy the requirement to reduce its total property tax levy in an amount equal to the levy for debt service on the bonds. Requires a school corporation to establish a separate debt service fund for repayment of the bonds.

HOUSE BILL 1120 (Public Law 81-2003)
Sponsor(s): Lubbers, Rogers
Citations Affected: IC 20-1; 20-8.
Effective: July 1, 2003.
School corporation performance report; graduation rate. Changes the required publication date and some components of school corporation annual performance reports. Provides for reports to be made available on the Internet. Requires school corporations to provide free copies of reports upon request. Removes language concerning the performance based accreditation program. Provides a method for calculating the graduation rate for high school students.

HOUSE BILL 1209 (Public Law 24-2003)
Sponsor(s): Nugent, Sipes
Citations Affected: IC 20-12.
Effective: July 1, 2003.
State educational institution credit agreements. Requires the statewide transfer and articulation committee to: (1) submit an annual report to the legislative council; (2) develop statewide transfer of credit agreements for courses that are most frequently taken by undergraduates; (3) develop statewide agreements under which associates of arts and associate of science programs articulate fully with related baccalaureate degree programs; and (4) publicize a master list of

course transfer of credit and program articulation agreements.

HOUSE BILL 1278 (Public Law 32-2003)
Sponsor(s): Landske, Hume
Citations Affected: IC 20-12.
Effective: July 1, 2003.
Tuition exemption for survivors of EMTs and paramedics. Adds the children and surviving spouses of paramedics, emergency medical technicians (EMTs), and advanced emergency medical technicians to the list of persons who are eligible for tuition exemptions at state supported colleges, universities, and technical schools if their parent or spouse was a resident of Indiana and was killed in the line of duty.

HOUSE BILL 1620 (Public Law 161-2003)
Sponsor(s): Server, Sipes
Citations Affected: IC 20-5; 20-6.1; 34-13; 34-30; 35-42.
Effective: July 1, 2003.
School employees. Makes changes relating to the policies a school may adopt concerning criminal history checks. Requires a prosecuting attorney to notify the state superintendent of public instruction and the employer when a licensed school employee is convicted of certain offenses. Makes changes in the grounds for which teachers' licenses may be revoked and contracts may be canceled. In a tort action against a governmental employee whose act or omission is in the scope of the employee's employment, provides that the governmental entity and employee are not liable for punitive damages and requires a governmental entity to pay a judgment of a claim or suit against the employee when the governmental entity has the opportunity to defend the employee. In a civil rights action against a governmental employee, requires a governmental entity to pay a judgment for punitive damages, compromise, or settlement against an employee when: (1) the act or omission causing the loss is in the scope of the employee's employment; (2) the governmental entity has the opportunity to defend the employee; and (3) the compromise or settlement is in the best interest of the governmental entity. Provides that a governmental entity or employee acting in the scope of employment is not liable if a loss results from an injury to a person assigned to a pretrial conditional release program. Provides civil immunity for making certain reports concerning a teacher. Changes the law concerning seduction of a child at least 16 years of age to add certain actions that constitute the offense and to expand coverage to all employees of a child's school.

HOUSE BILL 1734 (Public Law 249-2003)
Sponsor(s): Server, Rogers
Citations Affected: IC 20-6.1.
Effective: July 1, 2003.
Nonpermanent teacher contracts. Allows flexibility in the time when a school corporation must hold a conference on the nonrenewal of the contract of a nonpermanent teacher so that both the open door law and the nonpermanent teacher's contract rights law are not violated.

ELECTIONS

SENATE BILL 88 (Public Law 45-2003)
Author(s): Craycraft
Citations Affected: IC 3-9.
Effective: July 1, 2003.
Software for candidate reports. Requires the election division to notify each candidate's committee that the election division will provide at no cost a standardized software program to permit the committee to install the software on a computer and generate an electronic version of the reports and statements required to be filed with the election division.

SENATE BILL 136 (Public Law 66-2003)
Author(s): Landske, Skillman
Citations Affected: IC 1-1; 3; 6-1.1.
Effective: Upon passage (April 28, 2003); July 1, 2003.
Various election law matters. Makes changes to election law relating to the following: (1) Voting systems. (2) The election division budget. (3) Training election workers. (4) Precinct committeemen and state convention delegates. (5) Voter registration. (6) Party affiliation and certification of candidates. (7) Certification of election results. (8) Certificate of nominees for President and Vice President of the United States. (9) Recounts and challenges. (10) Campaign finance reports. (11) Disabled voters. (12) Sample ballots. (13) School board tax referenda. (14) Candidate vacancies. (15) Misrepresenting the status of a candidate. (16) Drawing local election districts. (17) Withdrawal of candidates for nomination in a primary election. Repeals a superseded statute relating to training election workers. (The introduced version of this bill was prepared by the census data advisory committee.)

SENATE BILL 268 (Public Law 209-2003)
Author(s): Skillman, Breaux
Citations Affected: IC 2-5; 3; 5-26.5; 9-24; 11-8; 12-28; 16-19.
Effective: April 1, 2003 (retroactive); Upon passage (May 7, 2003); July 1, 2003; January 1, 2004.
Election law changes. Makes numerous changes in Indiana election law in response to the Help America Vote Act of 2002 (HAVA). The changes affect the following: (1) Election administration structure and procedures. (2) Voter registration procedures, including establishment of a statewide voter registration file. (3) Acquisition, accessibility, and operation of new voting systems. (4) Voter identification. (5) Provisional ballots. Directs state officials to make certain applications and certifications required by HAVA. Repeals obsolete statutes relating to the statewide voter registration file and the voting systems improvement fund and the voting systems education fund.

SENATE BILL 318 (Public Law 69-2003)
Author(s): Hershman
Citations Affected: IC 3-5; 3-8; 3-11.
Effective: July 1, 2003.
Miscellaneous election law matters. Redefines the length of the chute. Requires a candidate to indicate on a declaration of candidacy which option the candidate is using to determine party affiliation. Authorizes a county to use an electronic voting system for voting by absentee ballot in the office of the circuit court clerk.

SENATE BILL 477 (Public Law 116-2003)
Author(s): Lawson, Simpson
Citations Affected: IC 3-6; 3-11.
Effective: July 1, 2003.
Polling place and voting machine accessibility. Requires each county election board to conduct training and educational meetings for precinct election officers. Requires the meeting to include information related to making polling places and voting systems accessible to elderly voters. Requires voting systems to meet accessibility requirements not later than January 1, 2006. Establishes standards for accessible facilities and accessible voting systems. Makes technical changes.

HOUSE BILL 1901 (Public Law 38-2003)
Sponsor(s): Miller
Citations Affected: IC 20-3; 20-4.
Effective: July 1, 2003.
Marion County school board ballots. Requires that the same method used to cast votes for all other candidates be used to cast votes for school board candidates in Marion County.

HOUSE BILL 1980 (Public Law 263-2003)
Sponsor(s): Lawson, Hume
Citations Affected: IC 3-5; 3-11; 3-12.
Effective: Upon passage (May 8, 2003); July 1, 2003.
Authentication of ballots. Provides that whenever the individual who holds the office of circuit court clerk is a candidate on the ballot for any office, the individual's name or signature may not appear on the ballot except in the individual's capacity as a candidate, notwithstanding a law requiring the circuit court clerk's name or signature to appear on the ballot. Requires the election commission to prescribed a device or symbol other than the circuit court clerk's printed name or signature to authenticate ballots. Establishes a procedure for counting the ballot of an absent uniformed services voter when a ballot card voting system is used.

ENVIRONMENT

See also:
SB 533: Confined feeding operations.
HB 1657: Open burning.

SENATE BILL 160 (Public Law 148-2003)
Author(s): Riegsecker
Citations Affected: IC 10-8; 10-14.
Effective: July 1, 2003.
Radioactive waste. Changes the fee for the shipment of high level radioactive waste from a fee for the total shipment to a fee for each cask. Establishes a fee for transportation of low level radioactive waste and requires deposit of the fee in the nuclear response fund. Permits the use of that fund for education, training, and equipment to local emergency responders to prevent, prepare for, or respond to acts of terrorism. Requires a person that transports radioactive waste in Indiana to reimburse security expenses to each governmental entity that provides security for a shipment.

SENATE BILL 207 (Public Law 203-2003)
Author(s): Gard
Citations Affected: IC 13-11.
Effective: July 1, 2003.
Brownfield definition. Eliminates the condition that a parcel of real estate, to be a brownfield, must be industrial or commercial. Provides that the brownfield definition applies in a case where reuse of property is complicated by environmental factors. Restates the complicating factors as the presence or potential presence of a hazardous substance, a contaminant, petroleum, or a petroleum product that poses a risk to human health and the environment.

SENATE BILL 440
Author(s): Gard, Hume
Citations Affected: IC 13-11.
Effective: January 1, 2003 (retroactive).
VETOED
Requires the air pollution control board to adopt certain air pollution rules. Defines emission data for purposes of department of environmental management information disclosure requirements and those air pollution rules.

HOUSE BILL 1221 (Public Law 231-2003)
Sponsor(s): Gard, Lewis
Citations Affected: IC 13-14; 13-21.
Effective: December 31, 2000; December 31, 2001; Upon Passage (May 8, 2003); July 1, 2003.
Water quality, solid waste districts, and environmental rules and policies. Establishes criteria for

variances from water quality standards that are at least in part the basis of a National Pollutant Discharge Elimination System permit. Prohibits a solid waste management district from issuing permits for an activity that is already permitted by a state agency, except as expressly granted by statute. Requires the water pollution control board to adopt certain rules concerning outstanding state resource waters and exceptional use waters. Prohibits: (1) the air pollution control board, water pollution control board, or solid waste management board from adopting a new rule; and (2) the department of environmental management from adopting a new policy before July 1, 2005, if the new rule or policy would require certain industries to comply with standards of conduct that exceed federal standards.

HOUSE BILL 1492 (Public Law 101-2003)
Sponsor(s): Hershman, Lanane
Citations Affected: IC 13-26.
Effective: July 1, 2003.
Regional waste districts. Allows a regional water, sewage, or solid waste district to increase its board of trustees to 11 or 13 members. Allows department of correction representation on the board of trustees of a district in which a state correctional facility is located.

HOUSE BILL 1671 (Public Law 240-2003)
Sponsor(s): Gard, Lewis
Citations Affected: IC 4-21.5; 4-22; 13-14; 13-15.
Effective: Upon passage (May 8, 2003); July 1, 2003.
Environmental permits and rulemaking. Prohibits an applicant from receiving a refund of a permit application fee if the permit application concerned the renewal of a permit. Lowers the application fee threshold that identifies certain permit applications that the department of environmental management (IDEM) must act upon with in 60 days, and sets a deadline for action on an application for a renewal. Requires the office of environmental adjudication to notify an environmental rulemaking board (ERB) of certain final orders concerning the ERB. With respect to environmental non-rule policy documents, requires IDEM to make certain information available to the public and an ERB concerning the proposed adoption by the ERB. With respect to proposed rules of an ERB, requires disclosure of additional information in the rulemaking process, including justification for requirements and restrictions that exceed federal standards, and specifies when IDEM must provide to the ERB the fiscal analysis prepared by the legislative services agency. Requires the environmental quality service council to study the environmental rulemaking process.

HOUSE BILL 1798
Sponsor(s): Gard, Lewis
Citations Affected: IC 8-1.5; 13-11; 13-14; 13-17; 13-18; 36-9.
Effective: Upon passage; July 1, 2003.
VETOED
Environmental management. Allows a third class city to adopt an ordinance providing for the control of any or all of its storm water facilities by the board that controls the municipality's municipally owned utilities. Amends the definition of a board of a department of storm water

management. Provides that a board does not have exclusive jurisdiction over the collection and disposal of storm water in the district. Enumerates factors that must be used to establish user fees and allows different fee schedules based on certain factors. Allows a county other than Marion County to establish a department of storm water management under certain circumstances. (Current law provides that the department of public works acts as the department of storm water management in Marion County.) Provides that the drainage board of a county that has not adopted an ordinance to establish a department of storm water management may establish fees for services provided by the board to address issues of storm water quality and quantity. Requires a department to maintain private property if the department uses the property for storm water collection or disposal and obtains the consent of the owner. Makes conforming changes. Provides that a person may not be required to screen a storm water outfall if the pipe diameter of the storm water outfall is less than 24 inches. Establishes a program for the issuance of permits for filling, dredging, or excavating certain wetlands. Prohibits the air pollution control board (board) from adopting rules to require motor vehicle emissions testing in Clark County and Floyd County after December 31, 2006. Allows the budget agency to approve testing if necessary to avoid a loss of federal highway funding. Prohibits a person from being charged a fee for vehicle emission testing.

FAMILY AND JUVENILE LAW

SENATE BILL 28 (Public Law 44-2003)
Author(s): Bray
Citations Affected: IC 31-14.
Effective: July 1, 2003.
Genetic testing. Allows the state or political subdivision to recover costs of genetic testing from a person found to be the biological parent of a child in a paternity action. (The introduced version of this bill was approved by the commission on courts.)

SENATE BILL 62 (Public Law 198-2003)
Author(s): Lawson
Citations Affected: Noncode.
Effective: July 1, 2003.
Commission on abused and neglected children and their families. Establishes a commission on abused and neglected children and their families to develop a plan of services for children at risk of abuse or neglect and for abused or neglected children and their families. Requires a report not later than August 15, 2004. (The introduced version of this bill was prepared by the board for the coordination of child care regulation.)

SENATE BILL 120 (Public Law 199-2003)
Author(s): Harrison, Howard
Citations Affected: IC 20-8.1.
Effective: Upon passage (May 7, 2003); July 1, 2003.

Employment of minors. Requires an employer to provide one or two rest breaks totaling at least 30 minutes to a child scheduled to work at least six consecutive hours. Provides that an employer that permits a child to work between the hours of 10 p.m. and 6 a.m. in an establishment that is open to the public unless another employee at least 18 years of age also works in the establishment during those hours commits a hazardous occupation violation.

SENATE BILL 227 (Public Law 152-2003)
Author(s): Long, Sipes
Citations Affected: IC 31-9; 31-34.
Effective: July 1, 2003.
Foster parents and juvenile proceedings. Entitles a long term foster parent to intervene as a party in a proceeding for the periodic review of a dispositional decree involving a child in need of services.

SENATE BILL 479 (Public Law 221-2003)
Author(s): Clark
Citations Affected: IC 5-2; 31-9; 31-14; 31-15; 34-6; 34-26; 35.
Effective: July 1, 2003.
Protective orders. Requires the clerk of a court that issues a workplace violence restraining order to provide a copy of the order and the confidential sheet to the employer. Specifies that a workplace violence restraining order may not be issued if the dispute is related to a strike or labor dispute. Requires the division of state court administration to develop and adopt forms for no contact orders and workplace violence restraining orders. Amends the definitions of employee and employer. Requires certain language to appear on a protective order, no contact order, and workplace violence restraining order. Provides that a parent in a paternity or divorce proceeding may request a protective order against the other parent from the court in which the paternity or divorce matter is pending. Provides that a court may issue certain types of relief in a protective order before a hearing. Provides that a court may consider violation of a no contact order or a workplace violence restraining order in determining the sentence to impose for a crime. Provides that a law enforcement officer may arrest a person if the officer has probable cause that the person interfered or prevented the reporting of a crime. Provides that under the domestic battery statute, a court shall review certain factors when considering if someone is living as a spouse of another individual. Makes technical corrections.

SENATE BILL 517 (Public Law 61-2003)
Author(s): Clark
Citations Affected: IC 31-14; 31-19; 35-46.
Effective: July 1, 2003.
Adoption. Allows a petitioner for adoption to have temporary custody of the child sought to be adopted pending final resolution of the adoption. Requires a paternity proceeding to be consolidated with a pending adoption proceeding. Requires notice of a petition for adoption to a person other than a putative father. Revises procedure for contesting an adoption. Amends the circumstances in which a person may withdraw a consent to adoption. Provides that a woman

commits a Class A misdemeanor if the woman presents herself as a birth mother and accepts adoption expenses with no intention of placing the child for adoption.

HOUSE BILL 1408 (Public Law 15-2003)
Sponsor(s): Skillman, Antich
Citations Affected: IC 33-17.
Effective: July 1, 2003.
Direct deposit of child support. Allows direct deposit of child support from payor to payee.

HOUSE BILL 1689 (Public Law 241-2003)
Sponsor(s): Lawson
Citations Affected: IC 4-21.5; 12-7; 12-15; 12-17.
Effective: July 1, 2003.
Child care violations. Resolves a statutory conflict in the definition of "provider" that applies to the law concerning child care. Provides for emergency closure of a child care home or child care center for certain violations. Requires national criminal history background checks for child care license applicants. Requires the division of family and children to provide an Internet site through which the public may obtain information concerning licensed child care providers. Requires the division of family and children to publish notice and provide written notice to the parent or guardian of a child enrolled at a child care center or child care home of certain actions. Requires certain postings by a child care center or child care home. Makes a technical change.

HOUSE BILL 1850 (Public Law 196-2003)
Sponsor(s): Server, Long
Citations Affected: IC 31-30; 31-32.
Effective: July 1, 2003.
Commitment of minor for drug and alcohol treatment. Allows a juvenile court to order involuntary drug and alcohol treatment for a child. Allows a juvenile court to order a parent, guardian or custodian of a child to participate in any aspect of the child's treatment. Specifies that neither the court nor the county is liable for any cost of the child's assessment or treatment.

FINANCIAL INSTITUTIONS

HOUSE BILL 1653 (Public Law 192-2003)
Sponsor(s): Paul
Citations Affected: IC 26-1; 28.
Effective: Upon passage (May 7, 2003); July 1, 2003.
Financial institutions. Allows a bank to sell life insurance or an annuity issued by a life insurance company in any state in which the bank operates. Specifies requirements for an Indiana bank that sells life insurance or annuities. Changes the requirements for filing a statement of condition by a bank. Prohibits a savings bank or savings association acting as a fiduciary from receiving a

commission or profit as part of a transaction involving an estate, guardianship, or trust. Creates an exception to the requirement that a director of a state chartered financial institution be a citizen of the United States. Defines language used in conjunction with the termination of a security interest.

HOUSE BILL 1834 (Public Law 258-2003)
Sponsor(s): Paul
Citations Affected: IC 24-4.5; 28.
Effective: Upon Passage (May 8, 2003); July 1, 2003.
Financial institutions. Changes the date as of which reference is made to federal laws and regulations. Reduces bond requirements for payday lenders. Defines "month" in the pawnbroker act to ensure consistent calculation of interest. Specifically provides for the right of credit unions to buy and sell assets. Provides for the release of information to state and federal supervisory agencies, federal law enforcement agencies, and federal prosecutorial agencies or offices. Authorizes the department of financial institutions to remove officers, directors, and employees of financial institutions for certain practices, violations, and breaches. Allows the department to make certain final orders public. Requires department approval for reductions in capital stock, capital surplus, and preferred stock levels. Modifies provisions concerning the establishment of trust offices. Prohibits the unauthorized use of: (1) the term banc or banco; and (2) the name of an existing bank or bank holding company or a name confusingly similar to the name of an existing bank or bank holding company. Treats savings associations and savings banks as though they are members of the Federal Reserve System even if they are not members. Requires approval of the department prior to establishing a subsidiary. Modifies the change of control statute. Broadens the ability of banks to invest in Federal Home Loan Bank stock while maintaining a ceiling on such investments. Makes technical corrections.

GAMING

SENATE BILL 176 (Public Law 149-2003)
Author(s): Server, Rogers
Citations Affected: IC 4-33.
Effective: July 1, 2003.
Riverboat ownership. Removes the prohibition on a riverboat owner owning more than a 10% interest in another riverboat. Permits a person to own up to a 100% interest in not more than two riverboats. Provides that a person may not have an ownership interest in more than two riverboat owner's licenses. Specifies that a person is considered to have an ownership interest in a riverboat owner's license if the interest is owned directly or indirectly by the person or by an entity controlled by the person.

HOUSE BILL 1470 (Public Law 143-2003)
Sponsor(s): Riegsecker, Lutz

Citations Affected: IC 4-33; 12-23.
Effective: July 1, 2003.
Gaming matters. Authorizes the Indiana gaming commission to adopt rules to implement a voluntary exclusion program for problem gamblers. Increases the maximum civil penalty that may be imposed upon gaming suppliers from $5,000 to $25,000. Requires the division of mental health and addiction to reimburse the commission for the costs incurred administering the voluntary exclusion program. Requires the division to pay the reimbursement from funds received from the riverboat admissions tax.

HOUSE BILL 1519 (Public Law 185-2003)
Sponsor(s): Skillman, Hume
Citations Affected: IC 4-33.
Effective: Upon passage (May 7, 2003).
Wagering revenue sharing limitations. Eliminates use restrictions on the revenue sharing part of wagering taxes distributed to local governments. Corrects a reference to the county auditor. Provides a formula for revenue sharing for Marion County.(The introduced version of this bill was prepared by the county government study commission.)

HOUSE BILL 1556 (Public Law 188-2003)
Sponsor(s): C. Meeks, Craycraft
Citations Affected: 4-21.5; 4-32; 4-33.
Effective: January 1, 2003 (retroactive); Upon passage (May 7, 2003); July 1, 2003.
Gaming matters. Specifies that the administrative orders and procedures act applies to a protest or hearing related to the regulation of charity gaming by the department of state revenue. Specifies that the gaming card excise tax is imposed upon distributors. Sets forth certain recordkeeping requirements for manufacturers and distributors. Provides that radio advertisements for charity gaming events must state the name of the organization conducting the advertised event and that the organization's license number is on file. Provides that if an employee or officer of a manufacturer or distributor is a member of a bona fide civic or religious organization holding a charity gaming license, the membership may not be construed as an affiliation with the charity gaming operations of the organization. Provides that the Indiana gaming commission's annual report is due on September 1 instead of March 1.

HOUSE BILL 1902 (Public Law 92-2003)
Sponsor(s): Weatherwax, Hume
Citations Affected: IC 4-33; 6-1.1; 7.1-3; 36-7; 4-33.
Effective: July 1, 2003.
French Lick and West Baden Springs riverboat. Deletes the authorization for the Indiana gaming commission to issue a license for a riverboat to be operated on Patoka Lake, and removes all references to the Patoka Lake riverboat license. Authorizes the commission to enter into a contract with an operating agent who would operate a riverboat in a historic hotel district in Orange County on behalf of the commission. Permits any person, including a person who holds a riverboat license, to apply to serve as the operating agent in the historic hotel district. Provides for the distribution of tax revenue remitted by the riverboat. Permits the towns of West Baden Springs and French Lick to establish by ordinance a historic hotel preservation commission. The commission would be given historic preservation authority, and would administer a community trust fund using a portion of the revenues generated by the riverboat. Establishes the West Baden Springs historic hotel preservation and maintenance fund administered by the state department of natural resources. Requires a referendum in Orange County concerning riverboat gambling at the next general election or at a special election where an applicant agrees to pay the additional costs associated with the special election.

GENERAL ASSEMBLY

SENATE BILL 75 (Public Law 51-2003)
Author(s): Ford
Citations Affected: IC 5-14.
Effective: April 24, 2003 (retroactive); July 1, 2003.
Electronic reports to the legislature. Requires various state agencies that: (1) are required by law to produce an annual or other report for the entire general assembly or for the legislative council or legislative services agency (LSA); or (2) voluntarily produce a report for the entire general assembly or for the legislative council or LSA; to submit the report in electronic form instead of sending paper copies. Requires the submitting agency to cause the report to be electronically mailed to each legislator and posted on the Internet. Requires the LSA to periodically compile all the reports received from state agencies on a CD-ROM or other electronic medium for distribution to members of the general assembly upon request. Requires the LSA, under the direction of the code revision commission, to prepare legislation for the 2004 regular session to make conforming amendments to statutes that contain annual report requirements.

SENATE BILL 280 (Public Law 162-2003)
Author(s): Miller
Citations Affected: IC 2-7.
Effective: July 1, 2003.
Lobbyist reports. Revises the dates by which lobbyist activity reports must be filed. Requires a lobbyist to file a report of gifts or purchases with the principal clerk of the house or the secretary of the senate in addition to filing the reports with the lobby registration commission and the affected legislator. Requires a lobbyist, not later than January 7, to provide a cumulative report covering the previous calendar year to each legislator to whom the lobbyist has made a gift or with respect to whom a purchase made by the lobbyist is reportable.

SENATE BILL 395 (Public Law 163-2003)
Author(s): Sipes
Citations Affected: IC 1-2.
Effective: July 1, 2003.
Disposal of state flag. Specifies that a worn out state flag should be disposed of using the same method provided for retiring and disposing of the flag of the United States.

HEALTH AND HUMAN SERVICES

See also:
SB 227: Foster parents and juvenile proceedings.
SB 340: Dentist instructor license.
HB 1689: Child care violations.
HB 1749: Comprehensive health insurance.

SENATE BILL 57 (Public Law 197-2003)
Author(s): Server, Simpson
Citations Affected: Noncode.
Effective: July 1, 2003.
FSSA. Requires the legislative evaluation and oversight policy subcommittee to direct staff in performing an audit of the organizational structure of the office of the secretary of family and social services (office) in 2003. Requires the office to cooperate with the subcommittee and provide specified information for the study. Requires the chairman of the legislative council to appoint a committee in 2004 to perform specified duties. (The introduced version of this bill was prepared by the health finance commission.)

SENATE BILL 63 (Public Law 18-2003)
Author(s): Lawson
Citations Affected: IC 12-7; 12-17.2; 31-33.
Effective: July 1, 2003.
Minimum standards for child care. Defines and amends the use of certain terms for purposes of the law concerning the federal child care and development fund voucher program (CCDF). Extends the expiration date of the board for coordination of child care regulation to November 1, 2005. Specifies individuals included in certain voucher program requirements. Specifies certain minimum requirements for CCDF participation by child care providers. Requires continual supervision by a caregiver of a child in the care of a CCDF provider, a child care home, or a child care center. Makes conforming amendments. Repeals the definition of the unused term "voucher agent". (The introduced version of this bill was prepared by the board for the coordination of child care regulation.)

SENATE BILL 121 (Public Law 46-2003)
Author(s): Jackman
Citations Affected: IC 12-28.
Effective: July 1, 2003.
Protection and advocacy services commission. Prohibits a member of the protection and advocacy services commission from serving more than five consecutive terms.

SENATE BILL 182 (Public Law 19-2003)
Author(s): Craycraft, Miller
Citations Affected: IC 12-7; 12-17.2.
Effective: July 1, 2003.
Distribution of child care regulatory information. Amends the definition of "provider" for purposes of the law concerning child care regulation. Specifies the manner in which the division of family and children must adopt administrative rules and policy statements and provide information to the public concerning the administrative rules and policy statements.

SENATE BILL 216 (Public Law 205-2003)
Author(s): Wyss, Lutz
Citations Affected: IC 5-2; 9-19; 9-30; 10-4; 10-14; 16-18; 16-31; 25-22.5; 34-6; 34-18.
Effective: Upon passage (May 7, 2003); July 1, 2003.
Statewide mutual aid program. Allows public safety training board members to appoint designees to represent them at board proceedings. Makes changes to permit the differentiation of intermediate and basic advanced levels of emergency medical technician certification in addition to the levels currently in use. Establishes a detailed disciplinary process for offenses committed by certified individuals. Creates the emergency medical services fund. Provides for the regulation of emergency medical dispatch agencies and personnel. Provides for a statewide mutual aid program that allows a city, town, county, or township to request assistance from another unit in managing disaster response or recovery or conducting disaster response or recovery related exercises, testing, or training. Provides labor and equipment reimbursement rates. Repeals provisions concerning mutual aid agreements. Makes technical changes. Makes the bill effective upon passage. Declares an emergency for the act.

SENATE BILL 220 (Public Law 20-2003)
Author(s): Gard
Citations Affected: IC 12-15.
Effective: July 1, 2003.
Implementation of Program of All-Inclusive Care for the Elderly (PACE). Authorizes the office of Medicaid policy and planning to implement the federal Program of All-Inclusive Care for the Elderly (PACE) program.

SENATE BILL 343 (Public Law 212-2003)
Author(s): Miller, Simpson
Citations Affected: IC 12-15; 16-18; 16-38; 16-41; 34-30.
Effective: Upon passage (May 7, 2003); July 1, 2003.
Health management and chronic disease registry. Removes HIV and AIDS and population parameters from the state's disease management program and adds hypertension to the program. Sets implementation dates for the statewide program. Creates a chronic disease registry administered by the state department of health. Provides for testing and notification to an emergency medical services provider who has potentially been exposed to a dangerous communicable disease.

SENATE BILL 363 (Public Law 91-2003)
Author(s): Hershman
Citations Affected: IC 34-30.
Effective: July 1, 2003.
Immunity for defibrillator instructors. Grants immunity from civil liability to certain licensed physicians or the instructor of a person who renders emergency care using an automatic external defibrillator, if the licensed physician or instructor's act or omission does not amount to gross negligence or willful or wanton misconduct.

SENATE BILL 367 (Public Law 59-2003)
Author(s): Miller
Citations Affected: IC 16-41.
Effective: July 1, 2003.
Reports concerning adult lead poisoning. Authorizes the state department of health (department) to determine the magnitude of lead poisoning in all Indiana residents. (Under current law the department's authority is limited to children who are 6 years old or younger.) Requires the department to report specified information to the governor's office and the legislative council.

SENATE BILL 396 (Public Law 71-2003)
Author(s): Miller, Riegsecker
Citations Affected: Noncode.
Effective: Upon passage (April 28, 2003).
Informal dispute resolution for nursing homes. Establishes a voluntary informal dispute resolution pilot program for comprehensive care health facilities.

SENATE BILL 457 (Public Law 135-2003)
Author(s): Lawson
Citations Affected: IC 16-38; 34-30.
Effective: July 1, 2003.
Immunization information. Specifies the purposes for which the immunization data registry may be used and specifies who may obtain the information. Requires information concerning the registry to be provided to patients. Provides immunity to certain persons who use the registry. Makes disclosing confidential registry information a Class A misdemeanor.

SENATE BILL 460 (Public Law 218-2003)
Author(s): Simpson
Citations Affected: IC 12-14; 12-15.
Effective: Upon Passage (May 7, 2003); July 1, 2003.
Medicaid audit and eligibility assistance for the disabled. Amends eligibility requirements for assistance for disabled individuals. Requires the office of Medicaid policy and planning, in cooperation with the attorney general's office, to contract with an outside vendor to conduct an annual audit of specified areas of the Medicaid program.

SENATE BILL 461 (Public Law 73-2003)
Author(s): Miller, R. Meeks
Citations Affected: IC 4-6; 12-15.
Effective: July 1, 2003.
Medicaid fraud control unit authority. States that the state Medicaid fraud control unit has the authority to investigate Medicaid fraud, misappropriation of a Medicaid patient's private funds, abuse, and neglect of Medicaid patients and patients in board and care facilities in accordance with federal law. Authorizes a court to order a provider to reimburse the attorney general for the reasonable costs of the attorney general's investigation and enforcement of Medicaid fraud. (Current law limits the award to $500.) Makes conforming amendments.

SENATE BILL 485 (Public Law 136-2003)
Author(s): Skillman
Citations Affected: IC 34-6; 34-30.
Effective: Upon passage (May 1, 2003).
Immunity for inoculations. Provides civil immunity to a medical services provider for injury that results from the administration of an inoculation or other countermeasure against an actual or potential bioterrorist incident or public health emergency if the federal government authorizes the state department of health to implement a program of inoculations or other countermeasures.

SENATE BILL 493 (Public Law 274-2003)
Author(s): Server, Simpson
Citations Affected: IC 12-7; 12-10; 12-10.5.
Effective: Upon Passage (May 8, 2003); July 1, 2003.
Home and community based services. Establishes a caretaker support program. Encourages the Indiana health facility financing authority to work with for profit health facilities that are partnered with nonprofit agencies in converting licensed beds to less intensive care beds through bonds. Requires the office of the secretary of family and social services to establish a home and community based long term care service program and establishes eligibility for the program. Requires the office of Medicaid policy and planning to apply for: (1) a waiver to amend the aged and disabled waiver to include any service offered by the community and home options to institutional care for the elderly and disabled (CHOICE) program; and (2) a waiver to amend Medicaid waivers to include spousal impoverishment protection provisions that are at least at the level of those offered to health facility residents. Specifies protections an individual receiving Medicaid waiver services must have.

SENATE BILL 528 (Public Law 76-2003)
Author(s): Wyss, Sipes
Citations Affected: Noncode.
Effective: July 1, 2003.
Reentry court program. Permits certain drug offenders participating in a reentry court program to receive food stamps or temporary assistance for needy families (TANF).

HOUSE BILL 1022 (Public Law 93-2003)
Sponsor(s): Wyss, Rogers
Citations Affected: IC 12-13.
Effective: June 30, 2003; July 1, 2003.
Commission on social status of black males. Establishes a special fund for and repeals the expiration date of the commission on the social status of black males.

HOUSE BILL 1130 (Public Law 168-2003)
Sponsor(s): Miller, Simpson
Citations Affected: IC 16-37; 16-41; 16-44.
Effective: July 1, 2003.
State department of health fees. Increases various fees currently collected by the state department of health and allows penalty fees for late license renewals in certain cases. Permits the state department of health to adopt rules to exempt certain radiologic technologists from testing.

HOUSE BILL 1131 (Public Law 96-2003)
Sponsor(s): Wyss, Broden
Citations Affected: IC 35-47.
Effective: Upon passage (April 30, 2003).
Mandatory reporting of fireworks related injuries. Requires the initial health care practitioner or hospital administrator who treats a person for an injury that the practitioner or administrator identifies as resulting from fireworks or pyrotechnics to report the injury to the state department of health. Provides the reports are confidential.

HOUSE BILL 1137 (Public Law 82-2003)
Sponsor(s): Lawson, Rogers
Citations Affected: P.L. 137-2002.
Effective: July 1, 2003.
Health care excellence commission. Changes the final report date of the commission on excellence in health care.

HOUSE BILL 1140 (Public Law 227-2003)
Sponsor(s): Miller, Simpson
Citations Affected: IC 16-28.
Effective: July 1, 2003.
Health facility license fee. Increases the license fees for health facilities.

HOUSE BILL 1141 (Public Law 11-2003)
Sponsor(s): Miller, Nugent
Citations Affected: IC 12-7; 12-23; P.L. 39-2001.
Effective: Upon passage (April 14, 2003); July 1, 2003.
Methadone clinics. Establishes a methadone diversion control and oversight program until June 30, 2008. Extends the state imposed moratorium on methadone clinics until July 1, 2008. Sets

the dates that reports from methadone providers are due to the division of mental health and addiction.

HOUSE BILL 1395 (Public Law 25-2003)
Sponsor(s): Server, Miller
Citations Affected: IC 12-7; 12-21.
Effective: July 1, 2003.
Mental health placement. Provides that if the director of the division of mental health and addiction decides that a final placement decision is to be made for a mentally ill person, the decision must be made by a licensed psychiatrist or psychologist in consultation with the mentally ill person's psychiatrist or psychologist. (The introduced version of this bill was prepared by the health finance commission.)

HOUSE BILL 1399 (Public Law 37-2003)
Sponsor(s): Lawson, Antich
Citations Affected: IC 16-27.
Effective: Upon passage (April 17, 2003).
Exemption from home health agency licensing. Specifies that a person that is approved by the division of disability, aging, and rehabilitative services and only serves certain disabled individuals are not home health agencies for licensure purposes.

HOUSE BILL 1437 (Public Law 158-2003)
Sponsor(s): Riegsecker, Breaux
Citations Affected: IC 10-13; 25-1; 25-23; 25-29; 34-30.
Effective: July 1, 2003.
Health professions bureau. Exempts the health professions bureau (bureau) from paying a fee to obtain a limited criminal history record when investigating the background of a license applicant. Authorizes a health professions board to order a practitioner to submit to a physical or mental examination at the practitioner's expense and to require a practitioner to pay the administrative law judge costs in a disciplinary hearing. Adds an advanced practice nurse (APN) to the Indiana state board of nursing (board) and makes other changes to make up of the board. Changes the quorum requirements for the board. Provides that a license to practice podiatric medicine expires every two years. Requires the health professions bureau to randomly audit APN practice agreements and sets forth parameters of the audit. Requires rules concerning renewal of APN agreements.

HOUSE BILL 1458 (Public Law 184-2003)
Sponsor(s): Miller, Simpson
Citations Affected: IC 2-5; 12-7; 12-10; 12-15; 12-21; 25-22.5.
Effective: Upon passage (May 7, 2003); July 1, 2003.
Human services. Extends the select joint commission on Medicaid oversight. Provides for a penalty for housing with services establishments that do not comply with the disclosure requirements and requires the director of the division of disabilities, aging, and rehabilitative

services to adopt specified rules. Adds a cross-reference to current law regarding access to certain mental health drugs. Amends the developmental disability Medicaid waiver application process. Requires the office of Medicaid policy and planning (OMPP) to determine Medicaid waiver eligibility for the developmentally disabled. Establishes a procedure under which restrictions may be placed on mental health drugs under certain circumstances. Specifies authority to determine initial placement designations in mental health facilities. Permits a person who has obtained a license to practice medicine outside the United States or Canada to obtain a temporary fellowship permit under certain circumstances until July 1, 2008. Allows OMPP to limit access to prescription drugs under the Hoosier Rx program in certain circumstances.

HOUSE BILL 1510 (Public Law 125-2003)
Sponsor(s): Simpson, Dillon
Citations Affected: IC 16-35.
Effective: July 1, 2003.
Breastfeeding in public. Provides that a woman may breastfeed her child anywhere the woman has the right to be.

HOUSE BILL 1596 (Public Law 118-2003)
Sponsor(s): Gard, Craycraft
Citations Affected: Noncode.
Effective: July 1, 2003.
Amendment to Medicaid waivers for autism. Requires the office of Medicaid policy and planning to amend certain Medicaid waivers to change the waiver language from using the term "autism" to the phrase "autism spectrum disorder".

HOUSE BILL 1630 (Public Law 237-2003)
Sponsor(s): Miller, Breaux
Citations Affected: IC 5-10; 12-15; 16-18; 16-41; 27-8.
Effective: Upon passage (May 8, 2003); July 1, 2003.
HIV testing of pregnant women. Requires that a pregnant woman be tested for HIV during pregnancy or at the time of delivery unless she refuses. Requires that a pregnant woman's refusal to consent to the test be documented in the woman's medical records. Requires a pregnant woman who refuses to consent to the test to acknowledge that she: (1) received the required counseling and information; and (2) refuses to consent to the test. Specifies certain information that must be provided to a pregnant woman. Requires that information regarding the HIV testing status of a pregnant woman be included on the confidential part of the birth or stillbirth certificate. Makes the results of the tests confidential. Requires the state department of health to: (1) distribute written materials explaining treatment options for individuals who have a positive HIV test and adopt and maintain certain rules; (2) adopt and maintain specified rules; and (3) apply for specified federal funding. Requires a woman who qualifies for certain treatment programs: (1) to have first priority if the program has a waiting list; and (2) to be automatically accepted into eligible programs that do not have a waiting list. Repeals a provision concerning voluntary HIV testing for pregnant women and a provision containing an obsolete definition.

HOUSE BILL 1632 (Public Law 26-2003)
Sponsor(s): Lawson, Simpson
Citations Affected: IC 12-15.
Effective: July 1, 2003.
Premiums for Medicaid buy-in program. Specifies that the office of Medicaid policy and planning's (office) calculation of an individual's personal needs allowance includes income in addition to federal Supplemental Security Income. Requires the office to adjust, at additional times to the annual review, the premium for working disabled persons to participate in the Medicaid buy-in program. Requires the office to adjust the premium upon verification of a change in the person's income or family size.

HOUSE BILL 1643 (Public Law 127-2003)
Sponsor(s): Dillon, Simpson
Citations Affected: Noncode.
Effective: July 1, 2003
Health care for the uninsured. Requires the office of the secretary of family and social services (office) to cooperate and assist a nonprofit organization that has the purpose of providing health care to uninsured residents by: (1) determining eligibility for the program; (2) issuing plan cards to eligible individuals; (3) setting a registration fee; and (4) operating a toll free telephone number for participants in the program to receive referrals.

HOUSE BILL 1695 (Public Law 242-2003)
Sponsor(s): Miller, Breaux
Citations Affected: IC 16-46.
Effective: July 1, 2003.
Minority health initiatives. Adds Alaska Native, Native Hawaiian, and other Pacific Islander to the definition of minority under the interagency state council on black and minority health. Changes council membership. Requires the council to develop and implement a plan to address health disparities and health issues of minority populations in Indiana, to coordinate local minority health coalitions with counties, and to establish a liaison between the state department of health and the Indiana Minority Health Coalition.

HOUSE BILL 1701 (Public Law 243-2003)
Sponsor(s): Lawson, Breaux
Citations Affected: IC 12-7; 12-8; 12-9; 12-10; 12-11; 12-12.5; 36-2.
Effective: Upon passage (May 8, 2003); July 1, 2003.
Various FSSA matters. Reauthorizes the office of the secretary of family and social services administrative structure until January 1, 2006. Establishes the bureau of quality improvement services within the division of disability, aging, and rehabilitative services (division) to: (1) monitor certain services; (2) assist with quality assurance activities of other bureaus within the division; and (3) establish a complaint process for individuals, providers, and case managers. Allows a member of the committee to participate in a committee meeting by a means allowing simultaneous communication of all present at the meeting in certain circumstances. Requires the

coroner to make available the full copy of an autopsy report to the division or the division of mental health and addiction under specified circumstances. Delays the expiration of the commission on mental health. Makes technical corrections.

HOUSE BILL 1702 (Public Law 244-2003)
Sponsor(s): Miller, Breaux
Citations Affected: IC 20-8.1.
Effective: July 1, 2003.
Immunization for chicken pox. Requires a child who enters kindergarten or grade 1 to be immunized against chicken pox.

HOUSE BILL 1704 (Public Law 104-2003)
Sponsor(s): Miller, Breaux
Citations Affected: IC 12-12; 16-18; 16-19; 16-40; 16-41; 16-42; 24-6.
Effective: July 1, 2003.
Various department of health matters. Repeals sanitary requirements for locker plants. Repeals weight and count provisions that are duplicative of state department of health (state department) rules. Repeals provisions regarding the structural foundation and wall colors of schools and requiring the teaching of hygiene and sanitary science. Prohibits the state department from testing a person who is registered with and holds a valid certificate issued by the American Registry of Radiologic Technologists and allows certain exemptions from testing. Permits the state department to conduct indoor air quality investigations. Requires physicians and optometrists to report individuals diagnosed with severe visual impairments to the office of the secretary of family and social services instead of the state department. Requires the office of the secretary of family and social services to produce materials detailing reporting requirements and services available for visually impaired individuals. Exempts community mental health centers and private mental health institutions from food handling laws.

HOUSE BILL 1718 (Public Law 246-2003)
Sponsor(s): Alting, Breaux
Citations Affected: IC 12-30.
Effective: Upon passage (May 8, 2003).
Itemized statements for county home medical care. Requires the office of the secretary of family and social services to submit to each county home an itemized monthly statement of the medical payments made by the family and social services administration on behalf of a resident of a county home if the resident has given written consent.

HOUSE BILL 1813 (Public Law 255-2003)
Sponsor(s): Miller, Breaux
Citations Affected: IC 4-22; 6; 12; 16-18; 16-22; 34-6; 35-43.
Effective: July 1, 2003.
Health care. Amends various statutes concerning the following: (1) the funding and administration of Medicaid and the hospital care for the indigent program; (2) health records; and (3) the governing board of the Marion county health and hospital corporation. Repeals the uninsured parents program.

HOUSE BILL 1837 (Public Law 259-2003)
Sponsor(s): Miller, Simpson
Citations Affected: IC 12-11.
Effective: July 1, 2003.
Provider assessments. Allows the office of Medicaid policy and planning to assess providers of supported living services and support to individuals with a developmental disability an amount not to exceed 2.5% of all service revenue included on the annual plan of care excluding resident living allowances. Creates the community services certification and quality assurance assessment fund to be used for the funding of licensing, certification, and quality assurance services. Terminates assessment authority if federal financial participation ceases.

HOUSE BILL 1972 (Public Law 262-2003)
Sponsor(s): Riegsecker, Craycraft
Citations Affected: IC 12-7; 12-20; 16-41.
Effective: July 1, 2003.
Township assistance matters. Expands the definition of "wasted resources" to include lump sum payments. Allows for compensation of a hearing officer who conducts hearings of poor relief appeals. (Current law prohibits compensation of a hearing officer.) Requires a board of commissioners and hearing officer to review and consider investigative documents a trustee prepared before making an appealed decision. Requires a board of commissioners to remand a case to a trustee if new evidence was presented by the individual on appeal that would have made an individual eligible for assistance. Limits: (1) interim medical assistance by a township to 90 days; and (2) prescription drug coverage and insulin to a 30 day supply, unless the drugs or insulin are only available in a container that contains more than a 30 day supply. Allows an advanced practice nurse to apply for insulin. Provides that private insurance coverage of the medical treatment received disqualifies an individual from receiving township medical assistance unless the insurance does not pay for the medical assistance due to a policy deductible or other policy limitation. Requires a medical provider to reimburse the township trustee the lesser of: (1) the amount of medical assistance provided by the trustee to the individual; or (2) the amount reimbursed by Medicaid to the medical provider. Requires the preparation of legislation changing the term "poor relief" to "township assistance" in the Indiana Code. Repeals: (1) a provision stating that a township is not obligated to assist individuals who receive state assistance; and (2) the requirement that the township report to the county auditor quarterly on poor relief.

INSURANCE

SENATE BILL 178 (Public Law 201-2003)
Author(s): Paul
Citations Affected: IC 27-2; 27-4.
Effective: July 1, 2003.
Insurer use of credit information. Imposes certain requirements and restrictions concerning the use of credit information in the underwriting of property and casualty insurance. Excludes

commercial lines of insurance from the requirements and restrictions. Makes a violation of the requirements and restrictions an unfair and deceptive act and practice in the business of insurance.

SENATE BILL 210 (Public Law 204-2003)
Author(s): Gard
Citations Affected: IC 27-8; 27-13.
Effective: July 1, 2003.
Post mastectomy coverage. Requires an accident and sickness insurer and a health maintenance organization to provide: (1) post mastectomy coverage as required under federal law; and (2) notice of post mastectomy coverage. Removes a provision limiting post mastectomy coverage when there is no evidence of malignancy. Specifies that the required post mastectomy coverage under Indiana law does not exceed the coverage required under federal law.

SENATE BILL 341 (Public Law 211-2003)
Author(s): Miller, Paul
Citations Affected: IC 27-4; 27-8.
Effective: Upon passage (May 7, 2003); July 1, 2003.
Waiver of preexisting conditions. Provides that: (1) an individual policy of accident and sickness insurance; and (2) a group policy of accident and sickness insurance under which a certificate of coverage is issued through a two year demonstration project to an individual member of a non-employer based association or discretionary group; that is issued after June 30, 2003, and before July 1, 2005, may contain a waiver of coverage for a specified condition under certain circumstances. Specifies that an offer of coverage under a policy that includes a waiver does not preclude eligibility for a comprehensive health insurance association policy. Requires reporting by insurers to the department of insurance and requires the department of insurance to perform interviews of certificate holders, compile information, and report to the legislative council and general assembly.

HOUSE BILL 1019 (Public Law 166-2003)
Sponsor(s): Miller, Lawson
Citations Affected: IC 27-1; 27-8; 27-13.
Effective: July 1, 2003; January 1, 2004.
Insurance coverage matters. Requires the commissioner of insurance to establish a voluntary task force to review mandated benefits and proposed mandated benefits and report to the legislative council. Requires a group accident and sickness insurance policy and a group health maintenance organization contract to provide coverage for medically necessary medical food prescribed for treatment of an inherited metabolic disease for a covered individual or an enrollee.

HOUSE BILL 1135 (Public Law 226-2003)
Sponsor(s): Lawson, Smith
Citations Affected: IC 27-8; 27-13.
Effective: July 1, 2003.

Coverage for substance abuse services. Provides that if an accident and sickness insurance policy or a contract with a health maintenance organization provides certain substance abuse and chemical dependency coverage, the insurer or health maintenance organization must offer to provide the coverage without treatment limitations or financial requirements in certain circumstances.

HOUSE BILL 1216 (Public Law 83-2003)
Sponsor(s): Paul, Lanane
Citations Affected: IC 27-13.
Effective: July 1, 2003.
Continuation of benefits during receivership. Revises the terms for continuation of benefits for enrollees of a health maintenance organization that is in receivership.

HOUSE BILL 1222 (Public Law 121-2003)
Sponsor(s): Lewis, Skillman
Citations Affected: IC 14-28.
Effective: July 1, 2003.
New construction in floodway. Adopts the National Flood Insurance Program regulations as the criteria for determining whether a person is allowed to construct a new residence in a floodway along the Ohio River. Specifies the lowest floor of a new residence constructed in a floodway along the Ohio River must be at least two feet above the 100 year frequency flood elevation.

HOUSE BILL 1407 (Public Law 178-2003)
Sponsor(s): Paul
Citations Affected: IC 4; 9; 12; 16; 22; 24; 27; 28; 34; 35.
Effective: Upon passage (May 7, 2003); July 1, 2003; January 1, 2004.
Insurance matters. Replaces references to insurance agents and limited insurance representatives with insurance producer. Provides that in certain circumstances a life insurance company may issue or issue for delivery in Indiana funding agreements. Allows the insurance commissioner to waive requirements related to accident and sickness insurer and health maintenance organization processing of paper claims under certain circumstances. Provides that an accident and sickness insurer or a health maintenance organization that does not resolve an appeal within the statutory time frame commits an unfair and deceptive act or practice in the business of insurance. Requires quarterly reporting regarding resolution of grievance appeals. Specifies certain requirements for health care providers concerning notice to patients of third party billings.

HOUSE BILL 1545 (Public Law 160-2003)
Sponsor(s): Paul, Lanane
Citations Affected: IC 6-8; 27; 35-43.
Effective: July 1, 2003.
Insurance matters. Amends the law concerning insurance administrators and provides for reciprocity in the licensure of insurance administrators. Provides bonding requirements for resident surplus lines producers' licenses. Provides that notice of nonrenewal of a commercial

property and casualty insurance policy or an automobile insurance policy is not required if the insured is transferred to an affiliate of the insurer in certain circumstances. Specifies that any costs above the current limit on charges for publication of certain insurer statements must be borne by the newspaper publishing the statement. Makes conforming amendments and a technical change.

HOUSE BILL 1692 (Public Law 129-2003)
Sponsor(s): Paul, Lewis
Citations Affected: IC 27; 34-30.
Effective: July 1, 2003.
Farm mutual insurance. Replaces and repeals the current law concerning farm mutual insurance companies, providing for standard and extended companies. Makes conforming amendments. Makes a technical change.

HOUSE BILL 1749 (Public Law 193-2003)
Sponsor(s): Miller, Lanane
Citations Affected: IC 2-5; 12-15; 27-8.
Effective: Upon Passage (May 7, 2003); July 1, 2003.
Comprehensive health insurance. Amends the comprehensive health insurance association (ICHIA) law concerning board membership, premium rates, reimbursement rates, pharmacy and chronic disease management programs, prescription drug coverage, eligibility, termination of coverage, and assessments. Requires the medicaid drug utilization review board to advise ICHIA concerning chronic disease management and pharmaceutical management programs. Requires ICHIA and the office of Medicaid policy and planning to consider the development of payment programs related to ICHIA and Medicaid coverage and provides for provider reimbursement, assessment determinations, and distribution of net gains following implementation of a payment program. Requires the office of Medicaid policy and planning and ICHIA to cooperatively investigate methods to decrease ICHIA hemophilia costs and report to the legislative council. Makes conforming and technical amendments.

LABOR AND INDUSTRIAL SAFETY

See also:
SB 120: Employment of minors.
HB 1335: State fire marshal powers.

SENATE BILL 354 (Public Law 112-2003)
Author(s): Lawson
Citations Affected: IC 22-13.
Effective: Upon passage (April 30, 2003).
Visitability standards in building codes. Requires the fire prevention and building safety

commission to adopt standards by rule regarding visitability features in new construction of dwellings. Provides that if a person contracts with a designer or a builder to construct a visitability feature in new construction, the designer and the builder must comply with the standards adopted by the commission.

SENATE BILL 486 (Public Law 273-2003)
Author(s): Harrison, Craycraft
Citations Affected: IC 22-4.
Effective: July 1, 2003.
Unemployment compensation; skills 2016 training fund. Increases the maximum weekly unemployment compensation amount over a three year term beginning July 1, 2003. Reduces to ten days an employer's response time to unemployment benefit claims. Requires the department of workforce development (DWD) to deposit the first $450,000 in skills 2016 training assessments in the special employment and training services fund. Eliminates the transfer of skills 2016 training fund assessments and deposits to the unemployment insurance benefit fund. Divides between joint labor and management building trades apprenticeship programs and joint labor and management industrial apprenticeship programs the amount from the allocation used by Ivy Tech to provide training. Removes the requirement that 20% of Ivy Tech's allocation be used to provide training to industrial employees who do not participate in joint labor and management industrial apprenticeship programs. Removes the $1,000,000 annual allocation to DWD for the department's technology needs. Requires DWD to prepare a report each April 30 showing the unobligated money in the fund on that date. Allows the incumbent workers training board to reallocate the unobligated money shown in DWD's report. Repeals the sunset provision for the skills 2016 training program. Makes permanent the reduction in the unemployment benefit insurance fund contribution rate to fund the skills 2016 training program.

HOUSE BILL 1410 (Public Law 234-2003)
Sponsor(s): Harrison, Craycraft
Citations Affected: IC 22-8.
Effective: July 1, 2003.
Employer record keeping requirements. Reduces from 48 hours to eight hours the time within which work related deaths and disasters must be reported to the commissioner of labor. Reduces from five to three the number of person who must be hospitalized in order for a work related incident to be defined as a disaster.

HOUSE BILL 1553 (Public Law 187-2003)
Sponsor(s): Weatherwax, Hume
Citations Affected: IC 22-1; 22-10.
Effective: July 1, 2003.
Mine safety. Allows the mining board to assess and collect from underground mine operators an assessment to purchase and maintain underground mine rescue equipment. Establishes the mine safety fund, to be funded by the assessment and to be administered by the commissioner of the department of labor (commissioner). Requires the mining board to report annually to the commissioner concerning any need for additional mine inspectors.

HOUSE BILL 1558 (Public Law 189-2003)
Sponsor(s): Harrison, Bowser
Citations Affected: IC 22-4; 31-9.

Effective: July 1, 2003.
Unemployment compensation for victims of domestic or family violence. Provides that the separation from employment when a worker has been a victim of domestic or family violence is not a disqualification for receipt of unemployment compensation. Requires that the domestic or family violence be verified by a law enforcement agency report, a protection order, or an affidavit from a domestic violence service provider verifying that the individual has received services from the provider. Requires the department of workforce development to provide training to employees who interact with claimants for benefits concerning domestic and family violence.

HOUSE BILL 1647 (Public Law 64-2003)
Sponsor(s): Clark, Craycraft
Citations Affected: IC 22-13.
Effective: July 1, 2003.
Interpretation of building laws. Allows the state building commissioner to issue a written interpretation of a building law whether or not the building law is enforced by the county or municipality.

HOUSE BILL 1700 (Public Law 89-2003)
Sponsor(s): Miller, Lewis
Citations Affected: IC 22-9.5.
Effective: July 1, 2003.
Housing for older persons. Conforms Indiana law to federal law by: (1) repealing a requirement that in order to qualify as housing for older persons under fair housing law a housing facility must provide significant facilities and services specifically designed to meet the physical or social needs of older persons; and (2) allowing a housing facility to verify occupancy by older persons using reliable surveys and affidavits.

LOCAL GOVERNMENT

See also:
SB 166: Distribution of local option taxes.
SB 201: Land use.
SB 205: Interstate compact on adult supervision.
HB 1018: Local taxes.
HB 1155: Jail construction funding.
HB 1243: Sewer liens.
HB 1431: Domestic violence fatality investigations.
HB 1769: Veterans' burial allowance.

SENATE BILL 35 (Public Law 108-2003)
Author(s): R. Meeks

Citations Affected: IC 27-1; 34-13.
Effective: July 1, 2003.
Increases the cap on damages available from the political subdivision risk management fund. Increases the cap on damages for tort claims against government entities and public employees.

SENATE BILL 109 (Public Law 109-2003)
Author(s): Antich
Citations Affected: IC 36-7.
Effective: July 1, 2003.
Regulation of amateur radio antennas. Requires a municipality or county to comply with an FCC ruling concerning amateur radio preemption or a regulation related to amateur radio service.

SENATE BILL 188 (Public Law 52-2003)
Author(s): Hume, Lawson
Citations Affected: IC 36-7.
Effective: July 1, 2003.
Housing authority jurisdiction. Provides that if a municipal housing authority is located in a county that has a county housing authority: (1) the municipal housing authority has jurisdiction within the municipality's boundaries; (2) the county housing authority has jurisdiction in the area that is within the county and is located outside the five mile area surrounding the municipality; and (3) the municipal housing authority and the county housing authority share jurisdiction in the area that is within the county and is located within five miles outside the corporate boundaries of the municipality.

SENATE BILL 211 (Public Law 67-2003)
Author(s): Wyss, Smith
Citations Affected: IC 36-2.
Effective: July 1, 2003.
Autopsy costs. Provides that if a death occurs in one Indiana county as a result of an incident that occurred in another Indiana county, and if an autopsy is performed in the county in which the death occurred, the coroner of the county in which the death occurred is required to bill the county in which the incident causing death occurred to recover the cost of the autopsy.

SENATE BILL 238 (Public Law 207-2003)
Author(s): Lawson
Citations Affected: IC 36-2.
Effective: July 1, 2003.
Fees for recording multiple parcels. Allows the county legislative body to authorize the county auditor to charge a fee of not more than $5 for each legal description of each parcel contained in the deed for which the auditor makes a real property endorsement.

SENATE BILL 267 (Public Law 153-2003)
Author(s): Skillman

Citations Affected: IC 36-7.
Effective: July 1, 2003.
Subdivision plats in counties without zoning. Allows the county executive of a county that does not have a plan commission to establish reasonable standards for development of a subdivision and approve or disapprove a subdivision plat based upon compliance with the standards. Requires the county executive to hold a public hearing before approving or disapproving a subdivision plat based upon the county executive's development standards.

SENATE BILL 289 (Public Law 68-2003)
Author(s): Gard, Lawson
Citations Affected: IC 36-4.
Effective: July 1, 2003.
Petitions to convert a town to a city. Increases the number of registered voters of a town that are required to sign a petition to put the question of whether a town may become a city on the ballot as a local public question.

SENATE BILL 304 (Public Law 111-2003)
Author(s): Lanane
Citations Affected: IC 36-9.
Effective: July 1, 2003.
Drain maintenance fund. Provides that a municipal or sanitary district drain maintenance fund is established for a drain that is subject to assessments for periodic maintenance and repair if the county drainage board transfers jurisdiction over the drain to a municipality or a sanitary district. Provides for transfer to the municipality or sanitary district of all or part of the balance in the existing drain maintenance fund. Provides that the municipality or sanitary district to which jurisdiction over a drain is transferred has, with respect to that drain, the same right of entry and right-of-way powers regarding private land as the county surveyor or the drainage board.

SENATE BILL 401 (Public Law 60-2003)
Author(s): R. Meeks
Citations Affected: IC 36-8.
Effective: July 1, 2003.
Wireless emergency telephone system fund. Revises the types of investments in which money in the wireless emergency telephone system fund may be placed. Repeals and reenacts two sections in order to resolve conflicts in 2002 legislation concerning collection of the wireless emergency enhanced 911 fee. Makes conforming changes.

HOUSE BILL 1089 (Public Law 95-2003)
Sponsor(s): Server, Skinner
Citations Affected: IC 36-8.
Effective: July 1, 2003.
Hiring preference for public safety survivors. Requires a city fire department, a city or county police department, or a township fire department to give a hiring preference according to the

following priority: (1) A war veteran. (2) A person whose mother or father was a firefighter or police officer who died in the line of duty.

HOUSE BILL 1106 (Public Law 62-2003)
Sponsor(s): Sipes, Wyss
Citations Affected: IC 36-8.
Effective: April 28, 2003 (retroactive); July 1, 2003.
Volunteer firefighter training. Requires successful completion of a minimum of one hour of training on personal vehicle emergency response driving safety procedures.

HOUSE BILL 1242 (Public Law 173-2003)
Sponsor(s): Skillman, Dembowski
Citations Affected: IC 5-13; 5-14; 6-1.1; 8-17; 8-23; 20-14; 33-19; 35-33; 36.
Effective: Upon passage (May 7, 2003); July 1, 2003; January 1, 2004.
Local government matters. Requires the investing officer of most political subdivisions to use multiple depositories. Removes the requirement that multiple depositories be used for investment certificates of deposit. Removes the requirement of certifying a budget transfer to the county auditor. Allows a fiscal officer to appropriate insurance receipts. Amends the law concerning the annual road and street report. Requires a local rainy day fund: (1) transfer to be made after the last day of the fiscal year and before March 1 of the subsequent calendar year; and (2) to be established only by ordinance or resolution. Removes a requirement that a finding must be made that an appropriation is consistent with the intent of the fund. Allows a political subdivision to collect a credit card charge for costs charged to the political subdivision for accepting credit cards. Requires adoption of a second class city's police and firefighter salary ordinance by September 20. Allows a municipality with a fire department to establish a hazardous materials response fund for the deposit of service charges. Restates the annual meeting of the township legislative body. Eliminates the requirement that township employees, deputies, and assistants be paid on a monthly basis. Allows distributions from the Marion County public mass transportation fund to the public transportation corporation. Allows a cash management system contract to be renewed with the same or better terms. Allows a county treasurer's agent to serve a demand for delinquent personal property taxes. Removes provisions that require some duties of the South Bend or Mishawaka fiscal officer to be performed by the St. Joseph County treasurer. Requires a court clerk to collect a credit card service fee. Allows a county property owner to serve on a county plan commission if the county lacks an agricultural extension educator. Makes annexation provisions that apply to other municipalities applicable to a city in St. Joseph County. Allows a county building authority to sell revenue bonds at a private or negotiated sale. If disclosure of a public record would have a reasonable likelihood of threatening public safety by exposing vulnerability to a terrorist attack: (1) a public agency may prevent disclosure of the records; (2) a state agency may consult with the counterterrorism and security council regarding the request for disclosure. Requires a public agency that owns or operates an airport to approve disclosure of records concerning airport buildings. Moves a provision concerning disclosure of lists of names and addresses to another location in the public records statute.

HOUSE BILL 1276 (Public Law 99-2003)
Sponsor(s): Server
Citations Affected: IC 5-11.

Effective: July 1, 2003.
Disbursement of funds by county building authority. Adds county building authorities and soil and water conservation districts to the list of entities exempted from the requirement that claims for payment be certified by the claimant or another person on their behalf. Requires compliance with the claims payment procedures used by the state.

HOUSE BILL 1353 (Public Law 100-2003)
Sponsor(s): Long, Lanane
Citations Affected: IC 36-2; 36-4; 36-5.
Effective: July 1, 2003.
Effective date of fees. Delays the effective date of building permit fees for new development until 90 days after the publication of the ordinance that increases the fees.

HOUSE BILL 1397 (Public Law 43-2003)
Sponsor(s): Merritt, Breaux
Citations Affected: IC 36-1.
Effective: July 1, 2003.
Local public works projects. Gives a public works contractor discretion to have the board that contracts for the public work: (1) hold the retainage; or (2) place the retainage in an escrow account. Provides that the board is not required to pay interest on the retainage that the board holds.

HOUSE BILL 1417 (Public Law 179-2003)
Sponsor(s): Lawson, Clark
Citations Affected: IC 16-18; 16-39; 36-2.
Effective: July 1, 2003.
Autopsy of a child. Requires a county coroner to have an autopsy performed on the body of a child whose death is sudden and unexpected except in certain circumstances, including when the child's next of kin requests that an autopsy not be performed. Permits a physician or coroner to use a photograph, a video recording, or an audio recording of an autopsy to consult with a forensic scientist or pathologist. Describes identifying information that must be masked or removed from an autopsy photograph, video recording, or audio recording before it may be used for training or educational purposes. Makes it a Class A misdemeanor for a physician, coroner, or coroner's designee to fail to warn each person to whom the information is released that the information is confidential and may not be used for a purpose other than the purpose for which it was originally released. Makes it a Class A misdemeanor for: (1) a person who is granted access to autopsy information for training, education, or professional consultation to use it for a purpose other than the purpose for which it was originally released; (2) a coroner or coroner's designee who is custodian of a photograph or recording of an autopsy to violate the provisions concerning autopsy records; (3) a person who uses autopsy information in a manner other than for the purpose for which it is intended; and (4) a person to violate a court order issued under the law concerning autopsy records. Makes a technical correction.

HOUSE BILL 1423 (Public Law 180-2003)
Sponsor(s): Miller, Simpson
Citations Affected: Noncode.
Effective: Upon passage (May 7, 2003)
Prison investment tax credit. Allows the retroactive application of the prison investment credit to shareholders, partners, beneficiaries, and members of a pass through entity that conducted an operation at Rockville Correctional Facility for taxable years beginning after December 31, 1997, and ending before January 1, 2002.

HOUSE BILL 1469
Sponsor(s): Long, Wyss
Citations Affected: IC 4-13.6; 5-16; 36-1.
Effective: July 1, 2003.
Energy efficient technology in public buildings. Requires governmental bodies that enter into public works contracts to take certain actions relating to the use of energy efficient technologies in public works projects.

HOUSE BILL 1473 (Public Law 144-2003)
Sponsor(s): Bray, Skinner
Citations Affected: IC 36-1.
Effective: July 1, 2003.
Ordinance violations and liens. Specifies that the expense incurred by a municipal corporation to bring real property into compliance with an ordinance is a lien against the real property. Makes the lien superior to all other liens except liens for taxes to a maximum of $2,500 for real property that contains a Class 2 residential structure and $10,000 for all other real property.

HOUSE BILL 1645 (Public Law 33-2003)
Sponsor(s): Server, Lutz
Citations Affected: IC 36-1; P.L. 95-2001.
Effective: Upon passage (April 15, 2003).
Evansville state hospital property. Provides that local zoning ordinances and requirements relating to municipal roads and streets do not apply to certain property in Vanderburgh County. Requires the conveyance of certain Evansville State Hospital property to the city of Evansville and certain other grantees. Requires the department of transportation to work with the city of Evansville and other persons for establishment of a greenway system connecting to the Evansville State Hospital property.

HOUSE BILL 1741 (Public Law 90-2003)
Sponsor(s): Alting, Hershman
Citations Affected: IC 36-2.
Effective: July 1, 2003.
Repair or replacement of corner or HARN monuments. Specifies that written notice must be given to the county surveyor when a monument marking a corner is removed or buried while

working on a state road. Requires a person who damages or removes a monument marking a corner or a high accuracy reference network (HARN) point to reimburse the county for the expense of repairing or replacing the monument.

HOUSE BILL 1808 (Public Law 119-2003)
Sponsor(s): Landske, Alting
Citations Affected: IC 36-8.
Effective: July 1, 2003.
Definition of "nominal compensation" for volunteer firefighters. Increases the amount used to define "nominal compensation" for volunteer firefighters from $10,000 to $20,000.

MOTOR VEHICLES

SENATE BILL 6 (Public Law 265-2003)
Author(s): C. Meeks
Citations Affected: IC 9-13; 9-19.
Effective: July 1, 2003.
Air bag tampering. Makes it a Class A misdemeanor to knowingly or intentionally install in a motor vehicle any object in place of an airbag in the motor vehicle's inflatable restraint system if the installed object fails to comply with federal requirements, and a Class D felony if an injury occurs as a result of the installation. Makes it a Class D felony to knowingly or intentionally sell, lease, trade, or transfer a motor vehicle that has been installed with any object in place of an air bag in the motor vehicle's inflatable restraint system if the installed object fails to comply with federal requirements.

SENATE BILL 222 (Public Law 54-2003)
Author(s): Ford
Citations Affected: IC 9-24.
Effective: Upon passage (April 24, 2003).
Restricted driver's license procedure. Specifies that the bureau of motor vehicles or the sheriff of the county are not parties in a proceeding on a petition for a restricted driving permit.

SENATE BILL 240 (Public Law 21-2003)
Author(s): Lawson, Jackman
Citations Affected: IC 9-13; 9-17; 9-21.
Effective: July 1, 2003.
Low speed vehicles. Provides that certain low speed vehicles designed to have a maximum speed of not more than 35 miles per hour may be operated on highways as passenger motor vehicles, with certain exceptions. Permits the department of transportation and local authorities to regulate the operation of these low speed vehicles, with certain exceptions. Specifies certain equipment that must be standard on a low speed vehicle.

SENATE BILL 242 (Public Law 208-2003)
Author(s): Landske
Citations Affected: IC 5-14; 8-2.1; 9-14; 9-24; 34-30.
Effective: July 1, 2003.
Medical review and driver's licenses. Renames the driver licensing advisory committee as the driver licensing medical advisory board. Requires one member of the board to be a neurologist with expertise in epilepsy. Makes it a Class A misdemeanor for causing serious bodily injury to or the death of another person when operating a motor vehicle after knowingly or intentionally failing to take prescribed medication, the taking of which is a condition of the issuance of a restricted driver's license and a Class D felony for the commission of the offense after certain prior convictions. Requires suspension of the person's driver's license after conviction. Makes conforming changes.

SENATE BILL 405 (Public Law 268-2003)
Author(s): Clark, Merritt
Citations Affected: IC 9-13; 9-17; 9-18; 9-22; 9-23; 9-25; 9-29.
Effective: July 1, 2003.
Motor vehicles and off-road vehicles. Revises procedure regarding delivery of certificate of title and certificate of salvage titles. Requires an assembled vehicle to bear an identification number and requires certain information on its certificate of title. Requires permission from the bureau of motor vehicles (BMV) to place a special identification number on a motor vehicle that does not bear its original or unaltered identification number. Repeals language regarding procedure for an application to the BMV for a missing manufacturer's identification number on a motor vehicle. Provides that the BMV may not issue an offsite sale license to certain motor vehicle dealers. Makes it an unfair practice for a person to act as a broker in the advertising, buying, or selling of at least 12 new or used vehicles per year. Makes conforming amendments.

SENATE BILL 420 (Public Law 216-2003)
Author(s): Merritt
Citations Affected: IC 9-13; 9-18; 9-29; 12-17; 12-18.
Effective: January 1, 2003 (retroactive); July 1, 2003.
License plates and children's trust fund. Renames the children's trust license plate as the kids first trust license plate. Renames the Indiana children's trust fund and the Indiana children's trust fund board as the Indiana kids first trust fund and the Indiana kids first trust fund board. Makes conforming changes. Specifies that the bureau of motor vehicles may not impose a pull service charge of more than fifteen dollars for a Lewis and Clark bicentennial special group recognition license plate.

SENATE BILL 446 (Public Law 217-2003)
Author(s): R. Meeks
Citations Affected: IC 9-13; 9-20; 9-21; 9-29.
Effective: July 1, 2003.
Manufactured and mobile home rig transport. Makes certain changes in the dimensions contained

within the definition of special tractor-mobile home rigs, tractor-mobile home rigs, and extra wide manufactured home rigs. Authorizes certain oversized vehicles to be operated at a speed no greater than fifty-five miles per hour. Allows quarterly and annual permits for moving tractor-mobile home rigs and special tractor-mobile home rigs.

SENATE BILL 474 (Public Law 219-2003)
Author(s): Wyss, Craycraft
Citations Affected: IC 8-2.1; 9-13; 9-24; 9-30; 12-23; 33-14.
Effective: July 1, 2003.
Commercial driver's licenses. Requires the bureau of motor vehicles to adopt rules regulating a person who holds a commercial driver's license. Adopts federal law concerning commercial drivers into Indiana law. Specifies that certain probationary and restricted driving privileges do not apply to a person holding a commercial driver's license who has committed certain disqualifying acts under federal law, and repeals and relocates language concerning the issuance of a restricted license. Makes conforming changes.

SENATE BILL 508 (Public Law 75-2003)
Author(s): Ford
Citations Affected: IC 8-2.1.
Effective: July 1, 2003.
Commercial driver's licenses for diabetics. Allows the bureau of motor vehicles to grant an intrastate medical waiver for an insulin dependent diabetic who furnishes certain medical certification, who applies for or holds a commercial driver's license, and who is employed by: (1) a private carrier of property operated only in intrastate commerce; or (2) a carrier of property operated only in intrastate commerce while employed in construction or construction related service.

HOUSE BILL 1026 (Public Law 78-2003)
Sponsor(s): Riegsecker, Rogers
Citations Affected: IC 9-22.
Effective: Upon passage (April 29, 2003).
Storage fees for abandoned vehicles. Provides that if a public agency or towing operator fails to notify the bureau of motor vehicles (bureau) of the removal of an abandoned vehicle within 72 hours after the vehicle is removed, the public agency or towing operator: (1) may not initially collect more in reimbursement for the costs of storing the vehicle than the cost incurred for storage for 72 hours; and (2) may collect further reimbursement only for additional storage costs incurred after notifying the bureau of the removal of the abandoned vehicle.

HOUSE BILL 1059 (Public Law 8-2003)
Sponsor(s): Wyss, Antich
Citations Affected: IC 9-13; 9-21.
Effective: July 1, 2003.
Enforcement of fire lane restrictions. Defines "fire lane" for purposes of the law concerning

motor vehicles. Specifies the way in which an area may be designated a fire lane. Allows a law enforcement agency to appoint volunteers to issue complaints and summonses for stopping, standing, or parking a vehicle in a fire lane. Allows a county, city, or town to adopt and enforce an ordinance that regulates stopping, standing, or parking of a vehicle in a fire lane if the ordinance does not conflict with state law.

HOUSE BILL 1171 (Public Law 157-2003)
Sponsor(s): Long, Craycraft
Citations Affected: IC 9-25; 9-26.
Effective: July 1, 2003.
Motor vehicle financial responsibility and accident reports. Provides that person who operates a motor vehicle without proof of financial responsibility commits a Class C misdemeanor if the person has a prior unrelated judgment. Requires the court to suspend the person's driving privileges for one year if the person had a prior unrelated judgment within the five years preceding the violation. Increases the threshold apparent amount of damage to property caused by an accident for which a report must be filed to $1,000 and makes corresponding changes to related statutes.

HOUSE BILL 1282 (Public Law 12-2003)
Sponsor(s): Wyss, Smith
Citations Affected: IC 9-19.
Effective: July 1, 2003.
Tinted or treated windows in motor vehicles. Makes it a Class B infraction for a person to cover or tint a motor vehicle window in a manner that the occupants of the vehicle cannot be easily identified or recognized through that window from outside the vehicle, with a medical exception.

HOUSE BILL 1521 (Public Law 146-2003)
Sponsor(s): Drozda, Riegsecker
Citations Affected: IC 9-30.
Effective: July 1, 2003.
Allowable charge for a driver improvement course. Allows the cost for a driver improvement course required by a court to be determined by the course provider, with the approval of the bureau of motor vehicles.

HOUSE BILL 1605 (Public Law 236-2003)
Sponsor(s): Jackman, Lanane
Citations Affected: IC 9-13; 9-19; 9-21.
Effective: July 1, 2003.
Operation of emergency vehicles and funeral processions. Provides that the exclusive authority of certain emergency services responders to display green lights on their privately owned vehicles applies only to flashing or revolving green lights, and that the prohibition against the display of green lights on any other person's vehicle applies only to flashing or revolving green lights. Revises the restrictions and conditions for display of green lights on a privately owned vehicle

belonging to an emergency services responder. Prohibits a person driving a vehicle that is not a part of a funeral procession to join the procession. Requires a person operating a vehicle in a funeral procession to exercise due caution. Permits the use of a funeral pennant or flag, a windshield sticker, or an amber light to identify a vehicle that is a part of a funeral procession.

HOUSE BILL 1731 (Public Law 248-2003)
Sponsor(s): C. Meeks, Smith
Citations Affected: IC 9-13; 9-19.
Effective: July 1, 2003.
Motor vehicle air bags. Makes it a Class A misdemeanor to knowingly or intentionally install in a motor vehicle any object in place of an air bag in the motor vehicle's inflatable restraint system if the installed object fails to comply with federal requirements and a Class D felony if an injury occurs as a result of the installation. Makes it a Class D felony to knowingly or intentionally sell, lease, trade, or transfer a motor vehicle that has been installed with any object in place of an air bag in the motor vehicle's inflatable restraint system if the installed object fails to comply with federal requirements.

HOUSE BILL 1968 (Public Law 34-2003)
Sponsor(s): Ford, Lanane
Citations Affected: IC 9-14; 9-24.
Effective: July 1, 2003.
Signature on a driver's license. Provides that the bureau of motor vehicles may not disclose a reproduction of the signature required for an application for a driver's license or permit or a state identification card. Provides that a permit or license must have a space for the reproduction of the signature. Repeals the requirements that to be valid a driver's license or permit be signed upon receipt of the license or permit.

NATURAL RESOURCES

HOUSE BILL 1148 (Public Law 228-2003)
Sponsor(s): Lewis, Nugent
Citations Affected: IC 14-33.
Effective: July 1, 2003.
Conservancy districts. Allows the board of a conservancy district that has channel improvements, levees, and water retarding or impoundment structures to adjust the annual cost of maintenance for the district's works of improvement, thus increasing the amount appropriated annually to the district's cumulative maintenance fund.

HOUSE BILL 1166 (Public Law 171-2003)
Sponsor(s): Weatherwax, Hume
Citations Affected: IC 4-4; 4-23.
Effective: July 1, 2003.
Center for coal technology research. Provides that the center for coal technology research may implement public education programs. Provides that the center for coal technology research administers the Indiana coal research grant fund. Requires the center for coal technology to appoint an eight member panel to review and make recommendations about applications for coal

research grants. Provides that panel members be scientists, professional engineers or other professionals who are familiar with coal uses.

HOUSE BILL 1336 (Public Law 233-2003)
Sponsor(s): R. Meeks, Craycraft
Citations Affected: IC 6-6; 14-8; 14-9.
Effective: July 1, 2003.
Lake and river enhancement. Changes the lake and river enhancement fee to a fee ranging from $5 to $25 as determined by the value of a registered boat. Requires two-thirds of the revenue from this fee be allocated for the lake and river enhancement fund and one-third of the revenue allocated for the conservation officers marine enforcement fund. Allows DNR to transfer 20% of the funds in the conservation officers marine enforcement fund into the counties with special boat patrol needs fund. Makes an appropriation of money in the conservation officers marine enforcement fund.(The introduced version of this bill was prepared by the natural resources study committee.)

HOUSE BILL 1511 (Public Law 88-2003)
Sponsor(s): R. Meeks, Hume
Citations Affected: IC 14-33.
Effective: July 1, 2003.
Conservancy district election procedures. Provides that the board of directors of a conservancy district may petition the circuit court to modify the order establishing the district to provide for the election of the directors by the freeholders of their respective districts rather than electing directors at large. Provides that upon receipt of a petition from the board of directors, the circuit court may modify the order.

HOUSE BILL 1552 (Public Law 186-2003)
Sponsor(s): Weatherwax, R. Hume
Citations Affected: IC 6-1.1; 14; 25-36.5.
Effective: Upon Passage (May 7, 2003); June 30, 2003; July 1, 2003; July 1, 2005.
Natural resources issues. Makes changes to the classified forest and forest plantation programs. Requires the department of natural resources (DNR) to issue registration decals for off-road vehicles (ORVs). Requires ORVs purchased after December 31, 2003, to be registered and creates exemptions to the registration requirement. Allows certain persons to carry a loaded handgun while operating an ORV or a snowmobile. Increases the injury or damage level required for an ORV or snowmobile operator to file an accident report. Consolidates statutes governing the registration of ORVs and snowmobiles. Prohibits gathering plants or artifacts on private land without the owner's consent. Defines "farmland" for certain hunting license requirements. Requires the department of natural resources to implement an automated point of sale hunting, fishing, and trapping licensing system. Provides for funding of the system. Provides for the bonding of an agent authorized to sell licenses until the earlier of the date the agent begins to offer licenses under the automated point of sale system or July 1, 2005. Removes authority of the circuit court clerk to designate subagents to sell licenses. Establishes procedures to suspend a

person's driver's license for failure to appear in response to a summons issued by a conservation officer. Increases and establishes several fees. Deposits certain fees into new or existing funds. Allows the water resources development fund to be used for the operation of the division of water. Allows DNR to regulate the safety and maintenance of certain dams and structures. Removes references to private geologists in the dam inspection laws. Provides that dams have an engineering inspection. Establishes requirements to transfer an oil or gas well permit. Repeals certain provisions concerning classified land programs, state parks and reservoir funds, and agents who are not state employees to retain hunting and fishing license service fees. Makes technical corrections and conforming amendments. (The introduced version of this bill was prepared by the natural resources study committee.)

PENSIONS

SENATE BILL 141 (Public Law 47-2003)
Author(s): Dillon
Citations Affected: IC 5-10.2.
Effective: July 1, 2003.
PERF direct deposit notices. Requires the public employees' retirement fund (PERF) to adopt a policy promoting direct deposit as the preferred way for members and beneficiaries to receive monthly benefits. Requires PERF to provide members and beneficiaries using direct deposit with written notice before a benefit amount changes or once every 12 months if the benefit amount does not change.

SENATE BILL 412 (Public Law 72-2003)
Author(s): Kenley
Citations Affected: IC 5-10.3; 21-6.1; 28-1.
Effective: July 1, 2003.
Custodial accounts. Requires the public employees' retirement fund and the teachers' retirement fund to manage the funds' custodial accounts using a bank or trust company that is: (1) domiciled in the United States; and (2) approved by the director of the Indiana department of financial institutions.

SENATE BILL 523 (Public Law 223-2003)
Author(s): Server, Lutz
Citations Affected: Noncode.
Effective: July 1, 2003.
1977 fund service purchase. Allows certain members of the 1977 police officers' and firefighters' pension and disability fund to purchase at full actuarial cost additional service credit needed for the member to retire with a full unreduced benefit. Permits the member's employer to adopt an ordinance to pay all or part of the member's contributions required for the purchase of the service.

HOUSE BILL 1169 (Public Law 172-2003)
Sponsor(s): R. Meeks, Hume
Citations Affected: IC 5-10.2.
Effective: July 1, 2003.
TRF COLAs. Provides for a cost of living adjustment (COLA) for members of the teachers retirement fund (TRF) (or their survivors or beneficiaries) for 2004.

HOUSE BILL 1445 (Public Law 183-2003)
Sponsor(s): Harrison, Lutz
Citations Affected: IC 5-10.3; 36-8.
Effective: July 1, 2003.
Deductions from 1977 fund benefits. Permits the public employees' retirement fund board to make deductions for certain purposes from a disability, retirement, or survivor benefit paid by the 1977 police officers' and firefighters' pension and disability fund if the deduction is authorized by the person receiving the benefit.

HOUSE BILL 1465 (Public Law 86-2003)
Sponsor(s): C. Meeks, Server
Citations Affected: IC 5-10; 36-8.
Effective: July 1, 2003.
Public safety officers' survivors benefits. Provides that the unit of local government that employed a member of the 1925 police pension fund, the 1937 firefighters' pension fund, the 1953 police pension fund, or the 1977 police officers' and firefighters' pension fund, or a county that employed a sheriff or a county police officer who dies in the line of duty shall offer to provide and pay for health insurance coverage for the member's surviving spouse and dependent children with certain conditions. Provides that the health insurance provided to a surviving spouse and child must be equal in coverage to that offered to active members.

HOUSE BILL 1523 (Public Law 126-2003)
Sponsor(s): Harrison, Lewis
Citations Affected: Noncode.
Effective: July 1, 2003.
Investment selections. Directs the board of trustees of the public employees' retirement fund (PERF board) to conduct a pilot program concerning implementation of a member's investment selection and the crediting of a member's contributions and earnings in the fund for the defined contribution plan of the legislators' retirement system. Requires the PERF board to report to the pension management oversight commission the results of the program, and if the report includes a finding that the program should be implemented on a permanent basis, to recommend proposed legislation and to provide a schedule to extend the program to all funds for which the PERF board has responsibility.

HOUSE BILL 1573 (Public Law 190-2003)

Sponsor(s): R. Meeks, Hume
Citations Affected: IC 5-10.2; IC 21-6.1.
Effective: July 1, 2003.
PERF and TRF benefits. Provides for a cost of living adjustment for members of the public employees' retirement fund (PERF) (or their survivors or beneficiaries) for 2004. Provides for a minimum pension portion of the monthly benefit for a retired member of PERF with at least 10 years of creditable service, excluding members whose only creditable service was as an elected official. Provides that a surviving spouse or dependent entitled to a statutory benefit may be designated as a beneficiary for the annuity savings account of a member of PERF or the teachers' retirement fund (TRF). Permits a PERF or TRF member who is receiving a retirement benefit to change the member's payment option and beneficiary in certain circumstances. Eliminates the requirement that the last retirement benefit paid by TRF be prorated to terminate at the member's death.

PROBATE AND TRUSTS

HOUSE BILL 1115 (Public Law 3-2003)
Sponsor(s): Zakas, Antich
Citations Affected: IC 30-2; 34-30.
Effective: July 1, 2003.
Total return unitrusts and uniform custodial trust act. Adds provisions allowing: (1) an income trust to be converted to a total return unitrust; and (2) a total return unitrust to be converted to an income trust. Adds other provisions governing total return unitrusts. Adopts the uniform custodial trust act. (The introduced version of this bill was prepared by the probate code study commission.)

HOUSE BILL 1116 (Public Law 4-2003)
Sponsor(s): Bray, Antich
Citations Affected: IC 29-1; 29-2; 30-4.
Effective: July 1, 2003.
Various probate and trust matters. Specifies that a will may be executed, attested, and made self-proving by including in the will a self-proving clause signed by the testator and witnesses. Changes the publication of notice requirements for a court to presume that a person is dead. Establishes rules for interpreting trusts. (The introduced version of this bill was prepared by the probate code study commission).

HOUSE BILL 1368 (Public Law 176-2003)
Sponsor(s): Bray
Citations Affected: IC 6-4.1; 29-1.
Effective: July 1, 2003.
Share of subsequent childless spouse. Provides that a subsequent childless spouse of a person who dies after June 30, 2003, receives an intestate share or an elective share in an amount equal

to 25% of the fair market value of the lands of the deceased. Provides that in determining "net estate" for purposes of the intestate or elective share, death taxes are not subtracted from the total estate to determine the net estate. Provides that a court order describing the fair market value of the estate is confidential. Specifies that a will must be executed by the signature of the testator and two witnesses on a will or self-proving clause. Repeals a provision concerning the portion of the estate a widow receives free from claims by creditors.

PROFESSIONS AND OCCUPATIONS

SENATE BILL 340 (Public Law 210-2003)
Author(s): Miller
Citations Affected: IC 25-14.
Effective: July 1, 2003.
Dentist instructor license. Authorizes the board of dentistry to issue an instructor's license or renewal of a license until June 30, 2008, to an individual who meets certain requirements. Limits the holder of an instructor's license to teaching or practicing dentistry at the Indiana school of dentistry or an affiliated medical center for the time period by which the holder is employed by the school or affiliated medical center. Limits a school of dentistry to employing not more than 5% of the full-time faculty with this license. Requires the school of dentistry to hold the license, notify the health professions bureau upon termination of the holder's employment contract, and surrender the license after the licensee's employment ceases.

HOUSE BILL 1176 (Public Law 23-2003)
Sponsor(s): Server, Lanane
Citations Affected: IC 25-4; 25-6.1.
Effective: July 1, 2003; March 1, 2004.
Architects and auctioneers. Permits the board of registration for architects and landscape architects to adopt rules to require continuing education for architects and landscape architects. Increases the term of an auctioneer's license from two to four years, and makes corresponding changes for auction houses and companies. Requires an auctioneer to have 16 hours of continuing education in every four year period.

HOUSE BILL 1183 (Public Law 6-2003)
Sponsor(s): Wyss, Broden
Citations Affected: IC 25-2.1.
Effective: Upon passage (April 2, 2003); January 1, 2004.
Public accountancy. Eliminates obsolete provisions concerning educational requirements for an individual taking the test for a CPA certificate before January 1, 2000. Changes the term applicant to candidate in provisions that refer to a person taking the test. Specifies that the test must include questions concerning business law and taxation. Provides that verification of the experience needed to be issued a CPA certificate may be made by a person who has a certificate issued by another state. Eliminates the requirement that the tests be in writing. Allows the state board of accountancy to extend the term during which conditional credit for passing part of the test is valid. Repeals provisions that refer to sitting for the test. Provides transitional procedures to allow credit for parts of the test passed before the effective date of this act.

HOUSE BILL 1438 (Public Law 182-2003)
Sponsor(s): Dillon
Citations Affected: IC 25-26; 35-48.
Effective: Upon passage (May 7, 2003); July 1, 2003.
Pharmacy matters. Changes pharmacist intern and extern registration renewal time frames. Specifies allocation of pharmacist licensure fees. Requires the Indiana board of pharmacy to establish fines of at least $25 for specified violations. Removes the expiration provision that allows pharmacists to refill prescriptions in emergencies. Removes the responsibility of the state police department for the controlled substance prescription monitoring program and assigns those responsibilities to the controlled substances advisory committee and the health professions bureau.

HOUSE BILL 1515 (Public Law 145-2003)
Sponsor(s): Weatherwax, Lanane
Citations Affected: IC 25-1; 25-20.2; 25-34.1; 34-30.
Effective: Upon Passage (May 5, 2003); July 1, 2003.
Licensure of home inspectors and fraud investigation. Establishes the home inspectors licensing board to regulate home inspectors. Establishes requirements for licensed home inspectors. Provides that a person who performs home inspections for compensation without a license commits a Class B infraction. Provides that a civil action based upon the professional services of a licensed home inspector must be filed within two years after the date the cause of action accrues. Requires the real estate appraiser licensure and certification board to recommend a new fee of not more than $10 to be imposed upon licensed or certified appraisers to fund the investigation of real estate or appraisal fraud. Establishes the investigative fund to be jointly administered by the attorney general and the professional licensing board.

HOUSE BILL 1757 (Public Law 251-2003)
Sponsor(s): Miller, Gard
Citations Affected: IC 5-10; 25-26; 27-8; 27-13.
Effective: July 1, 2003.
Regulation of pharmacy technicians. Establishes a certification program for pharmacy technicians and a permit program for pharmacy technicians in training. Requires a person to be certified to practice as a pharmacy technician. Adds provisions concerning the designation of mail order and Internet based pharmacies by certain health plans.

PROPERTY LAW

SENATE BILL 26 (Public Law 107-2003)
Author(s): Zakas, Dembowski
Citations Affected: IC 32-34.
Effective: July 1, 2003.

Unclaimed property. Allows the attorney general to sell unclaimed property at a commercially reasonable public sale. Makes the time period for which unclaimed property related to child support is held the same as for other property. Makes other changes to the unclaimed property law.

SENATE BILL 202 (Public Law 151-2003)
Author(s): Clark
Citations Affected: IC 32-28; 32-29.
Effective: July 1, 2003.
Equitable subrogation and liens. Provides that a mortgagee may not be denied equitable subrogation solely because the mortgagee is a lender and had constructive notice of the intervening lien, the lien was released, or the mortgagee obtained title insurance. Provides that a contract to prepare property for Class 2 residential construction may include a provision that a lien may not attach to the real estate or building of the owner.

SENATE BILL 259 (Public Law 48-2003)
Author(s): Paul
Citations Affected: IC 32-29.
Effective: July 1, 2003.
Mortgage release by title insurance company. Removes the expiration date of the law governing mortgage releases by title insurance companies.

SENATE BILL 292 (Public Law 57-2003)
Author(s): Adams, Craycraft
Citations Affected: IC 32-26.
Effective: July 1, 2003.
Fences. Provides that the duty to build, repair, rebuild, and maintain partition fences does not apply to a fence separating two adjoining parcels of property unless at least one of the adjoining parcels is agricultural land.

SENATE BILL 451 (Public Law 134-2003)
Author(s): Alting, Lewis
Citations Affected: IC 32-27.
Effective: July 1, 2003.
Home builders opportunity to cure defects. Requires a home owner to allow a construction professional an opportunity to cure alleged defects prior to initiating legal action. Requires a construction professional who is notified by a home owner of an alleged construction defect to respond to the home owner within a certain period.

HOUSE BILL 1085 (Public Law 79-2003)
Sponsor(s): Paul, Lewis
Citations Affected: IC 32-29.
Effective: July 1, 2003.

Mortgage release by title insurance company. Removes the expiration date of law governing mortgage releases by title insurance companies.

HOUSE BILL 1117 (Public Law 5-2003)
Sponsor(s): Zakas, Antich
Citations Affected: IC 32-17.
Effective: July 1, 2003.
Uniform disclaimer of property interests act. Adopts the uniform disclaimer of property interests act. Repeals statutes that are superseded concerning disclaimer of property interests. (The introduced version of this bill was prepared by the probate code study commission.)

HOUSE BILL 1161 (Public Law 170-2003)
Sponsor(s): Landske, Rogers
Citations Affected: IC 6-1.1; 36-1; 36-10.
Effective: July 1, 2003.
Property tax sales. Allows a county to sell one or more tracts or items together at tax sale. With respect to a property that has not sold for the minimum price at two tax sales, allows the county to sell the tax sale certificate for less than the minimum price and establishes procedures for the sale and for redemption. Increases the maximum assessed value of property that can be sold to an abutting landowner to from $5,000 to $15,000. Increases the threshold under which an appraisal is not required from $2,000 to $6,000 in assessed value. Provides that the purchase price of real property financed by the issuance of bonds may not exceed the average of two appraisals of the fair market value of the land.

HOUSE BILL 1365 (Public Law 122-2003)
Sponsor(s): Clark
Citations Affected: IC 32-29.
Effective: July 1, 2003.
Equitable subrogation. Provides that a mortgagee may not be denied equitable subrogation of a lien solely because the: (1) mortgagee is a lending institution that had constructive notice of the lien; (2) higher priority lien was released; or (3) mortgagee had title insurance. Excludes municipal sewer liens and mechanic's liens from equitable subrogation.

HOUSE BILL 1378 (Public Law 177-2003)
Sponsor(s): Server, Rogers
Citations Affected: IC 32-30; 36-1; 36-7.
Effective: Upon Passage (May 7, 2003); July 1, 2003.
Abandoned buildings. Grants community organizations standing to commence civil actions to promote compliance with ordinances when permitted by the enforcing agency. Provides that in any civil action filed by a community organization regarding an unsafe premises, a court may award reasonable attorney's fees, court costs, and other reasonable expenses of litigation to the prevailing party. Allows community organizations to acquire dwellings through urban homesteading for rehabilitation and sale while allowing priority to individuals that hope to acquire the same dwellings. Provides that an order issued by an enforcement authority under the unsafe building law concerning repair and rehabilitation of an unsafe building to bring it into compliance with certain required standards for building condition or maintenance becomes final

ten days after notice is given unless a hearing is requested in writing by a person holding: (1) a fee interest; (2) life estate interest; or (3) an equitable interest of a contract purchaser in the unsafe premises. Provides that orders must allow property owners at least 10, but not more than 60 days to accomplish actions to comply with ordinances. Allows municipalities to recover costs of bringing property into compliance with ordinances. Allows a receiver in possession of property to sell the property. Provides for repair alternatives and the creation of liens for unsafe buildings in a receivership. Provides that a municipal corporation or an enforcement authority may establish a registry of properties known to be: 1) in a condition that violates local ordinances; and 2) eligible for enforcement procedures. Provides that the owners of properties listed in a registry of properties must provide an address for the service of process and the name and address of the insurance carrier providing coverage on the property. Provides that new enforcement activities made possible under this act that affect a property recorded in a registry of properties may not be initiated by municipal corporations or enforcement authorities until October 1, 2003. Makes certain other changes.

HOUSE BILL 1729 (Public Law 16-2003)
Sponsor(s): Kenley, Mrvan
Citations Affected: IC 32-22.
Effective: July 1, 2003.
Aliens holding and conveying real property. Repeals statutes placing restrictions on the rights of natural persons who are aliens to acquire and hold real property. (The introduced version of this bill was prepared by the legislative commission on Hispanic/Latino affairs.)

HOUSE BILL 1748 (Public Law 106-2003)
Sponsor(s): R. Meeks, Broden
Citations Affected: IC 9-13; 9-17; 9-29; 36-2.
Effective: July 1, 2003.
Manufactured homes attached to real estate. Allows a person who holds title to a manufactured home (home) that is attached to a permanent foundation to apply for an affidavit of transfer to real estate (affidavit) with the bureau of motor vehicles. Provides that upon filing of the affidavit and the certificate of title with the appropriate county recorder, the filing is deemed a conversion of the home to an improvement upon the real estate upon which it is located. Makes conforming amendments.

HOUSE BILL 1897 (Public Law 29-2003)
Sponsor(s): Zakas, Broden
Citations Affected: IC 32-31.
Effective: July 1, 2003.
Landlord-tenant law. Provides that certain landlord-tenant statutes do not apply to certain arrangements. Repeals a superseded landlord-tenant statute.

PUBLIC RECORDS

HOUSE BILL 1935 (Public Law 261-2003)
Sponsor(s): Merritt, Wyss
Citations Affected: IC 3-7; 4-1; 4-33; 5-14; 9-14; 10-13; 16-19.
Effective: Upon passage (May 8, 2003); July 1, 2003.
Various public records matters. Makes various changes in the laws concerning access to public records and the collection and protection of personal information.

STATE BUDGET

HOUSE BILL 1001 (Public Law 224-2003)
Sponsor(s): R. Meeks, Simpson
Citations Affected: Various Cites.
Effective: July 1, 2002 (retroactive); January 1, 2003 (retroactive); Upon passage (May 8, 2003); June 1, 2003; July 1, 2003; January 1, 2004.
Budget bill. Makes appropriations for the state. Transfers money among funds. Changes the distributions made to local government. Changes certain program requirements. Increases and extends certain fees and provides for a temporary quality assessment on nursing facilities. Provides a school funding formula. Authorizes bonding for certain projects. Establishes the Indiana economic development corporation. Expands the authority of the port commission to finance and construct certain projects. Includes various other economic development initiatives. Makes other changes affecting state tax deductions and credits, property taxation, the state lottery, riverboats, pensions, corrections, Medicaid, and education.

STATE OFFICES AND ADMINISTRATION

See also:
HB 1130: State department of health fees.
HB 1166: Center for coal technology research.
HB 1286: Definitions of trade mission and trade show.
HB 1469: Energy efficient technology in public buildings.

SENATE BILL 332 (Public Law 49-2003)
Author(s): Lawson
Citations Affected: IC 4-6.
Effective: July 1, 2003.
Consumer protection. Provides that the director of the division and the attorney general have discretion whether to mediate de minimis consumer complaints.

SENATE BILL 337
Author(s): Waterman, Riegsecker
Citations Affected: IC 4-4; 14-21.
Effective: July 1, 2003.
Native American Indian affairs commission. Establishes the Native American Indian affairs commission. Authorizes the commission to recommend final disposition of Native American Indian human remains that have been removed from a burial site. Requires the commission to study problems common to Native American Indians in the areas of employment, education, civil rights, health, and housing. Authorizes the commission to make certain recommendations.

VETOED

HOUSE BILL 1724 (Public Law 28-2003)
Sponsor(s): Ford, Broden
Citations Affected: IC 4-23.
Effective: July 1, 2003.
State and local purchases of accessible technology. Requires the state information technology oversight commission to adopt rules that conform to federal requirements for electronic and information technology accessibility. Mandates that the rules apply to all technology purchases and contracts of the executive, legislative, judicial, and administrative branches of state and local government. Expands the membership of a group that develops these state and local standards to include representatives of state and local government.

HOUSE BILL 1730 (Public Law 247-2003)
Sponsor(s): Wyss, Mrvan
Citations Affected: IC 2-5; 4-23.
Effective: Upon passage (May 8, 2003).
Commission on Hispanic/Latino affairs. Establishes the executive commission on Hispanic/Latino affairs. Repeals the legislative commission on Hispanic/Latino affairs. Establishes a special fund for the executive commission on Hispanic/Latino affairs.

STATE AND LOCAL ADMINISTRATION

See also:
HB 1469: Energy efficient technology in public buildings.

SENATE BILL 169 (Public Law 200-2003)
Author(s): Lawson
Citations Affected: IC 5-14.
Effective: Upon Passage (May 7, 2003); July 1, 2003.
School bus drivers under open door law. Allows a governing body in an executive session to receive information about misconduct and discuss the status of a school bus driver, who is an independent contractor, before the governing body makes a determination. Allows a governing

body to provide public notice to the media through the United States mail, by electronic mail, or by fax. Provides that the factual basis of a disciplinary action in which final action has been taken resulting in the suspension, demotion, or discharge of a public employee is a public record.

SENATE BILL 251 (Public Law 56-2003)
Author(s): Alting, Lutz
Citations Affected: IC 5-10.
Effective: July 1, 2003.
Special death benefits for Purdue firefighters. Provides that a firefighter employed by the fire department of a state university is eligible for a special death benefit.

SENATE BILL 355 (Public Law 50-2003)
Author(s): M. Young, Landske
Citations Affected: IC 5-1.5.
Effective: July 1, 2003.
Volunteer fire department loans from bond bank. Adds volunteer fire departments to the list of qualified entities that may enter into financing arrangements with the Indiana bond bank.

SENATE BILL 475 (Public Law 220-2003)
Author(s): Lawson
Citations Affected: IC 5-13.
Effective: July 1, 2003.
Public investment requirements. Permits county treasurers, fiscal officers of political subdivisions other than counties, and certain other local officials authorized by statute or by court order to invest in securities fully guaranteed and issued by federal agencies or instrumentalities (as opposed to discount notes issued by federal agencies or instrumentalities). Permits a public officer of the state to invest or reinvest funds in obligations issued, assumed, or guaranteed as to payment of principal and interest by the State of Israel. Allows the treasurer of state to contract with investment advisors and money managers. Allows the treasurer of state to invest in highest rated commercial paper. Repeals the requirement that an officer of a political subdivision or other local government agency obtain annual approval from the fiscal or governing body before making investments.

SENATE BILL 515 (Public Law 7-2003)
Author(s): Zakas, Sipes
Citations Affected: IC 5-2.
Effective: July 1, 2003.
Violent crime victims compensation fund. Provides that an award from the violent crime victims compensation fund shall be reduced by the amount of restitution actually received from the offender and benefits actually received from a third party on behalf of the offender. (Current law provides that the award must be reduced by the amount of restitution and benefits received or to be received.)

HOUSE BILL 1049 (Public Law 138-2003)
Sponsor(s): Skillman, Hume
Citations Affected: IC 5-2; 10-13.
Effective: July 1, 2003.
Waiver of charges for criminal record checks. Exempts area agencies on aging, community action agencies, hospice programs, and community mental health centers from paying a fee to obtain limited criminal history records.

HOUSE BILL 1078 (Public Law 35-2003)
Sponsor(s): Server, Lutz
Citations Affected: IC 5-14.
Effective: July 1, 2003.
Confidentiality of public employee bargaining. Provides that agents appointed by a governing body of a public agency to conduct collective bargaining on behalf of the governing body are not subject to the open door law. (Currently only agents appointed by a school corporation to conduct collective bargaining on behalf of the school corporation are exempted from the open door law.)

HOUSE BILL 1218 (Public Law 141-2003)
Sponsor(s): Alting, Craycraft
Citations Affected: IC 4-22; 22; P.L. 119-2002.
Effective: Upon passage (May 5, 2003); July 1, 2003.
Department of fire and building services. Allows the boiler and pressure vessel rules board to adopt national boiler and pressure vessel codes by emergency rule. Exempts temporary maintenance and repair structures from the building laws. Allows the agencies and board enforcing the fire safety, building, and equipment laws to impose a civil penalty not to exceed $250. Establishes certification requirements for the chief inspector and supervisor of regulated amusement device inspectors. Makes the following changes with regard to the regulated amusement device safety board: (1) allows the board to grant a variance to the board's rules; and (2) makes changes concerning the terms of the board members. Specifies that the liability limits for an insurance policy required for a regulated amusement device operating permit do not apply to a permit applicant subject to the Tort Claims Act. Increases the surety bond requirement for an inspection agency from $5,000 to $100,000. Requires an elevator contractor, elevator inspector, or elevator mechanic to be licensed after May 1, 2003. Requires the boiler and pressure vessel rules board to adopt rules defining a regulated boiler and pressure vessel. Repeals a provision defining regulated boiler and pressure vessel. Makes other changes in the fire safety, building, and equipment laws. Repeals a provision that requires an elevator contractor, elevator inspector, or elevator mechanic to be licensed after April 30, 2003.

HOUSE BILL 1622 (Public Law 191-2003)
Sponsor(s): Weatherwax, Lewis
Citations Affected: IC 5-11.
Effective: July 1, 2003.
Soil and water conservation districts. Specifies audit fees charged by the state board of accounts.

Specifies that an audit of a county includes an audit of that county's soil and water conservation district. Requires soil and water conservation districts to follow the same general claim payment policies as the state.

STATE POLICE, CIVIL DEFENSE, AND MILITARY AFFAIRS

SENATE BILL 203 (Public Law 131-2003)
Author(s): Zakas, Skinner
Citations Affected: IC 10-13; 34-30.
Effective: Upon passage (May 1, 2003).
Immunity for Amber alert broadcasters. Provides civil immunity for a broadcaster that participates in the Amber alert program and broadcasts the contents of an Amber alert notification it has received from the state police. Grants civil immunity to a person who enters into an agreement with the state police to establish or maintain an Amber alert web site if the agreement provides that only the state police may place information on the web site. Makes a conforming amendment.

SENATE BILL 215 (Public Law 132-2003)
Author(s): Wyss, Craycraft
Citations Affected: IC 8-23.
Effective: Upon passage (May 1, 2003).
Off duty police officers patrolling highway work zones. Removes the limitation on hours worked by off duty police officers patrolling highway work zones.

SENATE BILL 257 (Public Law 2-2003)
Author(s): Kenley, Bowser
Citations Affected: Various Cites.
Effective: July 1, 2003.
Title 10 recodification. Recodifies Title 10 concerning state police, civil defense, emergency management, military affairs, veterans affairs, and war memorials to reorganize and restate the law without substantive change. Makes amendments to Indiana Code provisions outside Title 10 to conform to the Title 10 recodification. Repeals current Title 10 provisions.

SENATE BILL 311 (Public Law 156-2003)
Author(s): Bray
Citations Affected: IC 5-2; 10-13.
Effective: July 1, 2003.
Criminal history information. Provides that a law enforcement agency may release criminal history information and collect a fee for the release of criminal history information only if the

law enforcement agency has properly reported arrests to the state police. Provides that a reportable offense includes all felonies and those misdemeanors designated by the state police superintendent. Requires fingerprinting of persons arrested and charged with reportable offenses.

SENATE BILL 365 (Public Law 113-2003)
Author(s): Paul, R. Young
Citations Affected: IC 10-16; 33-1.
Effective: January 1, 2003.
National guard benefits. Extends the protections of the federal Soldiers' and Sailors' Civil Relief Act and the Uniformed Services Employment and Reemployment Rights Act to members of the Indiana national guard who are ordered to active duty by the governor.

SENATE BILL 455 (Public Law 115-2003)
Author(s): Kenley
Citations Affected: IC 10; 34-30.
Effective: July 1, 2003.
Various Title 10 provisions. Specifies the criminal intent necessary to commit offenses concerning the criminal justice data division and the emergency management and disaster law. Defines "armory" for purposes of the Indiana military code. Specifies that the state militia consists of persons at least 18 years of age instead of males between the ages of 18 and 45. Provides, for purposes of the law exempting an officer or enlisted man on duty in the Indiana national guard from arrest on any civil process, that: (1) an attachment for contempt for failure to obey the command of a subpoena to testify is a civil process; and (2) a citation for a traffic violation is not a civil process. Provides that if a county executive does not have a president, a member of the county executive appointed from its membership is a member of the county emergency management advisory council. Requires the affirmative vote of at least eight of the 15 voting members of Indiana emergency management, fire and building services, and public safety training foundation for the foundation to take action. Makes conforming amendments.

HOUSE BILL 1154 (Public Law 229-2003)
Sponsor(s): Clark
Citations Affected: IC 10-11; 34-30.
Effective: July 1, 2003.
Reporting sale of methamphetamine precursors. Authorizes the state police, with input from law enforcement agencies, to establish a retailer education program to inform retailers about illicit methamphetamine production. Allows retailers to report suspicious sales of methamphetamine precursors to the any law enforcement agency. Provides civil immunity for a retailer or retail employee who makes a good faith report of the sale of methamphetamine precursors.

HOUSE BILL 1331 (Public Law 142-2003)
Sponsor(s): C. Meeks, Sipes
Citations Affected: IC 10-14.
Effective: July 1, 2003.

State flag for survivors of a deceased officer. Provides that a state flag be presented to the family of a member of the military or public safety officer who is killed in the line of duty.

HOUSE BILL 1335 (Public Law 63-2003)
Sponsor(s): Paul, Lutz
Citations Affected: IC 22-14.
Effective: July 1, 2003.
State fire marshal powers. Allows the state fire marshal or a deputy fire marshal to provide hazardous materials and counterterrorism training, support, and response assistance.

HOUSE BILL 1769 (Public Law 194-2003)
Sponsor(s): Jackman, Craycraft
Citations Affected: IC 10-5.
Effective: July 1, 2003.
Veterans' burial allowance. Permits counties to set the amount of the veterans' burial allowance up to $1,000.

HOUSE BILL 1933 (Public Law 260-2003)
Sponsor(s): Skillman, Dembowski
Citations Affected: IC 10-5; IC 10-17.
Effective: July 1, 2003.
Military leave. Specifies the conditions for leaves of absence granted to reserve members of the armed forces.

TAXATION

See also:
HB 1791: Internet tobacco product sales.

SENATE BILL 67 (Public Law 65-2003)
Author(s): Jackman, Kenley
Citations Affected: IC 6-2.5.
Effective: July 1, 2003.
Sales tax collection and call centers. Provides that a person is not required to register as a retail merchant or to collect or remit the state sales or use tax in Indiana if the sole contact with Indiana is a contract with a call center in Indiana that provides telephone call services to the person. Provides that property owned or leased by the person and located on the call center's premises is not considered, and does not create, a place of business maintained by the person in Indiana as long as the property is not held for sale or shipment in response to an order received by the call center. Provides that for purposes of sales and use tax collection and remittance, the call center operator is not considered to be an agent of the person.

SENATE BILL 166 (Public Law 267-2003)
Author(s): Kenley, Hume
Citations Affected: IC 6-1.1; 6-3.5; 36-1.

Effective: Upon passage (May 8, 2003); June 1, 2003; July 1, 2003.
Extends the rainy day fund loan repayment schedule for Porter County school corporations and public libraries by one year. Changes the method for computing the amount distributed to counties from money received by the department of state revenue from a county adjusted gross income tax, county option income tax, or county economic development income tax. Provides for a transition to the new method for counties in the first several years that a county income tax is initially imposed in the county. Requires a supplemental distribution in excess of the certified distribution to be deposited in a civil taxing unit's rainy day fund. Repeals: (1) provisions concerning the keeping of three and six month balances in a county's tax account with the state; and (2) a provision requiring a report on account balances for the county economic development income tax in February of each year.

SENATE BILL 386 (Public Law 214-2003)
Author(s): Kenley, Simpson
Citations Affected: IC 6-3.1.
Effective: January 1, 2003 (retroactive).
Venture capital investment tax credit. Specifies that a pass through entity is eligible for the venture capital investment tax credit for investments made in qualified Indiana businesses. Eliminates certain requirements that a business must meet in order to be certified as a qualified Indiana business. Sets forth procedures for the department of commerce to certify that a taxpayer is entitled to a venture capital investment tax credit. Provides that if a taxpayer carries over any credit amount to the succeeding year, the amount carried over does not count toward the $10,000,000 in maximum allowable credits for the succeeding year.

SENATE BILL 417 (Public Law 215-2003)
Author(s): Waterman, Weatherwax
Citations Affected: IC 6-1.1; 6-3.1; 13-11;13-19.
Effective: January 1, 2004.
Coal combustion deduction and tax credit. Establishes a property tax deduction for manufacturers that purchase depreciable personal property used to manufacture recycled components composed of at least 15% coal combustion waste generated in Indiana. Establishes an income tax credit for manufacturers that manufacture recycled components consisting of at least 15% coal combustion waste generated in Indiana. Provides that a taxpayer may not claim both the property tax deduction and the income tax credit during the same taxable year. Specifies the uses of coal combustion waste that the solid waste management board may not regulate.

SENATE BILL 422 (Public Law 269-2003)
Author(s): Borst, Simpson
Citations Affected: IC 6-2.3; 6-2.5; 6-3; 6-3.1; 6-5.5.
Effective: January 1, 2002 (retroactive); July 1, 2002 (retroactive); January 1, 2003 (retroactive); April 2, 2003 (retroactive); January 1, 2004.
Tax provisions. Corrects internal references. Separates the provisions related to the making of estimated payments for adjusted gross income tax from the provisions related to the making of

estimated payments for the payment of utility receipts tax. Exempts any part of a lottery prize won before July 1, 2002, but paid after July 1, 2002, from adjusted gross income tax. Adjusts the method of calculating the utility receipts tax for a taxpayer with a taxable year that is not a calendar year. Extends the enterprise zone employee deduction from adjusted gross income tax to employees of pass through entities located in an enterprise zone. Requires a taxpayer with a taxable year that is not a calendar year to file a final return for the taxpayer's liability under the supplemental net income tax or the gross income tax by the fifteenth day of the fourth month after the close of the taxpayer's regular taxable year. Provides a method for calculating gross income tax due on the taxpayer's final return. Changes the method of calculating the tax due. Specifies that a credit against adjusted gross income tax for gross income tax paid for the year 2002 applies to adjusted gross income tax returns filed for any part of a taxable year that includes the year 2002.

SENATE BILL 464 (Public Law 272-2003)
Author(s): Borst, Simpson
Citations Affected: IC 6-1.1; 6-3.5; 14-23; 15-1.5.
Effective: Upon Passage (May 8, 2003); July 1, 2003.
Property tax matters. Requires the department of local government finance to adjust maximum cumulative fund rates, school capital project fund rates, and racial balance fund rates to permit the maintenance of fund levies after the application of inventory exemptions and deductions. Adjusts the timing of adoption of an ordinance to use economic development income tax revenue to provide increased homestead credits to offset inventory deductions and provides that the credits are not required to be uniformly applied. Adjusts assessed value qualification limits for certain deductions and state property tax rates for the state fair and state forestry to account for reassessment. Under certain circumstances for taxes payable in 2002, permits a county auditor to allow an enterprise zone inventory tax credit based on an application that was not timely filed.

SENATE BILL 494 (Public Law 275-2003)
Author(s): Server
Citations Affected: IC 6-2.3.
Effective: January 1, 2003 (retroactive).
Utility receipts tax exemption. Exempts gross receipts received by a political subdivision for sewer and sewage service from the utility receipts tax.

SENATE BILL 505 (Public Law 74-2003)
Author(s): Miller, Lawson
Citations Affected: IC 6-1.1.
Effective: January 1, 2004.
Automobiles and the inventory tax. Requires the inventory of automobile dealers to be assessed at the dealer's established place of business. Exempts from property taxation the inventory of an out-of-state automobile dealer that is located in Indiana for sale on the wholesale automobile market.

HOUSE BILL 1018 (Public Law 77-2003)
Sponsor(s): Waterman, Hume
Citations Affected: IC 6-9.
Effective: July 1, 2003
Local taxes. Repeals the law creating the Knox County innkeeper's tax. Requires Knox County to continue imposing an innkeeper's tax in conformity with the provisions of the uniform innkeeper's tax law.

HOUSE BILL 1155 (Public Law 42-2003)
Sponsor(s): Bray
Citations Affected: IC 6-3.5.
Effective: Upon passage (April 22, 2003).
Jail construction funding. Allows a county that has imposed a county adjusted income tax (CAGIT) and is subject to a federal court order issued before January 1, 2003 that covers the county jail to increase the county's CAGIT rate by 0.25% to fund construction and remodeling of county correctional facilities. Provides that the tax increase expires upon payment of the bonds.

HOUSE BILL 1219 (Public Law 230-2003)
Sponsor(s): Landske, Lanane
Citations Affected: IC 6-1.1.
Effective: Upon passage (May 8, 2003).
Provisional taxes. Establishes temporary provisional property tax billing procedures for a county in which the general reassessment is not completed by the statutory completion date. Requires a county to distribute collections to taxing units in the county within 51 days after the property tax due date. Permits the department of local government finance to adopt emergency rules before January 1, 2005. Adds a provision concerning temporary borrowing by school corporations.

HOUSE BILL 1535 (Public Law 235-2003)
Sponsor(s): Landske, Kenley
Citations Affected: IC 4-22; 6-1.1.
Effective: Upon passage (May 8, 2003).
Property tax assessments in Lake County. With respect to the general reassessment of real property in Lake County effective March 1, 2002: (1) allows the department of local government finance (DLGF) to contract for the reassessment contractor to hold informal hearings with taxpayers and represent the department in assessment appeal proceedings; (2) establishes informal hearing procedures; (3) provides that a taxpayer must participate in an informal hearing to be eligible to file an assessment appeal; (4) permits the Indiana board of tax review (IBTR) to designate special masters to conduct evidentiary hearings of assessment appeals; and (5) authorizes the IBTR and the DLGF to adopt emergency rules. Specifies that these provisions expire December 31, 2005.

HOUSE BILL 1708 (Public Law 27-2003)
Sponsor(s): R. Meeks, Rogers

Citations Affected: IC 6-2.5.
Effective: July 1, 2003.
Sales tax on certain motor vehicles. Provides that certain transactions involving a new motor vehicle are exempt from the state gross retail tax.

HOUSE BILL 1714 (Public Law 245-2003)
Sponsor(s): Kenley, Hume
Citations Affected: IC 5-13; 6-1.1; 6-1.5; 6-3.1; 36-2; P.L. 256-2003.
Effective: July 1, 2003; January 1, 2004.
Property tax matters. Allows approval of a late filed or an incomplete application for an economic revitalization area (ERA) deduction or an enterprise zone inventory credit. Provides that the next general reassessment of real property is effective in 2009. Permits a county auditor to request the township assessor to review an ERA deduction application, and establishes procedures for appeal to local court of an ERA deduction determination or an enterprise zone inventory credit determination by the county auditor. Requires the department of local government finance (DLGF) to adopt rules to implement ERA deductions. Provides that annual adjustments of the assessed value of real property begin in 2005 instead of 2006. Allows a county assessor to intervene or represent the township assessor in review proceedings before the Indiana board of tax review (IBTR) if the notice of appearance is filed before the review proceeding. Permits the IBTR to make a final determination based on a stipulation. If the time for the IBTR to issue a final determination expires, allows the petitioner to wait for a determination or file for de novo review in the tax court. Permits the IBTR to adopt rules to establish procedures for the conduct of proceedings before the board. Sets the sales disclosure form filing fee at $10 for calendar years 2004 and 2005 and specifies distribution of the revenue. Permits a political subdivision to receive an advance distribution from the property tax replacement fund. Reinstates as rules personal property assessment rules incorporated by reference into statutes and prohibits amendment or repeal of certain parts of the rules. Directs county auditors to forward sales disclosure form data to the legislative services agency. Adjusts qualifications for certain civil taxing unit excessive levy appeals. Changes the annual deadline for county auditors to provide information to the state, and imposes a penalty for failure to provide the information by the deadline. Provides that the county assessor (instead of the county auditor) is responsible for publishing notice of the annual session of the county property tax assessment board of appeals. Permits the DLGF to provide training through the Indiana chapter of the International Association of Assessing Officers. Makes the voluntary remediation tax credit available to a taxpayer irrespective of whether the taxpayer is participating in the state voluntary remediation program and irrespective of whether the property is located in a brownfield revitalization zone. Consolidates into a single resolution the determinations required of the legislative body to allow the credit. Provides that the credit does not apply to the extent that the taxpayer uses state financial assistance for the remediation. Allows carryback of a credit to the immediately preceding taxable year. Extends the credit for taxable years through 2005.

HOUSE BILL 1728 (Public Law 105-2003)
Sponsor(s): Borst, Simpson
Citations Affected: IC 6-3; 6-5.5.
Effective: January 1, 2002 (retroactive); January 1, 2003 (retroactive).
Revenue update. Indicates that the term "Internal Revenue Code" refers to the federal Internal Revenue Code as it existed on January 1, 2003. Requires bonus depreciation to be added back to federal adjusted gross income for purposes of determining taxable state adjusted gross income for

purposes of the adjusted gross income tax and the financial institutions tax.

HOUSE BILL 1811 (Public Law 254-2003)
Sponsor(s): Borst, Simpson
Citations Affected: IC 4-4; 5-17; 5-22; 6-2.5; 6-3; 6-3.1; 6-6; 6-8.1; 6-9.
Effective: July 1, 2003.
Various tax matters. Prohibits the state from purchasing supplies or services from a business that is delinquent in payment of sales tax. Provides that out-of-state businesses that do business with the state are to be treated as if they are located in Indiana for purposes of collecting and remitting the sales tax. Requires the filing of an amended Indiana return when modifications in a taxpayer's federal return results in a change in the taxpayer's adjusted gross income. Eliminates a requirement that a withholding agent that makes electronic adjusted gross income deposits file a quarterly return. Expands the penalties applicable to a person who does not register an aircraft and pay applicable gross retail taxes. Eliminates the requirement that the department of state revenue collect vehicle identification information on a tax return. Allows the department of state revenue to remove a person who is not liable for unpaid tax from an assessment notice. Indicates that the limitation period on the issuance of an assessment does not apply to an assessment reissued to the persons liable for the tax. Gives a county fiscal officer conducting an investigation relating to the innkeeper's tax, food and beverage tax, or admissions tax concurrent jurisdiction with the department of state revenue and the audit, investigatory, appraisal, and enforcement powers of the department, and authorizes the county fiscal officer to recover related court costs, fees, and expenses. Authorizes certain cities to impose an admissions tax upon the price of admissions to certain entertainment facilities. Repeals an obsolete law granting an expired investment credit and a criminal penalty for failure to provide motor vehicle information to the department of state revenue.

HOUSE BILL 1814 (Public Law 256-2003)
Sponsor(s): Borst, Simpson
Citations Affected: IC 4-21.5; 6-1.1; 6-1.5; 8-16; 16-22; 20-14; 21-2; 36-6; 36-8; 36-9.
Effective: January 1, 2000 (retroactive); July 1, 2003.
Property tax matters. Provides that the administrative orders and procedures act does not apply to the department of local government finance (DLGF). Removes the DLGF and the board of tax review from the review process for economic revitalization area deductions and enterprise zone inventory credits. Requires the county assessor to conduct equalization among townships in the year of a general reassessment. Provides that certain DLGF final determinations are appealable to the tax court. Requires a township trustee to estimate the amount needed for poor relief and the township board to adopt with the township budget a tax rate sufficient to meet estimated cost of poor relief. Permits the DLGF to extend certain deadlines for tax increment replacement purposes. Provides that the procedure for correction of assessment errors does not apply to a utility. Eliminates the requirements for: (1) the DLGF to certify fixed property utility assessments to the counties; (2) a political subdivision to certify to the county auditor a transfer of money from one major budget classification to another within a department; (3) the DLGF to review per diem for certain assessor training; and (4) the division of data analysis to review federal income

tax returns. Adjusts a requirement for the county auditor to certify certain information. Limits the time between initiation of certain financings and DLGF approval. Validates certain certifications made by a county auditor after a prescribed date. Waives the filing deadline for the property tax exemption for fraternity property owned by a nonprofit corporation as to property taxes due in certain years. Requires a public utility company to correct an error made by the company on the company's personal property statement by filing an amended statement within six months of the due date of the statement. Makes technical changes.

HOUSE BILL 1815 (Public Law 257-2003)
Sponsor(s): Borst, Simpson
Citations Affected: IC 6-2.5; 6-9.
Effective: Upon Passage (May 8, 2003); January 1, 2004.
Streamlined sales tax. Adds or amends various sales tax definitions and exemptions in order to conform to the streamlined sales and use tax agreement. Establishes sourcing rules for determining the taxing situs of telecommunications services (other than mobile telecommunications services otherwise covered by current law). Establishes general sourcing rules for other types of transactions. Amends the statute concerning bad debt deductions from gross retail income to conform to the agreement. Amends references to carryout food in the food and beverage tax statutes to conform to the new sales tax definitions. Authorizes the department of state revenue to adopt emergency rules to implement this bill, and directs the department to adopt initial rules before December 31, 2003.

HOUSE BILL 1858 (Public Law 120-2003)
Sponsor(s): Kenley, Rogers
Citations Affected: IC 6-1.1.
Effective: January 1, 2003 (retroactive).
Steel mill and refinery property taxes. Allows a taxpayer to elect a special property tax valuation method for certain integrated steel mill and oil refinery/petrochemical equipment.

HOUSE BILL 2005 (Public Law 264-2003)
Sponsor(s): Zakas, Craycraft
Citations Affected: IC 6-1.1; 14-33.
Effective: Upon passage (May 8, 2003); July 1, 2003.
Property tax exemptions. Eliminates most acreage limitations in the determination of land exemptions. Provides that land is exempt under certain circumstances for the retention and preservation of land and water (maximum of 500 acres) or if it is used for parking that serves an exempt building. For exemption of land purchased for construction of a building to be used for exempt purposes, requires active pursuit of the building plan. Requires identification in an exemption application of the use of each part of the property, and applies the predominant use test separately to each part identified. Establishes a procedure to require that property for which an exemption application is filed is properly assessed. Requires the reporting of leases of exempt real property to certain entities. Amends various sections to reflect a previous change that requires filing of the exemption application with the county assessor instead of the county

auditor. Imposes reporting and rulemaking requirements on the department of local government finance (DLGF) concerning locally approved exemption applications. Withholds part of state property tax replacement fund distributions to a county if the county assessor fails to forward approved exemption applications to the DLGF. Allows a refund for taxes payable in 2001 for certain churches or religious institutions.

TECHNICAL

HOUSE BILL 1167 (Public Law 1-2003)
Sponsor(s): Kenley, Bowser
Citations Affected: Various Cites.
Effective: July 1, 2001 (retroactive); March 28, 2002 (retroactive); July 1, 2002 (retroactive); Upon passage (April 2, 2003).
Technical corrections. Corrects various technical problems. (The introduced version of this bill was prepared by the code revision commission.)

HOUSE BILL 1380 (Public Law 14-2003)
Sponsor(s): Riegsecker, Lewis
Citations Affected: IC 8-23.
Effective: July 1, 2003.
Reference to Federal Transit Administration. Corrects a cross reference to the Federal Transit Administration.

TRADE REGULATION; CONSUMER SALES AND CREDIT

See also:
SB 504: Delivery sale of cigarettes.
HB 1788: Sale of tobacco.
HB 1791: Internet tobacco product sales.

SENATE BILL 375 (Public Law 70-2003)
Author(s): Clark
Citations Affected: IC 24-4.
Effective: July 1, 2003.
Car rental agreements. Permits a rental company to include a contract provision to recover for damage to an automobile resulting from a collision if the vehicle was driven by an unauthorized driver. Allows a rental agreement to provide for the recovery by the rental company of reasonable attorney's fees.

HOUSE BILL 1055 (Public Law 30-2003)
Sponsor(s): Jackman, Simpson
Citations Affected: IC 4-4.
Effective: July 1, 2003.
Indiana product trademark. Requires the department of commerce, before July 1, 2004, to design a trademark that can be used to indicate that a product was produced or assembled in Indiana. Requires the department to register the trademark with the U.S. Patent and Trademark Office.

HOUSE BILL 1083 (Public Law 36-2003)
Sponsor(s): Ford
Citations Affected: IC 24-5; 34-30.
Effective: July 1, 2003.
Regulation of commercial electronic mail. Provides that a person may not initiate or assist in the transmission of a commercial electronic mail message from a computer located in Indiana or to the electronic mail address of an Indiana resident if the message: (1) uses a third party's Internet domain name without permission of the third party; (2) otherwise misrepresents or obscures any information in identifying the point of origin or the transmission path of the electronic mail; or (3) contains false or misleading information in the subject line. Requires a person that sends unsolicited commercial electronic mail to place certain information in the subject line of the electronic mail and remove the electronic mail address of a person who requests to be removed from the sender's electronic mail lists. Authorizes an interactive computer service to block the receipt or transmission through its service of such electronic mail. Provides that the recipient of an unsolicited commercial electronic mail or an internet service provider has a right of action against the sender of an electronic mail message that violates the statute but not against an internet service provider and other persons involved in the transmission of the electronic mail message.

HOUSE BILL 1212 (Public Law 97-2003)
Sponsor(s): Zakas, Broden
Citations Affected: IC 24-4.
Effective: July 1, 2003.
Purchase and resale of used jewelry by jewelers. Requires jewelers to maintain books, accounts, bill of sales, and records concerning the purchase and resale of used jewelry, with the exception of used jewelry used by a customer as a trade-in toward a purchase of new jewelry. Requires jewelers to make records available to a law enforcement agency. Prohibits jewelers from purchasing used jewelry: (1) from an individual under 18 years of age; and (2) the jeweler knows or has reason to believe is stolen property. Allows law enforcement officers to obtain jewelers' records. Makes a violation of these provisions a Class A misdemeanor.

HOUSE BILL 1286 (Public Law 13-2003)
Sponsor(s): Harrison, Craycraft
Citations Affected: IC 4-4.
Effective: July 1, 2003.

Definitions of trade mission and trade show. Amends the definition of trade mission to include a planned tour of business locations inside the United States. Amends the definition of trade show to include an exhibition, an exposition, or a fair located inside the United States.

UTILITIES AND TRANSPORTATION

See also:
HB 1798: Environmental management.

SENATE BILL 438 (Public Law 114-2003)
Author(s): Hershman
Citations Affected: IC 8-1.
Effective: July 1, 2003.
Underground plant protection service. Requires the operator of an underground utility facility located in Indiana to become a member of the Indiana Underground Plant Protection Service (IUPPS) not later than September 1, 2004 if the articles of incorporation or the bylaws of the IUPPS impose certain membership and voting requirements on the IUPPS's board of directors. Requires the IUPPS to: (1) record with county recorders the location of all of its members' underground facilities; and (2) receive notice of excavation or demolition projects potentially affecting its members' underground facilities. Requires county recorders to refer to the IUPPS any person seeking to provide notice of an excavation or a demolition project that may affect underground utility facilities.

SENATE BILL 454 (Public Law 271-2003)
Author(s): Kenley, Rogers
Citations Affected: IC 8-10.
Effective: July 1, 2003.
Port commission powers. Authorizes the Indiana port commission to construct and finance: (1) maritime and nonmaritime port projects throughout Indiana for the transfer of goods and passengers between all modes of transportation; and (2) nonport projects to promote economic growth and development throughout Indiana. Specifies the powers of the commission with respect to these projects, including the conditions under which the commission may issue bonds and enter into various agreements. Prohibits the commission from making a pledge that would create a "moral obligation" on the part of the state to pay any part of the bond. Expands the types of studies that may be funded from the Indiana port fund to include studies of transportation by water, intermodal transportation, and other modes of transportation, and authorizes use of money in the fund for the purposes of IC 14-13-2 concerning the Little Calumet river basin commission. Exempts projects to be leased to a private party from certain public works laws. Makes certain provisions in IC 8-10-1 applicable to IC 8-10-4 (self-liquidating port projects).

SENATE BILL 503 (Public Law 137-2003)
Author(s): Riegsecker
Citations Affected: IC 8-6.
Effective: July 1, 2003.
Railroad crossing safety. Authorizes the department of transportation (INDOT) to create pilot railroad crossing safety projects. Permits the procedure for adopting a local ordinance concerning

the use of train whistles to apply to a rail corridor, instead of to a single railroad crossing, and requires an ordinance prohibiting train whistles to include specific language. Requires the safety study required of INDOT after the ordinance is adopted to consider certain items. Prohibits INDOT from revoking its permission for regulating the use of train whistles after the ordinance is adopted, and requires INDOT to grant permission in certain circumstances.

HOUSE BILL 1010 (Public Law 165-2003)
Sponsor(s): Rogers, Landske
Citations Affected: IC 8-10; 8-22; 36-7.
Effective: Upon Passage (May 7, 2003); July 1, 2003
Transportation and planning commissions. Requires that all area plan commissions use the same process when appointing an executive director. Reduces, from 20% to 10%, the ten year population percentage loss that is one of the criteria for the establishment of an airport development zone in certain cities. Expands the types of studies that may be funded from the Indiana port fund to include studies of transportation by water, intermodal transportation, and other modes of transportation. Authorizes transfers from the Indiana port fund for the purposes of IC 14-13-2. Repeals and replaces the law governing the Northwestern Indiana Regional Planning Commission (NIRPC) as a coordinating agency in Lake, Porter, and LaPorte counties. Establishes the purpose, powers, and duties of NIRPC. Establishes the funding and budgeting mechanisms for the commission. Authorizes an alternative weighted voting system for NIRPC until June 30, 2007.

HOUSE BILL 1133 (Public Law 31-2003)
Sponsor(s): Landske, Rogers
Citations Affected: P.L. 140-2001.
Effective: July 1, 2003.
Northwest Indiana transportation study commission. Extends the expiration date of the northwest Indiana transportation study commission until November 1, 2005.

HOUSE BILL 1243 (Public Law 174-2003)
Sponsor(s): Skillman, Dembowski
Citations Affected: IC 36-9.
Effective: July 1, 2003.
Sewer liens. Requires the municipal officer responsible for collecting municipal sewer fees to record and certify liens relating to delinquent sewer fees by using either a list or individual instruments. Requires that certification occur not later than 10 days after recording.

HOUSE BILL 1482 (Public Law 87-2003)
Sponsor(s): Jackman, Lewis
Citations Affected: IC 8-6; 9-21.
Effective: July 1, 2003.
Abandoned railroad crossings. Requires the Indiana department of transportation, upon request, to determine whether a railroad grade crossing is abandoned or unused. Requires designated

crossings to be marked with a "tracks out of service" sign. Specifies that the law requiring school buses and certain other vehicles to stop and proceed in a certain manner at railroad crossings does not apply to a crossing marked with a "tracks out of service" sign. Establishes a procedure to be followed to change the signs at a crossing that again becomes operational.

HOUSE BILL 1489 (Public Law 124-2003)
Sponsor(s): Jackman, Hume
Citations Affected: Noncode.
Effective: July 1, 2003.
High speed rail funding. Requires INDOT to expend at least 10% of Indiana's federal funding for state planning and research to pay for planning costs, including environmental impact studies, associated with the development of a high speed passenger rail system in Indiana.

HOUSE BILL 1659 (Public Law 239-2003)
Sponsor(s): Gard, Hume
Citations Affected: IC 13-26.
Effective: July 1, 2003.
Regional sewer districts. Provides that a regional sewer district must base its rates and charges on factors that are necessary to establish nondiscriminatory, just, and equitable rates and charges. Allows a campground that brought a legal action after January 1, 2000, and before April 1, 2003, against a district board concerning sewage service billed at a flat rate to elect to be billed for sewage service based on the campground's resident equivalent units.

HOUSE BILL 1683 (Public Law 128-2003)
Sponsor(s): Harrison, Craycraft
Citations Affected: IC 8-9.
Effective: July 1, 2003.
Railroad employee counseling and assistance. Establishes a monetary penalty for the failure to establish a program or make services available. Permits the state revenue motor carrier services division to adopt rules concerning the statute that regulates contract carriers who transport railroad employees. Makes violations of the statute a Class C infraction.

VETOED BILLS: Brief Description

Senate Enrolled Act 337:	**Native American Indian Affairs Commission**
Senate Enrolled Act 440:	**Air Pollution**
Senate Enrolled Act 533:	**Confined Animal Feeding Operations**
House Enrolled Act 1525:	**Various Criminal Law Matters**
House Enrolled Act 1660:	**Abuse of an Endangered Adult**
House Enrolled Act 1798:	**Environmental Management**

VETO OVERRIDES

During the 2002 Special Session, held May 14, 2002 through June 23, 2002, the Indiana Senate and House of Representatives voted to override the Governor's veto of the following bills:

2002 SENATE ENROLLED ACT 217 VETO OVERRIDE (Public Law 190-2002)
Author: Nugent
Citations Affected: IC 2-5; 12-24.
Effective: March 1, 2002 (retroactive); Upon passage; July 1, 2003 in original bill. Now effective June 22, 2002 and July 1, 2002.

Muscatatuck State Developmental Center downsizing. Requires the division of disability, aging, and rehabilitative services to take certain actions, including conducting public hearings, submitting a report to the legislative council and the commission on mental retardation and developmental disabilities, and developing a plan, before downsizing Muscatatuck State Developmental Center. Specifies conditions that must be met before Muscatatuck State Developmental Center may be downsized. Converts the commission on mental retardation and developmental disabilities to a statutory commission that expires on January 1, 2005. Specifies that the term of a lay member is three years. Requires the governor to fill a lay member vacancy within ten days after the vacancy occurs.;Provides that under certain conditions the term of a lay member continues until a successor is appointed. Provides that the commission operates under the policies governing study committees adopted by the legislative council. Provides benefits to certain laid-off state employees. Appropriates $500,000 for the retraining of former employees of Madison state hospital. Repeals noncode provisions concerning the commission.

2002 HOUSE ENROLLED ACT 1065 VETO OVERRIDE (Public Law 191-2002)
Author: R. Meeks, Hume
Citations Affected: IC 5-10.2; 5-10.3.
Effective: July 1, 2002; January 1, 2003 in original bill. Now effective July 15, 2002; January 1, 2003.

Annual PERF cost of living adjustment. Provides a cost of living adjustment in 2003 for members of the public employees' retirement fund (PERF) (or their survivors or beneficiaries). Provides a cost of living adjustment in 2003 to members of the state teachers' retirement fund (TRF) (or their survivors or beneficiaries) who retired or were disabled before July 2, 2000.

JOINT RESOLUTIONS PASSED AMENDING THE INDIANA CONSTITUTION

SENATE JOINT RESOLUTION 5 (Public Law 278-2003)
Author(s): Hume, Kenley
Citations Affected: Indiana Constitution, Article 10
Effective: Upon passage (April 14, 2003).
Property tax exemption. Allows the general assembly to enact a law to exempt from property taxation: (1) inventory; (2) tangible personal property used in the production of income; and (3) tangible real property used as a primary residence by the owner, an individual buying the property on contract, or an individual having a beneficial interest in the owner. The proposed amendment has been agreed to by one general assembly.

HOUSE JOINT RESOLUTION 7 (Public Law 279-2003)
Sponsor(s): Skillman
Citations Affected: Indiana Constitution, Article 10
Effective: Upon passage (April 1, 2003).
Term of office of local officials. Permits the general assembly to fix the dates for beginning terms of county officers in order to establish a uniform schedule of starting dates. This proposed amendment has been agreed to by a general assembly. (The introduced version of this joint resolution was approved by the county government study commission.)

HOUSE JOINT RESOLUTION 8 (Public Law 280-2003)
Sponsor(s): Ford, R. Young
Citations Affected: Indiana Constitution, Article 10
Effective: Upon passage (April 8, 2003).
Discharging the governor's powers and duties. Provides that the general assembly may provide by law for persons other than the governor to discharge the governor's powers and until the general assembly fills a vacancy in the office when both the office of the governor and the office of the lieutenant governor are vacant.

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