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Subject: Code Comments, Proposals and Advice
Date: Friday, July 31, 2020 3:20:00 PM

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Formstack Submission For: **4202**

Submitted at 07/31/20 3:18 PM

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Indiana Code You Are Commenting On:	LSA Document 19-333 (E) Section 10 DETERMINATION (d)
	In Section 10 (d)
	In the first sentence ADD "and IC 4-21.5-3-5 " (after of IC 4-21.5-3-4 , AND BEFORE as required by IC 22-12-7-3.)
	Add a second sentence to read "Each order shall be posted to the public portal, regardless of whether the determination is made by the department or the commission."
Comment or	REASON: IC 4: 21.5-3-5 "Notice required; certain licensing and

Proposal:

other decisions; persons who must be notified; contents; effectiveness of order; stays” specifically references those “items not covered in Chapter 4 “and specifically references “variances” in IC 4-21.5-3-5(a) (3) “requires notice to be provided the applicant concerning a grant or denial of a license in the nature of a variance” and is the more appropriate chapter. The second portion of the addition pertains to information and final determinations made by the department. This requirement adds transparency to final determinations made by the committee within the department.

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SECTION 10 DETERMINATION Notice and Posting

Add new language in RED FONT.

(d) An order granting or denying a variance shall be issued following the requirements of IC 4-21.5-3-4 and IC 4-21.5-3-5 as required by IC 22-12-7-3. Each order shall be posted to the public portal, regardless of whether the determination is made by the department or the commission.

REASON: IC 4: 21.5-3-5 “Notice required; certain licensing and other decisions; persons who must be notified; contents; effectiveness of order; stays” specifically references those “items not covered in Chapter 4 “and specifically references “variances” in IC 4-21.5-3-5(a)(3) “requires notice to be provided the applicant concerning a grant or denial of a license in the nature of a **variance**” and is the more appropriate chapter. The second portion of the addition pertains to information and final determinations made by the department. This requirement adds transparency to final determinations made by the committee within the department.