



Adopted	Rejected
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COMMITTEE REPORT

YES:	11
NO:	1

MR. SPEAKER:

*Your Committee on Courts and Criminal Code, to which was referred Senate Bill 197, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

- 1 Page 2, between lines 8 and 9, begin a new paragraph and insert:
- 2 "SECTION 2. IC 5-2-1-9, AS AMENDED BY SEA 81-2021,
- 3 SECTION 1, AND AS AMENDED BY HEA 1006-2021, SECTION
- 4 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1,
- 5 2021]: Sec. 9. (a) The board shall adopt in accordance with IC 4-22-2
- 6 all necessary rules to carry out the provisions of this chapter. The rules,
- 7 which shall be adopted only after necessary and proper investigation
- 8 and inquiry by the board, shall include the establishment of the
- 9 following:
- 10 (1) Minimum standards of physical, educational, mental, and
- 11 moral fitness which shall govern the acceptance of any person for
- 12 training by any law enforcement training school or academy
- 13 meeting or exceeding the minimum standards established
- 14 pursuant to this chapter.

- 1 (2) Minimum standards for law enforcement training schools
2 administered by towns, cities, counties, law enforcement training
3 centers, agencies, or departments of the state.
- 4 (3) Minimum standards for courses of study, attendance
5 requirements, equipment, and facilities for approved town, city,
6 county, and state law enforcement officer, police reserve officer,
7 and conservation reserve officer training schools.
- 8 (4) Minimum standards for a course of study on cultural diversity
9 awareness, including training on the U nonimmigrant visa created
10 through the federal Victims of Trafficking and Violence
11 Protection Act of 2000 (P.L. 106-386) that must be required for
12 each person accepted for training at a law enforcement training
13 school or academy. Cultural diversity awareness study must
14 include an understanding of cultural issues related to race,
15 religion, gender, age, domestic violence, national origin, and
16 physical and mental disabilities.
- 17 (5) Minimum qualifications for instructors at approved law
18 enforcement training schools.
- 19 (6) Minimum basic training requirements which law enforcement
20 officers appointed to probationary terms shall complete before
21 being eligible for continued or permanent employment.
- 22 (7) Minimum basic training requirements which law enforcement
23 officers appointed on other than a permanent basis shall complete
24 in order to be eligible for continued employment or permanent
25 appointment.
- 26 (8) Minimum basic training requirements which law enforcement
27 officers appointed on a permanent basis shall complete in order
28 to be eligible for continued employment.
- 29 (9) Minimum basic training requirements for each person
30 accepted for training at a law enforcement training school or
31 academy that include six (6) hours of training in interacting with:
- 32 (A) persons with autism, mental illness, addictive disorders,
33 intellectual disabilities, and developmental disabilities;
- 34 (B) missing endangered adults (as defined in IC 12-7-2-131.3);
35 and
- 36 (C) persons with Alzheimer's disease or related senile
37 dementia;
- 38 to be provided by persons approved by the secretary of family and

1 social services and the board. The training must include an
2 overview of the crisis intervention teams.

3 (10) Minimum standards for a course of study on human and
4 sexual trafficking that must be required for each person accepted
5 for training at a law enforcement training school or academy and
6 for inservice training programs for law enforcement officers. The
7 course must cover the following topics:

8 (A) Examination of the human and sexual trafficking laws
9 (IC 35-42-3.5).

10 (B) Identification of human and sexual trafficking.

11 (C) Communicating with traumatized persons.

12 (D) Therapeutically appropriate investigative techniques.

13 (E) Collaboration with federal law enforcement officials.

14 (F) Rights of and protections afforded to victims.

15 (G) Providing documentation that satisfies the Declaration of
16 Law Enforcement Officer for Victim of Trafficking in Persons
17 (Form I-914, Supplement B) requirements established under
18 federal law.

19 (H) The availability of community resources to assist human
20 and sexual trafficking victims.

21 (11) Minimum standards for ongoing specialized, intensive, and
22 integrative training for persons responsible for investigating
23 sexual assault cases involving adult victims. This training must
24 include instruction on:

25 (A) the neurobiology of trauma;

26 (B) trauma informed interviewing; and

27 (C) investigative techniques.

28 ~~(H)~~ **(12)** Minimum standards for de-escalation training.
29 De-escalation training shall be taught as a part of existing
30 use-of-force training and not as a separate topic.

31 (b) A law enforcement officer appointed after July 5, 1972, and
32 before July 1, 1993, may not enforce the laws or ordinances of the state
33 or any political subdivision unless the officer has, within one (1) year
34 from the date of appointment, successfully completed the minimum
35 basic training requirements established under this chapter by the board.
36 If a person fails to successfully complete the basic training
37 requirements within one (1) year from the date of employment, the
38 officer may not perform any of the duties of a law enforcement officer

1 involving control or direction of members of the public or exercising
 2 the power of arrest until the officer has successfully completed the
 3 training requirements. This subsection does not apply to any law
 4 enforcement officer appointed before July 6, 1972, or after June 30,
 5 1993.

6 (c) Military leave or other authorized leave of absence from law
 7 enforcement duty during the first year of employment after July 6,
 8 1972, shall toll the running of the first year, which shall be calculated
 9 by the aggregate of the time before and after the leave, for the purposes
 10 of this chapter.

11 (d) Except as provided in subsections (e), (m), (t), and (u), a law
 12 enforcement officer appointed to a law enforcement department or
 13 agency after June 30, 1993, may not:

- 14 (1) make an arrest;
- 15 (2) conduct a search or a seizure of a person or property; or
- 16 (3) carry a firearm;

17 unless the law enforcement officer successfully completes, at a board
 18 certified law enforcement academy or at a law enforcement training
 19 center under section 10.5 or 15.2 of this chapter, the basic training
 20 requirements established by the board under this chapter.

21 (e) This subsection does not apply to:

- 22 (1) a gaming agent employed as a law enforcement officer by the
 23 Indiana gaming commission; or
- 24 (2) an:
 - 25 (A) attorney; or
 - 26 (B) investigator;

27 designated by the securities commissioner as a police officer of
 28 the state under IC 23-19-6-1(k).

29 Before a law enforcement officer appointed after June 30, 1993,
 30 completes the basic training requirements, the law enforcement officer
 31 may exercise the police powers described in subsection (d) if the
 32 officer successfully completes the pre-basic course established in
 33 subsection (f). Successful completion of the pre-basic course authorizes
 34 a law enforcement officer to exercise the police powers described in
 35 subsection (d) for one (1) year after the date the law enforcement
 36 officer is appointed.

37 (f) The board shall adopt rules under IC 4-22-2 to establish a
 38 pre-basic course for the purpose of training:

1 (1) law enforcement officers;
2 (2) police reserve officers (as described in IC 36-8-3-20); and
3 (3) conservation reserve officers (as described in IC 14-9-8-27);
4 regarding the subjects of arrest, search and seizure, the lawful use of
5 force, de-escalation training, interacting with individuals with autism,
6 and the operation of an emergency vehicle. The pre-basic course must
7 be offered on a periodic basis throughout the year at regional sites
8 statewide. The pre-basic course must consist of at least forty (40) hours
9 of course work. The board may prepare the classroom part of the
10 pre-basic course using available technology in conjunction with live
11 instruction. The board shall provide the course material, the instructors,
12 and the facilities at the regional sites throughout the state that are used
13 for the pre-basic course. In addition, the board may certify pre-basic
14 courses that may be conducted by other public or private training
15 entities, including postsecondary educational institutions.

16 (g) Subject to subsection (h), the board shall adopt rules under
17 IC 4-22-2 to establish a mandatory inservice training program for
18 police officers and police reserve officers (as described in
19 IC 36-8-3-20). After June 30, 1993, a law enforcement officer who has
20 satisfactorily completed basic training and has been appointed to a law
21 enforcement department or agency on either a full-time or part-time
22 basis is not eligible for continued employment unless the officer
23 satisfactorily completes the mandatory inservice training requirements
24 established by rules adopted by the board. Inservice training must
25 include de-escalation training. Inservice training must also include
26 training in interacting with persons with mental illness, addictive
27 disorders, intellectual disabilities, autism, developmental disabilities,
28 and Alzheimer's disease or related senile dementia, to be provided by
29 persons approved by the secretary of family and social services and the
30 board, and training concerning human and sexual trafficking and high
31 risk missing persons (as defined in IC 5-2-17-1). The board may
32 approve courses offered by other public or private training entities,
33 including postsecondary educational institutions, as necessary in order
34 to ensure the availability of an adequate number of inservice training
35 programs. The board may waive an officer's inservice training
36 requirements if the board determines that the officer's reason for
37 lacking the required amount of inservice training hours is due to either
38 an emergency situation or the unavailability of courses.

1 (h) This subsection applies only to a mandatory inservice training
2 program under subsection (g). Notwithstanding subsection (g), the
3 board may, without adopting rules under IC 4-22-2, modify the course
4 work of a training subject matter, modify the number of hours of
5 training required within a particular subject matter, or add a new
6 subject matter, if the board satisfies the following requirements:

7 (1) The board must conduct at least two (2) public meetings on
8 the proposed modification or addition.

9 (2) After approving the modification or addition at a public
10 meeting, the board must post notice of the modification or
11 addition on the Indiana law enforcement academy's Internet web
12 site at least thirty (30) days before the modification or addition
13 takes effect.

14 If the board does not satisfy the requirements of this subsection, the
15 modification or addition is void. This subsection does not authorize the
16 board to eliminate any inservice training subject matter required under
17 subsection (g).

18 (i) The board shall also adopt rules establishing a town marshal
19 basic training program, subject to the following:

20 (1) The program must require fewer hours of instruction and class
21 attendance and fewer courses of study than are required for the
22 mandated basic training program.

23 (2) Certain parts of the course materials may be studied by a
24 candidate at the candidate's home in order to fulfill requirements
25 of the program.

26 (3) Law enforcement officers successfully completing the
27 requirements of the program are eligible for appointment only in
28 towns employing the town marshal system (IC 36-5-7) and having
29 not more than one (1) marshal and two (2) deputies.

30 (4) The limitation imposed by subdivision (3) does not apply to an
31 officer who has successfully completed the mandated basic
32 training program.

33 (5) The time limitations imposed by subsections (b) and (c) for
34 completing the training are also applicable to the town marshal
35 basic training program.

36 (6) The program must require training in interacting with
37 individuals with autism.

38 (j) The board shall adopt rules under IC 4-22-2 to establish an

1 executive training program. The executive training program must
2 include training in the following areas:

- 3 (1) Liability.
- 4 (2) Media relations.
- 5 (3) Accounting and administration.
- 6 (4) Discipline.
- 7 (5) Department policy making.
- 8 (6) Lawful use of force and de-escalation training.
- 9 (7) Department programs.
- 10 (8) Emergency vehicle operation.
- 11 (9) Cultural diversity.

12 (k) A police chief shall apply for admission to the executive training
13 program within two (2) months of the date the police chief initially
14 takes office. A police chief must successfully complete the executive
15 training program within six (6) months of the date the police chief
16 initially takes office. However, if space in the executive training
17 program is not available at a time that will allow completion of the
18 executive training program within six (6) months of the date the police
19 chief initially takes office, the police chief must successfully complete
20 the next available executive training program that is offered after the
21 police chief initially takes office.

22 (l) A police chief who fails to comply with subsection (k) may not
23 continue to serve as the police chief until completion of the executive
24 training program. For the purposes of this subsection and subsection
25 (k), "police chief" refers to:

- 26 (1) the police chief of any city;
- 27 (2) the police chief of any town having a metropolitan police
28 department; and
- 29 (3) the chief of a consolidated law enforcement department
30 established under IC 36-3-1-5.1.

31 A town marshal is not considered to be a police chief for these
32 purposes, but a town marshal may enroll in the executive training
33 program.

34 (m) A fire investigator in the division of fire and building safety
35 appointed after December 31, 1993, is required to comply with the
36 basic training standards established under this chapter.

37 (n) The board shall adopt rules under IC 4-22-2 to establish a
38 program to certify handgun safety courses, including courses offered

1 in the private sector, that meet standards approved by the board for
 2 training probation officers in handgun safety as required by
 3 IC 11-13-1-3.5(3).

4 (o) The board shall adopt rules under IC 4-22-2 to establish a
 5 refresher course for an officer who:

6 (1) is hired by an Indiana law enforcement department or agency
 7 as a law enforcement officer;

8 (2) has not been employed as a law enforcement officer for:

9 (A) at least two (2) years; and

10 (B) less than six (6) years before the officer is hired under
 11 subdivision (1); and

12 (3) completed at any time a basic training course certified or
 13 recognized by the board before the officer is hired under
 14 subdivision (1).

15 (p) An officer to whom subsection (o) applies must successfully
 16 complete the refresher course described in subsection (o) not later than
 17 six (6) months after the officer's date of hire, or the officer loses the
 18 officer's powers of:

19 (1) arrest;

20 (2) search; and

21 (3) seizure.

22 (q) The board shall adopt rules under IC 4-22-2 to establish a
 23 refresher course for an officer who:

24 (1) is appointed by an Indiana law enforcement department or
 25 agency as a reserve police officer; and

26 (2) has not worked as a reserve police officer for at least two (2)
 27 years after:

28 (A) completing the pre-basic course; or

29 (B) leaving the individual's last appointment as a reserve
 30 police officer.

31 An officer to whom this subsection applies must successfully complete
 32 the refresher course established by the board in order to work as a
 33 reserve police officer.

34 (r) This subsection applies to an individual who, at the time the
 35 individual completes a board certified or recognized basic training
 36 course, has not been appointed as a law enforcement officer by an
 37 Indiana law enforcement department or agency. If the individual is not
 38 employed as a law enforcement officer for at least two (2) years after

1 completing the basic training course, the individual must successfully
 2 retake and complete the basic training course as set forth in subsection
 3 (d).

4 (s) The board shall adopt rules under IC 4-22-2 to establish a
 5 refresher course for an individual who:

6 (1) is appointed as a board certified instructor of law enforcement
 7 training; and

8 (2) has not provided law enforcement training instruction for
 9 more than one (1) year after the date the individual's instructor
 10 certification expired.

11 An individual to whom this subsection applies must successfully
 12 complete the refresher course established by the board in order to
 13 renew the individual's instructor certification.

14 (t) This subsection applies only to a gaming agent employed as a
 15 law enforcement officer by the Indiana gaming commission. A gaming
 16 agent appointed after June 30, 2005, may exercise the police powers
 17 described in subsection (d) if:

18 (1) the agent successfully completes the pre-basic course
 19 established in subsection (f); and

20 (2) the agent successfully completes any other training courses
 21 established by the Indiana gaming commission in conjunction
 22 with the board.

23 (u) This subsection applies only to a securities enforcement officer
 24 designated as a law enforcement officer by the securities
 25 commissioner. A securities enforcement officer may exercise the police
 26 powers described in subsection (d) if:

27 (1) the securities enforcement officer successfully completes the
 28 pre-basic course established in subsection (f); and

29 (2) the securities enforcement officer successfully completes any
 30 other training courses established by the securities commissioner
 31 in conjunction with the board.

32 (v) As used in this section, "upper level policymaking position"
 33 refers to the following:

34 (1) If the authorized size of the department or town marshal
 35 system is not more than ten (10) members, the term refers to the
 36 position held by the police chief or town marshal.

37 (2) If the authorized size of the department or town marshal
 38 system is more than ten (10) members but less than fifty-one (51)

- 1 members, the term refers to:
- 2 (A) the position held by the police chief or town marshal; and
- 3 (B) each position held by the members of the police
- 4 department or town marshal system in the next rank and pay
- 5 grade immediately below the police chief or town marshal.
- 6 (3) If the authorized size of the department or town marshal
- 7 system is more than fifty (50) members, the term refers to:
- 8 (A) the position held by the police chief or town marshal; and
- 9 (B) each position held by the members of the police
- 10 department or town marshal system in the next two (2) ranks
- 11 and pay grades immediately below the police chief or town
- 12 marshal.
- 13 (w) This subsection applies only to a correctional police officer
- 14 employed by the department of correction. A correctional police officer
- 15 may exercise the police powers described in subsection (d) if:
- 16 (1) the officer successfully completes the pre-basic course
- 17 described in subsection (f); and
- 18 (2) the officer successfully completes any other training courses
- 19 established by the department of correction in conjunction with
- 20 the board.
- 21 (x) This subsection applies only to the sexual assault training
- 22 described in subsection (a)(11). The board shall:
- 23 (1) consult with experts on the neurobiology of trauma, trauma
- 24 informed interviewing, and investigative techniques in developing
- 25 the sexual assault training; and
- 26 (2) develop the sexual assault training and begin offering the
- 27 training not later than July 1, 2022.
- 28 (y) After July 1, 2023, a law enforcement officer who regularly
- 29 investigates sexual assaults involving adult victims must complete the
- 30 training requirements described in subsection (a)(11) within one (1)
- 31 year of being assigned to regularly investigate sexual assaults involving
- 32 adult victims.
- 33 (z) A law enforcement officer who regularly investigates sexual
- 34 assaults involving adult victims may complete the training
- 35 requirements described in subsection (a)(11) by attending a:
- 36 (1) statewide or national training; or
- 37 (2) department hosted local training.
- 38 **(aa) Notwithstanding any other provisions of this section, the**

1 board is authorized to establish certain required standards of
2 training and procedure."

3 Page 5, between lines 4 and 5, begin a new paragraph and insert:

4 "(l) A physician or a person trained in obtaining bodily samples
5 who is acting under the direction of or under a protocol prepared
6 by a physician shall obtain a blood sample if the following
7 conditions are satisfied:

8 (1) A law enforcement officer requests that the sample be
9 obtained.

10 (2) The law enforcement officer has certified in writing the
11 following:

12 (A) That the officer has probable cause to believe the
13 person from whom the sample is to be obtained has
14 violated IC 9-30-5-4, IC 9-30-5-5, IC 35-46-9-6(b)(2), or
15 IC 35-46-9-6(c).

16 (B) That the offense resulting in a criminal investigation
17 described in subsection (a) occurred not more than three
18 (3) hours before the time the sample is requested.

19 (C) That exigent circumstances exist that create pressing
20 health, safety, or law enforcement needs that would take
21 priority over a warrant application.

22 (3) Not more than the use of reasonable force is necessary to
23 obtain the sample."

24 Page 6, delete lines 14 through 42.

25 Delete page 7.

26 Page 8, delete lines 1 through 2.

27 Page 14, between lines 25 and 26, begin a new paragraph and insert:

28 "SECTION 15. IC 15-15-13-6.5, AS ADDED BY P.L.190-2019,
29 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
30 JULY 1, 2021]: Sec. 6.5. As used in this chapter, "hemp product"
31 means a product derived from, or made by, processing hemp plants or
32 plant parts including derivatives, extracts, cannabinoids, isomers, acids,
33 salts, and salts of isomers. However, the term does not include:

34 (1) smokable hemp (as defined by IC 35-48-1-26.6); or

35 (2) products that contain a total ~~delta-9-tetrahydrocannabinol~~
36 **tetrahydrocannabinol** concentration of more than three-tenths
37 of one percent (0.3%) by weight."

38 Page 16, delete lines 38 through 42, begin a new paragraph and

1 insert:

2 "SECTION 19. IC 20-28-5-8, AS AMENDED BY HEA 1564-2021,
3 SECTION 88, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
4 JULY 1, 2021]: Sec. 8. (a) This section applies when a prosecuting
5 attorney knows that a licensed employee of a public school or a
6 nonpublic school has been convicted of an offense listed in subsection
7 (c). The prosecuting attorney shall immediately give written notice of
8 the conviction to the following:

9 (1) The secretary of education.

10 (2) Except as provided in subdivision (3), the superintendent of
11 the school corporation that employs the licensed employee or the
12 equivalent authority if a nonpublic school employs the licensed
13 employee.

14 (3) The presiding officer of the governing body of the school
15 corporation that employs the licensed employee, if the convicted
16 licensed employee is the superintendent of the school corporation.

17 (b) The superintendent of a school corporation, presiding officer of
18 the governing body, or equivalent authority for a nonpublic school shall
19 immediately notify the secretary of education when the individual
20 knows that a current or former licensed employee of the public school
21 or nonpublic school has been convicted of an offense listed in
22 subsection (c), or when the governing body or equivalent authority for
23 a nonpublic school takes any final action in relation to an employee
24 who engaged in any offense listed in subsection (c).

25 (c) Except as provided in section 8.5 of this chapter, the department
26 shall permanently revoke the license of a person who is known by the
27 department to have been convicted of any of the following felonies:

28 (1) Kidnapping (IC 35-42-3-2).

29 (2) Criminal confinement (IC 35-42-3-3).

30 (3) Rape (IC 35-42-4-1).

31 (4) Criminal deviate conduct (IC 35-42-4-2) (before its repeal).

32 (5) Child molesting (IC 35-42-4-3).

33 (6) ~~Child exploitation~~ **An offense under** IC 35-42-4-4(b) or
34 IC 35-42-4-4(c).

35 (7) Vicarious sexual gratification (IC 35-42-4-5).

36 (8) Child solicitation (IC 35-42-4-6).

37 (9) Child seduction (IC 35-42-4-7).

38 (10) Sexual misconduct with a minor (IC 35-42-4-9).

- 1 (11) Incest (IC 35-46-1-3).
- 2 (12) Dealing in or manufacturing cocaine or a narcotic drug (IC
- 3 35-48-4-1).
- 4 (13) Dealing in methamphetamine (IC 35-48-4-1.1).
- 5 (14) Manufacturing methamphetamine (IC 35-48-4-1.2).
- 6 (15) Dealing in a schedule I, II, or III controlled substance (IC
- 7 35-48-4-2).
- 8 (16) Dealing in a schedule IV controlled substance (IC
- 9 35-48-4-3).
- 10 (17) Dealing in a schedule V controlled substance (IC 35-48-4-4).
- 11 (18) Dealing in a counterfeit substance (IC 35-48-4-5).
- 12 (19) Dealing in marijuana, hash oil, hashish, or salvia as a felony
- 13 (IC 35-48-4-10).
- 14 (20) An offense under IC 35-48-4 involving the manufacture or
- 15 sale of a synthetic drug (as defined in IC 35-31.5-2-321), a
- 16 synthetic drug lookalike substance (as defined in
- 17 IC 35-31.5-2-321.5 (before its repeal on July 1, 2019)) under
- 18 IC 35-48-4-10.5 (before its repeal on July 1, 2019), a controlled
- 19 substance analog (as defined in IC 35-48-1-9.3), or a substance
- 20 represented to be a controlled substance (as described in
- 21 IC 35-48-4-4.6).
- 22 (21) Possession of child pornography (IC 35-42-4-4(d) or
- 23 IC 35-42-4-4(e)).
- 24 (22) Homicide (IC 35-42-1).
- 25 (23) Voluntary manslaughter (IC 35-42-1-3).
- 26 (24) Reckless homicide (IC 35-42-1-5).
- 27 (25) Battery as any of the following:
- 28 (A) A Class A felony (for a crime committed before July 1,
- 29 2014) or a Level 2 felony (for a crime committed after June
- 30 30, 2014).
- 31 (B) A Class B felony (for a crime committed before July 1,
- 32 2014) or a Level 3 felony (for a crime committed after June
- 33 30, 2014).
- 34 (C) A Class C felony (for a crime committed before July 1,
- 35 2014) or a Level 5 felony (for a crime committed after June
- 36 30, 2014).
- 37 (26) Aggravated battery (IC 35-42-2-1.5).
- 38 (27) Robbery (IC 35-42-5-1).

- 1 (28) Carjacking (IC 35-42-5-2) (before its repeal).
- 2 (29) Arson as a Class A felony or Class B felony (for a crime
- 3 committed before July 1, 2014) or as a Level 2, Level 3, or Level
- 4 4 felony (for a crime committed after June 30, 2014) (IC
- 5 35-43-1-1(a)).
- 6 (30) Burglary as a Class A felony or Class B felony (for a crime
- 7 committed before July 1, 2014) or as a Level 1, Level 2, Level 3,
- 8 or Level 4 felony (for a crime committed after June 30, 2014) (IC
- 9 35-43-2-1).
- 10 (31) Human trafficking (IC 35-42-3.5).
- 11 (32) Dealing in a controlled substance resulting in death (IC
- 12 35-42-1-1.5).
- 13 (33) Attempt under IC 35-41-5-1 to commit an offense listed in
- 14 this subsection.
- 15 (34) Conspiracy under IC 35-41-5-2 to commit an offense listed
- 16 in this subsection.
- 17 (d) The department shall permanently revoke the license of a person
- 18 who is known by the department to have been convicted of a federal
- 19 offense or an offense in another state that is comparable to a felony
- 20 listed in subsection (c).
- 21 (e) A license may be suspended by the secretary of education as
- 22 specified in IC 20-28-7.5.
- 23 (f) The department shall develop a data base of information on
- 24 school corporation employees who have been reported to the
- 25 department under this section.
- 26 (g) Upon receipt of information from the office of judicial
- 27 administration in accordance with IC 33-24-6-3 concerning persons
- 28 convicted of an offense listed in subsection (c), the department shall:
- 29 (1) cross check the information received from the office of
- 30 judicial administration with information concerning licensed
- 31 teachers (as defined in IC 20-18-2-22(b)) maintained by the
- 32 department; and
- 33 (2) if a licensed teacher (as defined in IC 20-18-2-22(b)) has been
- 34 convicted of an offense described in subsection (c), revoke the
- 35 licensed teacher's license."
- 36 Delete pages 17 through 18.
- 37 Page 19, delete lines 1 through 21.
- 38 Page 19, between lines 27 and 28, begin a new paragraph and insert:

1 "SECTION 22. IC 24-4-21-3, AS AMENDED BY P.L.190-2019,
2 SECTION 24, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2021]: Sec. 3. A person may distribute low THC hemp extract
4 in Indiana only if the distributor has a certificate of analysis prepared
5 by an independent testing laboratory showing:

- 6 (1) that the low THC hemp extract is the product of a batch tested
7 by the independent testing laboratory;
- 8 (2) that the independent testing laboratory determined that the
9 batch contained not more than three-tenths percent (0.3%) total
10 ~~delta-9-tetrahydrocannabinol~~ **tetrahydrocannabinol** (THC),
11 including precursors **and isomers**, by weight, based on the testing
12 of a random sample of the batch; and
- 13 (3) the cannabidiol percent present of the low THC hemp extract.

14 SECTION 23. IC 24-4-21-4, AS ADDED BY P.L.153-2018,
15 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
16 JULY 1, 2021]: Sec. 4. (a) Except as provided in subsection (b), low
17 THC hemp extract must be distributed in packaging that contains the
18 following information:

- 19 (1) A scannable bar code or QR code linked to a document that
20 contains information with respect to the manufacture of the low
21 THC hemp extract, including the:
 - 22 (A) batch identification number;
 - 23 (B) product name;
 - 24 (C) batch date;
 - 25 (D) expiration date, which must be not more than two (2) years
26 from the date of manufacture;
 - 27 (E) batch size;
 - 28 (F) total quantity produced;
 - 29 (G) ingredients used, including the:
 - 30 (i) ingredient name;
 - 31 (ii) name of the company that manufactured the ingredient;
 - 32 (iii) company or product identification number or code, if
33 applicable; and
 - 34 (iv) ingredient lot number; and
 - 35 (H) download link for a certificate of analysis for the low THC
36 hemp extract.
- 37 (2) The batch number.
- 38 (3) The Internet address of a web site to obtain batch information.

- 1 (4) The expiration date.
- 2 (5) The number of milligrams of low THC hemp extract.
- 3 (6) The manufacturer.
- 4 (7) The fact that the product contains not more than three-tenths
- 5 percent (0.3%) total ~~delta-9-tetrahydrocannabinol~~
- 6 **tetrahydrocannabinol** (THC), including precursors **and isomers**,
- 7 by weight.

8 (b) Before July 1, 2018, low THC hemp extract may be distributed
 9 in Indiana without having met the requirements described in subsection
 10 (a)."

11 Page 21, delete lines 29 through 37.

12 Page 27, between lines 18 and 19, begin a new paragraph and insert:
 13 "SECTION 32. IC 35-31.5-2-115.5, AS ADDED BY P.L.238-2015,
 14 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 15 JULY 1, 2021]: Sec. 115.5. (a) "Emergency medical services provider",
 16 **for purposes of IC 35-42-2-1**, has the meaning set forth in
 17 IC 16-41-10-1. **This term includes a staff member in the emergency**
 18 **department of a hospital.**

19 (b) "Emergency medical services provider", **for purposes of**
 20 **IC 35-44.1-3-1 and IC 35-46-1-4**, has the meaning set forth in
 21 **IC 16-41-10-1.**"

22 Page 32, delete lines 23 through 42.

23 Delete page 33.

24 Page 34, delete lines 1 through 41.

25 Page 41, delete lines 24 through 42.

26 Delete pages 42 through 46.

27 Page 47, delete lines 1 through 32.

28 Page 54, delete lines 23 through 35, begin a new paragraph, and
 29 insert:

30 "SECTION 53. IC 35-43-5-3.5, AS AMENDED BY P.L.158-2013,
 31 SECTION 471, IS AMENDED TO READ AS FOLLOWS
 32 [EFFECTIVE JULY 1, 2021]: Sec. 3.5. (a) Except as provided in
 33 subsection (c), a ~~person who knowingly or intentionally obtains;~~
 34 ~~possesses; transfers; or uses the identifying information of another~~
 35 ~~person; including the identifying information of a person who is~~
 36 ~~deceased:~~

37 (1) ~~without the other person's consent; and~~

38 (2) ~~with intent to:~~

- 1 (A) harm or defraud another person;
- 2 (B) assume another person's identity; or
- 3 (C) profess to be another person;
- 4 **a person who, with intent to harm or defraud another person,**
- 5 **knowingly or intentionally obtains, possesses, transfers, or uses**
- 6 **identifying information to profess to be another person,** commits
- 7 identity deception, a Level 6 felony."
- 8 Page 57, line 18, delete "data to which the" and insert "**data**,".
- 9 Page 57, line 19, delete "person is not entitled".
- 10 Page 57, line 24, delete "property" and insert "**property**,".
- 11 Page 57, delete line 25.
- 12 Page 57, line 41, delete "subdivision" and insert "**subdivisions**".
- 13 Page 59, between lines 16 and 17, begin a new line block indented
- 14 and insert:
- 15 **"(10) The agreement is unconscionable.**
- 16 **(11) The offense involves human reproductive material (as**
- 17 **defined in IC 34-24-5-1)."**
- 18 Page 59, line 28, delete "pecuniary" and insert "**actual**".
- 19 Page 84, delete lines 14 through 42.
- 20 Delete page 85.
- 21 Page 86, delete lines 1 through 15.
- 22 Page 90, between lines 3 and 4, begin a new paragraph and insert:
- 23 "SECTION 95. IC 35-48-1-17.5, AS AMENDED BY P.L.190-2019,
- 24 SECTION 28, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 25 JULY 1, 2021]: Sec. 17.5. (a) "Low THC hemp extract" means a
- 26 substance or compound that:
- 27 (1) is derived from or contains any part of the plant Cannabis
- 28 sativa L. that meets the definition of hemp under IC 15-15-13-6;
- 29 (2) contains not more than three-tenths percent (0.3%) total
- 30 ~~delta-9-tetrahydrocannabinol~~ **tetrahydrocannabinol** (THC),
- 31 including precursors **and isomers**, by weight; and
- 32 (3) contains no other controlled substances.
- 33 (b) The term does not include:
- 34 (1) the harvested reproductive organ, whether immature or
- 35 mature, of the female hemp plant; or
- 36 (2) smokable hemp."
- 37 Page 90, delete lines 4 through 42.
- 38 Delete page 91.

- 1 Page 92, delete lines 1 through 14.
- 2 Renumber all SECTIONS consecutively.
(Reference is to SB 197 as reprinted February 16, 2021.)

and when so amended that said bill do pass.

Representative McNamara

CR019701/DI 131

2021

Wendy McNamara

