

HOUSE BILL No. 1003

DIGEST OF INTRODUCED BILL

Citations Affected: Numerous citations throughout the Indiana Code.

Synopsis: Agency reporting requirements. Repeals the requirement that the office of management and budget (OMB) perform a cost benefit analysis of certain rules for the three year period following the rules' effective dates. Repeals a statute that allows: (1) state agencies to submit comments on proposed legislation to OMB; and (2) OMB to review, amend, and transmit the comments to the legislative services agency for posting on the general assembly's web site. Eliminates or consolidates various state agency reporting requirements. Repeals the following: (1) Pilot program for state registration of privately certified individuals. (2) Family support program. (3) The early education evaluation program. (4) The health needs assessment component of the state department of health's duty to conduct health planning. Provides that the Lake Michigan marina and shoreline development commission law expires July 1, 2019. Makes conforming changes.

Effective: Upon passage; July 1, 2018.

Gutwein

January 8, 2018, read first time and referred to Select Committee on Government Reduction.



Second Regular Session of the 120th General Assembly (2018)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2017 Regular Session of the General Assembly.

HOUSE BILL No. 1003

A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 2-5-1.1-19 IS REPEALED [EFFECTIVE JULY 1,
2 2018]. ~~Sec. 19: The legislative services agency, under the direction of~~
3 ~~the legislative council, shall establish a process that permits small~~
4 ~~business impact comments concerning proposed legislation to be~~
5 ~~posted on the general assembly's web site after submission by the office~~
6 ~~of management and budget under IC 4-3-22-16.~~

7 SECTION 2. IC 4-3-22-13.1 IS REPEALED [EFFECTIVE JULY
8 1, 2018]. ~~Sec. 13.1: (a) This section applies to a rule that:~~
9 ~~(1) has been adopted under IC 4-22-2 or IC 13-14-9; and~~
10 ~~(2) has taken effect;~~
11 ~~after December 31, 2011.~~

12 (b) This section does not apply to a rule for which the OMB has not
13 performed a cost benefit analysis under section 13(e) of this chapter.

14 (c) For each rule to which this section applies, the OMB shall
15 perform a cost benefit analysis of the rule with respect to the period
16 encompassing the first three (3) years following the rule's effective
17 date. Except as otherwise required by the governor under subsection



1 (g); the OMB shall submit a cost benefit analysis prepared under this
2 section to:

3 (1) the governor; and

4 (2) the legislative council;

5 not later than six (6) months after the third anniversary of the rule's
6 effective date. The OMB shall submit the cost benefit analysis to the
7 legislative council in an electronic format under IC 5-14-6.

8 (d) A cost benefit analysis prepared under this section must include
9 the following with respect to the three (3) year period covered by the
10 analysis:

11 (1) The cost benefit analysis for the rule prepared under section
12 13 of this chapter before the rule's adoption; including the
13 following:

14 (A) The information required by Financial Management
15 Circular #2010-4.

16 (B) The estimate of the primary and direct benefits of the rule;
17 including the impact on:

18 (i) consumer protection;

19 (ii) worker safety;

20 (iii) the environment; and

21 (iv) business competitiveness;

22 as determined before the rule's adoption.

23 (C) The estimate of the secondary or indirect benefits of the
24 rule and the explanation of how the conduct regulated by the
25 rule is linked to the primary and secondary benefits; as
26 determined before the rule's adoption.

27 (D) The estimate of any cost savings to regulated persons
28 (including individuals and businesses) as a result of the rule;
29 including any savings from:

30 (i) a change in an existing requirement; or

31 (ii) the imposition of a new requirement;

32 as determined before the rule's adoption.

33 (2) A statement of the number of regulated persons; classified by
34 industry sector; subject to the rule.

35 (3) A comparison of:

36 (A) the cost benefit analysis for the rule prepared under
37 section 13 of this chapter before the rule's implementation;
38 including the information specified in subdivision (1); and

39 (B) the actual costs and benefits of the rule during the first
40 three (3) years of the rule's implementation; including the
41 following:

42 (i) Any actual primary and direct benefits of the rule;



- 1 including the rule's impact on consumer protection, worker
 2 safety, the environment, and business competitiveness.
- 3 (ii) Any actual secondary or indirect benefits of the rule and
 4 an explanation of how the conduct regulated by the rule is
 5 linked to the primary and secondary benefits.
- 6 (iii) Any actual cost savings to regulated persons (including
 7 individuals and businesses) as a result of the rule, including
 8 any savings from a change in an existing requirement or
 9 from the imposition of a new requirement.
- 10 (4) For each element of the rule that is also the subject of
 11 restrictions or requirements imposed under federal law, a
 12 comparison of:
- 13 (A) the restrictions or requirements imposed under the rule;
 14 and
- 15 (B) the restrictions or requirements imposed under federal law.
- 16 (5) Any other information that the governor or the legislative
 17 council:
- 18 (A) requires with respect to a cost benefit analysis under this
 19 section; and
- 20 (B) requests in writing.
- 21 (e) In preparing a cost benefit analysis under this section, the OMB
 22 shall consider in its analysis any verified data provided voluntarily by
 23 interested parties, regulated persons, and nonprofit corporations whose
 24 members may be affected by the rule. A cost benefit analysis prepared
 25 under this section is a public document, subject to the following:
- 26 (1) This subsection does not empower the OMB or an agency to
 27 require an interested party or a regulated person to provide any
 28 materials, documents, or other information. If an interested party
 29 or a regulated person voluntarily provides materials, documents,
 30 or other information to the OMB or an agency in connection with
 31 a cost benefit analysis under this section, the OMB or the agency,
 32 as applicable, shall ensure the adequate protection of any:
- 33 (A) information that is confidential under IC 5-14-3-4; or
 34 (B) confidential and proprietary business plans and other
 35 confidential information.
- 36 If an agency has adopted rules to implement IC 5-14-3-4,
 37 interested parties and regulated persons must submit the
 38 information in accordance with the confidentiality rules adopted
 39 by the agency to ensure proper processing of confidentiality
 40 claims. The OMB and any agency involved in administering the
 41 rule shall exercise all necessary caution to avoid disclosure of any
 42 confidential information supplied to the OMB or the agency by an



1 interested party or a regulated person.

2 (2) The OMB shall make the cost benefit analysis and other
3 related public documents available to interested parties; regulated
4 persons; and nonprofit corporations whose members may be
5 affected by the rule at least thirty (30) days before presenting the
6 cost benefit analysis to the governor and the legislative council
7 under subsection (c).

8 (f) If the OMB or an agency is unable to obtain verified data for the
9 cost benefit analysis described in subsection (d), the OMB shall state
10 in the cost benefit analysis which data were unavailable for purposes
11 of the cost benefit analysis.

12 (g) The governor or the legislative council, or both, may prescribe:

13 (1) the form of a cost benefit analysis; and

14 (2) the process; deadlines; and other requirements for submitting
15 a cost benefit analysis;

16 required under this section.

17 SECTION 3. IC 4-3-22-16 IS REPEALED [EFFECTIVE JULY 1,
18 2018]. Sec. 16: (a) As used in this section, "coordinator" means the
19 following:

20 (1) A small business regulatory coordinator (as defined in
21 IC 4-22-2-28.1(b)).

22 (2) An ombudsman designated under IC 13-28-3-2.

23 (3) An ombudsman designated under IC 5-28-17-6.

24 (b) Each coordinator may review proposed legislation affecting the
25 small businesses that are regulated by the agency or that would be
26 regulated by the agency under proposed legislation. A coordinator may
27 submit to the OMB written comments concerning the impact of
28 proposed legislation on small business.

29 (c) The OMB may review comments received under subsection (b).
30 The OMB may amend the comments. After completing its review, the
31 OMB shall transmit the comments to the legislative services agency for
32 posting on the general assembly's web site. The comments submitted
33 under this section shall be transmitted electronically in a format
34 suitable for posting to the general assembly's web site as determined by
35 the legislative services agency.

36 SECTION 4. IC 4-10-13-3 IS REPEALED [EFFECTIVE JULY 1,
37 2018]. Sec. 3: The Indiana department of state revenue is hereby
38 authorized and directed to prepare and publish each year the following
39 report, which shall contain a recital of the number of taxpayers; the
40 amount of gross collections; the amount of net collections; the amount
41 of refunds; the amount of collection allowances; the amount of
42 administrative costs; and the amount of delinquencies by type of tax



1 collected by the department. Such report shall be made available for
 2 inspection as soon as it is prepared and shall be published; in the
 3 manner hereinafter provided; by the Indiana state department of
 4 revenue not later than December 31 following the end of each fiscal
 5 year.

6 SECTION 5. IC 4-13-1-22 IS AMENDED TO READ AS
 7 FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 22. (a) As used in this
 8 section, "professional services" means the furnishing of services by any
 9 of the following:

10 (1) A person licensed, certified, or registered under IC 25-2.1 or
 11 by any board listed in IC 25-1-5-3.

12 (2) An attorney.

13 (3) An expert witness, a court reporter, or an investigator retained
 14 by the state in connection with judicial or administrative
 15 proceedings involving the state.

16 (4) A minister, priest, rabbi, or another person empowered by the
 17 person's religious faith to conduct religious services or to provide
 18 spiritual counseling or guidance.

19 (5) A person who performs services, the satisfactory rendition of
 20 which depends upon the person's unique training or skills.

21 (b) Before August 15 of each year, each state agency shall file with
 22 the commissioner a report concerning the professional services
 23 contracts that:

24 (1) were awarded by that state agency during the previous state
 25 fiscal year; and

26 (2) were not procured through the Indiana department of
 27 administration.

28 (c) ~~Before October 1 of each year;~~ The commissioner shall ~~compile~~
 29 ~~and make available for public inspection a report~~ **include in the**
 30 **annual report made under section 27 of this chapter information**
 31 concerning the professional services contracts awarded by each state
 32 agency during the preceding state fiscal year.

33 SECTION 6. IC 4-13-1-27 IS ADDED TO THE INDIANA CODE
 34 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 35 1, 2018]: **Sec. 27. Before November 1 of each year, the department**
 36 **shall submit to the general assembly a report on the department's**
 37 **activities in the preceding state fiscal year. The report required by**
 38 **this section must be submitted in an electronic format under**
 39 **IC 5-14-6.**

40 SECTION 7. IC 4-13-1.1-12 IS AMENDED TO READ AS
 41 FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 12. ~~Not later than July~~
 42 ~~1 of each year;~~ The department shall report in an electronic format



1 under IC 5-14-6 to the legislative council **include information**
 2 concerning the implementation of this chapter **in the annual report**
 3 **made under IC 4-13-1-27. The annual report must include the**
 4 **following information:**

5 (1) **The total number of leased and state constructed facilities**
 6 **reviewed by the department during the prior year.**

7 (2) **The number of leased and state constructed facilities that**
 8 **were located in downtown areas.**

9 (3) **If a leased or state constructed facility was not located in**
 10 **a downtown area, the reason for the lease or facility being**
 11 **located outside a downtown area.**

12 (4) **The number of leases and state constructed facilities that**
 13 **included the restoration or reuse, or both, of an existing**
 14 **structure.**

15 (5) **Measures taken by the department to encourage state**
 16 **agencies to locate in downtown areas.**

17 SECTION 8. IC 4-13-1.1-13 IS REPEALED [EFFECTIVE JULY
 18 1, 2018]. Sec. 13: The report submitted under section 12 of this chapter
 19 must include the following information:

20 (1) The total number of leased and state constructed facilities
 21 reviewed by the department during the prior year:

22 (2) The number of leased and state constructed facilities that were
 23 located in downtown areas:

24 (3) If a leased or state constructed facility was not located in a
 25 downtown area, the reason for the lease or facility being located
 26 outside a downtown area:

27 (4) The number of leases and state constructed facilities that
 28 included the restoration and reuse, or both, of an existing
 29 structure:

30 (5) Measures taken by the department to encourage state agencies
 31 to locate in downtown areas:

32 SECTION 9. IC 4-13-1.4-10 IS AMENDED TO READ AS
 33 FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 10. (a) ~~Before October~~
 34 ~~1 of each year, The department shall submit to the general assembly a~~
 35 ~~report in an electronic format under IC 5-14-6 on~~ **include in the**
 36 **annual report made under IC 4-13-1-27 an evaluation of the**
 37 **effectiveness of the state policies concerning the purchase of products**
 38 **made from recycled materials. In this report The department may**
 39 **recommend revisions to the purchasing policies in the annual report.**

40 (b) ~~The report required information reported~~ under subsection (a)
 41 must include the name of each agency that was late in providing or
 42 failed to provide the department with the information required for the



1 department to ~~submit the report.~~ **comply with subsection (a).**

2 SECTION 10. IC 4-34-4 IS REPEALED [EFFECTIVE JULY 1,
3 2018]. (Reports).

4 SECTION 11. IC 5-2-6.1-10 IS AMENDED TO READ AS
5 FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 10. The division shall
6 do the following:

7 (1) Maintain an office and staff in Indianapolis.

8 (2) Prescribe forms for processing applications for assistance.

9 (3) Determine claims for assistance filed under this chapter and
10 investigate or reopen cases as necessary.

11 (4) Prepare **and post on the division's Internet web site** a report
12 of the division's activities ~~each year for the governor and the~~
13 ~~legislative council. A report prepared under this subdivision for~~
14 ~~the legislative council must be in an electronic format under~~
15 ~~IC 5-14-6.~~ **on a monthly, quarterly, and annual basis.**

16 SECTION 12. IC 5-28-6-2, AS AMENDED BY P.L.6-2012,
17 SECTION 38, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
18 JULY 1, 2018]: Sec. 2. (a) The corporation shall develop and promote
19 programs designed to make the best use of Indiana resources to ensure
20 a balanced economy and continuing economic growth for Indiana, and,
21 for those purposes, may do the following:

22 (1) Cooperate with federal, state, and local governments and
23 agencies in the coordination of programs to make the best use of
24 Indiana resources, based on a statewide study to determine
25 specific economic sectors that should be emphasized by the state
26 and by local economic development organizations within
27 geographic regions in Indiana, and encourage collaboration with
28 local economic development organizations within geographic
29 regions in Indiana and with the various state economic
30 development organizations within the states contiguous to
31 Indiana.

32 (2) Receive and expend funds, grants, gifts, and contributions of
33 money, property, labor, interest accrued from loans made by the
34 corporation, and other things of value from public and private
35 sources, including grants from agencies and instrumentalities of
36 the state and the federal government. The corporation:

37 (A) may accept federal grants for providing planning
38 assistance, making grants, or providing other services or
39 functions necessary to political subdivisions, planning
40 commissions, or other public or private organizations;

41 (B) shall administer these grants in accordance with the terms
42 of the grants; and



- 1 (C) may contract with political subdivisions, planning
 2 commissions, or other public or private organizations to carry
 3 out the purposes for which the grants were made.
- 4 (3) Direct that assistance, information, and advice regarding the
 5 duties and functions of the corporation be given to the corporation
 6 by an officer, agent, or employee of the executive branch of the
 7 state. The head of any other state department or agency may
 8 assign one (1) or more of the department's or agency's employees
 9 to the corporation on a temporary basis or may direct a division
 10 or an agency under the department's or agency's supervision and
 11 control to make a special study or survey requested by the
 12 corporation.
- 13 (b) The corporation shall perform the following duties:
- 14 (1) Develop and implement industrial development programs to
 15 encourage expansion of existing industrial, commercial, and
 16 business facilities in Indiana and to encourage new industrial,
 17 commercial, and business locations in Indiana.
- 18 (2) Assist businesses and industries in acquiring, improving, and
 19 developing overseas markets and encourage international plant
 20 locations in Indiana. The corporation, with the approval of the
 21 governor, may establish foreign offices to assist in this function.
- 22 (3) Promote the growth of minority business enterprises by doing
 23 the following:
- 24 (A) Mobilizing and coordinating the activities, resources, and
 25 efforts of governmental and private agencies, businesses, trade
 26 associations, institutions, and individuals.
- 27 (B) Assisting minority businesses in obtaining governmental
 28 or commercial financing for expansion or establishment of
 29 new businesses or individual development projects.
- 30 (C) Aiding minority businesses in procuring contracts from
 31 governmental or private sources, or both.
- 32 (D) Providing technical, managerial, and counseling assistance
 33 to minority business enterprises.
- 34 (4) Assist the office of the lieutenant governor in:
- 35 (A) community economic development planning;
- 36 (B) implementation of programs designed to further
 37 community economic development; and
- 38 (C) the development and promotion of Indiana's tourist
 39 resources.
- 40 (5) Assist the secretary of agriculture and rural development in
 41 promoting and marketing of Indiana's agricultural products and
 42 provide assistance to the director of the Indiana state department



1 of agriculture.

2 (6) With the approval of the governor, implement federal
3 programs delegated to the state to carry out the purposes of this
4 article.

5 (7) Promote the growth of small businesses by doing the
6 following:

7 (A) Assisting small businesses in obtaining and preparing the
8 permits required to conduct business in Indiana.

9 (B) Serving as a liaison between small businesses and state
10 agencies.

11 (C) Providing information concerning business assistance
12 programs available through government agencies and private
13 sources.

14 (8) Establish a public information page on its current Internet site
15 on the world wide web. The page must provide the following:

16 (A) By program, cumulative information on the total amount
17 of incentives awarded, the total number of companies that
18 received the incentives and were assisted in a year, and the
19 names and addresses of those companies.

20 (B) A mechanism on the page whereby the public may request
21 further information online about specific programs or
22 incentives awarded.

23 (C) A mechanism for the public to receive an electronic
24 response.

25 **(D) Access to any information or report that is required by**
26 **statute to be included in the economic incentives and**
27 **compliance report submitted under IC 5-28-28.**

28 (c) The corporation may do the following:

29 (1) Disseminate information concerning the industrial,
30 commercial, governmental, educational, cultural, recreational,
31 agricultural, and other advantages of Indiana.

32 (2) Plan, direct, and conduct research activities.

33 (3) Assist in community economic development planning and the
34 implementation of programs designed to further community
35 economic development.

36 SECTION 13. IC 5-28-8-8, AS ADDED BY P.L.4-2005, SECTION
37 34, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1,
38 2018]: Sec. 8. (a) The corporation shall receive grants allocated by a
39 federal program for the purposes specified in section 9(c) of this
40 chapter. Guidelines shall be prepared by the corporation enumerating
41 the qualification procedures for receipt of grants and loans from the
42 fund. These guidelines must be consistent with Indiana law and federal



1 program requirements.

2 (b) The board, with the approval of the budget agency and the
3 governor, shall allocate parts of the fund for the purposes specified in
4 section 9(c) of this chapter. The corporation shall make allocations on
5 the basis of the need of the qualified entity.

6 ~~(c) The corporation shall keep complete sets of records showing all
7 transactions by the fund in a manner that enables the corporation to
8 prepare at the end of each fiscal year a complete report for the general
9 assembly. The information in the report must be sufficient to permit a
10 complete review and understanding of the operation and financial
11 condition of the fund. The report must be submitted in electronic
12 format under IC 5-14-6.~~

13 SECTION 14. IC 5-28-16-4, AS AMENDED BY P.L.237-2017,
14 SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
15 JULY 1, 2018]: Sec. 4. (a) The board has the following powers:

16 (1) To accept, analyze, and approve applications under this
17 chapter.

18 (2) To contract with experts for advice and counsel.

19 (3) To employ staff to assist in carrying out this chapter, including
20 providing assistance to applicants who wish to apply for a grant
21 or loan from the fund, analyzing proposals, working with experts
22 engaged by the board, and preparing reports and
23 recommendations for the board.

24 (4) To approve applications for grants or loans from the fund,
25 subject to budget agency review under section 2(e) of this chapter.

26 (5) To establish programs and initiatives with corresponding
27 investment policies.

28 (b) The board shall give priority to applications for grants or loans
29 from the fund that:

30 (1) have the greatest economic development potential; and

31 (2) require the lowest ratio of money from the fund compared
32 with the combined financial commitments of the applicant and
33 those cooperating on the project.

34 (c) The board shall make final funding determinations for
35 applications for grants or loans from the fund, subject to budget agency
36 review under section 2(e) of this chapter. In making a determination on
37 a proposal intended to obtain federal or private research funding, the
38 board shall be advised by a peer review panel and shall consider the
39 following factors in evaluating the proposal:

40 (1) The scientific merit of the proposal.

41 (2) The predicted future success of federal or private funding for
42 the proposal.



- 1 (3) The ability of the researcher to attract merit based scientific
2 funding of research.
- 3 (4) The extent to which the proposal evidences interdisciplinary
4 or interinstitutional collaboration among two (2) or more Indiana
5 postsecondary educational institutions or private sector partners,
6 as well as cost sharing and partnership support from the business
7 community.
- 8 The purposes for which grants and loans may be made include erecting,
9 constructing, reconstructing, extending, remodeling, improving,
10 completing, equipping, and furnishing research and technology transfer
11 facilities.
- 12 (d) The peer review panel shall be chosen by and report to the
13 board. In determining the composition and duties of a peer review
14 panel, the board shall consider the National Institutes of Health and the
15 National Science Foundation peer review processes as models. The
16 members of the panel must have extensive experience in federal
17 research funding. A panel member may not have a relationship with
18 any private entity or postsecondary educational institution in Indiana
19 that would constitute a conflict of interest for the panel member.
- 20 (e) In making a determination on any other application for a grant
21 or loan from the fund involving a proposal to transfer research results
22 and technologies into marketable products or commercial ventures, the
23 board shall consult with experts as necessary to analyze the likelihood
24 of success of the proposal and the relative merit of the proposal.
- 25 (f) A grant or loan from the fund may not be submitted for review
26 by the budget agency under section 2(e) of this chapter unless the grant
27 or loan has received a positive recommendation from a peer review
28 panel described in this section.
- 29 (g) ~~The corporation shall report quarterly to the budget committee~~
30 ~~and the legislative council~~ **include information** concerning grants and
31 loans made under this chapter ~~The report must be in an electronic~~
32 ~~format under IC 5-14-6. The report for the fourth quarter of a state~~
33 ~~fiscal year must be submitted at the same time the annual report is~~
34 ~~submitted under section 6 of this chapter.~~ **in the economic incentives**
35 **and compliance report submitted under IC 5-28-28.**
- 36 SECTION 15. IC 5-28-16-6, AS AMENDED BY P.L.237-2017,
37 SECTION 23, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
38 JULY 1, 2018]: Sec. 6. The corporation shall ~~submit an annual report~~
39 ~~to the budget committee and the legislative council before September~~
40 ~~1 of each year. The report must be in an electronic format under~~
41 ~~IC 5-14-6 and must contain~~ **include** the following information
42 concerning fund activity in the ~~preceding state fiscal year:~~ **economic**



1 **incentives and compliance report submitted under IC 5-28-28:**

2 (1) The name of each entity receiving a grant from the fund.

3 (2) The location of each entity sorted by:

4 (A) county, in the case of an entity located in Indiana; or

5 (B) state, in the case of an entity located outside Indiana.

6 (3) The amount of each grant awarded to each entity.

7 SECTION 16. IC 5-28-17-6, AS ADDED BY P.L.237-2017,
8 SECTION 25, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
9 JULY 1, 2018]: Sec. 6. The corporation shall designate an employee to
10 be the small business ombudsman. The small business ombudsman
11 shall carry out the following duties:

12 (1) Work with state agencies to permit increased enforcement
13 flexibility and the ability to grant common sense exemptions for
14 first time offenders of state rules and policies, including,
15 notwithstanding any other law, policies for the compromise of
16 interest and penalties related to a listed tax (as defined in
17 IC 6-8.1-1-1) and other taxes and fees collected or administered
18 by a state agency.

19 (2) Work with state agencies to seek ways to consolidate forms
20 and eliminate the duplication of paperwork, harmonize data, and
21 coordinate due dates.

22 (3) Coordinate with OMB (as defined in IC 4-3-22-3) to perform
23 cost benefit analyses.

24 (4) Work with state agencies to monitor any outdated, ineffective,
25 or overly burdensome information requests from state agencies to
26 small businesses.

27 (5) Carry out the duties specified under IC 4-22-2-28 and
28 IC 4-22-2.1 to review proposed rules and participate in
29 rulemaking actions that affect small businesses.

30 (6) Coordinate with the ombudsman designated under
31 IC 13-28-3-2 and the office of voluntary compliance established
32 by IC 13-28-1-1 to coordinate the provision of services required
33 under IC 4-22-2-28.1 and IC 13-28-3.

34 (7) Prepare written and electronic information for periodic
35 distribution to small businesses describing the small business
36 services provided by coordinators (as defined in ~~IC 4-3-22-16~~
37 **IC 4-22-2-28.1(b)**) and work with the office of technology
38 established by IC 4-13.1-2-1 to place information concerning the
39 availability of these services on state Internet web sites that the
40 small business ombudsman or a state agency determines are most
41 likely to be visited by small business owners and managers.

42 (8) Assist in training agency coordinators who will be assigned to



1 rules under IC 4-22-2-28.1(e).
 2 (9) Investigate and attempt to resolve any matter regarding
 3 compliance by a small business with a law, rule, or policy
 4 administered by a state agency, either as a party to a proceeding
 5 or as a mediator.
 6 State agencies shall cooperate with the small business ombudsman to
 7 carry out the purpose of this section. The department of state revenue
 8 and the department of workforce development shall establish a program
 9 to distribute the information described in subdivision (7) to small
 10 businesses that are required to file returns or information with these
 11 state agencies.
 12 SECTION 17. IC 5-28-28-10, AS ADDED BY P.L.133-2012,
 13 SECTION 49, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 14 JULY 1, 2018]: Sec. 10. In addition to the other requirements of this
 15 chapter, the economic incentives and compliance report must also
 16 include a detailed report on the following programs, resources, or
 17 activities for which the corporation is responsible:
 18 **(1) The economic development fund under IC 5-28-8.**
 19 **(2) The Indiana twenty-first century research and technology**
 20 **fund under IC 5-28-16.**
 21 ~~(3)~~ **(3)** Small business development under IC 5-28-17.
 22 ~~(4)~~ **(4)** The small business development fund established under
 23 IC 5-28-18-7.
 24 ~~(5)~~ **(5)** The small business incubator program under IC 5-28-21.
 25 ~~(6)~~ **(6)** Efforts to promote business modernization of and the
 26 adoption of technology by Indiana businesses under IC 5-28-23.
 27 **(7) An evaluation of the economic development for a growing**
 28 **economy tax credit under IC 6-3.1-13-24.**
 29 **(8) An evaluation of the Hoosier business investment tax**
 30 **credit under IC 6-3.1-26-25.**
 31 SECTION 18. IC 5-29-2-8 IS ADDED TO THE INDIANA CODE
 32 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 33 1, 2018]: **Sec. 8. Before November 1 of each year, the office shall**
 34 **submit an annual report to the governor and to the legislative**
 35 **council in an electronic format under IC 5-14-6.**
 36 SECTION 19. IC 5-29-4-4, AS AMENDED BY P.L.213-2015,
 37 SECTION 80, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 38 JULY 1, 2018]: Sec. 4. (a) The council shall do the following:
 39 (1) Assist in developing goals and objectives for the office.
 40 (2) Analyze the results and effectiveness of grants made by the
 41 office.
 42 (3) Build commitment and unity among tourism industry groups.



- 1 (4) Create a forum for sharing talent, resources, and ideas
- 2 regarding tourism.
- 3 (5) Encourage public and private participation necessary for the
- 4 promotion of tourism.
- 5 (6) Make recommendations to the office regarding matters
- 6 involving tourism.
- 7 (7) Make recommendations concerning grants from the tourism
- 8 information and promotion fund.
- 9 (8) Make budget recommendations to the lieutenant governor.
- 10 (9) Approve or deny applications submitted to the office for the
- 11 statewide tourism marketing development program as designated
- 12 by the general assembly in the biennial budget.

13 **(10) Submit a report on the council's activities to the office for**
 14 **inclusion in the annual report submitted under IC 5-29-2-8.**

15 (b) The council may establish advisory groups to make
 16 recommendations to the office on tourism research, development, and
 17 marketing.

18 SECTION 20. IC 5-29-4-7 IS REPEALED [EFFECTIVE JULY 1,
 19 2018]. ~~Sec. 7: The council shall submit an annual report to the~~
 20 ~~governor and to the general assembly in an electronic format under~~
 21 ~~IC 5-14-6 not later than November 1 each year.~~

22 SECTION 21. IC 6-1.1-10-46, AS ADDED BY P.L.151-2014,
 23 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 24 JULY 1, 2018]: Sec. 46. (a) Tangible property owned, occupied, or
 25 used by a for-profit provider of early childhood education services to
 26 children who are at least four (4) but less than six (6) years of age is
 27 exempt from property taxation under section 16 of this chapter only if
 28 all the following requirements are satisfied:

- 29 (1) The primary purpose of the provider is educational.
- 30 (2) The provider is the property owner and the provider also
- 31 predominantly occupies and uses the tangible property for
- 32 providing early childhood education services to children who are
- 33 at least four (4) but less than six (6) years of age.
- 34 (3) The provider ~~participates in the early education evaluation~~
 35 ~~program established under IC 12-17.2-3.8 and~~ meets the
 36 standards of quality recognized by a Level 3 or Level 4 Paths to
 37 QUALITY program rating **under IC 12-17.2-2-14.2** or has a
 38 comparable rating from a nationally recognized accrediting body.

39 If the property owner provides early childhood education services to
 40 children who are at least four (4) but less than six (6) years of age and
 41 to children younger than four (4) years of age, the amount of the
 42 exemption must be on that part of the assessment of the property that



1 bears the same proportion to the total assessment of the property as the
 2 percentage of the property owner's enrollment count of children who
 3 are at least four (4) but less than six (6) years of age compared to the
 4 property owner's total enrollment count of children of all ages.

5 (b) For purposes of this section, the annual assessment date or, if the
 6 annual assessment date is not a business day for the property owner, the
 7 business day closest to the annual assessment date, must be used for the
 8 enrollment count under this section. However, a property owner that
 9 believes that the enrollment count on this date for a particular year does
 10 not accurately represent the property owner's normal enrollment count
 11 for that year may appeal to the county assessor for a change in the date
 12 to be used under this section for that year. The appeal must be filed on
 13 or before the deadline for filing an exemption under section 16 of this
 14 chapter. If the county assessor finds that the property owner's appeal
 15 substantiates that the property owner's normal enrollment count is not
 16 accurately represented by using the required date, the assessor shall
 17 establish an alternate date to be used for that year that represents the
 18 property owner's normal enrollment count for that year.

19 SECTION 22. IC 6-1.1-33.5-9 IS REPEALED [EFFECTIVE JULY
 20 1, 2018]. ~~Sec. 9: The department of local government finance shall
 21 report before July 1 of each year to the legislative council concerning
 22 compliance with section 8 of this chapter.~~

23 SECTION 23. IC 6-3-2-21.7, AS ADDED BY P.L.223-2007,
 24 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 25 JULY 1, 2018]: Sec. 21.7. (a) This section applies to a qualified patent
 26 issued to a taxpayer after December 31, 2007.

27 (b) As used in this section, "invention" has the meaning set forth in
 28 35 U.S.C. 100(a).

29 (c) As used in this section, "qualified patent" means:

- 30 (1) a utility patent issued under 35 U.S.C. 101; or
- 31 (2) a plant patent issued under 35 U.S.C. 161;

32 after December 31, 2007, for an invention resulting from a
 33 development process conducted in Indiana. The term does not include
 34 a design patent issued under 35 U.S.C. 171.

35 (d) As used in this section, "qualified taxpayer" means a taxpayer
 36 that on the effective filing date of the claimed invention:

37 (1) is either:

- 38 (A) an individual or corporation, if the number of employees
 39 of the individual or corporation, including affiliates as
 40 specified in 13 CFR 121.103, does not exceed five hundred
 41 (500) persons; or
- 42 (B) a nonprofit organization or nonprofit corporation as



1 specified in:

- 2 (i) 37 CFR 1.27(a)(3)(ii)(A) or 37 CFR 1.27(a)(3)(ii)(B); or
 3 (ii) IC 23-17; and

4 (2) is domiciled in Indiana.

5 (e) Subject to subsections (g) and (h), in determining adjusted gross
 6 income or taxable income under IC 6-3-1-3.5 or IC 6-5.5-1-2, a
 7 qualified taxpayer is entitled to an exemption from taxation under
 8 IC 6-3-1 through IC 6-3-7 for the following:

9 (1) Licensing fees or other income received for the use of a
 10 qualified patent.

11 (2) Royalties received for the infringement of a qualified patent.

12 (3) Receipts from the sale of a qualified patent.

13 (4) Subject to subsection (f), income from the taxpayer's own use
 14 of the taxpayer's qualified patent to produce the claimed
 15 invention.

16 (f) The exemption provided by subsection (e)(4) may not exceed the
 17 fair market value of the licensing fees or other income that would be
 18 received by allowing use of the qualified taxpayer's qualified patent by
 19 someone other than the taxpayer. The fair market value referred to in
 20 this subsection must be determined in each taxable year in which the
 21 qualified taxpayer claims an exemption under subsection (e)(4).

22 (g) The total amount of exemptions claimed under this section by a
 23 qualified taxpayer in a taxable year may not exceed five million dollars
 24 (\$5,000,000).

25 (h) A taxpayer may not claim an exemption under this section with
 26 respect to a particular qualified patent for more than ten (10) taxable
 27 years. Subject to the provisions of this section, the following amount of
 28 the income, royalties, or receipts described in subsection (e) from a
 29 particular qualified patent is exempt:

30 (1) Fifty percent (50%) for each of the first five (5) taxable years
 31 in which the exemption is claimed for the qualified patent.

32 (2) Forty percent (40%) for the sixth taxable year in which the
 33 exemption is claimed for the qualified patent.

34 (3) Thirty percent (30%) for the seventh taxable year in which the
 35 exemption is claimed for the qualified patent.

36 (4) Twenty percent (20%) for the eighth taxable year in which the
 37 exemption is claimed for the qualified patent.

38 (5) Ten percent (10%) each year for the ninth and tenth taxable
 39 year in which the exemption is claimed for the qualified patent.

40 (6) No exemption under this section for the particular qualified
 41 patent after the eleventh taxable year in which the exemption is
 42 claimed for the qualified patent.



1 (i) To receive the exemption provided by this section, a qualified
 2 taxpayer must claim the exemption on the qualified taxpayer's annual
 3 state tax return or returns in the manner prescribed by the department.
 4 The qualified taxpayer shall submit to the department all information
 5 that the department determines is necessary for the determination of the
 6 exemption provided by this section.

7 (j) ~~On or before December 1 of each year, the department shall~~
 8 ~~provide an evaluation report to the legislative council, the budget~~
 9 ~~committee, and the Indiana economic development corporation. The~~
 10 ~~evaluation report must contain the following:~~

11 (1) ~~The number of taxpayers claiming an exemption under this~~
 12 ~~section.~~

13 (2) ~~The sum of all the exemptions claimed under this section.~~

14 (3) ~~The North American Industry Classification System code for~~
 15 ~~each taxpayer claiming an exemption under this section.~~

16 (4) ~~Any other information the department considers appropriate,~~
 17 ~~including the number of qualified patents for which an exemption~~
 18 ~~was claimed under this section.~~

19 ~~The report required under this subsection must be in an electronic~~
 20 ~~format under IC 5-14-6. **The department shall determine, record,**~~
 21 ~~**and retain the North American Industry Classification System**~~
 22 ~~**code for each taxpayer claiming an exemption under this section.**~~

23 SECTION 24. IC 6-3.1-13-24, AS AMENDED BY P.L.145-2016,
 24 SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 25 JULY 1, 2018]: Sec. 24. On a biennial basis, the corporation shall
 26 provide for an evaluation of the tax credit program. The evaluation
 27 shall include an assessment of the effectiveness of the program in
 28 creating new jobs and retaining existing jobs in Indiana and of the
 29 revenue impact of the program, and may include a review of the
 30 practices and experiences of other states with similar programs. The
 31 corporation shall ~~submit~~ **include** a report on the evaluation ~~to the~~
 32 ~~governor, the president pro tempore of the senate, and the speaker of~~
 33 ~~the house of representatives after June 30 and before November 1 in~~
 34 ~~each odd-numbered year. **in the economic incentives and compliance**~~
 35 ~~**report submitted under IC 5-28-28 for the calendar year in which**~~
 36 ~~**the evaluation is completed.**~~

37 SECTION 25. IC 6-3.1-13-28 IS REPEALED [EFFECTIVE JULY
 38 1, 2018]. Sec. 28. The corporation shall, not later than August 1 each
 39 year, submit to the budget committee a report specifying the amount of
 40 credits granted under this chapter during the immediately preceding
 41 state fiscal year.

42 SECTION 26. IC 6-3.1-26-25, AS AMENDED BY P.L.145-2016,



1 SECTION 35, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 2 JULY 1, 2018]: Sec. 25. (a) On a biennial basis, the corporation shall
 3 provide for an evaluation of the tax credit program. The evaluation
 4 must include an assessment of the effectiveness of the program in
 5 creating new jobs and increasing wages in Indiana and of the revenue
 6 impact of the program and may include a review of the practices and
 7 experiences of other states with similar programs. ~~The corporation shall~~
 8 ~~submit a report on the evaluation to the governor, the president pro~~
 9 ~~tempore of the senate, and the speaker of the house of representatives~~
 10 ~~after June 30 and before November 1 in each odd-numbered year. The~~
 11 ~~report provided to the president pro tempore of the senate and the~~
 12 ~~speaker of the house of representatives must be in an electronic format~~
 13 ~~under IC 5-14-6.~~

14 (b) The department shall ~~report, not later than December 15 each~~
 15 ~~year, to the budget committee~~ **submit information to the corporation**
 16 concerning the use of the credit for logistics investments under this
 17 chapter. **The report information submitted by the department** must
 18 include the following with regard to the previous ~~state fiscal~~ **calendar**
 19 ~~year for logistics investments:~~

20 (1) Summary information regarding the taxpayers and the use of
 21 the credit, including the amount of credits approved, the number
 22 of taxpayers applying for the credit and claiming the credit, the
 23 number of employees who are employed in Indiana by the
 24 taxpayers claiming the credit, the amount and type of new
 25 qualified expenditures for which the credit was granted, the total
 26 dollar amount of new credits claimed and the average amount of
 27 the credit claimed per taxpayer, the amount of credits to be
 28 carried forward to a subsequent taxable year, and the percentage
 29 of the total credits claimed as compared to the total adjusted gross
 30 income of all the taxpayers claiming the credit.

31 (2) The name and address of each taxpayer claiming the credit
 32 and the amount of the credit applied for by and granted to each
 33 taxpayer.

34 **(c) The corporation shall include information received or**
 35 **compiled under this section in the economic incentives and**
 36 **compliance report submitted under IC 5-28-28 for the calendar**
 37 **year in which the evaluation is completed.**

38 SECTION 27. IC 6-3.6-1-1, AS AMENDED BY P.L.197-2016,
 39 SECTION 39, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 40 JULY 1, 2018]: Sec. 1. (a) The purpose of this article is to consolidate
 41 and simplify the various local income tax laws (referred to as a "former
 42 tax" in this article) that are in effect on May 1, 2016, into a uniform law



1 that transitions each county from the former taxes to the tax governed
2 by this article.

3 (b) Notwithstanding the effective date of the repeal of the former tax
4 laws on January 1, 2017, an adopting body may not adopt any
5 ordinances under a former tax after June 30, 2016. In addition,
6 notwithstanding the effective date of this article being July 1, 2015, an
7 adopting body may not take any action under this article before July 1,
8 2016.

9 (c) To carry out the transition, the office of management and budget,
10 along with the appropriate state agencies and in cooperation with each
11 county, shall do the following:

12 (1) Document all terms, conditions, limitations, and obligations
13 that exist under the former taxes.

14 (2) Categorize the tax rate under the former taxes into the
15 appropriate tax rate or rates under this article to provide revenue
16 for all the same purposes for which revenue under a former tax
17 was used in 2016, except to the extent required under this article
18 and to the extent that an adopting body takes action under this
19 article after June 30, 2016, to change the purposes and allocation
20 of the revenue as permitted under this article. Matching the
21 purposes of a former tax to the purposes under this article,
22 including the apportionment, allocation, and distribution of
23 revenue under this article shall be accomplished by using the best
24 information available. These purposes include, but are not limited
25 to, one (1) or more of the following:

26 (A) Property tax credits using the options set forth in
27 IC 6-3.6-5. This categorization is limited to former tax rates
28 that were dedicated to providing credits against property taxes
29 under IC 6-3.5-1.1-26 (repealed), IC 6-3.5-6 (repealed), or
30 IC 6-3.5-7 (repealed).

31 (B) School corporation distributions and additional revenue.
32 All former tax rates not used for a specified project or
33 categorized under clause (A) shall be categorized under
34 IC 6-3.6-6 using the former tax rates or dollar amounts that
35 were dedicated for school corporation distributions, public
36 safety, economic development, and certified shares.

37 (C) A special purpose project (IC 6-3.6-7) using the former tax
38 rate that was dedicated to the project.

39 (d) The office of management and budget shall compile a
40 comprehensive report detailing for each taxing unit throughout the state
41 and for each property class type described in IC 6-3.6-5, the
42 categorization of revenue and its uses under this article compared to the



1 former taxes. Before November 1, 2015, the office of management and
 2 budget shall submit its report to the legislative council in an electronic
 3 format under IC 5-14-6.

4 (e) (d) The transition under this article shall be completed by
 5 August 1, 2016, for purposes of local government budgets for 2017 and
 6 for purposes of the distribution and allocation of revenue under this
 7 article after December 31, 2016.

8 SECTION 28. IC 6-3.6-1-1.1 IS REPEALED [EFFECTIVE JULY
 9 1, 2018]. Sec. 1.1. (a) The general assembly has considered the report
 10 submitted under section 1 of this chapter in which the office of
 11 management and budget categorized local income tax revenue and its
 12 uses under this article compared to the former taxes:

13 (b) The general assembly finds that the categorizations satisfy the
 14 requirements of this article and shall be used for making the transition
 15 from the former taxes to the tax rates and uses under this article subject
 16 to any amendments made during the 2016 regular session of the
 17 Indiana general assembly:

18 SECTION 29. IC 6-8.1-9-14, AS AMENDED BY P.L.239-2017,
 19 SECTION 23, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 20 JULY 1, 2018]: Sec. 14. (a) Except as provided in subsection (n), the
 21 department shall establish, administer, and make available a
 22 centralized debt collection program for use by state agencies to collect
 23 delinquent accounts, charges, fees, loans, taxes, or other indebtedness
 24 owed to or being collected by state agencies. The department's
 25 collection facilities shall be available for use by other state agencies
 26 only when resources are available to the department.

27 (b) The commissioner shall prescribe the appropriate form and
 28 manner in which collection information is to be submitted to the
 29 department.

30 (c) The debt must be delinquent and not subject to litigation, claim,
 31 appeal, or review under the appropriate remedies of a state agency.

32 (d) The department has the authority to collect for the state or
 33 claimant agency (as defined in IC 6-8.1-9.5-1) delinquent accounts,
 34 charges, fees, loans, taxes, or other indebtedness due:

- 35 (1) the state;
- 36 (2) a claimant agency that has a formal agreement with the
 37 department for central debt collection; or
- 38 (3) a claimant agency described in IC 6-8.1-9.5-1(1)(B) that has
 39 an interlocal agreement with a clearinghouse that:
 - 40 (A) is established under IC 6-8.1-9.5-3.5; and
 - 41 (B) has a formal agreement with the department for central
 42 debt collection.



1 (e) The formal agreement must provide that the information
2 provided to the department be sufficient to establish the obligation in
3 court and to render the agreement as a legal judgment on behalf of the
4 state. After transferring a file for collection to the department for
5 collection, the claimant agency shall terminate all collection procedures
6 and be available to provide assistance to the department. Upon receipt
7 of a file for collection, the department shall comply with all applicable
8 state and federal laws governing collection of the debt.

9 (f) The department may use a claimant agency's statutory authority
10 to collect the claimant agency's delinquent accounts, charges, fees,
11 loans, taxes, or other indebtedness owed to the claimant agency.

12 (g) The department's right to credit against taxes due may not be
13 impaired by any right granted the department or other state agency
14 under this section.

15 (h) The department of state revenue may charge a debtor a fee not
16 to exceed fifteen percent (15%) of any funds the department collects
17 for a claimant agency. Notwithstanding any law concerning delinquent
18 accounts, charges, fees, loans, taxes, or other indebtedness, the fifteen
19 percent (15%) fee shall be added to the amount due to the state or
20 claimant agency when the collection is made.

21 (i) Fees collected under subsection (h) shall be retained by the
22 department after the debt is collected for the claimant agency and are
23 appropriated to the department for use by the department in
24 administering this section.

25 (j) The department shall transfer any funds collected from a debtor
26 to the claimant agency within thirty (30) days after the end of the
27 month in which the funds were collected.

28 (k) When a claimant agency requests collection by the department,
29 the claimant agency shall provide the department with:

- 30 (1) the full name;
31 (2) the Social Security number or federal identification number,
32 or both;
33 (3) the last known mailing address; and
34 (4) additional information that the department may request;

35 concerning the debtor.

36 (l) The department shall establish a minimum amount that the
37 department will attempt to collect for the claimant agency.

38 (m) The commissioner shall report, not later than March 1, ~~for the~~
39 ~~previous calendar year, 2023, and every fifth year thereafter,~~ to the
40 governor, the budget director, and the legislative council **the following**
41 **information** concerning the implementation of the centralized debt
42 collection program:



- 1 (1) The number of debts **collected during the reporting period.**
 2 (2) The dollar amounts of debts collected. ~~and~~
 3 (3) An estimate of the future costs and benefits that may be
 4 associated with the collection program.

5 A report to the legislative council under this subsection must be in an
 6 electronic format under IC 5-14-6.

- 7 (n) The department may not assess a fee to a state agency or a
 8 custodial parent for seeking a set off to a state or federal income tax
 9 refund for past due child support.

10 SECTION 30. IC 6-8.1-14-4 IS AMENDED TO READ AS
 11 FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 4. The report prepared
 12 under section 3 of this chapter must include the following:

- 13 (1) Areas of recurring taxpayer noncompliance.
 14 (2) A statistical study under IC 6-8.1-7-2 from the department
 15 audit process, including the following:
 16 (A) The statute or rule violated by the taxpayers.
 17 (B) The amount of tax involved.
 18 (C) The industry or business of the taxpayers.
 19 (D) The number of years in the audit period.
 20 (E) The use of professional tax preparation assistance by the
 21 taxpayers.
 22 (F) The filing of appropriate tax returns by the taxpayers.
 23 (3) Recommendations for improving taxpayer compliance and
 24 department administration by the following:
 25 (A) The adoption of new or amended statutes and rules.
 26 (B) Improvements in the training of department employees.
 27 (C) Improvements in taxpayer communication and education.
 28 (D) Increases in the enforcement capability of the department.
 29 (4) The certification required under IC 6-8.1-3-2.6.

- 30 **(5) The following information:**
 31 **(A) The number of taxpayers.**
 32 **(B) The amount of gross collections.**
 33 **(C) The amount of net collections.**
 34 **(D) The amount of refunds.**
 35 **(E) The amount of collection allowances.**
 36 **(F) The amount of administrative costs.**
 37 **(G) The amount of delinquencies by type of tax collected**
 38 **by the department.**

39 SECTION 31. IC 8-23-5-8 IS AMENDED TO READ AS
 40 FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 8. (a) The department
 41 may install vending machines for items including food, drink, candy,
 42 and first aid kits in rest areas on the interstate highway system.



1 (b) The department shall report in an electronic format under
 2 ~~IC 5-14-6~~ to the general assembly through the legislative council the
 3 results of the installation.

4 ~~(c)~~ (b) Installation of the vending machines must conform with
 5 federal and Indiana law.

6 SECTION 32. IC 10-14-3-28, AS AMENDED BY P.L.110-2009,
 7 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 8 JULY 1, 2018]: Sec. 28. (a) The general assembly may appropriate the
 9 sums necessary to administer this chapter.

10 (b) The emergency management contingency fund is established.
 11 The fund consists of money appropriated by the general assembly.
 12 Money in the fund must be held in reserve and allocated for emergency
 13 management purposes as follows:

14 (1) For an allocation of not more than one hundred thousand
 15 dollars (\$100,000), upon the approval of the director and the
 16 budget director.

17 (2) For an allocation of more than one hundred thousand dollars
 18 (\$100,000), upon the recommendation of the director and the
 19 approval of the governor.

20 (c) For an allocation described in subsection (b)(2), the agency shall
 21 submit **to the budget committee** a written report ~~to the following~~
 22 ~~individuals~~ identifying the use of the funds not more than thirty (30)
 23 days after the allocation is approved.

24 (1) ~~Each member of the budget committee.~~

25 (2) ~~The speaker of the house of representatives.~~

26 (3) ~~The president pro tempore of the senate.~~

27 (4) ~~The chairperson of the house committee on ways and means.~~

28 (5) ~~The ranking minority member of the house committee on ways~~
 29 ~~and means.~~

30 (6) ~~The chairperson of the senate committee on appropriations.~~

31 (7) ~~The ranking minority member of the senate committee on~~
 32 ~~appropriations.~~

33 SECTION 33. IC 10-17-8-6 IS AMENDED TO READ AS
 34 FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 6. (a) The department,
 35 in consultation and cooperation with a department certified medical
 36 toxicologist and herbicide specialist, shall **periodically** compile
 37 information submitted under this chapter into a report **as the**
 38 **department receives sufficient information to conduct the analysis**
 39 **required by this section.** The report must contain an evaluation of the
 40 information and shall be distributed **annually not more than thirty**
 41 **(30) days after completing the report** to the legislative services
 42 agency, the United States Department of Veterans Affairs, the state



1 department of health, and other veterans groups. The report must also
2 contain

3 ~~(1) current research findings on the exposure to chemical~~
4 ~~defoliants or herbicides or similar agents, including agent orange;~~
5 ~~and~~

6 ~~(2) statistical information compiled from reports submitted by~~
7 ~~physicians or hospitals.~~

8 (b) The department shall forward to the United States Department
9 of Veterans Affairs a copy of all forms submitted to the department
10 under section 5 of this chapter.

11 (c) A report distributed under subsection (a) to the legislative
12 services agency must be in an electronic format under IC 5-14-6.

13 SECTION 34. IC 11-8-2-5, AS AMENDED BY P.L.67-2017,
14 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
15 JULY 1, 2018]: Sec. 5. (a) The commissioner shall do the following:

16 (1) Organize the department and employ personnel necessary to
17 discharge the duties and powers of the department.

18 (2) Administer and supervise the department, including all state
19 owned or operated correctional facilities.

20 (3) Except for employees of the parole board, be the appointing
21 authority for all positions in the department.

22 (4) Define the duties of a deputy commissioner and a warden.

23 (5) Accept committed persons for study, evaluation,
24 classification, custody, care, training, and reintegration.

25 (6) Determine the capacity of all state owned or operated
26 correctional facilities and programs and keep all Indiana courts
27 having criminal or juvenile jurisdiction informed, on a quarterly
28 basis, of the populations of those facilities and programs.

29 (7) Utilize state owned or operated correctional facilities and
30 programs to accomplish the purposes of the department and
31 acquire or establish, according to law, additional facilities and
32 programs whenever necessary to accomplish those purposes.

33 (8) Develop policies, programs, and services for committed
34 persons, for administration of facilities, and for conduct of
35 employees of the department.

36 (9) Administer, according to law, the money or other property of
37 the department and the money or other property retained by the
38 department for committed persons.

39 (10) Keep an accurate and complete record of all department
40 proceedings, which includes the responsibility for the custody and
41 preservation of all papers and documents of the department.

42 (11) Make an annual report to the governor according to



- 1 subsection (c).
- 2 (12) Develop, collect, and maintain information concerning
- 3 offenders, sentencing practices, and correctional treatment as the
- 4 commissioner considers useful in penological research or in
- 5 developing programs.
- 6 (13) Cooperate with and encourage public and private agencies
- 7 and other persons in the development and improvement of
- 8 correctional facilities, programs, and services.
- 9 (14) Explain correctional programs and services to the public.
- 10 (15) As required under 42 U.S.C. 15483, after January 1, 2006,
- 11 provide information to the election division to coordinate the
- 12 computerized list of voters maintained under IC 3-7-26.3 with
- 13 department records concerning individuals disfranchised under
- 14 IC 3-7-46.
- 15 **(16) Make an annual report to the legislative council in an**
- 16 **electronic format under IC 5-14-6 before September 1 of each**
- 17 **year.**
- 18 (b) The commissioner may:
- 19 (1) when authorized by law, adopt departmental rules under
- 20 IC 4-22-2;
- 21 (2) delegate powers and duties conferred on the commissioner by
- 22 law to a deputy commissioner or commissioners and other
- 23 employees of the department;
- 24 (3) issue warrants for the return of escaped committed persons (an
- 25 employee of the department or any person authorized to execute
- 26 warrants may execute a warrant issued for the return of an
- 27 escaped person);
- 28 (4) appoint personnel to be sworn in as correctional police
- 29 officers; and
- 30 (5) exercise any other power reasonably necessary in discharging
- 31 the commissioner's duties and powers.
- 32 (c) The annual report of the department shall be transmitted to the
- 33 governor by September 1 of each year and must contain:
- 34 (1) a description of the operation of the department for the fiscal
- 35 year ending June 30;
- 36 (2) a description of the facilities and programs of the department;
- 37 (3) an evaluation of the adequacy and effectiveness of those
- 38 facilities and programs considering the number and needs of
- 39 committed persons or other persons receiving services; and
- 40 (4) any other information required by law.
- 41 Recommendations for alteration, expansion, or discontinuance of
- 42 facilities or programs, for funding, or for statutory changes may be



1 included in the annual report.

2 SECTION 35. IC 11-10-3-2.5 IS AMENDED TO READ AS
3 FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 2.5. (a) As used in this
4 section, "confirmatory test" means a laboratory test or a series of tests
5 approved by the state department of health and used in conjunction
6 with a screening test to confirm or refute the results of the screening
7 test for the human immunodeficiency virus (HIV) antigen or antibodies
8 to the human immunodeficiency virus (HIV).

9 (b) As used in this section, "screening test" means a laboratory
10 screening test or a series of tests approved by the state department of
11 health to determine the possible presence of the human
12 immunodeficiency virus (HIV) antigen or antibodies to the human
13 immunodeficiency virus (HIV).

14 (c) For an individual who is committed to the department after June
15 30, 2001, the examination required under section 2(a) of this chapter
16 must include the following:

17 (1) A blood test for hepatitis C.

18 (2) A screening test for the human immunodeficiency virus (HIV)
19 antigen or antibodies to the human immunodeficiency virus
20 (HIV).

21 (d) If the screening test required under subsection (c)(2) indicates
22 the presence of antibodies to the human immunodeficiency virus
23 (HIV), the department shall administer a confirmatory test to the
24 individual.

25 (e) The department may require an individual who:

26 (1) was committed to the department before July 1, 2001; and

27 (2) is in the custody of the department after June 30, 2001;

28 to undergo the tests required by subsection (c) and, if applicable,
29 subsection (d).

30 (f) Except as otherwise provided by state or federal law, the results
31 of a test administered under this section are confidential.

32 (g) The department shall ~~beginning September 1, 2002, file an~~
33 ~~annual report in an electronic format under IC 5-14-6 with the~~
34 ~~executive director of the legislative services agency containing~~ **include**
35 statistical information on the number of individuals tested and the
36 number of positive test results determined under this section **in the**
37 **annual report made under IC 11-8-2-5(a)(16).**

38 SECTION 36. IC 11-10-6-6 IS AMENDED TO READ AS
39 FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 6. (a) The industry and
40 farm products revolving fund is ~~hereby~~ established. The ~~state budget~~
41 ~~agency department~~ shall:

42 (1) annually review the revolving fund for the purpose of



1 determining whether the current level is adequate to meet the
 2 expenditures required to sustain offender employment programs;
 3 and ~~shall report to the state budget committee~~

4 **(2) include in the annual report made under**
 5 **IC 11-8-2-5(a)(16)** its recommendations regarding any changes
 6 in the amount of the fund.

7 **(b)** All revenues derived from the sale of goods produced or
 8 manufactured by the department, from the lease of farm land and
 9 appurtenances operated by the department's industry and farm program,
 10 or from the employment of offenders by other state agencies or political
 11 subdivisions shall be paid into the fund to be expended in the manner
 12 provided by law.

13 SECTION 37. IC 11-10-13-6, AS AMENDED BY P.L.74-2015,
 14 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 15 JULY 1, 2018]: Sec. 6. (a) The department shall annually conduct or
 16 contract with a third party to annually conduct an actuarially based
 17 study of projected costs of incarceration.

18 (b) The study must:

19 (1) consider:

- 20 (A) the present and anticipated future costs of incarcerating
- 21 the current inmate population;
- 22 (B) the effect of educational credit and good time credit;
- 23 (C) the effect of inmate mortality rates;
- 24 (D) the projected increase in costs of incarceration; and
- 25 (E) any other factor determined to be relevant by the
- 26 department or the third party contractor; and

27 (2) provide an analysis of the projected costs of incarceration for
 28 each subsequent calendar year after the year the study is
 29 conducted until each inmate in the current inmate population is no
 30 longer serving the executed sentence for which the inmate is
 31 incarcerated in the department.

32 ~~(c) Before July 1 of each year, The department shall provide the~~
 33 ~~legislative council with~~ **include** the results of the study ~~The department~~
 34 ~~shall provide the results in an electronic format under IC 5-14-6. in the~~
 35 **annual report made under IC 11-8-2-5(a)(16).**

36 SECTION 38. IC 11-10-14-5, AS ADDED BY P.L.213-2005,
 37 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 38 JULY 1, 2018]: Sec. 5. (a) The department shall ~~submit~~ **include**
 39 an evaluation report ~~to the legislative council~~ on the faith based
 40 transitional dormitory program ~~one (1) year after its inception and~~
 41 ~~continue to provide a report to the legislative council on or before~~
 42 **December 1 of each year. in the annual report made under**



1 **IC 11-8-2-5(a)(16).**

2 (b) The report described in subsection (a) must be in an electronic
3 format under IC 5-14-6.

4 (c) (b) The report described in subsection (a) must contain the
5 following:

6 (1) An extensive evaluation of the faith based transitional
7 dormitory program.

8 (2) Statistics that include the number of inmates who:

9 (A) have enrolled in a faith based transitional dormitory
10 program;

11 (B) have completed a faith based transitional dormitory
12 program; and

13 (C) have been released from the department and did not
14 participate in a faith based transitional dormitory program.

15 (3) The results of a survey of the employees of faith based
16 transitional dormitories. The survey must ask the employees their
17 opinions concerning the progress of the faith based transitional
18 dormitories, how the program could improve, and how the
19 program is successful.

20 SECTION 39. IC 12-7-2-82.5 IS REPEALED [EFFECTIVE JULY
21 1, 2018]. Sec. 82.5: "Family support program", for purposes of
22 IC 12-8-14, has the meaning set forth in IC 12-8-14-1.

23 SECTION 40. IC 12-7-2-135.8, AS AMENDED BY P.L.184-2017,
24 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
25 JULY 1, 2018]: Sec. 135.8. (a) "Paths to QUALITY program", for
26 purposes of IC 12-17.2-2-14.2, refers to the program established in
27 IC 12-17.2-2-14.2(b).

28 (b) "Paths to QUALIFY program", for purposes of IC 12-17.2-3.8;
29 has the meaning set forth in IC 12-17.2-3.8-1.

30 SECTION 41. IC 12-7-2-146, AS AMENDED BY THE
31 TECHNICAL CORRECTIONS BILL OF THE 2018 GENERAL
32 ASSEMBLY, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
33 JULY 1, 2018]: Sec. 146. "Program" refers to the following:

34 (1) For purposes of IC 12-10-7, the adult guardianship services
35 program established by IC 12-10-7-5.

36 (2) For purposes of IC 12-10-10, the meaning set forth in
37 IC 12-10-10-5.

38 (3) For purposes of IC 12-10-10.5, the meaning set forth in
39 IC 12-10-10.5-4.

40 (4) (3) For purposes of IC 12-17.2-2-14.2, the meaning set forth
41 in IC 12-17.2-2-14.2(a).

42 (5) (4) For purposes of IC 12-17.2-3.8, the meaning set forth in



1 ~~IC 12-17.2-3.8-2.~~

2 ~~(6) (5) (4)~~ For purposes of IC 12-17.6, the meaning set forth in
3 IC 12-17.6-1-5.

4 SECTION 42. IC 12-8-1.5-12, AS ADDED BY P.L.160-2012,
5 SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
6 JULY 1, 2018]: Sec. 12. ~~(a)~~ Subject to the appropriation limits
7 established by the state's biennial budget for the office of the secretary
8 and its divisions, and after assistance, including assistance under
9 TANF (IC 12-14), medical assistance (IC 12-15), and food stamps (7
10 U.S.C. 2016(i)), is distributed to persons eligible to receive assistance,
11 the secretary may adopt rules under IC 4-22-2 to offer programs on a
12 pilot or statewide basis to encourage recipients of assistance under
13 IC 12-14 to become self-sufficient and discontinue dependence on
14 public assistance programs. Programs offered under this subsection
15 may do the following:

- 16 (1) Develop welfare-to-work programs.
- 17 (2) Develop home child care training programs that will enable
18 recipients to work by providing child care for other recipients.
- 19 (3) Provide case management and supportive services.
- 20 (4) Develop a system to provide for public service opportunities
21 for recipients.
- 22 (5) Provide plans to implement the personal responsibility
23 agreement under IC 12-14-2-21.
- 24 (6) Develop programs to implement the school attendance
25 requirement under IC 12-14-2-17.
- 26 (7) Provide funds for county planning council activities under
27 IC 12-14-22-13 (repealed).
- 28 (8) Provide that a recipient may earn up to the federal income
29 poverty level (as defined in IC 12-15-2-1) before assistance under
30 this title is reduced or eliminated.
- 31 (9) Provide for child care assistance, with the recipient paying
32 fifty percent (50%) of the local market rate as established under
33 45 CFR 256 for child care.
- 34 (10) Provide for medical care assistance under IC 12-15, if the
35 recipient's employer does not offer the recipient health care
36 coverage.

37 ~~(b) If the secretary offers a program described in subsection (a); the~~
38 ~~secretary shall annually report the results and other relevant data~~
39 ~~regarding the program to the legislative council in an electronic format~~
40 ~~under IC 5-14-6.~~

41 SECTION 43. IC 12-8-14 IS REPEALED [EFFECTIVE JULY 1,
42 2018]. (Family Support Program).



1 SECTION 44. IC 12-12.7-2-15, AS AMENDED BY P.L.210-2015,
 2 SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 3 JULY 1, 2018]: Sec. 15. The council shall do the following:

4 (1) Advise and assist the division in the performance of the
 5 responsibilities set forth in section 6 of this chapter, particularly
 6 the following:

7 (A) Identification of sources of fiscal and other support for
 8 services for early intervention programs.

9 (B) Use of existing resources to the full extent in
 10 implementing early intervention programs.

11 (C) Assignment of financial responsibility to the appropriate
 12 agency.

13 (D) Promotion of interagency agreements.

14 (E) Development and implementation of utilization review
 15 procedures.

16 (2) Advise and assist the division in the preparation of
 17 applications required under 20 U.S.C. 1431 through 1444.

18 (3) Prepare and submit an annual report to the governor, the
 19 general assembly, and the United States Secretary of Education by
 20 November 1 of each year concerning the status of early
 21 intervention programs for infants and toddlers with disabilities
 22 and their families. **The report must contain the following**
 23 **information concerning the funding of the program under this**
 24 **chapter:**

25 (A) **The total amount billed to a federal or state program**
 26 **each state fiscal year for services provided under this**
 27 **chapter, including the following programs:**

28 (i) Medicaid.

29 (ii) The children's health insurance program.

30 (iii) The federal Temporary Assistance for Needy
 31 Families (TANF) program (45 CFR 265).

32 (iv) Any other state or federal program.

33 (B) **The total amount billed each state fiscal year to an**
 34 **insurance company for services provided under this**
 35 **chapter and the total amount reimbursed by the insurance**
 36 **company.**

37 (C) **The total copayments collected under this chapter each**
 38 **state fiscal year.**

39 (D) **The total administrative expenditures.**

40 A report submitted under this subdivision to the general assembly
 41 must be in an electronic format under IC 5-14-6.

42 (4) Periodically request from the agencies responsible for



1 providing early childhood intervention services for infants and
 2 toddlers with disabilities and preschool special education
 3 programs written reports concerning the implementation of each
 4 agency's respective programs.

5 (5) Make recommendations to the various agencies concerning
 6 improvements to each agency's delivery of services.

7 (6) Otherwise comply with 20 U.S.C. 1441.

8 SECTION 45. IC 12-12.7-2-19 IS REPEALED [EFFECTIVE
 9 UPON PASSAGE]. ~~Sec. 19. The budget agency shall annually report~~
 10 ~~to the budget committee and the interim study committee on public~~
 11 ~~health, behavioral health, and human services established by~~
 12 ~~IC 2-5-1.3-4 the following information concerning the funding of the~~
 13 ~~program under this chapter:~~

14 (1) ~~The total amount billed to a federal or state program each state~~
 15 ~~fiscal year for services provided under this chapter, including the~~
 16 ~~following programs:~~

17 (A) ~~Medicaid:~~

18 (B) ~~The children's health insurance program.~~

19 (C) ~~The federal Temporary Assistance for Needy Families~~
 20 ~~(TANF) program (45 CFR 265):~~

21 (D) ~~Any other state or federal program.~~

22 (2) ~~The total amount billed each state fiscal year to an insurance~~
 23 ~~company for services provided under this chapter and the total~~
 24 ~~amount reimbursed by the insurance company.~~

25 (3) ~~The total copayments collected under this chapter each state~~
 26 ~~fiscal year.~~

27 (4) ~~The total administrative expenditures.~~

28 ~~The report must be submitted before September 1 for the preceding~~
 29 ~~state fiscal year in an electronic format under IC 5-14-6.~~

30 SECTION 46. IC 12-14-2-23 IS AMENDED TO READ AS
 31 FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 23. (a) This section
 32 applies only to a person's eligibility for assistance under section 5.1 of
 33 this chapter.

34 (b) As used in this section, "school" means a program resulting in
 35 high school graduation.

36 (c) Due to extraordinary circumstances, a person who is the parent
 37 of a dependent child, an essential person, or a dependent child may
 38 apply, in a manner prescribed by the division, for an exemption from
 39 the requirements of this chapter if the person can document that the
 40 person has complied with the personal responsibility agreement under
 41 section 21 of this chapter and the person demonstrates any of the
 42 following:



1 (1) The person has a substantial physical or mental disability that
 2 prevents the person from obtaining or participating in gainful
 3 employment.

4 (2) The person is a minor parent who is in school full time and
 5 who has a dependent child.

6 (3) The person is a minor parent who is enrolled full time in an
 7 educational program culminating in a high school equivalency
 8 certificate and who has a dependent child.

9 A person seeking an exemption under this section must show
 10 documentation to the division to substantiate the person's claim for an
 11 exemption under subdivision (1), (2), or (3).

12 (d) After receiving an application for exemption from a parent, an
 13 essential person, or a dependent child under subsection (c), the division
 14 shall investigate and determine if the parent, essential person, or
 15 dependent child qualifies for an exemption from this chapter. The
 16 director shall make a final determination regarding:

17 (1) whether to grant an exemption;

18 (2) the length of an exemption, if granted, subject to subsection
 19 (f); and

20 (3) the extent of an exemption, if granted.

21 (e) If the director determines that a parent, an essential person, or a
 22 dependent child qualifies for an exemption under this chapter, the
 23 parent, essential person, or dependent child is entitled to receive one
 24 hundred percent (100%) of the payments that the parent, essential
 25 person, or dependent child is entitled to receive under section 5 of this
 26 chapter, subject to any ratable reduction.

27 (f) An exemption granted under this section may not exceed one (1)
 28 year, but may be renewed.

29 (g) The division shall ~~send a report each quarter to the legislative~~
 30 ~~council and the budget committee detailing~~ **publish** the number and
 31 type of exemptions granted under this section ~~A report sent under this~~
 32 ~~subsection to the legislative council must be in an electronic format~~
 33 ~~under IC 5-14-6. on the division's Internet web site.~~

34 (h) The division may adopt rules under IC 4-22-2 to carry out this
 35 section.

36 SECTION 47. IC 12-15-35-28, AS AMENDED BY P.L.152-2017,
 37 SECTION 27, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 38 JULY 1, 2018]: Sec. 28. (a) The board has the following duties:

39 (1) The implementation of a Medicaid retrospective and
 40 prospective DUR program as outlined in this chapter, including
 41 the approval of software programs to be used by the pharmacist
 42 for prospective DUR and recommendations concerning the



- 1 provisions of the contractual agreement between the state and any
 2 other entity that will be processing and reviewing Medicaid drug
 3 claims and profiles for the DUR program under this chapter.
- 4 (2) The development and application of the predetermined criteria
 5 and standards for appropriate prescribing to be used in
 6 retrospective and prospective DUR to ensure that such criteria
 7 and standards for appropriate prescribing are based on the
 8 compendia and developed with professional input with provisions
 9 for timely revisions and assessments as necessary.
- 10 (3) The development, selection, application, and assessment of
 11 interventions for physicians, pharmacists, and patients that are
 12 educational and not punitive in nature.
- 13 (4) The publication of an annual report that must be subject to
 14 public comment before issuance to the federal Department of
 15 Health and Human Services and to the Indiana legislative council
 16 by December 1 of each year. The report issued to the legislative
 17 council must be in an electronic format under IC 5-14-6.
- 18 (5) The development of a working agreement for the board to
 19 clarify the areas of responsibility with related boards or agencies,
 20 including the following:
- 21 (A) The Indiana board of pharmacy.
 - 22 (B) The medical licensing board of Indiana.
 - 23 (C) The SURS staff.
- 24 (6) The establishment of a grievance and appeals process for
 25 physicians or pharmacists under this chapter.
- 26 (7) The publication and dissemination of educational information
 27 to physicians and pharmacists regarding the board and the DUR
 28 program, including information on the following:
- 29 (A) Identifying and reducing the frequency of patterns of
 30 fraud, abuse, gross overuse, or inappropriate or medically
 31 unnecessary care among physicians, pharmacists, and
 32 recipients.
 - 33 (B) Potential or actual severe or adverse reactions to drugs.
 - 34 (C) Therapeutic appropriateness.
 - 35 (D) Overutilization or underutilization.
 - 36 (E) Appropriate use of generic drugs.
 - 37 (F) Therapeutic duplication.
 - 38 (G) Drug-disease contraindications.
 - 39 (H) Drug-drug interactions.
 - 40 (I) Incorrect drug dosage and duration of drug treatment.
 - 41 (J) Drug allergy interactions.
 - 42 (K) Clinical abuse and misuse.



- 1 (8) The adoption and implementation of procedures designed to
 2 ensure the confidentiality of any information collected, stored,
 3 retrieved, assessed, or analyzed by the board, staff to the board, or
 4 contractors to the DUR program that identifies individual
 5 physicians, pharmacists, or recipients.
- 6 (9) The implementation of additional drug utilization review with
 7 respect to drugs dispensed to residents of nursing facilities shall
 8 not be required if the nursing facility is in compliance with the
 9 drug regimen procedures under 410 IAC 16.2-3.1 and 42 CFR
 10 483.60.
- 11 (10) The research, development, and approval of a preferred drug
 12 list for:
- 13 (A) Medicaid's fee for service program;
 14 (B) a risk based managed care program, if the office provides
 15 a prescription drug benefit and subject to IC 12-15-5; and
 16 (C) the children's health insurance program under IC 12-17.6;
 17 in consultation with the therapeutics committee.
- 18 (11) The approval of the review and maintenance of the preferred
 19 drug list at least two (2) times per year.
- 20 (12) The preparation and submission of a report concerning the
 21 preferred drug list at least one (1) time per year to the interim
 22 study committee on public health, behavioral health, and human
 23 services established by IC 2-5-1.3-4 in an electronic format under
 24 IC 5-14-6.
- 25 (13) The collection of data reflecting prescribing patterns related
 26 to treatment of children diagnosed with attention deficit disorder
 27 or attention deficit hyperactivity disorder.
- 28 (14) Advising the Indiana comprehensive health insurance
 29 association established by IC 27-8-10-2.1 concerning
 30 implementation of chronic disease management and
 31 pharmaceutical management programs under IC 27-8-10-3.5.
- 32 (b) The board shall use the clinical expertise of the therapeutics
 33 committee in developing a preferred drug list. The board shall also
 34 consider expert testimony in the development of a preferred drug list.
- 35 (c) In researching and developing a preferred drug list under
 36 subsection (a)(10), the board shall do the following:
- 37 (1) Use literature abstracting technology.
 38 (2) Use commonly accepted guidance principles of disease
 39 management.
 40 (3) Develop therapeutic classifications for the preferred drug list.
 41 (4) Give primary consideration to the clinical efficacy or
 42 appropriateness of a particular drug in treating a specific medical



- 1 condition.
- 2 (5) Include in any cost effectiveness considerations the cost
- 3 implications of other components of the state's Medicaid program
- 4 and other state funded programs.
- 5 (d) Prior authorization is required for coverage under a program
- 6 described in subsection (a)(10) of a drug that is not included on the
- 7 preferred drug list.
- 8 (e) The board shall determine whether to include a single source
- 9 covered outpatient drug that is newly approved by the federal Food and
- 10 Drug Administration on the preferred drug list not later than sixty (60)
- 11 days after the date on which the manufacturer notifies the board in
- 12 writing of the drug's approval. However, if the board determines that
- 13 there is inadequate information about the drug available to the board
- 14 to make a determination, the board may have an additional sixty (60)
- 15 days to make a determination from the date that the board receives
- 16 adequate information to perform the board's review. Prior authorization
- 17 may not be automatically required for a single source drug that is newly
- 18 approved by the federal Food and Drug Administration, and that is:
- 19 (1) in a therapeutic classification:
- 20 (A) that has not been reviewed by the board; and
- 21 (B) for which prior authorization is not required; or
- 22 (2) the sole drug in a new therapeutic classification that has not
- 23 been reviewed by the board.
- 24 (f) The board may not exclude a drug from the preferred drug list
- 25 based solely on price.
- 26 (g) The following requirements apply to a preferred drug list
- 27 developed under subsection (a)(10):
- 28 (1) Except as provided by IC 12-15-35.5-3(b) and
- 29 IC 12-15-35.5-3(c), the office or the board may require prior
- 30 authorization for a drug that is included on the preferred drug list
- 31 under the following circumstances:
- 32 (A) To override a prospective drug utilization review alert.
- 33 (B) To permit reimbursement for a medically necessary brand
- 34 name drug that is subject to generic substitution under
- 35 IC 16-42-22-10.
- 36 (C) To prevent fraud, abuse, waste, overutilization, or
- 37 inappropriate utilization.
- 38 (D) To permit implementation of a disease management
- 39 program.
- 40 (E) To implement other initiatives permitted by state or federal
- 41 law.
- 42 (2) All drugs described in IC 12-15-35.5-3(b) must be included on



- 1 the preferred drug list.
- 2 (3) The office may add a drug that has been approved by the
- 3 federal Food and Drug Administration to the preferred drug list
- 4 without prior approval from the board.
- 5 (4) The board may add a drug that has been approved by the
- 6 federal Food and Drug Administration to the preferred drug list.
- 7 (h) At least one (1) time each year, the board shall provide a report
- 8 to the interim study committee on public health, behavioral health, and
- 9 human services established by IC 2-5-1.3-4 in an electronic format
- 10 under IC 5-14-6. The report must contain the following information:
- 11 (1) The cost of administering the preferred drug list.
- 12 (2) Any increase in Medicaid physician, laboratory, or hospital
- 13 costs or in other state funded programs as a result of the preferred
- 14 drug list.
- 15 (3) The impact of the preferred drug list on the ability of a
- 16 Medicaid recipient to obtain prescription drugs.
- 17 (4) The number of times prior authorization was requested, and
- 18 the number of times prior authorization was:
- 19 (A) approved; and
- 20 (B) disapproved.
- 21 **(5) Any recommendations received from the mental health**
- 22 **Medicaid quality advisory committee under section 51(h) of**
- 23 **this chapter.**
- 24 (i) The board shall provide the first report required under subsection
- 25 (h) not later than six (6) months after the board submits an initial
- 26 preferred drug list to the office.
- 27 SECTION 48. IC 12-15-35-48, AS AMENDED BY P.L.152-2017,
- 28 SECTION 31, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 29 JULY 1, 2018]: Sec. 48. (a) The board shall review the prescription
- 30 drug program of a managed care organization that participates in a risk
- 31 based managed care program at least one (1) time per year. The board's
- 32 review of a prescription drug program must include the following:
- 33 (1) An analysis of the single source drugs requiring prior
- 34 authorization, including the number of drugs requiring prior
- 35 authorization in comparison to other managed care organizations'
- 36 prescription drug programs that participate in the state's Medicaid
- 37 program.
- 38 (2) A determination and analysis of the number and the type of
- 39 drugs subject to a restriction.
- 40 (3) A review of the rationale for:
- 41 (A) the prior authorization of a drug described in subdivision
- 42 (1); and



- 1 (B) a restriction on a drug.
- 2 (4) A review of the number of requests a managed care
3 organization received for prior authorization, including the
4 number of times prior authorization was approved and the number
5 of times prior authorization was disapproved.
- 6 (5) A review of:
- 7 (A) patient and provider satisfaction survey reports; and
8 (B) pharmacy-related grievance data for a twelve (12) month
9 period.
- 10 (b) A managed care organization described in subsection (a) shall
11 provide the board with the information necessary for the board to
12 conduct its review under subsection (a).
- 13 ~~(c) The board shall report to the interim study committee on public
14 health, behavioral health, and human services established by
15 IC 2-5-1.3-4 in an electronic format under IC 5-14-6 at least one (1)
16 time per year on the board's review under subsection (a).~~
- 17 SECTION 49. IC 12-15-35-51, AS AMENDED BY P.L.53-2014,
18 SECTION 107, IS AMENDED TO READ AS FOLLOWS
19 [EFFECTIVE JULY 1, 2018]: Sec. 51. (a) As used in this section,
20 "advisory committee" refers to the mental health Medicaid quality
21 advisory committee established by subsection (b).
- 22 (b) The mental health Medicaid quality advisory committee is
23 established. The advisory committee consists of the following
24 members:
- 25 (1) The director of the office or the director's designee, who shall
26 serve as chairperson of the advisory committee.
- 27 (2) The director of the division of mental health and addiction or
28 the director's designee.
- 29 (3) A representative of a statewide mental health advocacy
30 organization.
- 31 (4) A representative of a statewide mental health provider
32 organization.
- 33 (5) A representative from a managed care organization that
34 participates in the state's Medicaid program.
- 35 (6) A member with expertise in psychiatric research representing
36 an academic institution.
- 37 (7) A pharmacist licensed under IC 25-26.
- 38 (8) The commissioner of the department of correction or the
39 commissioner's designee.
- 40 The governor shall make the appointments for a term of four (4) years
41 under subdivisions (3) through (7) and fill any vacancy on the advisory
42 committee.



1 (c) The office shall staff the advisory committee. The expenses of
2 the advisory committee shall be paid by the office.

3 (d) Each member of the advisory committee who is not a state
4 employee is entitled to the minimum salary per diem provided by
5 IC 4-10-11-2.1(b). The member is also entitled to reimbursement for
6 traveling expenses as provided under IC 4-13-1-4 and other expenses
7 actually incurred in connection with the member's duties as provided
8 in the state policies and procedures established by the Indiana
9 department of administration and approved by the budget agency.

10 (e) Each member of the advisory committee who is a state employee
11 is entitled to reimbursement for traveling expenses as provided under
12 IC 4-13-1-4 and other expenses actually incurred in connection with
13 the member's duties as provided in the state policies and procedures
14 established by the Indiana department of administration and approved
15 by the budget agency.

16 (f) The affirmative votes of a majority of the voting members
17 appointed to the advisory committee are required by the advisory
18 committee to take action on any measure.

19 (g) The advisory committee shall advise the office and make
20 recommendations concerning the clinical use of mental health and
21 addiction medications, including the implementation of
22 IC 12-15-35.5-7(c), and consider the following:

- 23 (1) Peer reviewed medical literature.
- 24 (2) Observational studies.
- 25 (3) Health economic studies.
- 26 (4) Input from physicians and patients.
- 27 (5) Any other information determined by the advisory committee
28 to be appropriate.

29 (h) The office shall report recommendations made by the advisory
30 committee to the drug utilization review board established by section
31 19 of this chapter.

32 ~~(i) The office shall report the following information to the interim
33 study committee on public health, behavioral health, and human
34 services established by IC 2-5-1.3-4 in an electronic format under
35 IC 5-14-6:~~

- 36 ~~(1) The advisory committee's advice and recommendations made
37 under this section.~~
- 38 ~~(2) The number of restrictions implemented under
39 IC 12-15-35.5-7(c) and the outcome of each restriction.~~
- 40 ~~(3) The transition of individuals who are aged, blind, or disabled
41 to the risk based managed care program.~~
- 42 ~~(4) Any decision by the office to change the health care delivery~~



1 system in which Medicaid is provided to recipients:

2 SECTION 50. IC 12-17.2-3.8-1 IS REPEALED [EFFECTIVE JULY
3 1, 2018]. Sec. 1: As used in this chapter, "Paths to QUALITY program"
4 refers to a voluntary quality rating and improvement system for child
5 care administered:

6 (1) statewide by the division; and

7 (2) under the trademark "Paths to QUALITY".

8 SECTION 51. IC 12-17.2-3.8-2 IS REPEALED [EFFECTIVE JULY
9 1, 2018]. Sec. 2: As used in this chapter, "program" refers to the early
10 education evaluation program established by section 3 of this chapter:

11 SECTION 52. IC 12-17.2-3.8-3 IS REPEALED [EFFECTIVE JULY
12 1, 2018]. Sec. 3: The early education evaluation program is established
13 to gather data concerning the school readiness of low income children
14 who have received early education services through providers with
15 programs of demonstrated quality that require parental involvement in
16 the children's education:

17 SECTION 53. IC 12-17.2-3.8-4 IS REPEALED [EFFECTIVE JULY
18 1, 2018]. Sec. 4: (a) The division shall conduct a study of the school
19 readiness of low income children receiving early education services
20 from providers that:

21 (1) meet the standards of quality recognized by a Level 3 or Level
22 4 Paths to QUALITY program rating; and

23 (2) require parental involvement based on the guidelines
24 developed under section 7 of this chapter:

25 (b) The division shall select representative providers in multiple
26 locations across Indiana who administer kindergarten readiness
27 assessments and other indicators of school readiness to children
28 receiving services from the providers to participate in the program. The
29 division shall work with the department of education to assign student
30 testing numbers to low income children completing kindergarten
31 readiness assessments:

32 (c) Not later than October 1 of each year, the division shall prepare
33 an annual report of the results of the program and provide the report to
34 the governor, to the department of education, and, in an electronic
35 format under IC 5-14-6, to the legislative council.

36 (d) The division shall administer the program, which must begin on
37 July 1, 2013.

38 SECTION 54. IC 12-17.2-3.8-6 IS REPEALED [EFFECTIVE JULY
39 1, 2018]. Sec. 6: The division shall provide the department of education
40 with information necessary for the department of education to assign
41 a child who receives early education services from a provider who
42 participates in the program under this chapter a student testing number:



1 Upon receipt of the information, the department of education shall
 2 assign the child a student testing number to track the child's
 3 educational growth and development.

4 SECTION 55. IC 12-17.2-3.8-7 IS REPEALED [EFFECTIVE JULY
 5 1, 2018]. Sec. 7. The division shall develop and maintain guidelines for
 6 the inclusion in every provider's services under this chapter of a
 7 component increasing parental engagement and involvement in the
 8 child's education.

9 SECTION 56. IC 13-14-1-17 IS ADDED TO THE INDIANA
 10 CODE AS A NEW SECTION TO READ AS FOLLOWS
 11 [EFFECTIVE JULY 1, 2018]: Sec. 17. (a) Before November 1 of each
 12 year, the department shall submit an annual report to the governor
 13 and to the legislative council in an electronic format under
 14 IC 5-14-6.

15 (b) The report under subsection (a) must include the following:

16 (1) A summary of the:

17 (A) reviews conducted; and

18 (B) agreements approved;

19 in the preceding state fiscal year under IC 13-17-13.

20 (2) Information on the following:

21 (A) Waste tire management as required by IC 13-20-13.

22 (B) The status of the waste tire management fund and the
 23 programs funded by the fund.

24 (C) Recommendations for revisions to waste tire
 25 management programs.

26 SECTION 57. IC 13-15-11-5 IS REPEALED [EFFECTIVE JULY
 27 1, 2018]. Sec. 5. (a) The auditor of state shall make a report on the fund
 28 every four (4) months. The report:

29 (1) shall be issued not later than ten (10) working days following
 30 the last day of each four (4) month period;

31 (2) must include the beginning and ending balance;
 32 disbursements, and receipts;

33 (3) must comply with accounting standards under
 34 IC 4-13-2-7(a)(1); and

35 (4) must be available to the public.

36 (b) The auditor of state shall forward copies of the report to the
 37 following:

38 (1) The commissioner.

39 (2) The standing committees of the house of representatives and
 40 the senate concerned with the environment.

41 (3) The budget committee.

42 (4) The interim study committee on environmental affairs



1 established by IC 2-5-1.3-4 in an electronic format under
2 IC 5-14-6.

3 SECTION 58. IC 13-15-11-6, AS AMENDED BY P.L.53-2014,
4 SECTION 122, IS AMENDED TO READ AS FOLLOWS
5 [EFFECTIVE JULY 1, 2018]: Sec. 6. Before September 1 of each
6 even-numbered year, the department shall report to the interim study
7 committee on environmental affairs established by IC 2-5-1.3-4 in an
8 electronic format under IC 5-14-6: **publish on the department's**
9 **Internet web site:**

- 10 (1) the department's proposed distribution of funds among the
11 programs referred to in section 1 of this chapter for the current
12 state fiscal year;
13 (2) the department's rationale for the proposed distribution;
14 (3) any difference between:
15 (A) the proposed distribution; and
16 (B) the distribution made by the department in the
17 immediately preceding state fiscal year; and
18 (4) the results of an independent audit of the correlation between:
19 (A) the distribution made by the department with respect to;
20 and
21 (B) the department's actual expenses related to;
22 each program referred to in section 1 of this chapter in the
23 immediately preceding state fiscal year.

24 SECTION 59. IC 13-17-13-3 IS REPEALED [EFFECTIVE JULY
25 1, 2018]. Sec. 3: (a) ~~The department shall provide an annual report to~~
26 ~~the following:~~

- 27 ~~(1) The board;~~
28 ~~(2) The interim study committee on environmental affairs~~
29 ~~established by IC 2-5-1.3-4 in an electronic format under~~
30 ~~IC 5-14-6.~~
31 (b) ~~The report must include a summary of the:~~
32 ~~(1) reviews conducted; and~~
33 ~~(2) agreements approved;~~
34 ~~in the preceding year under this chapter.~~

35 SECTION 60. IC 13-18-3-14, AS AMENDED BY P.L.53-2014,
36 SECTION 125, IS AMENDED TO READ AS FOLLOWS
37 [EFFECTIVE JULY 1, 2018]: Sec. 14. (a) The outstanding state
38 resource water improvement fund is established. All money collected
39 under section 2 of this chapter and any money accruing to the fund are
40 continuously appropriated to the fund to carry out the purposes of
41 section 2 of this chapter. Money in the fund at the end of a state fiscal
42 year does not revert to the state general fund, unless the outstanding



1 state resource water improvement fund is abolished.

2 (b) The outstanding state resource water improvement fund shall be
3 administered as follows:

4 (1) The fund may be used by the department of environmental
5 management to fund projects that will lead to overall
6 improvement to the water quality of the affected outstanding state
7 resource water.

8 (2) The treasurer of state may invest the money in the fund not
9 currently needed to meet the obligations of the fund in the same
10 manner as other public money may be invested.

11 (3) Any interest received accrues to the fund.

12 (4) The expenses of administering the fund shall be paid from the
13 fund.

14 (c) **If money is disbursed from the outstanding state resource**
15 **water improvement fund in the previous state fiscal year or the**
16 **commissioner determines that the fund had a positive balance at**
17 **the close of the previous state fiscal year, the commissioner shall**
18 **annually submit a status report on the fund** to the interim study
19 committee on environmental affairs established by IC 2-5-1.3-4, in an
20 electronic format under IC 5-14-6, **before November 1. The report**
21 **must include the following information:**

22 (1) Plans for the use and implementation of the outstanding state
23 resource water improvement fund. ~~and~~

24 (2) The balance in the fund.

25 SECTION 61. IC 13-20-13-10 IS REPEALED [EFFECTIVE JULY
26 1, 2018]. ~~Sec. 10: (a) The department shall report annually to the~~
27 ~~governor and the general assembly on the following:~~

28 ~~(1) Waste tire management as required by this chapter.~~

29 ~~(2) The status of the waste tire management fund.~~

30 ~~(3) The status of programs funded by the fund.~~

31 ~~(b) A report issued by the department under this section may include~~
32 ~~recommendations for revisions to waste tire management programs.~~

33 ~~(c) Before the department may issue a report under this section, the~~
34 ~~department must solicit public comment on the report.~~

35 ~~(d) A report issued by the department under this section to the~~
36 ~~general assembly must be in an electronic format under IC 5-14-6.~~

37 SECTION 62. IC 13-28-4-11, AS AMENDED BY P.L.53-2014,
38 SECTION 130, IS AMENDED TO READ AS FOLLOWS
39 [EFFECTIVE JULY 1, 2018]: Sec. 11. (a) The department shall
40 maintain statistics on the use of environmental audit reports in
41 department compliance and enforcement activities, including statistics
42 on:



- 1 (1) the number of times the reports are disclosed to the
 2 department;
 3 (2) the number and types of violations disclosed to the department
 4 through the reports;
 5 (3) the civil penalties collected for the violations; and
 6 (4) the time necessary for the violations to be corrected.
- 7 The department shall report annually to the interim study committee on
 8 environmental affairs established by IC 2-5-1.3-4 in an electronic
 9 format under IC 5-14-6 on the use of environmental audit reports.
- 10 (b) The department shall propose an enforcement policy, pursuant
 11 to IC 13-14-1-11.5, that provides relief from civil penalties for a
 12 voluntary disclosure that results from an internal environmental audit.
 13 In developing this enforcement policy, the department shall consider
 14 similar policies implemented by:
- 15 (1) the United States Environmental Protection Agency; and
 16 (2) states contiguous to Indiana.
- 17 (c) ~~The department shall report annually to the interim study~~
 18 ~~committee on environmental affairs established by IC 2-5-1.3-4 in an~~
 19 ~~electronic format under IC 5-14-6 on the use and effectiveness of the~~
 20 ~~enforcement policy.~~
- 21 SECTION 63. IC 14-21-1-18, AS AMENDED BY P.L.2-2007,
 22 SECTION 172, IS AMENDED TO READ AS FOLLOWS
 23 [EFFECTIVE JULY 1, 2018]: Sec. 18. (a) A:
- 24 (1) historic site or historic structure owned by the state; or
 25 (2) historic site or historic structure listed on the state or national
 26 register;
 27 may not be altered, demolished, or removed by a project funded, in
 28 whole or in part, by the state unless the review board has granted a
 29 certificate of approval.
- 30 (b) An application for a certificate of approval:
 31 (1) must be filed with the division; and
 32 (2) shall be granted or rejected by the review board after a public
 33 hearing.
- 34 (c) Subsections (a) and (b) do not apply to real property that is
 35 owned by a state educational institution.
- 36 (d) The commission for higher education and each state educational
 37 institution, in cooperation with the division of historic preservation and
 38 archeology, shall develop and continually maintain a survey of historic
 39 sites and historic structures owned by the state educational institution.
 40 Historic sites and historic structures include buildings, structures,
 41 outdoor sculpture, designed landscapes, gardens, archeological sites,
 42 cemeteries, campus plans, and historic districts. A survey developed



1 under this subsection must conform with the Indiana Historic Sites and
2 Structures Survey Manual.

3 (e) The state historic preservation officer no later than one (1) year
4 after receipt of a ten (10) year capital plan under IC 14-21-1-18.5 shall:

5 (1) review a proposed state educational institution project that
6 involves a historic site or historic structure owned by a state
7 educational institution; and

8 (2) submit an advisory report to the commission for higher
9 education, the state educational institution, and the general
10 assembly. An advisory report submitted under this subdivision to
11 the general assembly must be in an electronic format under
12 IC 5-14-6.

13 (f) (e) Not more than thirty (30) days after a state educational
14 institution, under section 18.6 of this chapter, submits to the division
15 a description of a proposed project that involves the substantial
16 alteration, demolition, or removal of a historic site or historic structure,
17 the state historic preservation officer shall:

18 (1) review the description of the proposed project; and

19 (2) submit to the state educational institution an advisory report
20 concerning the proposed project.

21 The state educational institution shall review and consider the advisory
22 report before proceeding with the substantial alteration, demolition, or
23 removal of a historic site or historic structure.

24 SECTION 64. IC 14-21-1-18.5 IS REPEALED [EFFECTIVE JULY
25 1, 2018]. Sec. 18.5: When submitting its biennial budget request, a
26 state educational institution must:

27 (1) submit to the division of historic preservation and archeology
28 of the department of natural resources a copy of any ten (10) year
29 capital plan of the state educational institution that is required by
30 the budget agency or the commission for higher education; and

31 (2) identify the projects included in the capital plan that may
32 involve the alteration or demolition of historic sites or structures.

33 SECTION 65. IC 14-21-1-18.6, AS AMENDED BY P.L.2-2007,
34 SECTION 174, IS AMENDED TO READ AS FOLLOWS
35 [EFFECTIVE JULY 1, 2018]: Sec. 18.6. (a) As used in this section,
36 "substantial alteration" means a conspicuous, exterior material change
37 in a historic site or historic structure which, in the good faith judgment
38 of a state college or university, affects the historic character of the
39 historic site or historic structure.

40 (b) If a proposed project of a state educational institution

41 (1) involves the substantial alteration, demolition, or removal of
42 a historic site or historic structure, and



- 1 (2) is not identified in a capital plan submitted to the division
 2 under section 18.5 of this chapter;
 3 the state educational institution shall submit a description of the
 4 proposed project to the division and publish a notice describing the
 5 project one (1) time in a newspaper of general circulation in the county
 6 in which the proposed project is located. The submission of the
 7 description and the publication of the notice must be at least thirty (30)
 8 days before the commencement of the proposed project.
- 9 SECTION 66. IC 15-11-2-8 IS ADDED TO THE INDIANA CODE
 10 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 11 1, 2018]: **Sec. 8. Before November 1 of each year, the department
 12 shall submit an annual report to the legislative council in an
 13 electronic format under IC 5-14-6.**
- 14 SECTION 67. IC 15-11-6-1, AS ADDED BY P.L.120-2008,
 15 SECTION 30, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 16 JULY 1, 2018]: Sec. 1. The director is responsible for foreign market
 17 promotion for agricultural products ~~through the~~ **and doing the**
 18 following:
- 19 (1) Creating a ~~report and~~ plan for international trade.
 20 (2) Working in partnership with the Food Export Association of
 21 the Midwest.
 22 (3) Conducting and participating in foreign trade missions.
 23 (4) Providing education on export and export opportunities for
 24 Indiana agricultural businesses.
 25 **(5) Reporting on the department's activities under this
 26 chapter in the annual report submitted under IC 15-11-2-8.**
- 27 SECTION 68. IC 15-11-7-2, AS ADDED BY P.L.120-2008,
 28 SECTION 33, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 29 JULY 1, 2018]: Sec. 2. The director shall do the following:
- 30 ~~(1) Prepare an annual report that contains information and market
 31 research concerning diversified farming.~~
 32 ~~(2)~~ **(1)** Instigate the formation of a market and development plan
 33 for diversified farming.
 34 ~~(3)~~ **(2)** Encourage the development and growth of diversified
 35 farming, aquaculture, and specialty crops through education
 36 programs.
 37 ~~(4)~~ **(3)** Administer the United States Department of Agriculture
 38 Specialty Crop Block Grant Program.
 39 ~~(5)~~ **(4)** Identify diversified farming opportunities.
 40 ~~(6)~~ **(5)** Create a healthy network to better connect farmers to
 41 available resources.
 42 ~~(7)~~ **(6)** Aggressively promote the opportunities and benefits of



1 agricultural diversification.

2 **(7) Report on the department's activities under this chapter**
 3 **in the annual report submitted under IC 15-11-2-8.**

4 SECTION 69. IC 15-11-12-10, AS ADDED BY P.L.173-2014,
 5 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 6 JULY 1, 2018]: Sec. 10. ~~(a) Before November~~ **September** 1 of each
 7 year, the commission shall submit a ~~report to the legislative council~~
 8 **that: information to the department for inclusion in the annual**
 9 **report submitted under IC 15-11-2-8 that:**

10 (1) details the commission's activities under this chapter during
 11 the preceding state fiscal year;

12 (2) recommends any legislation the commission considers useful
 13 in coordinating and streamlining the efforts of state government
 14 to assist and encourage the establishment and growth of small
 15 businesses in Indiana; and

16 (3) provides any other information determined by the commission.

17 ~~(b) The annual report submitted under this section must be in an~~
 18 ~~electronic format under IC 5-14-6.~~

19 SECTION 70. IC 16-30-2 IS REPEALED [EFFECTIVE JULY 1,
 20 2018]. (Health Needs Assessment).

21 SECTION 71. IC 16-38-4-8, AS AMENDED BY P.L.141-2014,
 22 SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 23 JULY 1, 2018]: Sec. 8. (a) The state department shall establish a birth
 24 problems registry for the purpose of recording all cases of birth
 25 problems that occur in Indiana residents and compiling necessary and
 26 appropriate information concerning those cases, as determined by the
 27 state department, in order to:

28 (1) conduct epidemiologic and environmental studies and to apply
 29 appropriate preventive and control measures;

30 (2) except for an autism spectrum disorder, inform the parents of
 31 children with birth problems:

32 (A) at the time of discharge from the hospital; or

33 (B) if a birth problem is diagnosed during a physician or
 34 hospital visit that occurs before the child is:

35 (i) except as provided in item (ii), three (3) years of age at
 36 the time of diagnosis; or

37 (ii) five (5) years of age at the time of diagnosis if the
 38 disorder is a fetal alcohol spectrum disorder;

39 about physicians care facilities, and appropriate community
 40 resources, including local step ahead agencies and the infants and
 41 toddlers with disabilities program (IC 12-12.7-2);

42 (3) except as provided in subsection (d), inform:



- 1 (A) the individual with problems at any age; or
 2 (B) the individual's parent;
 3 at the time of diagnosis, if the individual's disorder is an autism
 4 spectrum disorder, about physicians and appropriate state and
 5 community resources, including local step ahead agencies and the
 6 infants and toddlers with disabilities program (IC 12-12.7-2); or
 7 (4) inform citizens regarding programs designed to prevent or
 8 reduce birth problems.
- 9 (b) The state department shall record in the birth problems registry:
 10 (1) all data concerning birth problems of children that are
 11 provided from the certificate of live birth;
 12 (2) any additional information that may be provided by an
 13 individual or entity described in section 7(a)(2) of this chapter
 14 concerning a birth problem that is:
 15 (A) designated in a rule adopted by the state department; and
 16 (B) recognized:
 17 (i) after the child is discharged from the hospital as a
 18 newborn;
 19 (ii) before the child is five (5) years of age if the child is
 20 diagnosed with a fetal alcohol spectrum disorder;
 21 (iii) before the child is three (3) years of age for any
 22 diagnosis not specified in items (ii) and (iv); and
 23 (iv) at any age if the individual is diagnosed with an autism
 24 spectrum disorder; and
 25 (3) information reported to the state department by the office of
 26 the secretary under IC 12-12-9-3 concerning a child who is less
 27 than five (5) years of age and diagnosed with a visual impairment
 28 or blindness.
- 29 (c) The state department shall
 30 ~~(1) provide a physician and a local health department with~~
 31 ~~necessary forms for reporting under this chapter. and~~
 32 ~~(2) report in an electronic format under IC 5-14-6 to the~~
 33 ~~legislative council any birth problem trends that are identified~~
 34 ~~through the data collected under this chapter.~~
- 35 (d) Concerning an individual who is at least eight (8) years of age
 36 and diagnosed with an autism spectrum disorder, the state department
 37 is not required to do any of the following:
 38 (1) Report information to the federal Centers for Disease Control
 39 and Prevention.
 40 (2) Confirm the individual's diagnosis.
 41 (3) Verbally inform an individual of the information set forth in
 42 subsection (a)(3).



1 SECTION 72. IC 16-38-4-18 IS AMENDED TO READ AS
 2 FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 18. The state
 3 department shall report to the legislative council and the governor each
 4 year before November 1 the following:

5 (1) The numbers and types of birth problems occurring in Indiana
 6 by county, **including any birth problem trends identified**
 7 **through the data collected under this chapter.**

8 (2) The amount of use of the birth problems registry by
 9 researchers.

10 (3) Proposals for the prevention of birth problems occurring in
 11 Indiana.

12 A report under this section to the legislative council must be in an
 13 electronic format under IC 5-14-6.

14 SECTION 73. IC 16-40-1-7 IS AMENDED TO READ AS
 15 FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 7. All reports filed
 16 under this chapter shall be transmitted to the state department. ~~The~~
 17 ~~state department shall tabulate, compile, and analyze the reports and~~
 18 ~~provide information to state departments and organizations having a~~
 19 ~~legitimate interest in the information.~~

20 SECTION 74. IC 16-46-5-18 IS AMENDED TO READ AS
 21 FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 18. **(a) If money is**
 22 **received and disbursed under this chapter in a particular state**
 23 **fiscal year,** the state department shall ~~file an annual report with~~ **submit**
 24 **to the governor and the general assembly a report** on the following
 25 **before November 1 of the following state fiscal year:**

26 (1) The receipt, disbursement, and use of funds.

27 (2) The identification of shortage areas.

28 (3) The number of applications for loan repayment by the
 29 following categories:

30 (A) Profession.

31 (B) Specialty.

32 (C) Underserved area to be served.

33 (4) The number and amount of loan repayments provided by the
 34 state department.

35 **(b) A report filed under this section with submitted to** the general
 36 assembly **under this section** must be in an electronic format under
 37 IC 5-14-6.

38 SECTION 75. IC 20-24-5-5, AS AMENDED BY P.L.250-2017,
 39 SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 40 JULY 1, 2018]: Sec. 5. (a) Except as provided in subsections (b), (c),
 41 (d), (e), and (f), a charter school must enroll any eligible student who
 42 submits a timely application for enrollment.



1 (b) This subsection applies if the number of applications for a
 2 program, class, grade level, or building exceeds the capacity of the
 3 program, class, grade level, or building. If a charter school receives a
 4 greater number of applications than there are spaces for students, each
 5 timely applicant must be given an equal chance of admission. The
 6 organizer must determine which of the applicants will be admitted to
 7 the charter school or the program, class, grade level, or building by
 8 random drawing in a public meeting, with each timely applicant limited
 9 to one (1) entry in the drawing. However, the organizer of a charter
 10 school located in a county with a consolidated city shall determine
 11 which of the applicants will be admitted to the charter school or the
 12 program, class, grade level, or building by using a publicly verifiable
 13 random selection process.

14 (c) A charter school may limit new admissions to the charter school
 15 to:

- 16 (1) ensure that a student who attends the charter school during a
 17 school year may continue to attend the charter school in
 18 subsequent years;
- 19 (2) ensure that a student who attends a charter school during a
 20 school year may continue to attend a different charter school held
 21 by the same organizer in subsequent years;
- 22 (3) allow the siblings of a student who attends a charter school or
 23 a charter school held by the same organizer to attend the same
 24 charter school the student is attending; and
- 25 (4) allow preschool students who attend a Level 3 or Level 4
 26 Paths to QUALITY program (as defined in IC 12-17.2-3.8-1)
 27 preschool to attend kindergarten at a charter school if the charter
 28 school and the preschool provider have entered into an agreement
 29 to share services or facilities.

30 (d) This subsection applies to an existing school that converts to a
 31 charter school under IC 20-24-11. During the school year in which the
 32 existing school converts to a charter school, the charter school may
 33 limit admission to:

- 34 (1) those students who were enrolled in the charter school on the
 35 date of the conversion; and
- 36 (2) siblings of students described in subdivision (1).

37 (e) A charter school may give enrollment preference to children of
 38 the charter school's founders, governing body members, and charter
 39 school employees, as long as the enrollment preference under this
 40 subsection is not given to more than ten percent (10%) of the charter
 41 school's total population.

42 (f) A charter school may not suspend or expel a charter school



1 student or otherwise request a charter school student to transfer to
2 another school on the basis of the following:

- 3 (1) Disability.
- 4 (2) Race.
- 5 (3) Color.
- 6 (4) Gender.
- 7 (5) National origin.
- 8 (6) Religion.
- 9 (7) Ancestry.

10 A charter school student may be expelled or suspended only in a
11 manner consistent with discipline rules established under IC 20-24-5.5.

12 SECTION 76. IC 20-25.7-5-5, AS AMENDED BY P.L.250-2017,
13 SECTION 26, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
14 JULY 1, 2018]: Sec. 5. (a) IC 20-24-5-5 (with the exception of
15 IC 20-24-5-5(f)) does not apply to a participating innovation network
16 charter school that enters into an agreement with the board to
17 reconstitute or establish an eligible school.

18 (b) Except as provided in subsections (c) and (d), a participating
19 innovation network charter school must enroll any eligible student who
20 submits a timely application for enrollment.

21 (c) A participating innovation network charter school that
22 reconstitutes or establishes an eligible school may limit new
23 admissions to the participating innovation network charter school to:

- 24 (1) ensure that any student with legal settlement in the attendance
25 area, or in the school corporation if the school does not have a
26 defined attendance area, may attend the charter school;
- 27 (2) ensure that a student who attends the participating innovation
28 network charter school during a school year may continue to
29 attend the charter school in subsequent years;
- 30 (3) allow the siblings of a student who attends the participating
31 innovation network charter school to attend the charter school;
32 and
- 33 (4) allow preschool students who attend a Level 3 or Level 4
34 Paths to QUALITY program (as defined in IC ~~12-17.2-3.8-1~~)
35 preschool to attend kindergarten at the participating innovation
36 network charter school if the participating innovation network
37 charter school and the school corporation or preschool provider
38 have entered into an agreement to share services or facilities.

39 (d) A participating innovation network charter school with a
40 curriculum that includes study in a foreign country may deny admission
41 to a student if:

- 42 (1) the student:



- 1 (A) has completed fewer than twenty-two (22) academic
 2 credits required for graduation; and
 3 (B) will be in the grade 11 cohort during the school year in
 4 which the student seeks to enroll in the participating
 5 innovation network charter school; or
 6 (2) the student has been suspended (as defined in IC 20-33-8-7)
 7 or expelled (as defined in IC 20-33-8-3) during the twelve (12)
 8 months immediately preceding the student's application for
 9 enrollment for:
 10 (A) ten (10) or more school days;
 11 (B) a violation under IC 20-33-8-16;
 12 (C) causing physical injury to a student, a school employee, or
 13 a visitor to the school; or
 14 (D) a violation of a school corporation's drug or alcohol rules.
- 15 For purposes of subdivision (2)(A), student discipline received under
 16 IC 20-33-8-25(b)(7) for a violation described in subdivision (2)(B)
 17 through (2)(D) must be included in the calculation of the number of
 18 school days that a student has been suspended.
- 19 (e) A participating innovation network charter school may give
 20 enrollment preferences to children of the participating innovation
 21 network charter school's founders, governing board members, and
 22 participating innovation network charter school employees, as long as
 23 the enrollment preference under this subsection is not given to more
 24 than ten percent (10%) of the participating innovation charter school's
 25 total population and there is sufficient capacity for a program, class,
 26 grade level, or building to ensure that any student with legal settlement
 27 in the attendance area may attend the school.
- 28 (f) This subsection applies if the number of applications for a
 29 program, class, grade level, or building exceeds the capacity of the
 30 program, class, grade level, or building. If a participating innovation
 31 network charter school receives a greater number of applications than
 32 there are spaces for students, each timely applicant must be given an
 33 equal chance of admission. The participating innovation network
 34 charter school that is not in a county containing a consolidated city
 35 must determine which of the applicants will be admitted to the
 36 participating innovation network charter school or the program, class,
 37 grade level, or building by random drawing in a public meeting with
 38 each timely applicant limited to one (1) entry in the drawing. However,
 39 the participating innovation network charter school located in a county
 40 with a consolidated city shall determine which of the applicants will be
 41 admitted to the participating innovation network charter school or the
 42 program, class, grade level, or building by using a publicly verifiable



1 random selection process.

2 SECTION 77. IC 20-42.5-3-4 IS REPEALED [EFFECTIVE JULY
3 1, 2018]. Sec. 4: (a) The state board, assisted by the office of
4 management and budget, the division of finance of the department, and
5 school corporation officials, shall analyze each school corporation's
6 expenses for the 2004-2005 and 2005-2006 school years to determine
7 how much each school corporation spent, from whatever source,
8 directly or indirectly, on the following categories of expenditures:

9 (1) Student academic achievement expenditures.

10 (2) Student instructional support expenditures.

11 (3) Overhead and operational expenditures.

12 (4) Nonoperational expenditures.

13 The state board shall determine the types of expenses that are included
14 in each category set forth in subdivisions (1) through (4). The sum of
15 all expenditures under subdivisions (1) through (4) by a school
16 corporation must equal the total amount of expenditures by the school
17 corporation for the year being analyzed.

18 (b) The state board's analysis under subsection (a) may include
19 relevant trend line data for school years before the 2004-2005 school
20 year.

21 (c) Not later than June 30, 2007, the state board shall report the
22 results of the analysis under subsection (a) to the state superintendent,
23 the governor, and the general assembly. The report to the general
24 assembly must be submitted to the executive director of the legislative
25 services agency in an electronic format under IC 5-14-6.

26 SECTION 78. IC 20-42.5-3-5, AS AMENDED BY P.L.233-2015,
27 SECTION 300, IS AMENDED TO READ AS FOLLOWS
28 [EFFECTIVE JULY 1, 2018]: Sec. 5. (a) For each school year using
29 the 2005-2006 school year as a baseline:

30 (1) the office of management and budget shall analyze and report
31 to the state board, the governor, and the general assembly
32 concerning the progress or lack of progress of each school
33 corporation, of all school corporations in each educational service
34 center's area, and in Indiana as a whole in improving the ratio of
35 student instructional expenditures to all other expenditures for the
36 previous school year;

37 (2) the state board shall recognize publicly each school
38 corporation and educational service center that has an improved
39 ratio of student instructional expenditures to all other
40 expenditures during the previous school year;

41 (3) the office of management and budget and the division of
42 finance of the department shall be available to consult with and



1 provide technical assistance to each school corporation that did
 2 not have an improved ratio of student instructional expenditures
 3 to all other expenditures during the previous school year; and
 4 (4) each school corporation shall report **the following**
 5 **information** to the public in the school corporation's annual
 6 performance report and to the members of the general assembly
 7 whose districts include the school corporation:

8 (A) The percentage of resources spent by the school
 9 corporation during the previous school year on each ~~category~~
 10 ~~of expenditures set forth in section 4 of this chapter.~~ **of the**
 11 **following categories of expenditures:**

12 (i) **Student academic achievement expenditures.**

13 (ii) **Student instructional support expenditures.**

14 (iii) **Overhead and operational expenditures.**

15 (iv) **Nonoperational expenditures.**

16 (B) The trend line for each ~~category of expenditures set forth~~
 17 ~~in section 4 of this chapter for the school corporation during~~
 18 ~~the previous school year; and each category described in~~
 19 ~~clause (A).~~

20 (C) Whether the school corporation did or did not make
 21 progress in improving the ratio of student instructional
 22 expenditures to all other expenditures during the previous
 23 school year.

24 (b) The reports to the general assembly under subsection (a)(1) and
 25 to individual members of the general assembly under subsection (a)(4)
 26 must be submitted to the executive director of the legislative services
 27 agency in an electronic format under IC 5-14-6.

28 SECTION 79. IC 20-42.5-3-7, AS ADDED BY P.L.244-2017,
 29 SECTION 91, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 30 JULY 1, 2018]: Sec. 7. (a) The chart of accounts used by school
 31 corporations must:

32 (1) coincide with the categories of expenditures described in
 33 ~~section 4 section 5(a)(4)(A)~~ of this chapter; and

34 (2) provide the ability to determine expenditures made at and for
 35 each individual school building of a school corporation.

36 Each school corporation shall on January 1, 2019, begin using the chart
 37 of accounts developed under this section.

38 (b) The state board of accounts may, in consultation with the
 39 department and the office of management and budget, modify the chart
 40 of accounts as necessary to make the chart of accounts coincide with
 41 the categories of expenditures described in ~~section 4 section 5(a)(4)(A)~~
 42 of this chapter.



1 SECTION 80. IC 21-18-11 IS REPEALED [EFFECTIVE JULY 1,
2 2018]. (Transfer of Courses and Programs; Report).

3 SECTION 81. IC 22-4.1-4-8 IS REPEALED [EFFECTIVE JULY
4 1, 2018]. Sec. 8: (a) The department annually shall prepare a written
5 report of its training activities and the training activities of the
6 workforce service area during the immediately preceding state fiscal
7 year. The department's annual report for a particular state fiscal year
8 must include information for each training project for which either the
9 department or the workforce service area provided any funding during
10 that state fiscal year. At a minimum, the following information must be
11 provided for each training project:

12 (1) A description of the training project, including the name and
13 address of the training provider.

14 (2) The amount of funding that either the department or the
15 workforce service area provided for the project and an indication
16 of which entity provided the funding.

17 (3) The number of trainees who participated in the project.

18 (4) Demographic information about the trainees, including:

19 (A) the age of each trainee;

20 (B) the education attainment level of each trainee; and

21 (C) for those training projects that have specific gender
22 requirements, the gender of each trainee.

23 (5) The results of the project, including:

24 (A) skills developed by trainees;

25 (B) any license or certification associated with the training
26 project;

27 (C) the extent to which trainees have been able to secure
28 employment or obtain better employment; and

29 (D) descriptions of the specific jobs which trainees have been
30 able to secure or to which trainees have been able to advance.

31 (b) With respect to trainees that have been able to secure
32 employment or obtain better employment, the department shall compile
33 data on the retention rates of those trainees in the jobs which the
34 trainees secured or to which they advanced. The department shall
35 include information concerning those retention rates in each of its
36 annual reports.

37 (c) On or before October 1 of each state fiscal year, each workforce
38 service area shall provide the department with a written report of its
39 training activities for the immediately preceding state fiscal year. The
40 workforce service area shall prepare the report in the manner
41 prescribed by the department. However, at a minimum, the workforce
42 service area shall include in its report the information required by



1 subsection (a) for each training project for which the workforce service
 2 area provided any funding during the state fiscal year covered by the
 3 report. In addition, the workforce service area shall include in each
 4 report retention rate information as set forth in subsection (b):

5 (d) The department shall provide a copy of its annual report for a
 6 particular state fiscal year to the:

7 (1) ~~governor; and~~

8 (2) legislative council;

9 ~~on or before December 1 of the immediately preceding state fiscal year.~~
 10 ~~An annual report provided under this subsection to the legislative~~
 11 ~~council must be in an electronic format under IC 5-14-6.~~

12 SECTION 82. IC 22-4.5-9-4, AS AMENDED BY P.L.217-2017,
 13 SECTION 153, IS AMENDED TO READ AS FOLLOWS
 14 [EFFECTIVE JULY 1, 2018]: Sec. 4. (a) The council shall do all of the
 15 following:

16 (1) Provide coordination to align the various participants in the
 17 state's education, job skills development, and career training
 18 system.

19 (2) Match the education and skills training provided by the state's
 20 education, job skills development, and career training system with
 21 the currently existing and future needs of the state's job market.
 22 In carrying out its duties under this subdivision, the council must
 23 consider the workforce needs and training and education
 24 requirements identified in the occupational demand report
 25 prepared by the department of workforce development under
 26 IC 22-4.1-4-10.

27 (3) In addition to ~~the department's annual report provided under~~
 28 ~~IC 22-4.1-4-8, any reports required from the department~~
 29 **under IC 22-4.1-24-2**, submit not later than December 1 each
 30 year to the legislative council in an electronic format under
 31 IC 5-14-6 an inventory of current job and career training activities
 32 conducted by:

33 (A) state and local agencies; and

34 (B) whenever the information is readily available, private
 35 groups, associations, and other participants in the state's
 36 education, job skills development, and career training system.

37 ~~The inventory must provide at least the information listed in~~
 38 ~~IC 22-4.1-4-8(a)(1) through IC 22-4.1-4-8(a)(5) for each activity~~
 39 ~~in the inventory.~~

40 (4) ~~Submit, not later than July 1, 2014, to the legislative council~~
 41 ~~in an electronic format under IC 5-14-6 a strategic plan to~~
 42 ~~improve the state's education, job skills development, and career~~



1 training system. The council shall submit, not later than
 2 December 1, 2013, to the legislative council in an electronic
 3 format under IC 5-14-6 a progress report concerning the
 4 development of the strategic plan. The strategic plan developed
 5 under this subdivision must include at least the following:

6 (A) Proposed changes, including recommended legislation and
 7 rules, to increase coordination, data sharing, and
 8 communication among the state, local, and private agencies,
 9 groups, and associations that are involved in education, job
 10 skills development, and career training.

11 (B) Proposed changes to make Indiana a leader in employment
 12 opportunities related to the fields of science, technology,
 13 engineering, and mathematics (commonly known as STEM).

14 (C) Proposed changes to address both:

15 (i) the shortage of qualified workers for current employment
 16 opportunities; and

17 (ii) the shortage of employment opportunities for individuals
 18 with a baccalaureate or more advanced degree.

19 (5) Complete, not later than August 1, 2014, a return on
 20 investment and utilization study of career and technical education
 21 programs in Indiana. The study conducted under this subdivision
 22 must include at least the following:

23 (A) An examination of Indiana's career and technical
 24 education programs to determine:

25 (i) the use of the programs; and

26 (ii) the impact of the programs on college and career
 27 readiness, employment, and economic opportunity.

28 (B) A survey of the use of secondary, college, and university
 29 facilities, equipment, and faculty by career and technical
 30 education programs.

31 (C) Recommendations concerning how career and technical
 32 education programs:

33 (i) give a preference for courses leading to employment in
 34 high wage, high demand jobs; and

35 (ii) add performance based funding to ensure greater
 36 competitiveness among program providers and to increase
 37 completion of industry recognized credentials and dual
 38 credit courses that lead directly to employment or
 39 postsecondary study.

40 (b) In performing its duties, the council shall obtain input from the
 41 following:

42 (1) Indiana employers and employer organizations.



- 1 (2) Public and private institutions of higher education.
 2 (3) Regional and local economic development organizations.
 3 (4) Indiana labor organizations.
 4 (5) Individuals with expertise in career and technical education.
 5 (6) Military and veterans organizations.
 6 (7) Organizations representing women, African-Americans,
 7 Latinos, and other significant minority populations and having an
 8 interest in issues of particular concern to these populations.
 9 (8) Individuals and organizations with expertise in the logistics
 10 industry.
 11 (9) Any other person or organization that a majority of the voting
 12 members of the council determines has information that is
 13 important for the council to consider.

14 SECTION 83. IC 22-14-7-18, AS ADDED BY P.L.82-2008,
 15 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 16 JULY 1, 2018]: Sec. 18. (a) ~~Beginning July 1, 2011, every three (3)~~
 17 ~~years~~ The state fire marshal shall **periodically** review the effectiveness
 18 of this chapter and issue a report that includes the state fire marshal's
 19 findings, **information concerning cigarettes that are tested and**
 20 **found to be noncompliant with the performance standards of this**
 21 **chapter**, and, if appropriate, recommendations for legislation.

22 (b) The state fire marshal shall transmit a ~~copy of the report required~~
 23 **issued** under subsection (a) in an electronic format under IC 5-14-6 to
 24 the executive director of the legislative services agency for distribution
 25 to the members of the general assembly.

26 SECTION 84. IC 25-1-5.5-2, AS AMENDED BY P.L.240-2015,
 27 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 28 UPON PASSAGE]: Sec. 2. As used in the chapter:

- 29 (1) "Applicant" refers to a person who applies for a registration in
 30 the electronic registry of professions.
 31 (2) "Executive director" refers to the executive director of the
 32 licensing agency appointed under IC 25-1-5-5.
 33 (3) "Licensing agency" means the Indiana professional licensing
 34 agency created by IC 25-1-5-3.
 35 (4) "Registrant" means an individual who is registered in the
 36 electronic registry of professions as:
 37 (A) an individual state registered under IC 25-1-18 (**before its**
 38 **repeal**); or
 39 (B) an interior designer under IC 25-20.7.
 40 (5) "Registry" refers to the electronic registry of professions
 41 established by section 1 of this chapter.

42 SECTION 85. IC 25-1-5.5-5.5, AS ADDED BY P.L.240-2015,



1 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 2 UPON PASSAGE]: Sec. 5.5. Notwithstanding the ~~expiration repeal~~ of
 3 IC 25-1-18, ~~under IC 25-1-18-22~~, if the information described in
 4 section 3(b)(4) of this chapter concerning an individual is placed on the
 5 registry under IC 25-1-18 before April 1, 2018, the information may
 6 remain on the registry after March 30, 2018, subject to the rules
 7 adopted by the licensing agency under section 5 of this chapter.

8 SECTION 86. IC 25-1-18 IS REPEALED [EFFECTIVE UPON
 9 PASSAGE]. (Pilot Program for State Registration of Privately Certified
 10 Individuals).

11 SECTION 87. IC 35-47-7-7 IS REPEALED [EFFECTIVE JULY 1,
 12 2018]. Sec. 7: (a) If:

13 (1) a practitioner (as defined in IC 25-1-9-2) initially treats a
 14 person for an injury and identifies the person's injury as resulting
 15 from fireworks or pyrotechnics; the practitioner; or

16 (2) a hospital or an outpatient surgical center initially treats a
 17 person for an injury and the administrator of the hospital or
 18 outpatient surgical center identifies the person's injury as resulting
 19 from fireworks or pyrotechnics; the administrator or the
 20 administrator's designee;

21 shall report the case to the state health data center of the state
 22 department of health not more than five (5) business days after the time
 23 the person is treated. The report may be made in writing on a form
 24 prescribed by the state department of health.

25 (b) A person submitting a report under subsection (a) shall make a
 26 reasonable attempt to include the following information:

27 (1) The name, address, and age of the injured person.

28 (2) The date and time of the injury and the location where the
 29 injury occurred.

30 (3) If the injured person was less than eighteen (18) years of age
 31 at the time of the injury, whether an adult was present when the
 32 injury occurred.

33 (4) Whether the injured person consumed an alcoholic beverage
 34 within three (3) hours before the occurrence of the injury.

35 (5) A description of the firework or pyrotechnic that caused the
 36 injury.

37 (6) The nature and extent of the injury.

38 (c) A report made under this section is confidential for purposes of
 39 IC 5-14-3-4(a)(1).

40 (d) The state department of health shall compile the data collected
 41 under this section and submit a report of the compiled data to the
 42 legislative council in an electronic format under IC 5-14-6 not later



1 than December 31 of each year.
2 SECTION 88. IC 36-7-13.5-28 IS ADDED TO THE INDIANA
3 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
4 [EFFECTIVE JULY 1, 2018]: **Sec. 28. This chapter expires July 1,**
5 **2019.**
6 SECTION 89. **An emergency is declared for this act.**

