



February 16, 2018

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# ENGROSSED

## HOUSE BILL No. 1003

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DIGEST OF HB 1003 (Updated February 13, 2018 10:31 am - DI 84)

**Citations Affected:** Numerous provisions throughout the Indiana Code.

**Synopsis:** Streamlining 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. (5) Certain reporting requirements of the department of environmental management and the department of insurance. Provides that the Lake Michigan marina and shoreline development commission law expires July 1, 2019. Makes conforming changes.

**Effective:** Upon passage; July 1, 2018.

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## Gutwein, Beumer, Jordan, Candelaria Reardon

(SENATE SPONSOR — BRAY)

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

January 16, 2018, amended, reported — Do Pass.

January 18, 2018, read second time, ordered engrossed. Engrossed.

January 22, 2018, read third time, passed. Yeas 92, nays 2.

SENATE ACTION

February 1, 2018, read first time and referred to Committee on Tax and Fiscal Policy.

February 15, 2018, reported favorably — Do Pass.

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EH 1003—LS 7012/DI 92





February 16, 2018

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.

## ENGROSSED HOUSE BILL No. 1003

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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~~

EH 1003—LS 7012/DI 92



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 4-23-5.5-6, AS AMENDED BY P.L.178-2009,
- 3 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 4 JULY 1, 2018]: Sec. 6. (a) The board shall do the following:
- 5 (1) Adopt procedures for the regulation of its affairs and the
- 6 conduct of its business.
- 7 (2) Meet at the offices of the division on call of:
- 8 (A) the lieutenant governor or the lieutenant governor's
- 9 designee; or
- 10 (B) the commissioner of the department of environmental
- 11 management or the commissioner's designee;
- 12 at least once each calendar quarter. The meetings shall be upon
- 13 ten (10) days written notification, shall be open to the public, and
- 14 shall have official minutes recorded for public scrutiny.
- 15 (3) Report annually in an electronic format under IC 5-14-6 to the
- 16 legislative council **concerning:**
- 17 (A) the projects in which it has participated and is currently
- 18 participating with a complete list of expenditures for those
- 19 projects; **and**
- 20 (B) **the information obtained through the recycling activity**
- 21 **reports submitted to the commissioner of the department**
- 22 **of environmental management under IC 13-20-25**
- 23 **concerning the calendar year most recently ended.**
- 24 (4) Annually prepare an administrative budget for review by the
- 25 budget agency and the budget committee.
- 26 (5) Keep proper records of accounts and make an annual report of
- 27 its condition to the state board of accounts.
- 28 (6) Receive petitions and make determinations under
- 29 IC 13-20.5-2-2.
- 30 (b) The board shall consider projects involving the creation of the
- 31 following:
- 32 (1) Markets for products made from recycled materials.
- 33 (2) New products made from recycled materials.
- 34 (c) The board may promote, fund, and encourage programs
- 35 facilitating the development and implementation of waste reduction,
- 36 reuse, and recycling in Indiana.
- 37 SECTION 11. IC 4-34-4 IS REPEALED [EFFECTIVE JULY 1,
- 38 2018]. (Reports).
- 39 SECTION 12. IC 5-2-6.1-10 IS AMENDED TO READ AS
- 40 FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 10. The division shall
- 41 do the following:
- 42 (1) Maintain an office and staff in Indianapolis.



- 1 (2) Prescribe forms for processing applications for assistance.
- 2 (3) Determine claims for assistance filed under this chapter and
- 3 investigate or reopen cases as necessary.
- 4 (4) Prepare **and post on the division's Internet web site** a report
- 5 of the division's activities **each year for the governor and the**
- 6 **legislative council. A report prepared under this subdivision for**
- 7 **the legislative council must be in an electronic format under**
- 8 **~~IC 5-14-6.~~ on a monthly, quarterly, and annual basis.**
- 9 SECTION 13. IC 5-28-6-2, AS AMENDED BY P.L.6-2012,
- 10 SECTION 38, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 11 JULY 1, 2018]: Sec. 2. (a) The corporation shall develop and promote
- 12 programs designed to make the best use of Indiana resources to ensure
- 13 a balanced economy and continuing economic growth for Indiana, and,
- 14 for those purposes, may do the following:
- 15 (1) Cooperate with federal, state, and local governments and
- 16 agencies in the coordination of programs to make the best use of
- 17 Indiana resources, based on a statewide study to determine
- 18 specific economic sectors that should be emphasized by the state
- 19 and by local economic development organizations within
- 20 geographic regions in Indiana, and encourage collaboration with
- 21 local economic development organizations within geographic
- 22 regions in Indiana and with the various state economic
- 23 development organizations within the states contiguous to
- 24 Indiana.
- 25 (2) Receive and expend funds, grants, gifts, and contributions of
- 26 money, property, labor, interest accrued from loans made by the
- 27 corporation, and other things of value from public and private
- 28 sources, including grants from agencies and instrumentalities of
- 29 the state and the federal government. The corporation:
- 30 (A) may accept federal grants for providing planning
- 31 assistance, making grants, or providing other services or
- 32 functions necessary to political subdivisions, planning
- 33 commissions, or other public or private organizations;
- 34 (B) shall administer these grants in accordance with the terms
- 35 of the grants; and
- 36 (C) may contract with political subdivisions, planning
- 37 commissions, or other public or private organizations to carry
- 38 out the purposes for which the grants were made.
- 39 (3) Direct that assistance, information, and advice regarding the
- 40 duties and functions of the corporation be given to the corporation
- 41 by an officer, agent, or employee of the executive branch of the
- 42 state. The head of any other state department or agency may



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



- 1 permits required to conduct business in Indiana.
- 2 (B) Serving as a liaison between small businesses and state
- 3 agencies.
- 4 (C) Providing information concerning business assistance
- 5 programs available through government agencies and private
- 6 sources.
- 7 (8) Establish a public information page on its current Internet site
- 8 on the world wide web. The page must provide the following:
- 9 (A) By program, cumulative information on the total amount
- 10 of incentives awarded, the total number of companies that
- 11 received the incentives and were assisted in a year, and the
- 12 names and addresses of those companies.
- 13 (B) A mechanism on the page whereby the public may request
- 14 further information online about specific programs or
- 15 incentives awarded.
- 16 (C) A mechanism for the public to receive an electronic
- 17 response.
- 18 **(D) Access to any information or report that is required by**
- 19 **statute to be included in the economic incentives and**
- 20 **compliance report submitted under IC 5-28-28.**
- 21 (c) The corporation may do the following:
- 22 (1) Disseminate information concerning the industrial,
- 23 commercial, governmental, educational, cultural, recreational,
- 24 agricultural, and other advantages of Indiana.
- 25 (2) Plan, direct, and conduct research activities.
- 26 (3) Assist in community economic development planning and the
- 27 implementation of programs designed to further community
- 28 economic development.
- 29 SECTION 14. IC 5-28-8-8, AS ADDED BY P.L.4-2005, SECTION
- 30 34, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1,
- 31 2018]: Sec. 8. (a) The corporation shall receive grants allocated by a
- 32 federal program for the purposes specified in section 9(c) of this
- 33 chapter. Guidelines shall be prepared by the corporation enumerating
- 34 the qualification procedures for receipt of grants and loans from the
- 35 fund. These guidelines must be consistent with Indiana law and federal
- 36 program requirements.
- 37 (b) The board, with the approval of the budget agency and the
- 38 governor, shall allocate parts of the fund for the purposes specified in
- 39 section 9(c) of this chapter. The corporation shall make allocations on
- 40 the basis of the need of the qualified entity.
- 41 (c) The corporation shall keep complete sets of records showing all
- 42 transactions by the fund in a manner that enables the corporation to



1 prepare at the end of each fiscal year a complete report for the general  
2 assembly. The information in the report must be sufficient to permit a  
3 complete review and understanding of the operation and financial  
4 condition of the fund. The report must be submitted in electronic  
5 format under IC 5-14-6.

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

- 9 (1) To accept, analyze, and approve applications under this
- 10 chapter.
- 11 (2) To contract with experts for advice and counsel.
- 12 (3) To employ staff to assist in carrying out this chapter, including
- 13 providing assistance to applicants who wish to apply for a grant
- 14 or loan from the fund, analyzing proposals, working with experts
- 15 engaged by the board, and preparing reports and
- 16 recommendations for the board.
- 17 (4) To approve applications for grants or loans from the fund,
- 18 subject to budget agency review under section 2(e) of this chapter.
- 19 (5) To establish programs and initiatives with corresponding
- 20 investment policies.

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

- 23 (1) have the greatest economic development potential; and
- 24 (2) require the lowest ratio of money from the fund compared
- 25 with the combined financial commitments of the applicant and
- 26 those cooperating on the project.

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

- 33 (1) The scientific merit of the proposal.
- 34 (2) The predicted future success of federal or private funding for
- 35 the proposal.
- 36 (3) The ability of the researcher to attract merit based scientific
- 37 funding of research.
- 38 (4) The extent to which the proposal evidences interdisciplinary
- 39 or interinstitutional collaboration among two (2) or more Indiana
- 40 postsecondary educational institutions or private sector partners,
- 41 as well as cost sharing and partnership support from the business
- 42 community.



1 The purposes for which grants and loans may be made include erecting,  
2 constructing, reconstructing, extending, remodeling, improving,  
3 completing, equipping, and furnishing research and technology transfer  
4 facilities.

5 (d) The peer review panel shall be chosen by and report to the  
6 board. In determining the composition and duties of a peer review  
7 panel, the board shall consider the National Institutes of Health and the  
8 National Science Foundation peer review processes as models. The  
9 members of the panel must have extensive experience in federal  
10 research funding. A panel member may not have a relationship with  
11 any private entity or postsecondary educational institution in Indiana  
12 that would constitute a conflict of interest for the panel member.

13 (e) In making a determination on any other application for a grant  
14 or loan from the fund involving a proposal to transfer research results  
15 and technologies into marketable products or commercial ventures, the  
16 board shall consult with experts as necessary to analyze the likelihood  
17 of success of the proposal and the relative merit of the proposal.

18 (f) A grant or loan from the fund may not be submitted for review  
19 by the budget agency under section 2(e) of this chapter unless the grant  
20 or loan has received a positive recommendation from a peer review  
21 panel described in this section.

22 (g) The corporation shall ~~report quarterly to the budget committee~~  
23 ~~and the legislative council~~ **include information** concerning grants and  
24 loans made under this chapter ~~The report must be in an electronic~~  
25 ~~format under IC 5-14-6. The report for the fourth quarter of a state~~  
26 ~~fiscal year must be submitted at the same time the annual report is~~  
27 ~~submitted under section 6 of this chapter.~~ **in the economic incentives**  
28 **and compliance report submitted under IC 5-28-28.**

29 SECTION 16. IC 5-28-16-6, AS AMENDED BY P.L.237-2017,  
30 SECTION 23, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
31 JULY 1, 2018]: Sec. 6. The corporation shall ~~submit an annual report~~  
32 ~~to the budget committee and the legislative council before September~~  
33 ~~1 of each year. The report must be in an electronic format under~~  
34 ~~IC 5-14-6 and must contain~~ **include** the following information  
35 concerning fund activity in the ~~preceding state fiscal year:~~ **economic**  
36 **incentives and compliance report submitted under IC 5-28-28:**

- 37 (1) The name of each entity receiving a grant from the fund.  
38 (2) The location of each entity sorted by:  
39 (A) county, in the case of an entity located in Indiana; or  
40 (B) state, in the case of an entity located outside Indiana.  
41 (3) The amount of each grant awarded to each entity.

42 SECTION 17. IC 5-28-17-6, AS ADDED BY P.L.237-2017,



1 SECTION 25, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
2 JULY 1, 2018]: Sec. 6. The corporation shall designate an employee to  
3 be the small business ombudsman. The small business ombudsman  
4 shall carry out the following duties:

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

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

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

17 (4) Work with state agencies to monitor any outdated, ineffective,  
18 or overly burdensome information requests from state agencies to  
19 small businesses.

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

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

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

35 (8) Assist in training agency coordinators who will be assigned to  
36 rules under IC 4-22-2-28.1(e).

37 (9) Investigate and attempt to resolve any matter regarding  
38 compliance by a small business with a law, rule, or policy  
39 administered by a state agency, either as a party to a proceeding  
40 or as a mediator.

41 State agencies shall cooperate with the small business ombudsman to  
42 carry out the purpose of this section. The department of state revenue



1 and the department of workforce development shall establish a program  
 2 to distribute the information described in subdivision (7) to small  
 3 businesses that are required to file returns or information with these  
 4 state agencies.

5 SECTION 18. IC 5-28-28-10, AS ADDED BY P.L.133-2012,  
 6 SECTION 49, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 7 JULY 1, 2018]: Sec. 10. In addition to the other requirements of this  
 8 chapter, the economic incentives and compliance report must also  
 9 include a detailed report on the following programs, resources, or  
 10 activities for which the corporation is responsible:

- 11 (1) **The economic development fund under IC 5-28-8.**
- 12 (2) **The Indiana twenty-first century research and technology**  
 13 **fund under IC 5-28-16.**
- 14 (3) Small business development under IC 5-28-17.
- 15 (4) The small business development fund established under  
 16 IC 5-28-18-7.
- 17 (5) The small business incubator program under IC 5-28-21.
- 18 (6) Efforts to promote business modernization of and the  
 19 adoption of technology by Indiana businesses under IC 5-28-23.
- 20 (7) **An evaluation of the economic development for a growing**  
 21 **economy tax credit under IC 6-3.1-13-24.**
- 22 (8) **An evaluation of the Hoosier business investment tax**  
 23 **credit under IC 6-3.1-26-25.**

24 SECTION 19. IC 5-29-2-8 IS ADDED TO THE INDIANA CODE  
 25 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
 26 1, 2018]: **Sec. 8. Before December 31 of each year, the office shall**  
 27 **submit an annual report to the governor and to the legislative**  
 28 **council in an electronic format under IC 5-14-6.**

29 SECTION 20. IC 5-29-4-4, AS AMENDED BY P.L.213-2015,  
 30 SECTION 80, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 31 JULY 1, 2018]: Sec. 4. (a) The council shall do the following:

- 32 (1) Assist in developing goals and objectives for the office.
- 33 (2) Analyze the results and effectiveness of grants made by the  
 34 office.
- 35 (3) Build commitment and unity among tourism industry groups.
- 36 (4) Create a forum for sharing talent, resources, and ideas  
 37 regarding tourism.
- 38 (5) Encourage public and private participation necessary for the  
 39 promotion of tourism.
- 40 (6) Make recommendations to the office regarding matters  
 41 involving tourism.
- 42 (7) Make recommendations concerning grants from the tourism





1 information and promotion fund.  
 2 (8) Make budget recommendations to the lieutenant governor.  
 3 (9) Approve or deny applications submitted to the office for the  
 4 statewide tourism marketing development program as designated  
 5 by the general assembly in the biennial budget.  
 6 **(10) Submit a report on the council's activities to the office for**  
 7 **inclusion in the annual report submitted under IC 5-29-2-8.**  
 8 (b) The council may establish advisory groups to make  
 9 recommendations to the office on tourism research, development, and  
 10 marketing.  
 11 SECTION 21. IC 5-29-4-7 IS REPEALED [EFFECTIVE JULY 1,  
 12 2018]. ~~Sec. 7: The council shall submit an annual report to the~~  
 13 ~~governor and to the general assembly in an electronic format under~~  
 14 ~~IC 5-14-6 not later than November 1 each year.~~  
 15 SECTION 22. IC 6-1.1-10-46, AS ADDED BY P.L.151-2014,  
 16 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 17 JULY 1, 2018]: Sec. 46. (a) Tangible property owned, occupied, or  
 18 used by a for-profit provider of early childhood education services to  
 19 children who are at least four (4) but less than six (6) years of age is  
 20 exempt from property taxation under section 16 of this chapter only if  
 21 all the following requirements are satisfied:  
 22 (1) The primary purpose of the provider is educational.  
 23 (2) The provider is the property owner and the provider also  
 24 predominantly occupies and uses the tangible property for  
 25 providing early childhood education services to children who are  
 26 at least four (4) but less than six (6) years of age.  
 27 (3) The provider ~~participates in the early education evaluation~~  
 28 ~~program established under IC 12-17.2-3-8 and~~ meets the  
 29 standards of quality recognized by a Level 3 or Level 4 Paths to  
 30 QUALITY program rating **under IC 12-17.2-2-14.2** or has a  
 31 comparable rating from a nationally recognized accrediting body.  
 32 If the property owner provides early childhood education services to  
 33 children who are at least four (4) but less than six (6) years of age and  
 34 to children younger than four (4) years of age, the amount of the  
 35 exemption must be on that part of the assessment of the property that  
 36 bears the same proportion to the total assessment of the property as the  
 37 percentage of the property owner's enrollment count of children who  
 38 are at least four (4) but less than six (6) years of age compared to the  
 39 property owner's total enrollment count of children of all ages.  
 40 (b) For purposes of this section, the annual assessment date or, if the  
 41 annual assessment date is not a business day for the property owner, the  
 42 business day closest to the annual assessment date, must be used for the



1 enrollment count under this section. However, a property owner that  
 2 believes that the enrollment count on this date for a particular year does  
 3 not accurately represent the property owner's normal enrollment count  
 4 for that year may appeal to the county assessor for a change in the date  
 5 to be used under this section for that year. The appeal must be filed on  
 6 or before the deadline for filing an exemption under section 16 of this  
 7 chapter. If the county assessor finds that the property owner's appeal  
 8 substantiates that the property owner's normal enrollment count is not  
 9 accurately represented by using the required date, the assessor shall  
 10 establish an alternate date to be used for that year that represents the  
 11 property owner's normal enrollment count for that year.

12 SECTION 23. IC 6-1.1-33.5-9 IS REPEALED [EFFECTIVE JULY  
 13 1, 2018]. ~~Sec. 9. The department of local government finance shall~~  
 14 ~~report before July 1 of each year to the legislative council concerning~~  
 15 ~~compliance with section 8 of this chapter.~~

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

20 (b) As used in this section, "invention" has the meaning set forth in  
 21 35 U.S.C. 100(a).

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

23 (1) a utility patent issued under 35 U.S.C. 101; or

24 (2) a plant patent issued under 35 U.S.C. 161;

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

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

30 (1) is either:

31 (A) an individual or corporation, if the number of employees  
 32 of the individual or corporation, including affiliates as  
 33 specified in 13 CFR 121.103, does not exceed five hundred  
 34 (500) persons; or

35 (B) a nonprofit organization or nonprofit corporation as  
 36 specified in:

37 (i) 37 CFR 1.27(a)(3)(ii)(A) or 37 CFR 1.27(a)(3)(ii)(B); or

38 (ii) IC 23-17; and

39 (2) is domiciled in Indiana.

40 (e) Subject to subsections (g) and (h), in determining adjusted gross  
 41 income or taxable income under IC 6-3-1-3.5 or IC 6-5.5-1-2, a  
 42 qualified taxpayer is entitled to an exemption from taxation under



- 1 IC 6-3-1 through IC 6-3-7 for the following:
- 2 (1) Licensing fees or other income received for the use of a  
3 qualified patent.
- 4 (2) Royalties received for the infringement of a qualified patent.
- 5 (3) Receipts from the sale of a qualified patent.
- 6 (4) Subject to subsection (f), income from the taxpayer's own use  
7 of the taxpayer's qualified patent to produce the claimed  
8 invention.
- 9 (f) The exemption provided by subsection (e)(4) may not exceed the  
10 fair market value of the licensing fees or other income that would be  
11 received by allowing use of the qualified taxpayer's qualified patent by  
12 someone other than the taxpayer. The fair market value referred to in  
13 this subsection must be determined in each taxable year in which the  
14 qualified taxpayer claims an exemption under subsection (e)(4).
- 15 (g) The total amount of exemptions claimed under this section by a  
16 qualified taxpayer in a taxable year may not exceed five million dollars  
17 (\$5,000,000).
- 18 (h) A taxpayer may not claim an exemption under this section with  
19 respect to a particular qualified patent for more than ten (10) taxable  
20 years. Subject to the provisions of this section, the following amount of  
21 the income, royalties, or receipts described in subsection (e) from a  
22 particular qualified patent is exempt:
- 23 (1) Fifty percent (50%) for each of the first five (5) taxable years  
24 in which the exemption is claimed for the qualified patent.
- 25 (2) Forty percent (40%) for the sixth taxable year in which the  
26 exemption is claimed for the qualified patent.
- 27 (3) Thirty percent (30%) for the seventh taxable year in which the  
28 exemption is claimed for the qualified patent.
- 29 (4) Twenty percent (20%) for the eighth taxable year in which the  
30 exemption is claimed for the qualified patent.
- 31 (5) Ten percent (10%) each year for the ninth and tenth taxable  
32 year in which the exemption is claimed for the qualified patent.
- 33 (6) No exemption under this section for the particular qualified  
34 patent after the eleventh taxable year in which the exemption is  
35 claimed for the qualified patent.
- 36 (i) To receive the exemption provided by this section, a qualified  
37 taxpayer must claim the exemption on the qualified taxpayer's annual  
38 state tax return or returns in the manner prescribed by the department.  
39 The qualified taxpayer shall submit to the department all information  
40 that the department determines is necessary for the determination of the  
41 exemption provided by this section.
- 42 (j) ~~On or before December 1 of each year, the department shall~~



1 provide an evaluation report to the legislative council, the budget  
2 committee, and the Indiana economic development corporation. The  
3 evaluation report must contain the following:

4 (1) The number of taxpayers claiming an exemption under this  
5 section.

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

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

9 (4) Any other information the department considers appropriate,  
10 including the number of qualified patents for which an exemption  
11 was claimed under this section.

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

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

30 SECTION 26. IC 6-3.1-13-28 IS REPEALED [EFFECTIVE JULY  
31 1, 2018]. Sec. 28: ~~The corporation shall, not later than August 1 each~~  
32 ~~year, submit to the budget committee a report specifying the amount of~~  
33 ~~credits granted under this chapter during the immediately preceding~~  
34 ~~state fiscal year.~~

35 SECTION 27. IC 6-3.1-26-25, AS AMENDED BY P.L.145-2016,  
36 SECTION 35, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
37 JULY 1, 2018]: Sec. 25. (a) On a biennial basis, the corporation shall  
38 provide for an evaluation of the tax credit program. The evaluation  
39 must include an assessment of the effectiveness of the program in  
40 creating new jobs and increasing wages in Indiana and of the revenue  
41 impact of the program and may include a review of the practices and  
42 experiences of other states with similar programs. ~~The corporation shall~~



1 submit a report on the evaluation to the governor, the president pro  
 2 tempore of the senate, and the speaker of the house of representatives  
 3 after June 30 and before November 1 in each odd-numbered year. The  
 4 report provided to the president pro tempore of the senate and the  
 5 speaker of the house of representatives must be in an electronic format  
 6 under IC 5-14-6.

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

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

24 (2) The name and address of each taxpayer claiming the credit  
 25 and the amount of the credit applied for by and granted to each  
 26 taxpayer.

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

31 SECTION 28. IC 6-3.6-1-1, AS AMENDED BY P.L.197-2016,  
 32 SECTION 39, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 33 JULY 1, 2018]: Sec. 1. (a) The purpose of this article is to consolidate  
 34 and simplify the various local income tax laws (referred to as a "former  
 35 tax" in this article) that are in effect on May 1, 2016, into a uniform law  
 36 that transitions each county from the former taxes to the tax governed  
 37 by this article.

38 (b) Notwithstanding the effective date of the repeal of the former tax  
 39 laws on January 1, 2017, an adopting body may not adopt any  
 40 ordinances under a former tax after June 30, 2016. In addition,  
 41 notwithstanding the effective date of this article being July 1, 2015, an  
 42 adopting body may not take any action under this article before July 1,



- 1 2016.
- 2 (c) To carry out the transition, the office of management and budget,  
3 along with the appropriate state agencies and in cooperation with each  
4 county, shall do the following:
- 5 (1) Document all terms, conditions, limitations, and obligations  
6 that exist under the former taxes.
- 7 (2) Categorize the tax rate under the former taxes into the  
8 appropriate tax rate or rates under this article to provide revenue  
9 for all the same purposes for which revenue under a former tax  
10 was used in 2016, except to the extent required under this article  
11 and to the extent that an adopting body takes action under this  
12 article after June 30, 2016, to change the purposes and allocation  
13 of the revenue as permitted under this article. Matching the  
14 purposes of a former tax to the purposes under this article,  
15 including the apportionment, allocation, and distribution of  
16 revenue under this article shall be accomplished by using the best  
17 information available. These purposes include, but are not limited  
18 to, one (1) or more of the following:
- 19 (A) Property tax credits using the options set forth in  
20 IC 6-3.6-5. This categorization is limited to former tax rates  
21 that were dedicated to providing credits against property taxes  
22 under IC 6-3.5-1.1-26 (repealed), IC 6-3.5-6 (repealed), or  
23 IC 6-3.5-7 (repealed).
- 24 (B) School corporation distributions and additional revenue.  
25 All former tax rates not used for a specified project or  
26 categorized under clause (A) shall be categorized under  
27 IC 6-3.6-6 using the former tax rates or dollar amounts that  
28 were dedicated for school corporation distributions, public  
29 safety, economic development, and certified shares.
- 30 (C) A special purpose project (IC 6-3.6-7) using the former tax  
31 rate that was dedicated to the project.
- 32 ~~(d) The office of management and budget shall compile a~~  
33 ~~comprehensive report detailing for each taxing unit throughout the state~~  
34 ~~and for each property class type described in IC 6-3.6-5, the~~  
35 ~~categorization of revenue and its uses under this article compared to the~~  
36 ~~former taxes. Before November 1, 2015, the office of management and~~  
37 ~~budget shall submit its report to the legislative council in an electronic~~  
38 ~~format under IC 5-14-6.~~
- 39 ~~(e)~~ (d) The transition under this article shall be completed by  
40 August 1, 2016, for purposes of local government budgets for 2017 and  
41 for purposes of the distribution and allocation of revenue under this  
42 article after December 31, 2016.



1 SECTION 29. IC 6-3.6-1-1.1 IS REPEALED [EFFECTIVE JULY  
2 1, 2018]. Sec. 1.1. (a) The general assembly has considered the report  
3 submitted under section 1 of this chapter in which the office of  
4 management and budget categorized local income tax revenue and its  
5 uses under this article compared to the former taxes:

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

11 SECTION 30. IC 6-8.1-9-14, AS AMENDED BY P.L.239-2017,  
12 SECTION 23, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
13 JULY 1, 2018]: Sec. 14. (a) Except as provided in subsection (n), the  
14 department shall establish, administer, and make available a  
15 centralized debt collection program for use by state agencies to collect  
16 delinquent accounts, charges, fees, loans, taxes, or other indebtedness  
17 owed to or being collected by state agencies. The department's  
18 collection facilities shall be available for use by other state agencies  
19 only when resources are available to the department.

20 (b) The commissioner shall prescribe the appropriate form and  
21 manner in which collection information is to be submitted to the  
22 department.

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

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

28 (1) the state;

29 (2) a claimant agency that has a formal agreement with the  
30 department for central debt collection; or

31 (3) a claimant agency described in IC 6-8.1-9.5-1(1)(B) that has  
32 an interlocal agreement with a clearinghouse that:

33 (A) is established under IC 6-8.1-9.5-3.5; and

34 (B) has a formal agreement with the department for central  
35 debt collection.

36 (e) The formal agreement must provide that the information  
37 provided to the department be sufficient to establish the obligation in  
38 court and to render the agreement as a legal judgment on behalf of the  
39 state. After transferring a file for collection to the department for  
40 collection, the claimant agency shall terminate all collection procedures  
41 and be available to provide assistance to the department. Upon receipt  
42 of a file for collection, the department shall comply with all applicable



1 state and federal laws governing collection of the debt.

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

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

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

14 (i) Fees collected under subsection (h) shall be retained by the  
15 department after the debt is collected for the claimant agency and are  
16 appropriated to the department for use by the department in  
17 administering this section.

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

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

- 23 (1) the full name;
- 24 (2) the Social Security number or federal identification number,  
25 or both;
- 26 (3) the last known mailing address; and
- 27 (4) additional information that the department may request;

28 concerning the debtor.

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

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

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

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

42 (n) The department may not assess a fee to a state agency or a





1 custodial parent for seeking a set off to a state or federal income tax  
2 refund for past due child support.

3 SECTION 31. IC 6-8.1-14-4 IS AMENDED TO READ AS  
4 FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 4. The report prepared  
5 under section 3 of this chapter must include the following:

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

32 SECTION 32. IC 8-23-5-8 IS AMENDED TO READ AS  
33 FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 8. (a) The department  
34 may install vending machines for items including food, drink, candy,  
35 and first aid kits in rest areas on the interstate highway system.

36 ~~(b) The department shall report in an electronic format under~~  
37 ~~IC 5-14-6 to the general assembly through the legislative council the~~  
38 ~~results of the installation:~~

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

41 SECTION 33. IC 10-14-3-28, AS AMENDED BY P.L.110-2009,  
42 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE



1 JULY 1, 2018]; Sec. 28. (a) The general assembly may appropriate the  
2 sums necessary to administer this chapter.

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

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

10 (2) For an allocation of more than one hundred thousand dollars  
11 (\$100,000), upon the recommendation of the director and the  
12 approval of the governor.

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

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

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

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

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

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

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

24 ~~(7) The ranking minority member of the senate committee on~~  
25 ~~appropriations.~~

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

38 ~~(1) current research findings on the exposure to chemical~~  
39 ~~defoliants or herbicides or similar agents, including agent orange;~~  
40 ~~and~~

41 ~~(2) statistical information compiled from reports submitted by~~  
42 ~~physicians or hospitals.~~



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

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

6 SECTION 35. IC 11-8-2-5, AS AMENDED BY P.L.67-2017,  
 7 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 8 JULY 1, 2018]: Sec. 5. (a) The commissioner shall do the following:

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

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

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

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

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

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

22 (7) Utilize state owned or operated correctional facilities and  
 23 programs to accomplish the purposes of the department and  
 24 acquire or establish, according to law, additional facilities and  
 25 programs whenever necessary to accomplish those purposes.

26 (8) Develop policies, programs, and services for committed  
 27 persons, for administration of facilities, and for conduct of  
 28 employees of the department.

29 (9) Administer, according to law, the money or other property of  
 30 the department and the money or other property retained by the  
 31 department for committed persons.

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

35 (11) Make an annual report to the governor according to  
 36 subsection (c).

37 (12) Develop, collect, and maintain information concerning  
 38 offenders, sentencing practices, and correctional treatment as the  
 39 commissioner considers useful in penological research or in  
 40 developing programs.

41 (13) Cooperate with and encourage public and private agencies  
 42 and other persons in the development and improvement of



1 correctional facilities, programs, and services.

2 (14) Explain correctional programs and services to the public.

3 (15) As required under 42 U.S.C. 15483, after January 1, 2006,  
4 provide information to the election division to coordinate the  
5 computerized list of voters maintained under IC 3-7-26.3 with  
6 department records concerning individuals disfranchised under  
7 IC 3-7-46.

8 **(16) Make an annual report to the legislative council in an**  
9 **electronic format under IC 5-14-6 before September 1 of each**  
10 **year.**

11 (b) The commissioner may:

12 (1) when authorized by law, adopt departmental rules under  
13 IC 4-22-2;

14 (2) delegate powers and duties conferred on the commissioner by  
15 law to a deputy commissioner or commissioners and other  
16 employees of the department;

17 (3) issue warrants for the return of escaped committed persons (an  
18 employee of the department or any person authorized to execute  
19 warrants may execute a warrant issued for the return of an  
20 escaped person);

21 (4) appoint personnel to be sworn in as correctional police  
22 officers; and

23 (5) exercise any other power reasonably necessary in discharging  
24 the commissioner's duties and powers.

25 (c) The annual report of the department shall be transmitted to the  
26 governor by September 1 of each year and must contain:

27 (1) a description of the operation of the department for the fiscal  
28 year ending June 30;

29 (2) a description of the facilities and programs of the department;

30 (3) an evaluation of the adequacy and effectiveness of those  
31 facilities and programs considering the number and needs of  
32 committed persons or other persons receiving services; and

33 (4) any other information required by law.

34 Recommendations for alteration, expansion, or discontinuance of  
35 facilities or programs, for funding, or for statutory changes may be  
36 included in the annual report.

37 SECTION 36. IC 11-10-3-2.5 IS AMENDED TO READ AS  
38 FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 2.5. (a) As used in this  
39 section, "confirmatory test" means a laboratory test or a series of tests  
40 approved by the state department of health and used in conjunction  
41 with a screening test to confirm or refute the results of the screening  
42 test for the human immunodeficiency virus (HIV) antigen or antibodies



1 to the human immunodeficiency virus (HIV).

2 (b) As used in this section, "screening test" means a laboratory  
3 screening test or a series of tests approved by the state department of  
4 health to determine the possible presence of the human  
5 immunodeficiency virus (HIV) antigen or antibodies to the human  
6 immunodeficiency virus (HIV).

7 (c) For an individual who is committed to the department after June  
8 30, 2001, the examination required under section 2(a) of this chapter  
9 must include the following:

10 (1) A blood test for hepatitis C.

11 (2) A screening test for the human immunodeficiency virus (HIV)  
12 antigen or antibodies to the human immunodeficiency virus  
13 (HIV).

14 (d) If the screening test required under subsection (c)(2) indicates  
15 the presence of antibodies to the human immunodeficiency virus  
16 (HIV), the department shall administer a confirmatory test to the  
17 individual.

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

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

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

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

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

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

31 SECTION 37. IC 11-10-6-6 IS AMENDED TO READ AS  
32 FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 6. **(a)** The industry and  
33 farm products revolving fund is ~~hereby~~ established. The ~~state budget~~  
34 ~~agency~~ **department** shall:

35 **(1)** annually review the revolving fund for the purpose of  
36 determining whether the current level is adequate to meet the  
37 expenditures required to sustain offender employment programs;  
38 and ~~shall report to the state budget committee~~

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

42 **(b)** All revenues derived from the sale of goods produced or



1 manufactured by the department, from the lease of farm land and  
 2 appurtenances operated by the department's industry and farm program,  
 3 or from the employment of offenders by other state agencies or political  
 4 subdivisions shall be paid into the fund to be expended in the manner  
 5 provided by law.

6 SECTION 38. IC 11-10-13-6, AS AMENDED BY P.L.74-2015,  
 7 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 8 JULY 1, 2018]: Sec. 6. (a) The department shall annually conduct or  
 9 contract with a third party to annually conduct an actuarially based  
 10 study of projected costs of incarceration.

11 (b) The study must:

12 (1) consider:

13 (A) the present and anticipated future costs of incarcerating  
 14 the current inmate population;

15 (B) the effect of educational credit and good time credit;

16 (C) the effect of inmate mortality rates;

17 (D) the projected increase in costs of incarceration; and

18 (E) any other factor determined to be relevant by the  
 19 department or the third party contractor; and

20 (2) provide an analysis of the projected costs of incarceration for  
 21 each subsequent calendar year after the year the study is  
 22 conducted until each inmate in the current inmate population is no  
 23 longer serving the executed sentence for which the inmate is  
 24 incarcerated in the department.

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

29 SECTION 39. IC 11-10-14-5, AS ADDED BY P.L.213-2005,  
 30 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 31 JULY 1, 2018]: Sec. 5. (a) The department shall ~~submit~~ **include** an  
 32 evaluation report ~~to the legislative council~~ on the faith based  
 33 transitional dormitory program ~~one (1) year after its inception and~~  
 34 ~~continue to provide a report to the legislative council on or before~~  
 35 ~~December 1 of each year. in the annual report made under~~  
 36 **IC 11-8-2-5(a)(16).**

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

39 (e) (b) The report described in subsection (a) must contain the  
 40 following:

41 (1) An extensive evaluation of the faith based transitional  
 42 dormitory program.



- 1 (2) Statistics that include the number of inmates who:
- 2 (A) have enrolled in a faith based transitional dormitory
- 3 program;
- 4 (B) have completed a faith based transitional dormitory
- 5 program; and
- 6 (C) have been released from the department and did not
- 7 participate in a faith based transitional dormitory program.
- 8 (3) The results of a survey of the employees of faith based
- 9 transitional dormitories. The survey must ask the employees their
- 10 opinions concerning the progress of the faith based transitional
- 11 dormitories, how the program could improve, and how the
- 12 program is successful.

13 SECTION 40. IC 12-7-2-82.5 IS REPEALED [EFFECTIVE JULY  
 14 1, 2018]. Sec. 82.5: "Family support program"; for purposes of  
 15 ~~IC 12-8-14~~; has the meaning set forth in ~~IC 12-8-14-1~~.

16 SECTION 41. IC 12-7-2-135.8, AS AMENDED BY P.L.184-2017,  
 17 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 18 JULY 1, 2018]: Sec. 135.8. ~~(a)~~ "Paths to QUALITY program", for  
 19 purposes of IC 12-17.2-2-14.2, refers to the program established in  
 20 IC 12-17.2-2-14.2(b).

21 ~~(b)~~ "Paths to QUALITY program"; for purposes of ~~IC 12-17.2-3.8~~;  
 22 has the meaning set forth in ~~IC 12-17.2-3.8-1~~.

23 SECTION 42. IC 12-7-2-146, AS AMENDED BY THE  
 24 TECHNICAL CORRECTIONS BILL OF THE 2018 GENERAL  
 25 ASSEMBLY, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 26 JULY 1, 2018]: Sec. 146. "Program" refers to the following:

- 27 (1) For purposes of IC 12-10-7, the adult guardianship services
- 28 program established by IC 12-10-7-5.
- 29 (2) For purposes of IC 12-10-10, the meaning set forth in
- 30 IC 12-10-10-5.
- 31 ~~(3)~~ For purposes of ~~IC 12-10-10.5~~, the meaning set forth in
- 32 ~~IC 12-10-10.5-4~~.
- 33 ~~(4)~~ (3) For purposes of IC 12-17.2-2-14.2, the meaning set forth
- 34 in IC 12-17.2-2-14.2(a).
- 35 ~~(5)~~ (4) For purposes of ~~IC 12-17.2-3.8~~, the meaning set forth in
- 36 ~~IC 12-17.2-3.8-2~~.
- 37 ~~(6)~~ (5) (4) For purposes of IC 12-17.6, the meaning set forth in
- 38 IC 12-17.6-1-5.

39 SECTION 43. IC 12-8-1.5-12, AS ADDED BY P.L.160-2012,  
 40 SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 41 JULY 1, 2018]: Sec. 12. ~~(a)~~ Subject to the appropriation limits  
 42 established by the state's biennial budget for the office of the secretary



1 and its divisions, and after assistance, including assistance under  
 2 TANF (IC 12-14), medical assistance (IC 12-15), and food stamps (7  
 3 U.S.C. 2016(i)), is distributed to persons eligible to receive assistance,  
 4 the secretary may adopt rules under IC 4-22-2 to offer programs on a  
 5 pilot or statewide basis to encourage recipients of assistance under  
 6 IC 12-14 to become self-sufficient and discontinue dependence on  
 7 public assistance programs. Programs offered under this subsection  
 8 may do the following:

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

30 (b) If the secretary offers a program described in subsection (a), the  
 31 secretary shall annually report the results and other relevant data  
 32 regarding the program to the legislative council in an electronic format  
 33 under IC 5-14-6.

34 SECTION 44. IC 12-8-14 IS REPEALED [EFFECTIVE JULY 1,  
 35 2018]. (Family Support Program).

36 SECTION 45. IC 12-12.7-2-15, AS AMENDED BY P.L.210-2015,  
 37 SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 38 JULY 1, 2018]: Sec. 15. The council shall do the following:

- 39 (1) Advise and assist the division in the performance of the
- 40 responsibilities set forth in section 6 of this chapter, particularly
- 41 the following:
  - 42 (A) Identification of sources of fiscal and other support for





- 1 services for early intervention programs.
- 2 (B) Use of existing resources to the full extent in
- 3 implementing early intervention programs.
- 4 (C) Assignment of financial responsibility to the appropriate
- 5 agency.
- 6 (D) Promotion of interagency agreements.
- 7 (E) Development and implementation of utilization review
- 8 procedures.
- 9 (2) Advise and assist the division in the preparation of
- 10 applications required under 20 U.S.C. 1431 through 1444.
- 11 (3) Prepare and submit an annual report to the governor, the
- 12 general assembly, and the United States Secretary of Education by
- 13 November 1 of each year concerning the status of early
- 14 intervention programs for infants and toddlers with disabilities
- 15 and their families. **The report must contain the following**
- 16 **information concerning the funding of the program under this**
- 17 **chapter:**
- 18 (A) **The total amount billed to a federal or state program**
- 19 **each state fiscal year for services provided under this**
- 20 **chapter, including the following programs:**
- 21 (i) **Medicaid.**
- 22 (ii) **The children's health insurance program.**
- 23 (iii) **The federal Temporary Assistance for Needy**
- 24 **Families (TANF) program (45 CFR 265).**
- 25 (iv) **Any other state or federal program.**
- 26 (B) **The total amount billed each state fiscal year to an**
- 27 **insurance company for services provided under this**
- 28 **chapter and the total amount reimbursed by the insurance**
- 29 **company.**
- 30 (C) **The total copayments collected under this chapter each**
- 31 **state fiscal year.**
- 32 (D) **The total administrative expenditures.**
- 33 A report submitted under this subdivision to the general assembly
- 34 must be in an electronic format under IC 5-14-6.
- 35 (4) Periodically request from the agencies responsible for
- 36 providing early childhood intervention services for infants and
- 37 toddlers with disabilities and preschool special education
- 38 programs written reports concerning the implementation of each
- 39 agency's respective programs.
- 40 (5) Make recommendations to the various agencies concerning
- 41 improvements to each agency's delivery of services.
- 42 (6) Otherwise comply with 20 U.S.C. 1441.



1 SECTION 46. IC 12-12.7-2-19 IS REPEALED [EFFECTIVE  
2 UPON PASSAGE]. Sec. 19: The budget agency shall annually report  
3 to the budget committee and the interim study committee on public  
4 health, behavioral health, and human services established by  
5 IC 2-5-1.3-4 the following information concerning the funding of the  
6 program under this chapter:

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

10 (A) Medicaid;

11 (B) The children's health insurance program;

12 (C) The federal Temporary Assistance for Needy Families  
13 (TANF) program (45 CFR 265);

14 (D) Any other state or federal program;

15 (2) The total amount billed each state fiscal year to an insurance  
16 company for services provided under this chapter and the total  
17 amount reimbursed by the insurance company;

18 (3) The total copayments collected under this chapter each state  
19 fiscal year;

20 (4) The total administrative expenditures;

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

23 SECTION 47. IC 12-14-2-23 IS AMENDED TO READ AS  
24 FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 23. (a) This section  
25 applies only to a person's eligibility for assistance under section 5.1 of  
26 this chapter.

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

29 (c) Due to extraordinary circumstances, a person who is the parent  
30 of a dependent child, an essential person, or a dependent child may  
31 apply, in a manner prescribed by the division, for an exemption from  
32 the requirements of this chapter if the person can document that the  
33 person has complied with the personal responsibility agreement under  
34 section 21 of this chapter and the person demonstrates any of the  
35 following:

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

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

41 (3) The person is a minor parent who is enrolled full time in an  
42 educational program culminating in a high school equivalency



1 certificate and who has a dependent child.

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

5 (d) After receiving an application for exemption from a parent, an  
6 essential person, or a dependent child under subsection (c), the division  
7 shall investigate and determine if the parent, essential person, or  
8 dependent child qualifies for an exemption from this chapter. The  
9 director shall make a final determination regarding:

10 (1) whether to grant an exemption;

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

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

14 (e) If the director determines that a parent, an essential person, or a  
15 dependent child qualifies for an exemption under this chapter, the  
16 parent, essential person, or dependent child is entitled to receive one  
17 hundred percent (100%) of the payments that the parent, essential  
18 person, or dependent child is entitled to receive under section 5 of this  
19 chapter, subject to any ratable reduction.

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

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

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

29 SECTION 48. IC 12-15-35-28, AS AMENDED BY P.L.152-2017,  
30 SECTION 27, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
31 JULY 1, 2018]: Sec. 28. (a) The board has the following duties:

32 (1) The implementation of a Medicaid retrospective and  
33 prospective DUR program as outlined in this chapter, including  
34 the approval of software programs to be used by the pharmacist  
35 for prospective DUR and recommendations concerning the  
36 provisions of the contractual agreement between the state and any  
37 other entity that will be processing and reviewing Medicaid drug  
38 claims and profiles for the DUR program under this chapter.

39 (2) The development and application of the predetermined criteria  
40 and standards for appropriate prescribing to be used in  
41 retrospective and prospective DUR to ensure that such criteria  
42 and standards for appropriate prescribing are based on the



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



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



1 (e) The board shall determine whether to include a single source  
 2 covered outpatient drug that is newly approved by the federal Food and  
 3 Drug Administration on the preferred drug list not later than sixty (60)  
 4 days after the date on which the manufacturer notifies the board in  
 5 writing of the drug's approval. However, if the board determines that  
 6 there is inadequate information about the drug available to the board  
 7 to make a determination, the board may have an additional sixty (60)  
 8 days to make a determination from the date that the board receives  
 9 adequate information to perform the board's review. Prior authorization  
 10 may not be automatically required for a single source drug that is newly  
 11 approved by the federal Food and Drug Administration, and that is:

12 (1) in a therapeutic classification:

13 (A) that has not been reviewed by the board; and

14 (B) for which prior authorization is not required; or

15 (2) the sole drug in a new therapeutic classification that has not  
 16 been reviewed by the board.

17 (f) The board may not exclude a drug from the preferred drug list  
 18 based solely on price.

19 (g) The following requirements apply to a preferred drug list  
 20 developed under subsection (a)(10):

21 (1) Except as provided by IC 12-15-35.5-3(b) and  
 22 IC 12-15-35.5-3(c), the office or the board may require prior  
 23 authorization for a drug that is included on the preferred drug list  
 24 under the following circumstances:

25 (A) To override a prospective drug utilization review alert.

26 (B) To permit reimbursement for a medically necessary brand  
 27 name drug that is subject to generic substitution under  
 28 IC 16-42-22-10.

29 (C) To prevent fraud, abuse, waste, overutilization, or  
 30 inappropriate utilization.

31 (D) To permit implementation of a disease management  
 32 program.

33 (E) To implement other initiatives permitted by state or federal  
 34 law.

35 (2) All drugs described in IC 12-15-35.5-3(b) must be included on  
 36 the preferred drug list.

37 (3) The office may add a drug that has been approved by the  
 38 federal Food and Drug Administration to the preferred drug list  
 39 without prior approval from the board.

40 (4) The board may add a drug that has been approved by the  
 41 federal Food and Drug Administration to the preferred drug list.

42 (h) At least one (1) time each year, the board shall provide a report



1 to the interim study committee on public health, behavioral health, and  
 2 human services established by IC 2-5-1.3-4 in an electronic format  
 3 under IC 5-14-6. The report must contain the following information:

4 (1) The cost of administering the preferred drug list.

5 (2) Any increase in Medicaid physician, laboratory, or hospital  
 6 costs or in other state funded programs as a result of the preferred  
 7 drug list.

8 (3) The impact of the preferred drug list on the ability of a  
 9 Medicaid recipient to obtain prescription drugs.

10 (4) The number of times prior authorization was requested, and  
 11 the number of times prior authorization was:

12 (A) approved; and

13 (B) disapproved.

14 **(5) Any recommendations received from the mental health  
 15 Medicaid quality advisory committee under section 51(h) of  
 16 this chapter.**

17 (i) The board shall provide the first report required under subsection  
 18 (h) not later than six (6) months after the board submits an initial  
 19 preferred drug list to the office.

20 SECTION 49. IC 12-15-35-48, AS AMENDED BY P.L.152-2017,  
 21 SECTION 31, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 22 JULY 1, 2018]: Sec. 48. (a) The board shall review the prescription  
 23 drug program of a managed care organization that participates in a risk  
 24 based managed care program at least one (1) time per year. The board's  
 25 review of a prescription drug program must include the following:

26 (1) An analysis of the single source drugs requiring prior  
 27 authorization, including the number of drugs requiring prior  
 28 authorization in comparison to other managed care organizations'  
 29 prescription drug programs that participate in the state's Medicaid  
 30 program.

31 (2) A determination and analysis of the number and the type of  
 32 drugs subject to a restriction.

33 (3) A review of the rationale for:

34 (A) the prior authorization of a drug described in subdivision  
 35 (1); and

36 (B) a restriction on a drug.

37 (4) A review of the number of requests a managed care  
 38 organization received for prior authorization, including the  
 39 number of times prior authorization was approved and the number  
 40 of times prior authorization was disapproved.

41 (5) A review of:

42 (A) patient and provider satisfaction survey reports; and



1 (B) pharmacy-related grievance data for a twelve (12) month  
2 period.

3 (b) A managed care organization described in subsection (a) shall  
4 provide the board with the information necessary for the board to  
5 conduct its review under subsection (a).

6 ~~(c) The board shall report to the interim study committee on public~~  
7 ~~health, behavioral health, and human services established by~~  
8 ~~IC 2-5-1.3-4 in an electronic format under IC 5-14-6 at least one (1)~~  
9 ~~time per year on the board's review under subsection (a).~~

10 SECTION 50. IC 12-15-35-51, AS AMENDED BY P.L.53-2014,  
11 SECTION 107, IS AMENDED TO READ AS FOLLOWS  
12 [EFFECTIVE JULY 1, 2018]: Sec. 51. (a) As used in this section,  
13 "advisory committee" refers to the mental health Medicaid quality  
14 advisory committee established by subsection (b).

15 (b) The mental health Medicaid quality advisory committee is  
16 established. The advisory committee consists of the following  
17 members:

- 18 (1) The director of the office or the director's designee, who shall  
19 serve as chairperson of the advisory committee.
- 20 (2) The director of the division of mental health and addiction or  
21 the director's designee.
- 22 (3) A representative of a statewide mental health advocacy  
23 organization.
- 24 (4) A representative of a statewide mental health provider  
25 organization.
- 26 (5) A representative from a managed care organization that  
27 participates in the state's Medicaid program.
- 28 (6) A member with expertise in psychiatric research representing  
29 an academic institution.
- 30 (7) A pharmacist licensed under IC 25-26.
- 31 (8) The commissioner of the department of correction or the  
32 commissioner's designee.

33 The governor shall make the appointments for a term of four (4) years  
34 under subdivisions (3) through (7) and fill any vacancy on the advisory  
35 committee.

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

38 (d) Each member of the advisory committee who is not a state  
39 employee is entitled to the minimum salary per diem provided by  
40 IC 4-10-11-2.1(b). The member is also entitled to reimbursement for  
41 traveling expenses as provided under IC 4-13-1-4 and other expenses  
42 actually incurred in connection with the member's duties as provided





1 in the state policies and procedures established by the Indiana  
2 department of administration and approved by the budget agency.

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

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

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

- 16 (1) Peer reviewed medical literature.
- 17 (2) Observational studies.
- 18 (3) Health economic studies.
- 19 (4) Input from physicians and patients.
- 20 (5) Any other information determined by the advisory committee  
21 to be appropriate.

22 (h) The office shall report recommendations made by the advisory  
23 committee to the drug utilization review board established by section  
24 19 of this chapter.

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

- 29 (1) The advisory committee's advice and recommendations made  
30 under this section.
- 31 (2) The number of restrictions implemented under  
32 IC ~~12-15-35.5-7(c)~~ and the outcome of each restriction.
- 33 (3) The transition of individuals who are aged, blind, or disabled  
34 to the risk based managed care program.
- 35 (4) Any decision by the office to change the health care delivery  
36 system in which Medicaid is provided to recipients.

37 SECTION 51. IC 12-17.2-3.8-1 IS REPEALED [EFFECTIVE JULY  
38 1, 2018]. Sec. 1. As used in this chapter, "Paths to QUALITY program"  
39 refers to a voluntary quality rating and improvement system for child  
40 care administered:

- 41 (1) statewide by the division; and
- 42 (2) under the trademark "Paths to QUALITY".



1 SECTION 52. IC 12-17.2-3.8-2 IS REPEALED [EFFECTIVE JULY  
2 1, 2018]. Sec. 2: As used in this chapter, "program" refers to the early  
3 education evaluation program established by section 3 of this chapter.

4 SECTION 53. IC 12-17.2-3.8-3 IS REPEALED [EFFECTIVE JULY  
5 1, 2018]. Sec. 3: The early education evaluation program is established  
6 to gather data concerning the school readiness of low income children  
7 who have received early education services through providers with  
8 programs of demonstrated quality that require parental involvement in  
9 the children's education.

10 SECTION 54. IC 12-17.2-3.8-4 IS REPEALED [EFFECTIVE JULY  
11 1, 2018]. Sec. 4: (a) The division shall conduct a study of the school  
12 readiness of low income children receiving early education services  
13 from providers that:

- 14 (1) meet the standards of quality recognized by a Level 3 or Level  
15 4 Paths to QUALITY program rating; and
- 16 (2) require parental involvement based on the guidelines  
17 developed under section 7 of this chapter.

18 (b) The division shall select representative providers in multiple  
19 locations across Indiana who administer kindergarten readiness  
20 assessments and other indicators of school readiness to children  
21 receiving services from the providers to participate in the program. The  
22 division shall work with the department of education to assign student  
23 testing numbers to low income children completing kindergarten  
24 readiness assessments.

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

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

31 SECTION 55. IC 12-17.2-3.8-6 IS REPEALED [EFFECTIVE JULY  
32 1, 2018]. Sec. 6: The division shall provide the department of education  
33 with information necessary for the department of education to assign  
34 a child who receives early education services from a provider who  
35 participates in the program under this chapter a student testing number.  
36 Upon receipt of the information, the department of education shall  
37 assign the child a student testing number to track the child's  
38 educational growth and development.

39 SECTION 56. IC 12-17.2-3.8-7 IS REPEALED [EFFECTIVE JULY  
40 1, 2018]. Sec. 7: The division shall develop and maintain guidelines for  
41 the inclusion in every provider's services under this chapter of a  
42 component increasing parental engagement and involvement in the



1 child's education:

2 SECTION 57. IC 13-11-2-9 IS AMENDED TO READ AS  
3 FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 9. "Application", for  
4 purposes of IC 13-15-4, and ~~IC 13-15-12~~, means an application for a:

- 5 (1) permit; or  
6 (2) determination related to a permit;  
7 that is described in IC 13-15-4-1.

8 SECTION 58. IC 13-14-1-17 IS ADDED TO THE INDIANA  
9 CODE AS A NEW SECTION TO READ AS FOLLOWS  
10 [EFFECTIVE JULY 1, 2018]: **Sec. 17. (a) Before November 1 of each**  
11 **year, the department shall submit an annual report to the governor**  
12 **and to the legislative council in an electronic format under**  
13 **IC 5-14-6.**

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

15 **(1) A summary of the:**

- 16 **(A) reviews conducted; and**  
17 **(B) agreements approved;**

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

19 **(2) Information on the following:**

- 20 **(A) Waste tire management as required by IC 13-20-13.**  
21 **(B) The status of the waste tire management fund and the**  
22 **programs funded by the fund.**  
23 **(C) Recommendations for revisions to waste tire**  
24 **management programs.**

25 **(3) An evaluation of the actions taken by the department to**  
26 **improve the department's process of issuing permits that**  
27 **must include the following information:**

28 **(A) A description of the reduction or increase in the**  
29 **backlog of permit applications in each department permit**  
30 **program during the preceding twelve (12) month period.**

31 **(B) The amount of:**

- 32 **(i) permit fees collected; and**  
33 **(ii) expenditures made from fee revenue;**

34 **during the preceding twelve (12) month period.**

35 **(C) A discussion of possible increases or decreases in the**  
36 **operating costs of each department permit and inspection**  
37 **program.**

38 **(D) A discussion of the measures that have been taken by**  
39 **the department to improve the operating efficiency of the**  
40 **permit and inspection programs.**

41 **(E) The number of notices issued by the department under**  
42 **IC 13-15-4-10.**



- 1 (F) A discussion of the department's operational goals for  
2 the next twelve (12) months.
- 3 (G) A permit status report that includes the following  
4 information:
- 5 (i) The facility name and type of each permit application  
6 pending on January 1 of the previous year and the date  
7 each application was filed with the department.
- 8 (ii) The action taken on each application by December 31  
9 of the previous year.
- 10 (iii) The facility name and type of each permit  
11 application pending on December 31 of the previous year  
12 and the date each was filed with the department.
- 13 (4) Information concerning permits that have been  
14 administratively extended that includes for each permit:
- 15 (A) the number of months that the permit has been  
16 administratively extended;
- 17 (B) the number of months that the department has  
18 extended a period under IC 13-15-4-8 or suspended  
19 processing of a permit application under IC 13-15-4-10;
- 20 (C) the type of permit according to the types identified in  
21 IC 13-18-20-2 through IC 13-18-20-11; and
- 22 (D) the dates when public notice of a draft permit was  
23 given.
- 24 (5) Information concerning the progress of remedial actions  
25 commenced under IC 13-25-4.
- 26 (6) Information concerning the pollution prevention  
27 information gathered under IC 13-27-6, including the  
28 following:
- 29 (A) A description of the operations and activities of the  
30 programs under IC 13-27-6.
- 31 (B) Recommendations the commissioner has for legislative  
32 action.
- 33 (C) A quantitative assessment of statewide pollution  
34 prevention progress among all types of industries.
- 35 (D) An identification of regulations and government  
36 policies that are inhibiting pollution prevention and  
37 opportunities in existing regulatory programs to promote  
38 and assist in pollution prevention, including reductions in  
39 the use of toxins in production and commerce.
- 40 (E) An assessment of how programs under IC 13-27-6 have  
41 promoted and assisted pollution prevention and the costs  
42 and benefits to government and industry of those



- 1 programs.
- 2 (F) A statement concerning the identification of
- 3 opportunities and development of priorities for research
- 4 and development in pollution prevention techniques,
- 5 economic analyses, and management techniques useful in
- 6 supporting pollution prevention. The report may not
- 7 include information considered by a business to be a trade
- 8 secret of that business.
- 9 (G) Recommendations concerning incentives and policies
- 10 needed to:
- 11 (i) encourage investment in research and development in
- 12 pollution prevention; and
- 13 (ii) make greater use of programs established under
- 14 IC 13-27-6.
- 15 (7) Information concerning activities conducted under
- 16 IC 13-28-3, including the following:
- 17 (A) The number and types of inquiries the program
- 18 received under IC 13-28-3.
- 19 (B) The services provided by the program.
- 20 (8) Information concerning the designation of outstanding
- 21 state resource waters and the use of the outstanding state
- 22 resource water improvement fund under IC 13-18-3.
- 23 (9) Information concerning mercury switches tracked under
- 24 IC 13-20-17.7-2(a)(5).
- 25 (10) Information concerning the implementation of
- 26 IC 13-20.5, including the following:
- 27 (A) The total weight of covered electronic devices recycled
- 28 in the state program year and a summary of information
- 29 in the reports submitted by manufacturers and recyclers
- 30 under IC 13-20.5-3.
- 31 (B) The various collection programs used by
- 32 manufacturers to collect covered electronic devices,
- 33 information regarding covered electronic devices that are
- 34 being collected by persons other than registered
- 35 manufacturers, collectors, and recyclers, and information
- 36 about covered electronic devices, if any, being disposed of
- 37 in landfills in Indiana.
- 38 (C) A description of enforcement actions under IC 13-20.5
- 39 during the state fiscal year.
- 40 (D) Other information received by the department
- 41 regarding the implementation of IC 13-20.5.
- 42 SECTION 59. IC 13-15-4-19 IS REPEALED [EFFECTIVE JULY



1 1, 2018]. Sec. 19: Before July 15 of each year, the commissioner shall  
 2 provide to the interim study committee on environmental affairs  
 3 established by IC 2-5-1.3-4 in an electronic format under IC 5-14-6 a  
 4 list, current through July 1 of the year, of National Pollutant Discharge  
 5 Elimination System (NPDES) permits that have been administratively  
 6 extended that includes for each permit:

7 (1) the number of months that the permit has been  
 8 administratively extended;

9 (2) the number of months that the department has extended a  
 10 period under section 8 of this chapter or suspended processing of  
 11 a permit application under section 10 of this chapter;

12 (3) the type of permit according to the types identified in  
 13 IC 13-18-20-2 through IC 13-18-20-11; and

14 (4) the dates when public notice of a draft permit was given.

15 SECTION 60. IC 13-15-11-5 IS REPEALED [EFFECTIVE JULY  
 16 1, 2018]. Sec. 5: (a) The auditor of state shall make a report on the fund  
 17 every four (4) months. The report:

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

20 (2) must include the beginning and ending balance;  
 21 disbursements; and receipts;

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

24 (4) must be available to the public.

25 (b) The auditor of state shall forward copies of the report to the  
 26 following:

27 (1) The commissioner.

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

30 (3) The budget committee.

31 (4) The interim study committee on environmental affairs  
 32 established by IC 2-5-1.3-4 in an electronic format under  
 33 IC 5-14-6.

34 SECTION 61. IC 13-15-11-6, AS AMENDED BY P.L.53-2014,  
 35 SECTION 122, IS AMENDED TO READ AS FOLLOWS  
 36 [EFFECTIVE JULY 1, 2018]: Sec. 6. Before September 1 of each  
 37 even-numbered year, the department shall report to the interim study  
 38 committee on environmental affairs established by IC 2-5-1.3-4 in an  
 39 electronic format under IC 5-14-6: **publish on the department's**  
 40 **Internet web site:**

41 (1) the department's proposed distribution of funds among the  
 42 programs referred to in section 1 of this chapter for the current



- 1 state fiscal year;  
 2 (2) the department's rationale for the proposed distribution;  
 3 (3) any difference between:  
 4 (A) the proposed distribution; and  
 5 (B) the distribution made by the department in the  
 6 immediately preceding state fiscal year; and  
 7 (4) the results of an independent audit of the correlation between:  
 8 (A) the distribution made by the department with respect to;  
 9 and  
 10 (B) the department's actual expenses related to;  
 11 each program referred to in section 1 of this chapter in the  
 12 immediately preceding state fiscal year.

13 SECTION 62. IC 13-15-12 IS REPEALED [EFFECTIVE JULY 1,  
 14 2018]. (Annual Evaluation of Permit Process).

15 SECTION 63. IC 13-17-13-3 IS REPEALED [EFFECTIVE JULY  
 16 1, 2018]. ~~Sec. 3: (a) The department shall provide an annual report to~~  
 17 ~~the following:~~

- 18 ~~(1) The board;~~  
 19 ~~(2) The interim study committee on environmental affairs~~  
 20 ~~established by IC 2-5-1.3-4 in an electronic format under~~  
 21 ~~IC 5-14-6.~~

22 (b) ~~The report must include a summary of the:~~

- 23 ~~(1) reviews conducted; and~~  
 24 ~~(2) agreements approved;~~

25 ~~in the preceding year under this chapter.~~

26 SECTION 64. IC 13-18-3-14, AS AMENDED BY P.L.53-2014,  
 27 SECTION 125, IS AMENDED TO READ AS FOLLOWS  
 28 [EFFECTIVE JULY 1, 2018]: Sec. 14. (a) The outstanding state  
 29 resource water improvement fund is established. All money collected  
 30 under section 2 of this chapter and any money accruing to the fund are  
 31 continuously appropriated to the fund to carry out the purposes of  
 32 section 2 of this chapter. Money in the fund at the end of a state fiscal  
 33 year does not revert to the state general fund, unless the outstanding  
 34 state resource water improvement fund is abolished.

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

- 37 (1) The fund may be used by the department of environmental  
 38 management to fund projects that will lead to overall  
 39 improvement to the water quality of the affected outstanding state  
 40 resource water.  
 41 (2) The treasurer of state may invest the money in the fund not  
 42 currently needed to meet the obligations of the fund in the same



1 manner as other public money may be invested.

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

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

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

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

15 (2) The balance in the fund.

16 SECTION 65. IC 13-20-13-10 IS REPEALED [EFFECTIVE JULY  
17 1, 2018]. ~~Sec. 10: (a) The department shall report annually to the~~  
18 ~~governor and the general assembly on the following:~~

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

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

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

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

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

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

28 SECTION 66. IC 13-20-17.7-2, AS AMENDED BY P.L.53-2014,  
29 SECTION 126, IS AMENDED TO READ AS FOLLOWS  
30 [EFFECTIVE JULY 1, 2018]: Sec. 2. ~~(a)~~ A plan described in section  
31 1 of this chapter must include the following:

32 (1) An education program concerning the purposes of the mercury  
33 switch collection program and how to participate in the program,  
34 including the following:

35 (A) Educational materials about the program.

36 (B) Information identifying which end of life vehicles might  
37 contain mercury switches by make, model, and year of  
38 manufacture.

39 (C) Instructions on safe and environmentally sound methods  
40 to remove mercury switches.

41 (2) The provision of containers for collecting and storing mercury  
42 switches.





- 1 (3) Procedures for the transportation of mercury switches to
- 2 recycling, storage, or disposal facilities.
- 3 (4) Procedures for the recycling, storage, and disposal of mercury.
- 4 (5) Procedures to track the progress of the program, including a
- 5 description of performance measures to be used and reported to
- 6 demonstrate that the program is meeting measures of the
- 7 effectiveness of the program, including the following:
- 8 (A) The number of mercury switches collected from end of life
- 9 vehicles.
- 10 (B) The amount of mercury collected.
- 11 (6) Procedures for implementing the plan.
- 12 (b) The department shall:
- 13 (1) prepare an annual report that includes the information tracked
- 14 under subsection (a)(5); and
- 15 (2) provide the report to:
- 16 (A) the legislative council in an electronic format under
- 17 IC 5-14-6; and
- 18 (B) the interim study committee on environmental affairs
- 19 established by IC 2-5-1.3-4 in an electronic format under
- 20 IC 5-14-6.
- 21 SECTION 67. IC 13-20-20-12 IS REPEALED [EFFECTIVE JULY
- 22 1, 2018]. Sec. 12: (a) Before February 1 of each year, the department
- 23 shall submit an annual report to the:
- 24 (1) governor;
- 25 (2) legislative council; and
- 26 (3) budget director.
- 27 A report submitted under this subsection to the legislative council must
- 28 be in an electronic format under IC 5-14-6.
- 29 (b) The report must contain the following:
- 30 (1) A description of each project funded through grants under this
- 31 chapter.
- 32 (2) A statement of the total amount of money that the department
- 33 expends through grants under this chapter during the immediately
- 34 preceding year.
- 35 (3) An estimate of the amount of money that is required to meet
- 36 the eligible grant requests for the current year.
- 37 (4) Proposals of recommendations for any changes, in funding or
- 38 otherwise, to the grant project.
- 39 SECTION 68. IC 13-20-25-10, AS AMENDED BY P.L.147-2015,
- 40 SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 41 JULY 1, 2018]: Sec. 10. (a) A person:
- 42 (1) who:



- 1 (A) is not required to submit a recycling activity report under  
 2 section 9 of this chapter; but  
 3 (B) recycled recyclable materials during a calendar year;  
 4 (2) who:  
 5 (A) meets the definition of "scrap metal processing facility" set  
 6 forth in IC 8-23-1-36;  
 7 (B) meets the definition of "automotive salvage recycler" set  
 8 forth in IC 9-13-2-10;  
 9 (C) meets the definition of "recycling facility" set forth in  
 10 IC 9-13-2-150.3;  
 11 (D) is engaged in business subject to IC 9-22-3;  
 12 (E) meets the definition of "automotive salvage rebuilder" set  
 13 forth in IC 9-32-2-5;  
 14 (F) meets the definition of "scrap metal processor" set forth in  
 15 IC 13-11-2-196.5;  
 16 (G) meets the definition of "core buyer" set forth in  
 17 IC 25-37.5-1-0.2; or  
 18 (H) meets the definition of "valuable metal dealer" set forth in  
 19 IC 25-37.5-1-1(b); or  
 20 (3) who:  
 21 (A) is not required to submit a recycling activity report under  
 22 section 9 of this chapter; but  
 23 (B) took action during a calendar year to recover, from the  
 24 solid waste stream, for purposes of:  
 25 (i) use or reuse;  
 26 (ii) conversion into raw materials; or  
 27 (iii) use in the production of new products;  
 28 materials that were not municipal waste;  
 29 may voluntarily submit a recycling activity report to the commissioner  
 30 concerning the person's recycling activity during the calendar year.  
 31 (b) The commissioner shall include information reported to the  
 32 commissioner under this section in the annual reports that the  
 33 commissioner is required to submit under ~~section 14 of this chapter:~~  
 34 **IC 4-23-5.5-6.**  
 35 SECTION 69. IC 13-20-25-14 IS REPEALED [EFFECTIVE JULY  
 36 1, 2018]. ~~Sec. 14. Not later than May 1, 2016, and in each succeeding~~  
 37 ~~calendar year, the commissioner shall submit to the executive director~~  
 38 ~~of the legislative services agency, in an electronic format under~~  
 39 ~~IC 5-14-6, a report summarizing the information obtained through the~~  
 40 ~~recycling activity reports submitted to the commissioner under this~~  
 41 ~~chapter concerning the calendar year most recently ended. The~~  
 42 ~~executive director of the legislative services agency shall forward the~~



1 report to the members of the standing committees of the senate and the  
 2 house having subject matter jurisdiction most closely related to the  
 3 subject of recycling.

4 SECTION 70. IC 13-20.5-7-4 IS REPEALED [EFFECTIVE JULY  
 5 1, 2018]. Sec. 4: (a) Before August 1, 2013, and before August 1 of  
 6 each year thereafter, the department shall submit a report concerning  
 7 the implementation of this article to:

8 (1) the general assembly in an electronic format under IC 5-14-6;

9 (2) the governor;

10 (3) the interim study committee on environmental affairs  
 11 established by IC 2-5-1.3-4 in an electronic format under  
 12 IC 5-14-6; and

13 (4) the Indiana recycling market development board established  
 14 by IC 4-23-5.5-2.

15 (b) For each state fiscal year, the report submitted under subsection  
 16 (a):

17 (1) must discuss the total weight of covered electronic devices  
 18 recycled in the state program year and a summary of information  
 19 in the reports submitted by manufacturers and recyclers under  
 20 IC 13-20.5-3;

21 (2) must discuss the various collection programs used by  
 22 manufacturers to collect covered electronic devices; information  
 23 regarding covered electronic devices that are being collected by  
 24 persons other than registered manufacturers; collectors; and  
 25 recyclers; and information about covered electronic devices; if  
 26 any, being disposed of in landfills in Indiana;

27 (3) must include a description of enforcement actions under this  
 28 article during the state fiscal year; and

29 (4) may include other information received by the department  
 30 regarding the implementation of this article.

31 SECTION 71. IC 13-25-4-25 IS REPEALED [EFFECTIVE JULY  
 32 1, 2018]. Sec. 25: Before January 1 of each year, the commissioner  
 33 shall make a report concerning the progress of remedial actions  
 34 commenced under this chapter to the following:

35 (1) The governor.

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

38 (3) The board.

39 SECTION 72. IC 13-27-6 IS REPEALED [EFFECTIVE JULY 1,  
 40 2018]. (State Report Regarding Pollution Prevention).

41 SECTION 73. IC 13-28-3-3 IS REPEALED [EFFECTIVE JULY 1,  
 42 2018]. Sec. 3: (a) The department shall prepare an annual report of the



1 activities conducted under this chapter:

2 (b) The annual report must include the following:

3 (1) The number and types of inquiries the program received.

4 (2) The services provided by the program.

5 (c) The annual report shall be distributed to the following:

6 (1) The governor.

7 (2) The interim study committee on environmental affairs  
8 established by IC 2-5-1.3-4 in an electronic format under  
9 IC 5-14-6.

10 SECTION 74. IC 13-28-4-11, AS AMENDED BY P.L.53-2014,  
11 SECTION 130, IS AMENDED TO READ AS FOLLOWS  
12 [EFFECTIVE JULY 1, 2018]: Sec. 11. (a) The department shall  
13 maintain statistics on the use of environmental audit reports in  
14 department compliance and enforcement activities, including statistics  
15 on:

16 (1) the number of times the reports are disclosed to the  
17 department;

18 (2) the number and types of violations disclosed to the department  
19 through the reports;

20 (3) the civil penalties collected for the violations; and

21 (4) the time necessary for the violations to be corrected.

22 The department shall report annually to the interim study committee on  
23 environmental affairs established by IC 2-5-1.3-4 in an electronic  
24 format under IC 5-14-6 on the use of environmental audit reports.

25 (b) The department shall propose an enforcement policy, pursuant  
26 to IC 13-14-1-11.5, that provides relief from civil penalties for a  
27 voluntary disclosure that results from an internal environmental audit.  
28 In developing this enforcement policy, the department shall consider  
29 similar policies implemented by:

30 (1) the United States Environmental Protection Agency; and

31 (2) states contiguous to Indiana.

32 (c) ~~The department shall report annually to the interim study~~  
33 ~~committee on environmental affairs established by IC 2-5-1.3-4 in an~~  
34 ~~electronic format under IC 5-14-6 on the use and effectiveness of the~~  
35 ~~enforcement policy.~~

36 SECTION 75. IC 14-21-1-18, AS AMENDED BY P.L.2-2007,  
37 SECTION 172, IS AMENDED TO READ AS FOLLOWS  
38 [EFFECTIVE JULY 1, 2018]: Sec. 18. (a) A:

39 (1) historic site or historic structure owned by the state; or

40 (2) historic site or historic structure listed on the state or national  
41 register;

42 may not be altered, demolished, or removed by a project funded, in



1 whole or in part, by the state unless the review board has granted a  
2 certificate of approval.

3 (b) An application for a certificate of approval:

4 (1) must be filed with the division; and

5 (2) shall be granted or rejected by the review board after a public  
6 hearing.

7 (c) Subsections (a) and (b) do not apply to real property that is  
8 owned by a state educational institution.

9 (d) The commission for higher education and each state educational  
10 institution, in cooperation with the division of historic preservation and  
11 archeology, shall develop and continually maintain a survey of historic  
12 sites and historic structures owned by the state educational institution.  
13 Historic sites and historic structures include buildings, structures,  
14 outdoor sculpture, designed landscapes, gardens, archeological sites,  
15 cemeteries, campus plans, and historic districts. A survey developed  
16 under this subsection must conform with the Indiana Historic Sites and  
17 Structures Survey Manual.

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

20 ~~(1) review a proposed state educational institution project that~~  
21 ~~involves a historic site or historic structure owned by a state~~  
22 ~~educational institution; and~~

23 ~~(2) submit an advisory report to the commission for higher~~  
24 ~~education; the state educational institution; and the general~~  
25 ~~assembly. An advisory report submitted under this subdivision to~~  
26 ~~the general assembly must be in an electronic format under~~  
27 ~~IC 5-14-6.~~

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

33 ~~(1) review the description of the proposed project; and~~

34 ~~(2) submit to the state educational institution an advisory report~~  
35 ~~concerning the proposed project.~~

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

39 SECTION 76. IC 14-21-1-18.5 IS REPEALED [EFFECTIVE JULY  
40 1, 2018]. Sec. 18.5: ~~When submitting its biennial budget request, a~~  
41 ~~state educational institution must:~~

42 ~~(1) submit to the division of historic preservation and archeology~~



1 of the department of natural resources a copy of any ten (10) year  
 2 capital plan of the state educational institution that is required by  
 3 the budget agency or the commission for higher education; and  
 4 (2) identify the projects included in the capital plan that may  
 5 involve the alteration or demolition of historic sites or structures.

6 SECTION 77. IC 14-21-1-18.6, AS AMENDED BY P.L.2-2007,  
 7 SECTION 174, IS AMENDED TO READ AS FOLLOWS  
 8 [EFFECTIVE JULY 1, 2018]: Sec. 18.6. (a) As used in this section,  
 9 "substantial alteration" means a conspicuous, exterior material change  
 10 in a historic site or historic structure which, in the good faith judgment  
 11 of a state college or university, affects the historic character of the  
 12 historic site or historic structure.

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

14 (+) involves the substantial alteration, demolition, or removal of  
 15 a historic site or historic structure, and

16 (2) is not identified in a capital plan submitted to the division  
 17 under section 18.5 of this chapter;

18 the state educational institution shall submit a description of the  
 19 proposed project to the division and publish a notice describing the  
 20 project one (1) time in a newspaper of general circulation in the county  
 21 in which the proposed project is located. The submission of the  
 22 description and the publication of the notice must be at least thirty (30)  
 23 days before the commencement of the proposed project.

24 SECTION 78. IC 15-11-2-8 IS ADDED TO THE INDIANA CODE  
 25 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
 26 1, 2018]: **Sec. 8. Before November 1 of each year, the department  
 27 shall submit an annual report to the legislative council in an  
 28 electronic format under IC 5-14-6.**

29 SECTION 79. IC 15-11-6-1, AS ADDED BY P.L.120-2008,  
 30 SECTION 30, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 31 JULY 1, 2018]: Sec. 1. The director is responsible for foreign market  
 32 promotion for agricultural products ~~through the~~ and doing the  
 33 following:

34 (1) Creating a ~~report and~~ plan for international trade.

35 (2) Working in partnership with the Food Export Association of  
 36 the Midwest.

37 (3) Conducting and participating in foreign trade missions.

38 (4) Providing education on export and export opportunities for  
 39 Indiana agricultural businesses.

40 **(5) Reporting on the department's activities under this  
 41 chapter in the annual report submitted under IC 15-11-2-8.**

42 SECTION 80. IC 15-11-7-2, AS ADDED BY P.L.120-2008,



1 SECTION 33, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
2 JULY 1, 2018]: Sec. 2. The director shall do the following:

3 ~~(1) Prepare an annual report that contains information and market  
4 research concerning diversified farming.~~

5 ~~(2) (1) Instigate the formation of a market and development plan  
6 for diversified farming.~~

7 ~~(3) (2) Encourage the development and growth of diversified  
8 farming, aquaculture, and specialty crops through education  
9 programs.~~

10 ~~(4) (3) Administer the United States Department of Agriculture  
11 Specialty Crop Block Grant Program.~~

12 ~~(5) (4) Identify diversified farming opportunities.~~

13 ~~(6) (5) Create a healthy network to better connect farmers to  
14 available resources.~~

15 ~~(7) (6) Aggressively promote the opportunities and benefits of  
16 agricultural diversification.~~

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

19 SECTION 81. IC 15-11-12-10, AS ADDED BY P.L.173-2014,  
20 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
21 JULY 1, 2018]: Sec. 10. ~~(a) Before November~~ **September 1** of each  
22 year, the commission shall submit a ~~report to the legislative council~~  
23 **that: information to the department for inclusion in the annual**  
24 **report submitted under IC 15-11-2-8 that:**

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

27 (2) recommends any legislation the commission considers useful  
28 in coordinating and streamlining the efforts of state government  
29 to assist and encourage the establishment and growth of small  
30 businesses in Indiana; and

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

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

34 SECTION 82. IC 16-30-2 IS REPEALED [EFFECTIVE JULY 1,  
35 2018]. (Health Needs Assessment).

36 SECTION 83. IC 16-38-4-8, AS AMENDED BY P.L.141-2014,  
37 SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
38 JULY 1, 2018]: Sec. 8. (a) The state department shall establish a birth  
39 problems registry for the purpose of recording all cases of birth  
40 problems that occur in Indiana residents and compiling necessary and  
41 appropriate information concerning those cases, as determined by the  
42 state department, in order to:



- 1 (1) conduct epidemiologic and environmental studies and to apply  
 2 appropriate preventive and control measures;  
 3 (2) except for an autism spectrum disorder, inform the parents of  
 4 children with birth problems:  
 5 (A) at the time of discharge from the hospital; or  
 6 (B) if a birth problem is diagnosed during a physician or  
 7 hospital visit that occurs before the child is:  
 8 (i) except as provided in item (ii), three (3) years of age at  
 9 the time of diagnosis; or  
 10 (ii) five (5) years of age at the time of diagnosis if the  
 11 disorder is a fetal alcohol spectrum disorder;  
 12 about physicians care facilities, and appropriate community  
 13 resources, including local step ahead agencies and the infants and  
 14 toddlers with disabilities program (IC 12-12.7-2);  
 15 (3) except as provided in subsection (d), inform:  
 16 (A) the individual with problems at any age; or  
 17 (B) the individual's parent;  
 18 at the time of diagnosis, if the individual's disorder is an autism  
 19 spectrum disorder, about physicians and appropriate state and  
 20 community resources, including local step ahead agencies and the  
 21 infants and toddlers with disabilities program (IC 12-12.7-2); or  
 22 (4) inform citizens regarding programs designed to prevent or  
 23 reduce birth problems.
- 24 (b) The state department shall record in the birth problems registry:  
 25 (1) all data concerning birth problems of children that are  
 26 provided from the certificate of live birth;  
 27 (2) any additional information that may be provided by an  
 28 individual or entity described in section 7(a)(2) of this chapter  
 29 concerning a birth problem that is:  
 30 (A) designated in a rule adopted by the state department; and  
 31 (B) recognized:  
 32 (i) after the child is discharged from the hospital as a  
 33 newborn;  
 34 (ii) before the child is five (5) years of age if the child is  
 35 diagnosed with a fetal alcohol spectrum disorder;  
 36 (iii) before the child is three (3) years of age for any  
 37 diagnosis not specified in items (ii) and (iv); and  
 38 (iv) at any age if the individual is diagnosed with an autism  
 39 spectrum disorder; and  
 40 (3) information reported to the state department by the office of  
 41 the secretary under IC 12-12-9-3 concerning a child who is less  
 42 than five (5) years of age and diagnosed with a visual impairment





1 or blindness.

2 (c) The state department shall

3 ~~(1) provide a physician and a local health department with~~  
4 ~~necessary forms for reporting under this chapter. and~~

5 ~~(2) report in an electronic format under IC 5-14-6 to the~~  
6 ~~legislative council any birth problem trends that are identified~~  
7 ~~through the data collected under this chapter.~~

8 (d) Concerning an individual who is at least eight (8) years of age  
9 and diagnosed with an autism spectrum disorder, the state department  
10 is not required to do any of the following:

11 (1) Report information to the federal Centers for Disease Control  
12 and Prevention.

13 (2) Confirm the individual's diagnosis.

14 (3) Verbally inform an individual of the information set forth in  
15 subsection (a)(3).

16 SECTION 84. IC 16-38-4-18 IS AMENDED TO READ AS  
17 FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 18. The state  
18 department shall report to the legislative council and the governor each  
19 year before November 1 the following:

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

23 (2) The amount of use of the birth problems registry by  
24 researchers.

25 (3) Proposals for the prevention of birth problems occurring in  
26 Indiana.

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

29 SECTION 85. IC 16-40-1-7 IS AMENDED TO READ AS  
30 FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 7. All reports filed  
31 under this chapter shall be transmitted to the state department. ~~The~~  
32 ~~state department shall tabulate, compile, and analyze the reports and~~  
33 ~~provide information to state departments and organizations having a~~  
34 ~~legitimate interest in the information.~~

35 SECTION 86. IC 16-46-5-18 IS AMENDED TO READ AS  
36 FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 18. **(a) If money is**  
37 **received and disbursed under this chapter in a particular state**  
38 **fiscal year, the state department shall file an annual report with submit**  
39 **to the governor and the general assembly a report on the following**  
40 **before November 1 of the following state fiscal year:**

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

42 (2) The identification of shortage areas.



1 (3) The number of applications for loan repayment by the  
2 following categories:

3 (A) Profession.

4 (B) Specialty.

5 (C) Underserved area to be served.

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

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

11 SECTION 87. IC 20-24-5-5, AS AMENDED BY P.L.250-2017,  
12 SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
13 JULY 1, 2018]: Sec. 5. (a) Except as provided in subsections (b), (c),  
14 (d), (e), and (f), a charter school must enroll any eligible student who  
15 submits a timely application for enrollment.

16 (b) This subsection applies if the number of applications for a  
17 program, class, grade level, or building exceeds the capacity of the  
18 program, class, grade level, or building. If a charter school receives a  
19 greater number of applications than there are spaces for students, each  
20 timely applicant must be given an equal chance of admission. The  
21 organizer must determine which of the applicants will be admitted to  
22 the charter school or the program, class, grade level, or building by  
23 random drawing in a public meeting, with each timely applicant limited  
24 to one (1) entry in the drawing. However, the organizer of a charter  
25 school located in a county with a consolidated city shall determine  
26 which of the applicants will be admitted to the charter school or the  
27 program, class, grade level, or building by using a publicly verifiable  
28 random selection process.

29 (c) A charter school may limit new admissions to the charter school  
30 to:

31 (1) ensure that a student who attends the charter school during a  
32 school year may continue to attend the charter school in  
33 subsequent years;

34 (2) ensure that a student who attends a charter school during a  
35 school year may continue to attend a different charter school held  
36 by the same organizer in subsequent years;

37 (3) allow the siblings of a student who attends a charter school or  
38 a charter school held by the same organizer to attend the same  
39 charter school the student is attending; and

40 (4) allow preschool students who attend a Level 3 or Level 4  
41 Paths to QUALITY program ~~(as defined in IC 12-17.2-3.8-1)~~  
42 preschool to attend kindergarten at a charter school if the charter



- 1 school and the preschool provider have entered into an agreement  
 2 to share services or facilities.
- 3 (d) This subsection applies to an existing school that converts to a  
 4 charter school under IC 20-24-11. During the school year in which the  
 5 existing school converts to a charter school, the charter school may  
 6 limit admission to:
- 7 (1) those students who were enrolled in the charter school on the
  - 8 date of the conversion; and
  - 9 (2) siblings of students described in subdivision (1).
- 10 (e) A charter school may give enrollment preference to children of  
 11 the charter school's founders, governing body members, and charter  
 12 school employees, as long as the enrollment preference under this  
 13 subsection is not given to more than ten percent (10%) of the charter  
 14 school's total population.
- 15 (f) A charter school may not suspend or expel a charter school  
 16 student or otherwise request a charter school student to transfer to  
 17 another school on the basis of the following:
- 18 (1) Disability.
  - 19 (2) Race.
  - 20 (3) Color.
  - 21 (4) Gender.
  - 22 (5) National origin.
  - 23 (6) Religion.
  - 24 (7) Ancestry.
- 25 A charter school student may be expelled or suspended only in a  
 26 manner consistent with discipline rules established under IC 20-24-5.5.
- 27 SECTION 88. IC 20-25.7-5-5, AS AMENDED BY P.L.250-2017,  
 28 SECTION 26, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 29 JULY 1, 2018]: Sec. 5. (a) IC 20-24-5-5 (with the exception of  
 30 IC 20-24-5-5(f)) does not apply to a participating innovation network  
 31 charter school that enters into an agreement with the board to  
 32 reconstitute or establish an eligible school.
- 33 (b) Except as provided in subsections (c) and (d), a participating  
 34 innovation network charter school must enroll any eligible student who  
 35 submits a timely application for enrollment.
- 36 (c) A participating innovation network charter school that  
 37 reconstitutes or establishes an eligible school may limit new  
 38 admissions to the participating innovation network charter school to:
- 39 (1) ensure that any student with legal settlement in the attendance
  - 40 area, or in the school corporation if the school does not have a
  - 41 defined attendance area, may attend the charter school;
  - 42 (2) ensure that a student who attends the participating innovation



1 network charter school during a school year may continue to  
 2 attend the charter school in subsequent years;

3 (3) allow the siblings of a student who attends the participating  
 4 innovation network charter school to attend the charter school;  
 5 and

6 (4) allow preschool students who attend a Level 3 or Level 4  
 7 Paths to QUALITY program ~~(as defined in IC 12-17.2-3.8-1)~~  
 8 preschool to attend kindergarten at the participating innovation  
 9 network charter school if the participating innovation network  
 10 charter school and the school corporation or preschool provider  
 11 have entered into an agreement to share services or facilities.

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

15 (1) the student:

16 (A) has completed fewer than twenty-two (22) academic  
 17 credits required for graduation; and

18 (B) will be in the grade 11 cohort during the school year in  
 19 which the student seeks to enroll in the participating  
 20 innovation network charter school; or

21 (2) the student has been suspended (as defined in IC 20-33-8-7)  
 22 or expelled (as defined in IC 20-33-8-3) during the twelve (12)  
 23 months immediately preceding the student's application for  
 24 enrollment for:

25 (A) ten (10) or more school days;

26 (B) a violation under IC 20-33-8-16;

27 (C) causing physical injury to a student, a school employee, or  
 28 a visitor to the school; or

29 (D) a violation of a school corporation's drug or alcohol rules.

30 For purposes of subdivision (2)(A), student discipline received under  
 31 IC 20-33-8-25(b)(7) for a violation described in subdivision (2)(B)  
 32 through (2)(D) must be included in the calculation of the number of  
 33 school days that a student has been suspended.

34 (e) A participating innovation network charter school may give  
 35 enrollment preferences to children of the participating innovation  
 36 network charter school's founders, governing board members, and  
 37 participating innovation network charter school employees, as long as  
 38 the enrollment preference under this subsection is not given to more  
 39 than ten percent (10%) of the participating innovation charter school's  
 40 total population and there is sufficient capacity for a program, class,  
 41 grade level, or building to ensure that any student with legal settlement  
 42 in the attendance area may attend the school.



1 (f) 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 participating innovation  
 4 network charter school receives a greater number of applications than  
 5 there are spaces for students, each timely applicant must be given an  
 6 equal chance of admission. The participating innovation network  
 7 charter school that is not in a county containing a consolidated city  
 8 must determine which of the applicants will be admitted to the  
 9 participating innovation network charter school or the program, class,  
 10 grade level, or building by random drawing in a public meeting with  
 11 each timely applicant limited to one (1) entry in the drawing. However,  
 12 the participating innovation network charter school located in a county  
 13 with a consolidated city shall determine which of the applicants will be  
 14 admitted to the participating innovation network charter school or the  
 15 program, class, grade level, or building by using a publicly verifiable  
 16 random selection process.

17 SECTION 89. IC 20-42.5-3-4 IS REPEALED [EFFECTIVE JULY  
 18 1, 2018]. ~~Sec. 4. (a) The state board, assisted by the office of~~  
 19 ~~management and budget, the division of finance of the department, and~~  
 20 ~~school corporation officials, shall analyze each school corporation's~~  
 21 ~~expenses for the 2004-2005 and 2005-2006 school years to determine~~  
 22 ~~how much each school corporation spent, from whatever source,~~  
 23 ~~directly or indirectly, on the following categories of expenditures:~~

24 (1) Student academic achievement expenditures:

25 (2) Student instructional support expenditures:

26 (3) Overhead and operational expenditures:

27 (4) Nonoperational expenditures:

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

33 (b) The state board's analysis under subsection (a) may include  
 34 relevant trend line data for school years before the 2004-2005 school  
 35 year:

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

41 SECTION 90. IC 20-42.5-3-5, AS AMENDED BY P.L.233-2015,  
 42 SECTION 300, IS AMENDED TO READ AS FOLLOWS

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1 [EFFECTIVE JULY 1, 2018]: Sec. 5. (a) For each school year using  
 2 the 2005-2006 school year as a baseline:

3 (1) the office of management and budget shall analyze and report  
 4 to the state board, the governor, and the general assembly  
 5 concerning the progress or lack of progress of each school  
 6 corporation, of all school corporations in each educational service  
 7 center's area, and in Indiana as a whole in improving the ratio of  
 8 student instructional expenditures to all other expenditures for the  
 9 previous school year;

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

14 (3) the office of management and budget and the division of  
 15 finance of the department shall be available to consult with and  
 16 provide technical assistance to each school corporation that did  
 17 not have an improved ratio of student instructional expenditures  
 18 to all other expenditures during the previous school year; and

19 (4) each school corporation shall report **the following**  
 20 **information** to the public in the school corporation's annual  
 21 performance report and to the members of the general assembly  
 22 whose districts include the school corporation:

23 (A) The percentage of resources spent by the school  
 24 corporation during the previous school year on each category  
 25 of expenditures set forth in section 4 of this chapter: **of the**  
 26 **following categories of expenditures:**

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

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

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

30 (iv) **Nonoperational expenditures.**

31 (B) The trend line for each category of expenditures set forth  
 32 in section 4 of this chapter for the school corporation during  
 33 the previous school year; and each category described in  
 34 **clause (A).**

35 (C) Whether the school corporation did or did not make  
 36 progress in improving the ratio of student instructional  
 37 expenditures to all other expenditures during the previous  
 38 school year.

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



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

- 5 (1) coincide with the categories of expenditures described in  
 6 ~~section 4~~ **section 5(a)(4)(A)** of this chapter; and
- 7 (2) provide the ability to determine expenditures made at and for  
 8 each individual school building of a school corporation.

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

11 (b) The state board of accounts may, in consultation with the  
 12 department and the office of management and budget, modify the chart  
 13 of accounts as necessary to make the chart of accounts coincide with  
 14 the categories of expenditures described in ~~section 4~~ **section 5(a)(4)(A)**  
 15 of this chapter.

16 SECTION 92. IC 21-18-11 IS REPEALED [EFFECTIVE JULY 1,  
 17 2018]. (Transfer of Courses and Programs; Report).

18 SECTION 93. IC 22-4.1-4-8 IS REPEALED [EFFECTIVE JULY  
 19 1, 2018]. Sec. 8: (a) The department annually shall prepare a written  
 20 report of its training activities and the training activities of the  
 21 workforce service area during the immediately preceding state fiscal  
 22 year. The department's annual report for a particular state fiscal year  
 23 must include information for each training project for which either the  
 24 department or the workforce service area provided any funding during  
 25 that state fiscal year. At a minimum, the following information must be  
 26 provided for each training project:

- 27 (1) A description of the training project, including the name and  
 28 address of the training provider.
- 29 (2) The amount of funding that either the department or the  
 30 workforce service area provided for the project and an indication  
 31 of which entity provided the funding.
- 32 (3) The number of trainees who participated in the project.
- 33 (4) Demographic information about the trainees, including:  
 34 (A) the age of each trainee;  
 35 (B) the education attainment level of each trainee; and  
 36 (C) for those training projects that have specific gender  
 37 requirements, the gender of each trainee.
- 38 (5) The results of the project, including:  
 39 (A) skills developed by trainees;  
 40 (B) any license or certification associated with the training  
 41 project;  
 42 (C) the extent to which trainees have been able to secure



1 employment or obtain better employment; and

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

4 (b) With respect to trainees that have been able to secure  
5 employment or obtain better employment, the department shall compile  
6 data on the retention rates of those trainees in the jobs which the  
7 trainees secured or to which they advanced. The department shall  
8 include information concerning those retention rates in each of its  
9 annual reports.

10 (c) On or before October 1 of each state fiscal year, each workforce  
11 service area shall provide the department with a written report of its  
12 training activities for the immediately preceding state fiscal year. The  
13 workforce service area shall prepare the report in the manner  
14 prescribed by the department. However, at a minimum, the workforce  
15 service area shall include in its report the information required by  
16 subsection (a) for each training project for which the workforce service  
17 area provided any funding during the state fiscal year covered by the  
18 report. In addition, the workforce service area shall include in each  
19 report retention rate information as set forth in subsection (b).

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

22 (1) governor; and

23 (2) legislative council;

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

27 SECTION 94. IC 22-4.5-9-4, AS AMENDED BY P.L.217-2017,  
28 SECTION 153, IS AMENDED TO READ AS FOLLOWS  
29 [EFFECTIVE JULY 1, 2018]: Sec. 4. (a) The council shall do all of the  
30 following:

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

34 (2) Match the education and skills training provided by the state's  
35 education, job skills development, and career training system with  
36 the currently existing and future needs of the state's job market.  
37 In carrying out its duties under this subdivision, the council must  
38 consider the workforce needs and training and education  
39 requirements identified in the occupational demand report  
40 prepared by the department of workforce development under  
41 IC 22-4.1-4-10.

42 (3) In addition to the department's annual report provided under





1 ~~IC 22-4.1-4-8~~, any reports required from the department  
 2 **under IC 22-4.1-24-2**, submit not later than December 1 each  
 3 year to the legislative council in an electronic format under  
 4 IC 5-14-6 an inventory of current job and career training activities  
 5 conducted by:

6 (A) state and local agencies; and

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

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

13 (4) ~~Submit, not later than July 1, 2014, to the legislative council~~  
 14 ~~in an electronic format under IC 5-14-6 a strategic plan to~~  
 15 ~~improve the state's education, job skills development, and career~~  
 16 ~~training system. The council shall submit, not later than~~  
 17 ~~December 1, 2013, to the legislative council in an electronic~~  
 18 ~~format under IC 5-14-6 a progress report concerning the~~  
 19 ~~development of the strategic plan. The strategic plan developed~~  
 20 ~~under this subdivision must include at least the following:~~

21 (A) ~~Proposed changes, including recommended legislation and~~  
 22 ~~rules, to increase coordination, data sharing, and~~  
 23 ~~communication among the state, local, and private agencies,~~  
 24 ~~groups, and associations that are involved in education, job~~  
 25 ~~skills development, and career training.~~

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

29 (C) ~~Proposed changes to address both:~~

30 (i) ~~the shortage of qualified workers for current employment~~  
 31 ~~opportunities; and~~

32 (ii) ~~the shortage of employment opportunities for individuals~~  
 33 ~~with a baccalaureate or more advanced degree.~~

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

38 (A) ~~An examination of Indiana's career and technical~~  
 39 ~~education programs to determine:~~

40 (i) ~~the use of the programs; and~~

41 (ii) ~~the impact of the programs on college and career~~  
 42 ~~readiness, employment, and economic opportunity.~~



1 (B) A survey of the use of secondary, college, and university  
 2 facilities, equipment, and faculty by career and technical  
 3 education programs:

4 (C) Recommendations concerning how career and technical  
 5 education programs:

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

8 (ii) add performance based funding to ensure greater  
 9 competitiveness among program providers and to increase  
 10 completion of industry recognized credentials and dual  
 11 credit courses that lead directly to employment or  
 12 postsecondary study:

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

15 (1) Indiana employers and employer organizations.

16 (2) Public and private institutions of higher education.

17 (3) Regional and local economic development organizations.

18 (4) Indiana labor organizations.

19 (5) Individuals with expertise in career and technical education.

20 (6) Military and veterans organizations.

21 (7) Organizations representing women, African-Americans,  
 22 Latinos, and other significant minority populations and having an  
 23 interest in issues of particular concern to these populations.

24 (8) Individuals and organizations with expertise in the logistics  
 25 industry.

26 (9) Any other person or organization that a majority of the voting  
 27 members of the council determines has information that is  
 28 important for the council to consider.

29 SECTION 95. IC 22-14-7-18, AS ADDED BY P.L.82-2008,  
 30 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 31 JULY 1, 2018]: Sec. 18. (a) ~~Beginning July 1, 2011, every three (3)~~  
 32 ~~years~~ The state fire marshal shall **periodically** review the effectiveness  
 33 of this chapter and issue a report that includes the state fire marshal's  
 34 findings, **information concerning cigarettes that are tested and**  
 35 **found to be noncompliant with the performance standards of this**  
 36 **chapter**, and, if appropriate, recommendations for legislation.

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

41 SECTION 96. IC 25-1-5.5-2, AS AMENDED BY P.L.240-2015,  
 42 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE



- 1 UPON PASSAGE]: Sec. 2. As used in the chapter:
- 2 (1) "Applicant" refers to a person who applies for a registration in
- 3 the electronic registry of professions.
- 4 (2) "Executive director" refers to the executive director of the
- 5 licensing agency appointed under IC 25-1-5-5.
- 6 (3) "Licensing agency" means the Indiana professional licensing
- 7 agency created by IC 25-1-5-3.
- 8 (4) "Registrant" means an individual who is registered in the
- 9 electronic registry of professions as:
- 10 (A) an individual state registered under IC 25-1-18 (**before its**
- 11 **repeal**); or
- 12 (B) an interior designer under IC 25-20.7.
- 13 (5) "Registry" refers to the electronic registry of professions
- 14 established by section 1 of this chapter.
- 15 SECTION 97. IC 25-1-5.5-5.5, AS ADDED BY P.L.240-2015,
- 16 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 17 UPON PASSAGE]: Sec. 5.5. Notwithstanding the ~~expiration repeal~~ of
- 18 IC 25-1-18, ~~under IC 25-1-18-22~~, if the information described in
- 19 section 3(b)(4) of this chapter concerning an individual is placed on the
- 20 registry under IC 25-1-18 before April 1, 2018, the information may
- 21 remain on the registry after March 30, 2018, subject to the rules
- 22 adopted by the licensing agency under section 5 of this chapter.
- 23 SECTION 98. IC 25-1-18 IS REPEALED [EFFECTIVE UPON
- 24 PASSAGE]. (Pilot Program for State Registration of Privately Certified
- 25 Individuals).
- 26 SECTION 99. IC 27-1-3-6 IS REPEALED [EFFECTIVE JULY 1,
- 27 2018]. ~~Sec. 6: During December the commissioner shall report to the~~
- 28 ~~governor the names of all insurance companies which are in the charge~~
- 29 ~~of the department for rehabilitation, liquidation or conservation and~~
- 30 ~~such information in regard to those companies as the commissioner~~
- 31 ~~may deem pertinent.~~
- 32 SECTION 100. IC 35-47-7-7 IS REPEALED [EFFECTIVE JULY
- 33 1, 2018]. ~~Sec. 7: (a) If:~~
- 34 (1) a practitioner (as defined in IC 25-1-9-2) initially treats a
- 35 person for an injury and identifies the person's injury as resulting
- 36 from fireworks or pyrotechnics, ~~the practitioner;~~ or
- 37 (2) a hospital or an outpatient surgical center initially treats a
- 38 person for an injury and the administrator of the hospital or
- 39 outpatient surgical center identifies the person's injury as resulting
- 40 from fireworks or pyrotechnics, ~~the administrator or the~~
- 41 ~~administrator's designee;~~
- 42 shall report the case to the state health data center of the state



1 department of health not more than five (5) business days after the time  
 2 the person is treated. The report may be made in writing on a form  
 3 prescribed by the state department of health.

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

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

7 (2) The date and time of the injury and the location where the  
 8 injury occurred.

9 (3) If the injured person was less than eighteen (18) years of age  
 10 at the time of the injury; whether an adult was present when the  
 11 injury occurred.

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

14 (5) A description of the firework or pyrotechnic that caused the  
 15 injury.

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

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

19 (d) The state department of health shall compile the data collected  
 20 under this section and submit a report of the compiled data to the  
 21 legislative council in an electronic format under IC 5-14-6 not later  
 22 than December 31 of each year.

23 SECTION 101. IC 36-7-13.5-28 IS ADDED TO THE INDIANA  
 24 CODE AS A NEW SECTION TO READ AS FOLLOWS  
 25 [EFFECTIVE JULY 1, 2018]: **Sec. 28. This chapter expires July 1,**  
 26 **2019.**

27 SECTION 102. **An emergency is declared for this act.**



## COMMITTEE REPORT

Mr. Speaker: Your Committee on Select Committee on Government Reduction, to which was referred House Bill 1003, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 7, between lines 1 and 2, begin a new paragraph and insert:

"SECTION 10. IC 4-23-5.5-6, AS AMENDED BY P.L.178-2009, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 6. (a) The board shall do the following:

(1) Adopt procedures for the regulation of its affairs and the conduct of its business.

(2) Meet at the offices of the division on call of:

(A) the lieutenant governor or the lieutenant governor's designee; or

(B) the commissioner of the department of environmental management or the commissioner's designee;

at least once each calendar quarter. The meetings shall be upon ten (10) days written notification, shall be open to the public, and shall have official minutes recorded for public scrutiny.

(3) Report annually in an electronic format under IC 5-14-6 to the legislative council **concerning:**

(A) the projects in which it has participated and is currently participating with a complete list of expenditures for those projects; **and**

(B) **the information obtained through the recycling activity reports submitted to the commissioner of the department of environmental management under IC 13-20-25 concerning the calendar year most recently ended.**

(4) Annually prepare an administrative budget for review by the budget agency and the budget committee.

(5) Keep proper records of accounts and make an annual report of its condition to the state board of accounts.

(6) Receive petitions and make determinations under IC 13-20.5-2-2.

(b) The board shall consider projects involving the creation of the following:

(1) Markets for products made from recycled materials.

(2) New products made from recycled materials.

(c) The board may promote, fund, and encourage programs facilitating the development and implementation of waste reduction, reuse, and recycling in Indiana."

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Page 13, line 33, delete "November 1" and insert "**December 31**".

Page 40, between lines 8 and 9, begin a new paragraph and insert:

"SECTION 56. IC 13-11-2-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 9. "Application", for purposes of IC 13-15-4, and ~~IC 13-15-12~~; means an application for a:

- (1) permit; or
- (2) determination related to a permit;

that is described in IC 13-15-4-1."

Page 40, between lines 25 and 26, begin a new line block indented and insert:

**"(3) An evaluation of the actions taken by the department to improve the department's process of issuing permits that must include the following information:**

**(A) A description of the reduction or increase in the backlog of permit applications in each department permit program during the preceding twelve (12) month period.**

**(B) The amount of:**

- (i) permit fees collected; and**
- (ii) expenditures made from fee revenue;**

**during the preceding twelve (12) month period.**

**(C) A discussion of possible increases or decreases in the operating costs of each department permit and inspection program.**

**(D) A discussion of the measures that have been taken by the department to improve the operating efficiency of the permit and inspection programs.**

**(E) The number of notices issued by the department under IC 13-15-4-10.**

**(F) A discussion of the department's operational goals for the next twelve (12) months.**

**(G) A permit status report that includes the following information:**

**(i) The facility name and type of each permit application pending on January 1 of the previous year and the date each application was filed with the department.**

**(ii) The action taken on each application by December 31 of the previous year.**

**(iii) The facility name and type of each permit application pending on December 31 of the previous year and the date each was filed with the department.**

**(4) Information concerning permits that have been administratively extended that includes for each permit:**



- (A) the number of months that the permit has been administratively extended;
  - (B) the number of months that the department has extended a period under IC 13-15-4-8 or suspended processing of a permit application under IC 13-15-4-10;
  - (C) the type of permit according to the types identified in IC 13-18-20-2 through IC 13-18-20-11; and
  - (D) the dates when public notice of a draft permit was given.
- (5) Information concerning the progress of remedial actions commenced under IC 13-25-4.
- (6) Information concerning the pollution prevention information gathered under IC 13-27-6, including the following:
- (A) A description of the operations and activities of the programs under IC 13-27-6.
  - (B) Recommendations the commissioner has for legislative action.
  - (C) A quantitative assessment of statewide pollution prevention progress among all types of industries.
  - (D) An identification of regulations and government policies that are inhibiting pollution prevention and opportunities in existing regulatory programs to promote and assist in pollution prevention, including reductions in the use of toxins in production and commerce.
  - (E) An assessment of how programs under IC 13-27-6 have promoted and assisted pollution prevention and the costs and benefits to government and industry of those programs.
  - (F) A statement concerning the identification of opportunities and development of priorities for research and development in pollution prevention techniques, economic analyses, and management techniques useful in supporting pollution prevention. The report may not include information considered by a business to be a trade secret of that business.
  - (G) Recommendations concerning incentives and policies needed to:
    - (i) encourage investment in research and development in pollution prevention; and
    - (ii) make greater use of programs established under IC 13-27-6.



**(7) Information concerning activities conducted under IC 13-28-3, including the following:**

**(A) The number and types of inquiries the program received under IC 13-28-3.**

**(B) The services provided by the program.**

**(8) Information concerning the designation of outstanding state resource waters and the use of the outstanding state resource water improvement fund under IC 13-18-3.**

**(9) Information concerning mercury switches tracked under IC 13-20-17.7-2(a)(5).**

**(10) Information concerning the implementation of IC 13-20.5, including the following:**

**(A) The total weight of covered electronic devices recycled in the state program year and a summary of information in the reports submitted by manufacturers and recyclers under IC 13-20.5-3.**

**(B) The various collection programs used by manufacturers to collect covered electronic devices, information regarding covered electronic devices that are being collected by persons other than registered manufacturers, collectors, and recyclers, and information about covered electronic devices, if any, being disposed of in landfills in Indiana.**

**(C) A description of enforcement actions under IC 13-20.5 during the state fiscal year.**

**(D) Other information received by the department regarding the implementation of IC 13-20.5.**

SECTION 59. IC 13-15-4-19 IS REPEALED [EFFECTIVE JULY 1, 2018]. Sec. 19: Before July 15 of each year, the commissioner shall provide to the interim study committee on environmental affairs established by IC 2-5-1.3-4 in an electronic format under IC 5-14-6 a list, current through July 1 of the year, of National Pollutant Discharge Elimination System (NPDES) permits that have been administratively extended that includes for each permit:

(1) the number of months that the permit has been administratively extended;

(2) the number of months that the department has extended a period under section 8 of this chapter or suspended processing of a permit application under section 10 of this chapter;

(3) the type of permit according to the types identified in IC 13-18-20-2 through IC 13-18-20-11; and

(4) the dates when public notice of a draft permit was given."





Page 41, between lines 23 and 24, begin a new paragraph and insert:  
"SECTION 61. IC 13-15-12 IS REPEALED [EFFECTIVE JULY 1, 2018]. (Annual Evaluation of Permit Process).".

Page 42, between lines 36 and 37, begin a new paragraph and insert:  
"SECTION 65. IC 13-20-17.7-2, AS AMENDED BY P.L.53-2014, SECTION 126, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 2. ~~(a)~~ A plan described in section 1 of this chapter must include the following:

- (1) An education program concerning the purposes of the mercury switch collection program and how to participate in the program, including the following:
  - (A) Educational materials about the program.
  - (B) Information identifying which end of life vehicles might contain mercury switches by make, model, and year of manufacture.
  - (C) Instructions on safe and environmentally sound methods to remove mercury switches.
- (2) The provision of containers for collecting and storing mercury switches.
- (3) Procedures for the transportation of mercury switches to recycling, storage, or disposal facilities.
- (4) Procedures for the recycling, storage, and disposal of mercury.
- (5) Procedures to track the progress of the program, including a description of performance measures to be used and reported to demonstrate that the program is meeting measures of the effectiveness of the program, including the following:
  - (A) The number of mercury switches collected from end of life vehicles.
  - (B) The amount of mercury collected.
- (6) Procedures for implementing the plan.

~~(b) The department shall:~~

- ~~(1) prepare an annual report that includes the information tracked under subsection (a)(5); and~~
- ~~(2) provide the report to:~~
  - ~~(A) the legislative council in an electronic format under IC 5-14-6; and~~
  - ~~(B) the interim study committee on environmental affairs established by IC 2-5-1.3-4 in an electronic format under IC 5-14-6.~~

SECTION 66. IC 13-20-20-12 IS REPEALED [EFFECTIVE JULY 1, 2018]. Sec. ~~12~~. ~~(a) Before February 1 of each year, the department shall submit an annual report to the:~~

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- (1) governor;
- (2) legislative council; and
- (3) budget director.

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

(b) The report must contain the following:

- (1) A description of each project funded through grants under this chapter.
- (2) A statement of the total amount of money that the department expends through grants under this chapter during the immediately preceding year.
- (3) An estimate of the amount of money that is required to meet the eligible grant requests for the current year.
- (4) Proposals of recommendations for any changes, in funding or otherwise, to the grant project.

SECTION 67. IC 13-20-25-10, AS AMENDED BY P.L.147-2015, SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 10. (a) A person:

- (1) who:
  - (A) is not required to submit a recycling activity report under section 9 of this chapter; but
  - (B) recycled recyclable materials during a calendar year;
- (2) who:
  - (A) meets the definition of "scrap metal processing facility" set forth in IC 8-23-1-36;
  - (B) meets the definition of "automotive salvage recycler" set forth in IC 9-13-2-10;
  - (C) meets the definition of "recycling facility" set forth in IC 9-13-2-150.3;
  - (D) is engaged in business subject to IC 9-22-3;
  - (E) meets the definition of "automotive salvage rebuilder" set forth in IC 9-32-2-5;
  - (F) meets the definition of "scrap metal processor" set forth in IC 13-11-2-196.5;
  - (G) meets the definition of "core buyer" set forth in IC 25-37.5-1-0.2; or
  - (H) meets the definition of "valuable metal dealer" set forth in IC 25-37.5-1-1(b); or
- (3) who:
  - (A) is not required to submit a recycling activity report under section 9 of this chapter; but
  - (B) took action during a calendar year to recover, from the

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solid waste stream, for purposes of:

- (i) use or reuse;
- (ii) conversion into raw materials; or
- (iii) use in the production of new products;

materials that were not municipal waste;

may voluntarily submit a recycling activity report to the commissioner concerning the person's recycling activity during the calendar year.

(b) The commissioner shall include information reported to the commissioner under this section in the annual reports that the commissioner is required to submit under ~~section 14 of this chapter~~. **IC 4-23-5.5-6.**

SECTION 68. IC 13-20-25-14 IS REPEALED [EFFECTIVE JULY 1, 2018]. ~~Sec. 14. Not later than May 1, 2016, and in each succeeding calendar year, the commissioner shall submit to the executive director of the legislative services agency, in an electronic format under IC 5-14-6, a report summarizing the information obtained through the recycling activity reports submitted to the commissioner under this chapter concerning the calendar year most recently ended. The executive director of the legislative services agency shall forward the report to the members of the standing committees of the senate and the house having subject matter jurisdiction most closely related to the subject of recycling.~~

SECTION 69. IC 13-20.5-7-4 IS REPEALED [EFFECTIVE JULY 1, 2018]. ~~Sec. 4. (a) Before August 1, 2013, and before August 1 of each year thereafter, the department shall submit a report concerning the implementation of this article to:~~

- ~~(1) the general assembly in an electronic format under IC 5-14-6;~~
- ~~(2) the governor;~~
- ~~(3) the interim study committee on environmental affairs established by IC 2-5-1.3-4 in an electronic format under IC 5-14-6; and~~
- ~~(4) the Indiana recycling market development board established by IC 4-23-5.5-2.~~

~~(b) For each state fiscal year, the report submitted under subsection (a):~~

- ~~(1) must discuss the total weight of covered electronic devices recycled in the state program year and a summary of information in the reports submitted by manufacturers and recyclers under IC 13-20.5-3;~~
- ~~(2) must discuss the various collection programs used by manufacturers to collect covered electronic devices; information regarding covered electronic devices that are being collected by~~



persons other than registered manufacturers, collectors, and recyclers; and information about covered electronic devices, if any, being disposed of in landfills in Indiana;

(3) must include a description of enforcement actions under this article during the state fiscal year; and

(4) may include other information received by the department regarding the implementation of this article.

SECTION 70. IC 13-25-4-25 IS REPEALED [EFFECTIVE JULY 1, 2018]. Sec. 25: Before January 1 of each year, the commissioner shall make a report concerning the progress of remedial actions commenced under this chapter to the following:

(1) The governor.

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

(3) The board.

SECTION 71. IC 13-27-6 IS REPEALED [EFFECTIVE JULY 1, 2018]. (State Report Regarding Pollution Prevention).

SECTION 72. IC 13-28-3-3 IS REPEALED [EFFECTIVE JULY 1, 2018]. Sec. 3: (a) The department shall prepare an annual report of the activities conducted under this chapter:

(b) The annual report must include the following:

(1) The number and types of inquiries the program received.

(2) The services provided by the program.

(c) The annual report shall be distributed to the following:

(1) The governor.

(2) The interim study committee on environmental affairs established by IC ~~2-5-1.3-4~~ in an electronic format under IC ~~5-14-6~~."

Page 58, between lines 10 and 11, begin a new paragraph and insert:

"SECTION 97. IC 27-1-3-6 IS REPEALED [EFFECTIVE JULY 1, 2018]. Sec. 6: During December the commissioner shall report to the governor the names of all insurance companies which are in the charge of the department for rehabilitation, liquidation or conservation and



such information in regard to those companies as the commissioner may deem pertinent."

Renumber all SECTIONS consecutively.  
and when so amended that said bill do pass.

(Reference is to HB 1003 as introduced.)

GUTWEIN

Committee Vote: yeas 10, nays 0.

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COMMITTEE REPORT

Madam President: The Senate Committee on Tax and Fiscal Policy, to which was referred House Bill No. 1003, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is to HB 1003 as printed January 16, 2018.)

HOLDMAN, Chairperson

Committee Vote: Yeas 6, Nays 4

