

# HOUSE BILL No. 1272

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 16-19-3-10; IC 16-20-1-24; IC 16-41-9-1.6.

**Synopsis:** State and local health department powers. Removes the authority for the state department of health and local health officers to close schools and churches during an epidemic.

**Effective:** July 1, 2021.

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January 14, 2021, read first time and referred to Committee on Government and Regulatory Reform.

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First Regular Session of the 122nd General Assembly (2021)

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 2020 Regular Session of the General Assembly.

## HOUSE BILL No. 1272

A BILL FOR AN ACT to amend the Indiana Code concerning health.

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

1 SECTION 1. IC 16-19-3-10 IS AMENDED TO READ AS  
2 FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 10. The state  
3 department may ~~order schools and churches closed and~~ forbid public  
4 gatherings when considered necessary to prevent and stop epidemics.

5 SECTION 2. IC 16-20-1-24 IS AMENDED TO READ AS  
6 FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 24. (a) Local health  
7 officers may ~~order schools and churches closed and~~ forbid public  
8 gatherings when considered necessary to prevent and stop epidemics.

9 (b) An individual who takes action under this section shall comply  
10 with state laws and rules.

11 SECTION 3. IC 16-41-9-1.6, AS AMENDED BY P.L.1-2007,  
12 SECTION 138, IS AMENDED TO READ AS FOLLOWS  
13 [EFFECTIVE JULY 1, 2021]: Sec. 1.6. (a) A public health authority  
14 may impose or petition a court to impose a quarantine and do the  
15 following:

- 16 (1) Distribute information to the public concerning:  
17 (A) the risks of the disease;



- 1 (B) how the disease is transmitted;  
 2 (C) available precautions to reduce the risk of contracting the  
 3 disease;  
 4 (D) the symptoms of the disease; and  
 5 (E) available medical or nonmedical treatments available for  
 6 the disease.
- 7 (2) Instruct the public concerning social distancing.  
 8 (3) Request that the public inform the public health authority or  
 9 a law enforcement agency if a family member contracts the  
 10 disease.  
 11 (4) Instruct the public on self quarantine and provide a distinctive  
 12 means of identifying a home that is self quarantined.  
 13 (5) Instruct the public on the use of masks, gloves, disinfectant,  
 14 and other means of reducing exposure to the disease.  
 15 (6) Close schools, athletic events and other nonessential situations  
 16 in which people gather.
- 17 If a quarantine is imposed under section 1.5 of this chapter, the public  
 18 health authority shall ensure that, to the extent possible, quarantined  
 19 individuals have sufficient supplies to remain in their own home.
- 20 (b) If an out of home, nonhospital quarantine is imposed on an  
 21 individual, the individual shall be housed as close as possible to the  
 22 individual's residence.
- 23 (c) In exercising the powers described in this section or in section  
 24 1.5 of this chapter, the public health authority may not prohibit a  
 25 person lawfully permitted to possess a firearm from possessing one (1)  
 26 or more firearms unless the person is quarantined in a mass quarantine  
 27 location. The public health authority may not remove a firearm from  
 28 the person's home, even if the person is quarantined in a mass  
 29 quarantine location.
- 30 (d) This section does not prohibit a public health authority from  
 31 adopting rules and enforcing rules to implement this section if the rules  
 32 are not inconsistent with this section.

