

HOUSE BILL No. 1394

DIGEST OF INTRODUCED BILL

Citations Affected: IC 20-28-5-18; IC 25-1; IC 25-2.1-4-4; IC 25-6.1-3-2; IC 25-11-1; IC 25-16-1-3; IC 25-20.7-3-1; IC 25-24-2-3; IC 25-26; IC 25-28.5-1-12; IC 25-29-5-1; IC 25-34.1; IC 25-36.5-1-7; IC 25-37-1-6; IC 25-39-3-2; IC 36-1-3; IC 36-12-11-9.

Synopsis: Limitations on occupational licensing. Limits the authority of the state and counties, cities, and towns to impose licensing fees and regulations on an occupation or profession.

Effective: July 1, 2017.

Frizzell

January 17, 2017, read first time and referred to Committee on Employment, Labor and Pensions.



First Regular Session of the 120th General Assembly (2017)

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 2016 Regular Session of the General Assembly.

HOUSE BILL No. 1394

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

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

- 1 SECTION 1. IC 20-28-5-18, AS ADDED BY P.L.106-2016,
2 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2017]: Sec. 18. (a) This section applies to an individual who
4 ~~(+) holds a valid teaching license issued by another state~~
5 ~~(excluding a teaching license equivalent to an Indiana temporary~~
6 ~~or emergency teaching license)~~ in the same content area or areas
7 for which the individual is applying for a license in Indiana. ~~and~~
8 ~~(2) was required to pass a content licensure test to obtain the~~
9 ~~license described in subdivision (+):~~
10 (b) Notwithstanding sections 3 and 12 of this chapter, the
11 department shall grant one (1) of the following licenses to an individual
12 described in subsection (a):
13 (1) If the individual has less than three (3) years of full-time
14 teaching experience, an initial practitioner's license.
15 (2) If the individual has at least three (3) years of full-time
16 teaching experience, a practitioner's license.
17 ~~(c) An individual who is granted a license under this section shall~~



1 comply with section 3(c) and 3(d) of this chapter not later than twelve
2 (12) months after the date the individual's license is issued:

3 SECTION 2. IC 25-1-8-2, AS AMENDED BY P.L.197-2007,
4 SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
5 JULY 1, 2017]: Sec. 2. (a) Notwithstanding any other provision
6 regarding the fees to be assessed by a board **(except as provided in**
7 **IC 25-1-19)**, a board shall establish by rule and cause to be collected
8 fees for the following:

9 (1) Examination of applicants for licensure, registration, or
10 certification.

11 (2) Issuance, renewal, or transfer of a license, registration, or
12 certificate.

13 (3) Restoration of an expired license, registration, or certificate
14 when such action is authorized by law.

15 (4) Issuance of licenses by reciprocity or endorsement for
16 out-of-state applicants.

17 (5) Issuance of board or committee reciprocity or endorsements
18 for practitioners licensed, certified, or registered in Indiana who
19 apply to another state for a license.

20 No fee shall be less than ten dollars (\$10) unless the fee is collected
21 under a rule adopted by the board which sets a fee for miscellaneous
22 expenses incurred by the board on behalf of the practitioners the board
23 regulates.

24 (b) Fees established by statute shall remain in effect until replaced
25 by a new fee adopted by rule under this section.

26 (c) In no case shall the fees be less than are required to pay all of the
27 costs, both direct and indirect, of the operation of the board.

28 (d) For the payment of fees, a board shall accept cash, a draft, a
29 money order, a cashier's check, and a certified or other personal check.
30 If a board receives an uncertified personal check for the payment of a
31 fee and if the check does not clear the bank, the board may void the
32 license, registration, or certificate for which the check was received.

33 (e) Unless designated by rule, a fee is not refundable.

34 (f) A board shall charge a fee of not more than twenty-five dollars
35 (\$25) for the issuance of a duplicate license, registration, or certificate.

36 **(g) This section is subject to IC 25-1-19.**

37 SECTION 3. IC 25-1-8-5 IS AMENDED TO READ AS FOLLOWS
38 [EFFECTIVE JULY 1, 2017]: Sec. 5. (a) Notwithstanding any statutory
39 provisions regarding the administration of examinations, a board or
40 committee may employ organizations or additional professionals to
41 assist in the preparation, administration, and scoring of licensing
42 examinations.



1 (b) A board or committee may require applicants for licensure,
 2 certification, or registration by examination, ~~or~~ endorsement ~~or~~
 3 ~~reciprocity~~ to pass a test on the state or federal statutes, state rules, and
 4 federal regulations that the board or committee determines by rule to
 5 be relevant to the practice of a regulated profession.

6 (c) A board or committee may enter into a contract with a testing
 7 company or national association to set the standards of review for an
 8 examination by an applicant for licensure, certification, or registration.
 9 The standards of review may include:

- 10 (1) setting fees for review;
 11 (2) requiring that an examination remain confidential; and
 12 (3) prohibiting the release of the examination or copies of the
 13 examination.

14 SECTION 4. IC 25-1-16-8, AS AMENDED BY P.L.149-2016,
 15 SECTION 76, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 16 JULY 1, 2017]: Sec. 8. (a) The committee shall review and evaluate
 17 each regulated occupation and board. The review and evaluation must
 18 include the following:

- 19 (1) The functions, powers, and duties of the regulated occupation
 20 and the board, including any functions, powers, or duties that are
 21 inconsistent with current or projected practice of the occupation.
 22 (2) An assessment of the management efficiency of the board.
 23 (3) An assessment of the regulated occupation's and the board's
 24 ability to meet the objectives of the general assembly in licensing
 25 the regulated occupation.
 26 (4) An assessment of the necessity, burden, and alternatives to the
 27 licenses issued by the board.
 28 (5) An assessment of the fees that the board charges for licenses.
 29 (6) Any other criteria identified by the committee.

30 (b) The committee shall prepare a report concerning each regulated
 31 occupation and board that the committee reviews and evaluates. The
 32 report must contain the following:

- 33 (1) The number of individuals who are licensed in the regulated
 34 occupation.
 35 (2) A summary of the board's functions and actions.
 36 (3) The budget and other fiscal factors of regulating the regulated
 37 occupation, including the actual cost of administering license
 38 applications, renewals, and issuing licenses.
 39 (4) An assessment of the effect of the regulated occupation on the
 40 state's economy, including consumers and businesses.
 41 (5) Any recommendations for legislation, including whether:
 42 (A) the regulation of a regulated occupation should be



- 1 modified;
- 2 (B) the board should be combined with another board;
- 3 (C) the board or the regulation of the regulated occupation
- 4 should be terminated;
- 5 (D) a license should be eliminated; or
- 6 (E) multiple licenses should be consolidated into a single
- 7 license.
- 8 (6) Any recommendations for administrative changes.
- 9 (7) Information that supports the committee's recommendations.
- 10 (c) This section does not apply to fees that support dedicated funds.
- 11 After the committee has reviewed and evaluated a regulated occupation
- 12 and board, the committee shall provide the agency and the board that
- 13 is the subject of the committee's evaluation with recommendations for
- 14 fees that the board should charge for application fees, renewal fees, and
- 15 fees to issue licenses. The recommendation for fees must comply with
- 16 the requirements under IC 25-1-8-2. However, the recommendation
- 17 must not exceed the lesser of either ~~one hundred twenty-five~~ dollars
- 18 ~~(\$100)~~ **(\$25)** or the actual administrative cost to process the application
- 19 or renew or issue the license.
- 20 SECTION 5. IC 25-1-17-4, AS ADDED BY P.L.57-2012,
- 21 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 22 JULY 1, 2017]: Sec. 4. Notwithstanding any other law, a board shall
- 23 issue a license, certificate, registration, or permit to a military service
- 24 applicant to allow the applicant to practice the applicant's occupation
- 25 in Indiana if, upon application to a licensing board, the applicant
- 26 satisfies the following conditions:
- 27 (1) Has:
- 28 (A) completed a military program of training;
- 29 (B) been awarded a military occupational specialty; and
- 30 (C) performed in that occupational specialty;
- 31 at a level that is substantially equivalent to or exceeds the
- 32 academic or experience requirements for a license, certificate,
- 33 registration, or permit of the board from which the applicant is
- 34 seeking licensure, certification, registration, or a permit.
- 35 ~~(2) Has engaged in the active practice of the occupation for which~~
- 36 ~~the person is seeking a license, certificate, registration, or permit~~
- 37 ~~from the board for at least two (2) of the five (5) years preceding~~
- 38 ~~the date of the application under this section.~~
- 39 ~~(3)~~ **(2)** Has not committed any act in any jurisdiction that would
- 40 have constituted grounds for refusal, suspension, or revocation of
- 41 a license, certificate, registration, or permit to practice that
- 42 occupation in Indiana at the time the act was committed.



1 ~~(4)~~ (3) Pays the fees required by the board from which the
 2 applicant is seeking licensure, certification, registration, or a
 3 permit.

4 SECTION 6. IC 25-1-19 IS ADDED TO THE INDIANA CODE AS
 5 A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY
 6 1, 2017]:

7 **Chapter 19. Fees**

8 **Sec. 1. As used in this chapter, "license" means any license,**
 9 **permit, registration, endorsement, or certificate required by a unit**
 10 **for:**

11 (1) **an individual to practice or a business to engage one (1) or**
 12 **more individuals to practice an occupation or profession in**
 13 **Indiana; or**

14 (2) **an individual or business to use in Indiana a name or other**
 15 **designation that is associated with an occupation or a**
 16 **profession.**

17 **Sec. 2. As used in this chapter, "licensing authority" means the**
 18 **appropriate entity in the executive department of state government**
 19 **authorized to regulate or otherwise impose fees or other**
 20 **requirements as a condition of obtaining a license.**

21 **Sec. 3. After June 30, 2017, a licensing authority may not impose**
 22 **a fee or tax for the application for or issuance, application for or**
 23 **renewal, or application for or reinstatement of a license (including**
 24 **tests, inspections and other activities that are a condition of**
 25 **issuance, renewal, or reinstatement of a license) that exceeds:**

26 (1) **twenty-five dollars (\$25) for a licensing period exceeding**
 27 **twelve (12) months; and**

28 (2) **twenty-five dollars (\$25) multiplied by a fraction for a**
 29 **licensing period of less than twelve (12) months. The**
 30 **numerator of the fraction is the number of days covered by**
 31 **the licensing period, and the denominator of the fraction is**
 32 **three hundred sixty-five (365).**

33 **Sec. 4. After June 30, 2017, a licensing authority shall waive fees**
 34 **and taxes related to issuance, renewal, and reinstatement**
 35 **(including tests, inspections and other activities that are a condition**
 36 **of issuance, renewal, or reinstatement of a license) of an**
 37 **occupational or professional license if:**

38 (1) **the combined adjusted gross income (as defined in Section**
 39 **62 of the Internal Revenue Code) of:**

40 (A) **the applicant and the applicant's spouse; and**

41 (B) **any other individuals living together with the applicant**
 42 **at one (1) residence as a domestic unit with mutual**



- 1 **economic dependency;**
 2 **for the calendar year preceding the year in which an**
 3 **application to issue, renew, or reinstate is made did not exceed**
 4 **the greater of thirty thousand dollars (\$30,000) or the amount**
 5 **adopted by a rule issued by the Indiana professional licensing**
 6 **agency;**
 7 **(2) the applicant, at the time of submitting an application for**
 8 **issuance, renewal, or reinstatement of a license, is enrolled in**
 9 **a state or federal public assistance program;**
 10 **(3) the applicant is a veteran (as defined in IC 10-17-15-3) or**
 11 **the spouse of a veteran; or**
 12 **(4) the applicant is a member of the armed forces of the**
 13 **United States (as defined in IC 5-9-4-3) or national guard (as**
 14 **defined in IC 5-9-4-4) on active duty or the spouse of the**
 15 **member.**

16 **If the license is for a business, each owner of the business must**
 17 **meet one (1) of the criteria in subdivisions (1) through (4).**
 18 **Applicants seeking a waiver of a fee or tax under this section must**
 19 **apply to the appropriate licensing authority in a format prescribed**
 20 **by the licensing authority. The licensing authority shall process the**
 21 **application not more than thirty (30) days after receiving the**
 22 **waiver application from the applicant.**

23 **Sec. 5. (a) To the extent that a law in effect after June 30, 2017,**
 24 **is in conflict with this chapter, the law is subject to this chapter.**

25 **(b) To the extent that a rule in effect after June 30, 2017,**
 26 **conflicts with this chapter, the rule is void.**

27 **Sec. 6. A licensing authority shall adopt necessary rules under**
 28 **IC 4-22-2, including emergency rules under IC 4-22-2-37.1, to**
 29 **implement this chapter.**

30 **SECTION 7. IC 25-1-20 IS ADDED TO THE INDIANA CODE AS**
 31 **A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY**
 32 **1, 2017]:**

33 **Chapter 20. Reciprocity**

34 **Sec. 1. As used in this chapter, "license" means any license,**
 35 **permit, registration, endorsement, or certificate required by a unit**
 36 **for:**

- 37 **(1) an individual to practice or a business to engage one (1) or**
 38 **more individuals to practice an occupation or profession in**
 39 **Indiana; or**
 40 **(2) an individual or business to use in Indiana a name or other**
 41 **designation that is associated with an occupation or a**
 42 **profession.**



1 **Sec. 2.** As used in this chapter, "licensing authority" means the
 2 appropriate entity in the executive department of state government
 3 authorized to regulate or otherwise impose fees or other
 4 requirements as a condition of obtaining a license.

5 **Sec. 3. (a)** This section applies to applications received after
 6 June 30, 2017.

7 **(b)** Notwithstanding any other law, a licensing authority shall
 8 not later than thirty (30) days after receiving an application for a
 9 license from a resident of Indiana who is at the time of the
 10 application licensed to practice that occupation or profession in
 11 another state:

12 (1) process the application; and

13 (2) issue the license to the applicant;

14 if the applicant's license is in good standing with the licensing
 15 authority of the other state that issued the license.

16 **Sec. 4.** A license issued under this chapter may not be a
 17 provisional license and must confer the same rights, privileges, and
 18 responsibilities as a license issued by the licensing authority to an
 19 individual meeting the licensing requirements imposed by law or
 20 rule.

21 **Sec. 5. (a)** To the extent that a law in effect after June 30, 2017,
 22 is in conflict with this chapter, the law is subject to this chapter.

23 **(b)** To the extent that a rule in effect after June 30, 2017,
 24 conflicts with this chapter, the rule is void.

25 **Sec. 6.** A licensing authority shall adopt necessary rules under
 26 IC 4-22-2, including emergency rules under IC 4-22-2-37.1, to
 27 implement this chapter.

28 SECTION 8. IC 25-2.1-4-4, AS AMENDED BY P.L.105-2008,
 29 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 30 JULY 1, 2017]: Sec. 4. ~~(a)~~ The board shall issue a CPA certificate to
 31 a holder of a certificate issued by another state if the holder meets the
 32 requirements under subsection ~~(b)~~ or ~~(c)~~:

33 ~~(b)~~ With regard to applicants who do not qualify for reciprocity
 34 under the substantial equivalency standard set forth in section ~~10(a)(2)~~
 35 of this chapter; the board shall issue a CPA certificate to a holder of a
 36 certificate issued by another state upon a showing that:

37 ~~(1)~~ the applicant has:

38 ~~(A)~~ passed the examination required for issuance of the
 39 applicant's certificate; and

40 ~~(B)~~ the applicant:

41 ~~(i)~~ had four (4) years of experience in Indiana or another
 42 state of the type described in IC 25-2.1-3-10 or meets



1 equivalent requirements prescribed by the board after
 2 passing the examination on which the applicant's certificate
 3 was based and during the ten (10) years immediately
 4 preceding the applicant's application; and
 5 (ii) if the applicant's certificate was issued by the other state
 6 more than four (4) years before the application for issuance
 7 of an initial certificate under this chapter, fulfilled the
 8 requirements for continuing professional education that
 9 would have been applicable under section 5 of this chapter.

10 (c) The board shall issue a CPA certificate to a CPA certified by
 11 another state board or its designee if the board determines that the
 12 individual's CPA qualifications are substantially equivalent to the CPA
 13 licensure requirements of Indiana: **in accordance with IC 25-1-20.**

14 SECTION 9. IC 25-6.1-3-2, AS AMENDED BY P.L.177-2015,
 15 SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 16 JULY 1, 2017]: Sec. 2. (a) Every individual, before acting as an
 17 auctioneer, must obtain a license from the commission.

18 (b) An applicant for a license must:

- 19 (1) be at least eighteen (18) years of age;
- 20 (2) have completed at least eighty (80) actual hours of auction
 21 instruction from a course provider approved by the commission;
- 22 (3) not have a conviction for:
 - 23 (A) an act which would constitute a ground for disciplinary
 24 sanction under IC 25-1-11; or
 - 25 (B) a felony that has a direct bearing on the applicant's ability
 26 to practice competently.

27 (c) Auction instruction required under subsection (b) must provide
 28 the applicant with knowledge of all of the following:

- 29 (1) The value of real estate and of various goods commonly sold
 30 at an auction.
- 31 (2) Bid calling.
- 32 (3) Sale preparation, sale advertising, and sale summary.
- 33 (4) Mathematics.
- 34 (5) The provisions of this article and the commission's rules.
- 35 (6) Any other subject matter approved by the commission.

36 (d) An individual seeking an initial license as an auctioneer under
 37 this article shall file with the commission a completed application on
 38 the form prescribed by the commission. When filing an application for
 39 an auctioneer license, each individual shall pay a nonrefundable
 40 examination fee established by the commission under IC 25-1-8-2.

41 (e) When applying for a renewal of an auctioneer license, each
 42 individual shall do the following:



- 1 (1) Apply in a manner required by the commission, including
 2 certification by the applicant that the applicant has complied with
 3 the requirements of IC 25-6.1-9-8, unless the commission has
 4 granted the applicant a waiver under IC 25-6.1-9-9.
- 5 (2) Pay the renewal fee established by the commission under
 6 IC 25-1-8-2.
- 7 (f) Upon the receipt of a completed application for an initial or a
 8 renewal license, the commission shall examine the application and may
 9 verify the information contained therein.
- 10 (g) An applicant who is seeking an initial license must pass an
 11 examination approved by the commission that covers subjects and
 12 topics of knowledge required to practice as an auctioneer. The
 13 commission shall hold examinations as the commission may prescribe.
- 14 (h) The commission shall issue an auctioneer's license, in such form
 15 as it may prescribe, to each individual who meets all of the
 16 requirements for licensing and pays the appropriate fees.
- 17 (i) Auctioneer licenses shall be issued for a term of four (4) years.
 18 Subject to IC 25-1-2-6(e), a license expires at midnight on the date
 19 established by the licensing agency under IC 25-1-6-4 and every fourth
 20 year thereafter, unless renewed before that date. If the license has
 21 expired, it may be reinstated not later than four (4) years after the date
 22 it expired if the license holder meets the requirements of
 23 IC 25-1-8-6(c).
- 24 (j) If a license has expired for a period of more than four (4) years,
 25 the holder of the license may have the license reinstated by satisfying
 26 the requirements for reinstatement under IC 25-1-8-6(d).
- 27 (k) The commission ~~may~~ **shall** waive the requirement that a
 28 nonresident applicant pass an examination and that the nonresident
 29 submit written statements by two (2) individuals, if the nonresident
 30 applicant:
- 31 (1) is licensed to act as an auctioneer in the state of the applicant's
 32 domicile;
- 33 (2) submits with the application a duly certified letter of
 34 certification issued by the licensing board of the applicant's
 35 domiciliary state;
- 36 ~~(3) is a resident of a state whose licensing requirements are~~
 37 ~~substantially equal to the requirements of Indiana;~~
- 38 ~~(4) is a resident of a state that grants the same privileges to the~~
 39 ~~licensees of Indiana; and~~
- 40 ~~(5) (3) includes with the application an irrevocable consent that~~
 41 ~~actions may be commenced against the applicant. The consent~~
 42 ~~shall stipulate that service of process or pleadings on the~~



1 commission shall be taken and held in all courts as valid and
 2 binding as if service of process had been made upon the applicant
 3 personally within this state. If any process or pleading mentioned
 4 in this subsection is served upon the commission, it shall be by
 5 duplicate copies. One (1) of the duplicate copies shall be filed in
 6 the office of the commission and one (1) shall be immediately
 7 forwarded by the commission by registered or certified mail to the
 8 applicant against whom the process or pleadings are directed.

9 (†) The commission may enter into a reciprocal agreement with
 10 another state concerning nonresident applicants:

11 SECTION 10. IC 25-11-1-3, AS AMENDED BY P.L.85-2012,
 12 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 13 JULY 1, 2017]: Sec. 3. (a) Any person desiring to conduct a collection
 14 agency shall make an application to the secretary of state upon such
 15 forms as may be prescribed by the secretary of state. Such application
 16 shall include the following:

- 17 (1) If the applicant is an individual:
 18 (A) the individual's name;
 19 (B) the individual's residence address;
 20 (C) the address of each location from which the individual
 21 carries out the activities of the collection agency; and
 22 (D) a statement that the individual satisfies the qualifications
 23 set forth in section 4 of this chapter.
 24 (2) If the applicant is a partnership:
 25 (A) the name of each partner;
 26 (B) the business address of the partnership;
 27 (C) the residence address of at least one (1) of the partners;
 28 (D) the address of each location from which the partnership
 29 carries out the activities of the collection agency; and
 30 (E) a statement that each partner in the partnership satisfies the
 31 qualifications set forth in section 4 of this chapter.
 32 (3) If the applicant is a limited liability company:
 33 (A) the date and place of organization;
 34 (B) the name of the limited liability company;
 35 (C) the business address of the limited liability company;
 36 (D) the residence address of at least one (1) of the managers or
 37 members of the limited liability company; and
 38 (E) a statement that each of the managers and members in the
 39 limited liability company satisfies the qualifications set forth
 40 in section 4 of this chapter.
 41 (4) If the applicant is a corporation:
 42 (A) the date and place of incorporation;



- 1 (B) the name of the corporation;
 2 (C) the business address of the corporation;
 3 (D) the residence address of at least one (1) of the officers of
 4 the corporation; and
 5 (E) a statement that each of the officers of the corporation
 6 satisfies the qualifications set forth in section 4 of this chapter.
- 7 The application shall be duly sworn to before an officer qualified to
 8 administer oaths. The application shall set forth therein any other
 9 verified information which will assist the secretary of state in
 10 determining the qualifications of the applicant to meet the requirements
 11 of a collection agency as hereinunder set forth.
- 12 (b) Every original and renewal application of any person desiring to
 13 conduct a collection agency shall be accompanied by a fee of ~~one~~
 14 ~~hundred~~ **twenty-five** dollars (~~\$100~~) (**\$25**) plus an additional fee of
 15 ~~thirty~~ **twenty-five** dollars (~~\$30~~) (**\$25**) for each branch office operated
 16 by the applicant whether as sole owner, partnership, limited liability
 17 company, or corporation.
- 18 (c) Any person desiring to secure a renewal of a collection agency
 19 license shall make a renewal application to the secretary of state not
 20 later than January 1 of the year following the year in which the person's
 21 license expires under section 5 of this chapter. The application shall be
 22 made on such forms as the secretary of state may prescribe. Such
 23 application shall contain therein verified information that will assist the
 24 secretary of state in determining whether or not the applicant is in
 25 default, or is in violation of any of the provisions of this chapter, and
 26 whether or not the applicant has at all times complied with the
 27 requirements of this chapter in the operation of the applicant's
 28 collection agency.
- 29 (d) Each renewal application shall be accompanied by the renewal
 30 fee and an additional fee of ~~thirty~~ **twenty-five** dollars (~~\$30~~) (**\$25**) for
 31 each branch office maintained and operated by the applicant.
- 32 (e) Every original and renewal application shall be accompanied by
 33 the following:
- 34 (1) A corporate surety bond in the sum of five thousand dollars
 35 (\$5,000) for each office the applicant operates in the state of
 36 Indiana. All bonds shall run to the people of the state of Indiana
 37 and shall be furnished by a surety company authorized to do
 38 business in this state. All bonds shall be conditioned upon the
 39 faithful accounting of all money collected upon accounts
 40 entrusted to such person and shall be continuous in form and shall
 41 remain in full force and effect and run continuously with the
 42 license period and any renewal thereof. All bonds shall further be



1 conditioned upon the provision that the applicant shall, within
 2 sixty (60) days from the date of the collection of any claim, render
 3 an account of and pay to the client, for whom collection has been
 4 made, the proceeds of such collection less the charges for
 5 collection agreed upon by and between the applicant and the
 6 client. All bonds shall be filed in the office of the secretary of
 7 state and shall be approved by the secretary of state before being
 8 filed. All bonds filed and approved shall be for the use and benefit
 9 of all persons damaged by the wrongful conversion of any money
 10 by such person, and any individual so injured or aggrieved may
 11 bring an action upon such bond. The surety company may notify
 12 the secretary of state and principal of its desire to terminate its
 13 liability under any bond furnished. Thirty (30) days after receipt
 14 of such notice by the secretary of state, the secretary of state shall
 15 thereupon require the principal to file a new bond or discontinue
 16 all operations. If a new bond is filed by the principal all liability
 17 under any previous bond shall thereupon cease and terminate. If
 18 a new bond shall not be filed within the thirty (30) day period
 19 above specified the secretary of state shall, after expiration of the
 20 period, revoke the principal's license.

21 (2) Any applicant who is a nonresident of the state of Indiana
 22 shall also submit a statement appointing an agent or attorney
 23 resident herein, upon whom all legal process against the applicant
 24 may be served. The statement shall contain a stipulation that the
 25 applicant agrees that service of legal process upon such agent or
 26 attorney shall be valid service upon the applicant.

27 (f) Subject to subsection (g), the secretary of state may designate a
 28 multistate automated licensing system and repository, established and
 29 operated by a third party, to serve as the sole entity responsible for:

30 (1) processing applications for:

31 (A) licenses under this chapter; and

32 (B) renewals of licenses under this chapter; and

33 (2) performing other services that the secretary of state
 34 determines are necessary for the orderly administration of the
 35 secretary of state's licensing system under this chapter.

36 The secretary of state may take any action necessary to participate in
 37 a multistate automated licensing system and repository.

38 (g) The secretary of state's authority to designate a multistate
 39 automated licensing system and repository under subsection (f) is
 40 subject to the following:

41 (1) The secretary of state may not require any person that is not
 42 required to be licensed under this chapter, or any employee or



1 agent of a person that is not required to be licensed under this
2 chapter, to:

3 (A) submit information to; or

4 (B) participate in;

5 the multistate automated licensing system and repository.

6 (2) The secretary of state may require a person required under this
7 chapter to submit information to the multistate automated
8 licensing system and repository to pay a processing fee considered
9 reasonable by the secretary of state.

10 SECTION 11. IC 25-11-1-5, AS AMENDED BY P.L.85-2012,
11 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
12 JULY 1, 2017]: Sec. 5. (a) The secretary of state shall investigate the
13 qualifications of the applicant and if the applicant meets the
14 qualifications of this chapter the secretary of state shall approve the
15 application. If the application is approved the license shall be issued
16 forthwith to the applicant. A license expires on the thirty-first day of
17 December of the year in which the license was issued. If the application
18 for a license is denied, the application fees shall be retained by the
19 secretary of state.

20 (b) The secretary of state shall issue a license to any person who
21 holds and presents with the application a valid and subsisting license
22 to operate a collection agency issued by another state or state agency
23 if

24 ~~(1) the requirements for the securing of such license were, at the~~
25 ~~time of issuance, substantially the same or equal to the~~
26 ~~requirements imposed by this chapter;~~

27 ~~(2) the state concerned extends reciprocity under similar~~
28 ~~circumstances to licensed collection agencies of this state; and~~

29 ~~(3) the application is accompanied by the fees and financial~~
30 ~~bonding requirements as provided in this chapter.~~

31 (c) In the event of the death of an individual licensee, the dissolution
32 of a licensee partnership by death or operation of law, or the
33 termination of employment of the active manager if the licensee is a
34 firm, partnership, limited liability company, or corporation, upon a
35 showing that the bonding requirements provided for in this chapter are
36 complied with, the secretary of state shall issue, without a fee, a
37 provisional license to the personal representative of the deceased, the
38 personal representative's appointee, the surviving partner, the firm, the
39 limited liability company, or the corporation, as the case may be, which
40 shall be for the following purposes only and shall expire at the
41 following times:

42 (1) A provisional license issued to a personal representative or a



1 personal representative's appointee expires one (1) year from the
 2 date of the issuance and shall not be subject to renewal. The
 3 authority of the provisional license so issued shall be limited to
 4 such activities as may be necessary to terminate the business of
 5 the former licensee.

6 (2) All other provisional licenses expire three (3) months from the
 7 date of issuance unless the provisional licensee, within this
 8 period, can meet the requirements for a full license as provided in
 9 this chapter.

10 (d) A nonresident collection agency that has only incidental contact
 11 with a debtor is not required to be licensed under this chapter. As used
 12 in this subsection, "incidental contact" means contact on behalf of
 13 nonresident creditors using interstate communications, including
 14 telephone, mail service, or facsimile transmissions.

15 SECTION 12. IC 25-16-1-3 IS AMENDED TO READ AS
 16 FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 3. A fee of ~~one hundred~~
 17 ~~forty~~ **twenty-five** dollars (~~\$150~~) (**\$25**) shall be paid annually for each
 18 license granted under the provisions of this chapter.

19 SECTION 13. IC 25-20.7-3-1, AS ADDED BY P.L.177-2009,
 20 SECTION 37, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 21 JULY 1, 2017]: Sec. 1. (a) The agency shall collect the following fees
 22 under this article:

23 (1) An initial registration fee of ~~one hundred twenty-five~~ dollars
 24 (~~\$100~~): (**\$25**).

25 (2) A biennial renewal fee of ~~one hundred twenty-five~~ dollars
 26 (~~\$100~~): (**\$25**).

27 (3) A restoration fee of ~~one hundred twenty-five~~ dollars (~~\$100~~):
 28 (**\$25**).

29 (b) The fees collected by the agency under this article shall be
 30 deposited by the agency in the same manner as other fees collected by
 31 the agency are deposited.

32 SECTION 14. IC 25-24-2-3 IS REPEALED [EFFECTIVE JULY 1,
 33 2017]. Sec. 3. ~~In addition to the biennial licensure fee provided for by~~
 34 ~~IC 25-24-1-1, each licensed optometrist, at the time of payment of the~~
 35 ~~biennial licensure fee each even-numbered year, shall pay to the~~
 36 ~~Indiana professional licensing agency an additional fee of thirty-four~~
 37 ~~dollars (\$34), which shall be deposited in an optometry school account~~
 38 ~~of the state general fund, and all such fees so deposited shall, before the~~
 39 ~~following July 2, be paid to Indiana University to be used by it for the~~
 40 ~~advancement of optometrical research and the maintenance and support~~
 41 ~~of the department in which the science of optometry is taught at the~~
 42 ~~university. A sufficient amount to pay the same is appropriated~~



1 annually out of such account in the general fund of the state treasury
2 not otherwise appropriated.

3 SECTION 15. IC 25-26-14-14, AS AMENDED BY P.L.212-2005,
4 SECTION 46, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
5 JULY 1, 2017]: Sec. 14. (a) A person may not engage in wholesale
6 distributions of legend drugs without:

- 7 (1) after December 31, 2005, obtaining and maintaining
8 accreditation or certification from the National Association of
9 Boards of Pharmacy's Verified Accredited Wholesale Distributor
10 or an accreditation body approved by the board under subsection
11 (g);
12 (2) obtaining and maintaining a license issued by the board; and
13 (3) paying any reasonable fee required by the board.

14 (b) The board may not issue or renew the license of a wholesale
15 drug distributor that does not comply with this chapter.

16 (c) The board shall require a separate license for each facility or
17 location where wholesale distribution operations are conducted.

18 (d) An agent or employee of any licensed wholesale drug distributor
19 does not need a license and may lawfully possess pharmaceutical drugs
20 when acting in the usual course of business or employment.

21 (e) The issuance of a license under this chapter does not affect tax
22 liability imposed by the department of state revenue or the department
23 of local government finance on any wholesale drug distributor.

24 (f) The board ~~may~~ **shall** adopt rules that permit out-of-state
25 wholesale drug distributors to obtain a license on the basis of
26 reciprocity if

- 27 ~~(1)~~ an out-of-state wholesale drug distributor possesses a valid
28 license granted by another state and the legal standards for
29 licensure in the other state are comparable to the standards under
30 this chapter. ~~and~~
31 ~~(2)~~ the other state extends reciprocity to wholesale drug
32 distributors licensed in Indiana.

33 However, if the requirements for licensure under this chapter are more
34 restrictive than the standards of the other state, the out-of-state
35 wholesale drug distributor must comply with the additional
36 requirements of this chapter to obtain a license under this chapter.

37 (g) The board may adopt rules under IC 4-22-2 to approve an
38 accreditation body to:

- 39 (1) evaluate a wholesale drug distributor's operations to determine
40 compliance with:
41 (A) professional standards;
42 (B) this chapter; and



- 1 (C) any other applicable law; and
- 2 (2) perform inspections of each facility and location where
- 3 wholesale distribution operations are conducted by the wholesale
- 4 drug distributor.
- 5 SECTION 16. IC 25-26-21-6, AS AMENDED BY P.L.82-2016,
- 6 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 7 JULY 1, 2017]: Sec. 6. (a) A person seeking to provide home medical
- 8 equipment services in Indiana shall apply to the board for a license in
- 9 the manner prescribed by the board.
- 10 (b) A provider shall do the following:
- 11 (1) Comply with:
- 12 (A) federal and state law; and
- 13 (B) regulatory requirements;
- 14 for home medical equipment services.
- 15 (2) Maintain a physical facility and medical equipment inventory
- 16 in Indiana.
- 17 (3) Purchase and maintain in an amount determined by the board:
- 18 (A) product liability insurance; and
- 19 (B) professional liability insurance;
- 20 and maintain proof of the insurance coverage.
- 21 (4) Establish procedures to ensure that an employee or a
- 22 contractor of the provider who is engaged in the following home
- 23 medical equipment activities receives annual training:
- 24 (A) Delivery.
- 25 (B) Orientation of a patient in the use of home medical
- 26 equipment.
- 27 (C) Reimbursement assistance.
- 28 (D) Maintenance.
- 29 (E) Repair.
- 30 (F) Cleaning and inventory control.
- 31 (G) Administration of home medical equipment services.
- 32 The provider shall maintain documentation of the annual training
- 33 received by each employee or contractor.
- 34 (5) Maintain clinical records on a customer receiving home
- 35 medical equipment services.
- 36 (6) Establish home medical equipment maintenance and
- 37 personnel policies.
- 38 (7) Provide home medical equipment emergency maintenance
- 39 services available twenty-four (24) hours a day.
- 40 (8) Comply with the rules adopted by the board under this
- 41 chapter.
- 42 (c) An out-of-state provider may obtain a license to provide home



1 medical equipment services in Indiana ~~on the basis of reciprocity~~ if
 2 (1) the out-of-state provider possesses a valid license granted by
 3 another state.
 4 (2) the legal standards for licensure in the other state are
 5 comparable to the standards under this chapter; and
 6 (3) the other state extends reciprocity to providers licensed in
 7 Indiana.

8 However, if the requirements for licensure under this chapter are more
 9 restrictive than the standards of the other state, the out-of-state provider
 10 must comply with the additional requirements of this chapter to obtain
 11 a reciprocal license under this chapter.

12 SECTION 17. IC 25-28.5-1-12, AS AMENDED BY P.L.194-2005,
 13 SECTION 69, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 14 JULY 1, 2017]: Sec. 12. (a) Except as otherwise provided in this
 15 chapter, a natural person over the age of eighteen (18) years who
 16 resides in Indiana and any corporation which satisfies the further
 17 requirements of this chapter may be licensed by the commission as a
 18 plumbing contractor. Except as otherwise provided by this chapter, a
 19 natural person over the age of eighteen (18) years may be licensed by
 20 the commission as journeyman plumber.

21 (b) A person who desires to be licensed as a plumbing contractor or
 22 journeyman plumber is eligible for such a license upon the successful
 23 taking of the examination provided in section 15 of this chapter.

24 (c) To qualify for a journeyman plumber examination under
 25 subsection (b), an applicant who is an Indiana resident must provide
 26 evidence that the applicant has completed at least four (4) years in an
 27 apprenticeship program approved by the commission or present to the
 28 commission a notarized statement providing evidence that the applicant
 29 has at least four (4) years of experience in the plumbing trade in
 30 employment as set forth in section 32(2), 32(6), or 32(7) of this
 31 chapter. To qualify for a plumbing contractor license examination
 32 under subsection (b), an applicant who is an Indiana resident must
 33 provide evidence that the applicant has completed at least four (4)
 34 years in an apprenticeship program approved by the commission or
 35 present to the commission a notarized statement providing evidence
 36 that the applicant has at least four (4) years of experience in the
 37 plumbing trade in employment as set forth in section 32(2), 32(6), or
 38 32(7) of this chapter, or has worked in a plumbing business under the
 39 direction of a licensed plumbing contractor for at least four (4) years.

40 (d) An applicant who is not an Indiana resident **and resides in a**
 41 **state that does not have licensing requirements** may qualify to take
 42 an examination under subsection (b), ~~in the following manner:~~



1 (1) If the applicant holds a license in a state that does not have a
 2 reciprocity agreement with Indiana, the applicant must present the
 3 license to the commission to be eligible to take the examination.
 4 (2) if the applicant resides in a state that does not have licensing
 5 requirements, the applicant **but** before taking the examination
 6 must meet the appropriate requirements of subsection (b).

7 (e) If the applicant holds a license in a **another** state, ~~that has a~~
 8 reciprocity agreement with Indiana, the appropriate license shall be
 9 issued automatically.

10 SECTION 18. IC 25-29-5-1, AS AMENDED BY P.L.2-2005,
 11 SECTION 69, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 12 JULY 1, 2017]: Sec. 1. (a) The board may issue a license to an
 13 applicant who pays a fee established by the board and who presents
 14 satisfactory evidence to the board that the applicant **qualifies for a**
 15 **reciprocal license under IC 25-1-20 or:**

16 (1) meets the requirements under IC 25-29-3-1;

17 (2) is licensed in a state, territory, or possession of the United
 18 States;

19 (3) **(2)** has passed a podiatric medical licensing examination that
 20 is substantially equivalent to the examination under IC 25-29-4;
 21 and

22 (4) **(3)** has practiced podiatric medicine for at least five (5) years.

23 (b) The board may require an applicant under ~~this section~~
 24 **subsection (a)(1) through (a)(3)** to do the following:

25 (1) Personally appear before the board.

26 (2) Pass a medical examination, approved by the board, if at least
 27 ten (10) years have elapsed since the applicant passed a medical
 28 licensing examination.

29 SECTION 19. IC 25-34.1-3-9.5, AS ADDED BY P.L.57-2007,
 30 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 31 JULY 1, 2017]: Sec. 9.5. (a) The commission shall establish fees under
 32 IC 25-1-8-2 to implement section 8 of this chapter.

33 (b) Notwithstanding IC 25-1-8-2, a fee established under
 34 IC 25-1-8-2 to implement section 8 of this chapter may not be ~~less~~
 35 **more than fifty twenty-five dollars (\$50): (\$25).**

36 (c) The commission shall establish fees to provide funding for the
 37 investigative fund established by IC 25-34.1-8-7.5. The fees under this
 38 subsection may not be more than twenty dollars (\$20).

39 (d) The board may collect a fee required by federal law and transmit
 40 the fees to the federal government as required by federal law.

41 (e) A fee described in subsection (a) is in addition to any fees
 42 required by federal law.



1 SECTION 20. IC 25-34.1-11-15, AS ADDED BY P.L.77-2010,
 2 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 3 JULY 1, 2017]: Sec. 15. (a) The board shall establish the registration
 4 fee to be paid by an appraisal management company seeking
 5 registration under this chapter. The amount of the registration fee must
 6 be the lesser of:

7 (1) the amount determined by the board to be sufficient for the
 8 administration of appraisal management registrations under this
 9 chapter when aggregated with all the registration fees paid by
 10 appraisal management companies seeking registration under this
 11 chapter; or

12 (2) ~~five hundred twenty-five~~ dollars (~~\$500~~): **(\$25)**.

13 (b) Registration fees collected under this section must be deposited
 14 in the investigative fund established by IC 25-34.1-8-7.5.

15 SECTION 21. IC 25-36.5-1-7, AS AMENDED BY P.L.111-2016,
 16 SECTION 42, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 17 JULY 1, 2017]: Sec. 7. The application fee or renewal fee for a
 18 registration certificate to operate as a timber buyer, is ~~one hundred~~
 19 ~~thirty twenty-five~~ dollars (~~\$130~~): **(\$25)**. The fee for a certificate stating
 20 that a registration certificate has been issued and security filed is
 21 twenty dollars (\$20). All fees collected by the department accrue to the
 22 use of the department for its administrative purposes.

23 SECTION 22. IC 25-37-1-6 IS AMENDED TO READ AS
 24 FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 6. Except as provided
 25 in section 6.5 of this chapter, the applicant desiring to file an
 26 application with the auditor for a transient merchant license shall pay
 27 to the treasurer of the county in which the application is made a license
 28 fee of ~~one hundred twelve~~ dollars (~~\$100~~) **and fifty cents (\$12.50)** for
 29 each six (6) month period in which the applicant proposes to transact
 30 business. The applicant shall thereupon file the treasurer's receipt for
 31 such payment with the auditor of the county with whom the application
 32 is filed.

33 SECTION 23. IC 25-39-3-2, AS AMENDED BY P.L.84-2010,
 34 SECTION 81, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 35 JULY 1, 2017]: Sec. 2. (a) An application for a license must be made
 36 on a form prescribed by the commission in rules adopted under
 37 IC 4-22-2. The purpose of the form is to identify the applicant and
 38 obtain information to determine if the applicant is qualified to be
 39 licensed.

40 (b) An application for an original license or a license renewal must
 41 be accompanied by a license fee of ~~one hundred twenty-five~~ dollars
 42 (~~\$100~~): **(\$25)**.



1 (c) Unless an applicant has held an original license for less than one
2 (1) year, a license renewal application must be accompanied by:

3 (1) a copy of the continuing education verification of attendance
4 forms; and

5 (2) a statement by the applicant attesting that the applicant has
6 complied with the continuing education requirements under
7 IC 25-39-6.

8 SECTION 24. IC 36-1-3-8, AS AMENDED BY P.L.189-2016,
9 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
10 JULY 1, 2017]: Sec. 8. (a) Subject to subsection (b), a unit does not
11 have the following:

12 (1) The power to condition or limit its civil liability, except as
13 expressly granted by statute.

14 (2) The power to prescribe the law governing civil actions
15 between private persons.

16 (3) The power to impose duties on another political subdivision,
17 except as expressly granted by statute.

18 (4) The power to impose a tax, except as expressly granted by
19 statute.

20 (5) The power to impose a license fee greater than **the lesser of:**
21 **(A) the amount that is** reasonably related to the administrative
22 cost of exercising a regulatory power; **or**

23 **(B) after June 30, 2017, the maximum amount permitted**
24 **under section 11 of this chapter.**

25 (6) The power to impose a service charge or user fee greater than
26 that reasonably related to reasonable and just rates and charges
27 for services.

28 (7) The power to regulate conduct that is regulated by a state
29 agency, except as expressly granted by statute. **If a unit regulates**
30 **an occupation or profession before a state agency begins**
31 **regulation of the occupation or profession, the unit's authority**
32 **to regulate the occupation or profession terminates, except as**
33 **expressly stated by a statute enacted after January 1, 2017. If**
34 **a statute grants to a unit authority to regulate an occupation**
35 **or profession regulated by a state agency, the grant of**
36 **authority does not authorize a unit to impose regulations that**
37 **are more stringent than the requirements imposed by the**
38 **statute or the state agency. After June 30, 2017, to the extent**
39 **that a unit's ordinances or regulations are more stringent, the**
40 **ordinances or regulations are void.**

41 (8) The power to prescribe a penalty for conduct constituting a
42 crime or infraction under statute.



1 (9) The power to prescribe a penalty of imprisonment for an
2 ordinance violation.

3 (10) The power to prescribe a penalty of a fine as follows:

4 (A) More than ten thousand dollars (\$10,000) for the violation
5 of an ordinance or a regulation concerning air emissions
6 adopted by a county that has received approval to establish an
7 air permit program under IC 13-17-12-6.

8 (B) For a violation of any other ordinance:

9 (i) more than two thousand five hundred dollars (\$2,500) for
10 a first violation of the ordinance; and

11 (ii) except as provided in subsection (c), more than seven
12 thousand five hundred dollars (\$7,500) for a second or
13 subsequent violation of the ordinance.

14 (11) The power to invest money, except as expressly granted by
15 statute.

16 (12) The power to order or conduct an election, except as
17 expressly granted by statute.

18 (13) The power to adopt or enforce an ordinance described in
19 section 8.5 of this chapter.

20 (14) The power to take any action prohibited by section 8.6 of this
21 chapter.

22 (15) The power to dissolve a political subdivision, except:

23 (A) as expressly granted by statute; or

24 (B) if IC 36-1-8-17.7 applies to the political subdivision, in
25 accordance with the procedure set forth in IC 36-1-8-17.7.

26 (b) A township does not have the following, except as expressly
27 granted by statute:

28 (1) The power to require a license or impose a license fee.

29 (2) The power to impose a service charge or user fee.

30 (3) The power to prescribe a penalty.

31 (c) Subsection (a)(10)(B)(ii) does not apply to the violation of an
32 ordinance that regulates traffic or parking.

33 SECTION 25. IC 36-1-3-11 IS ADDED TO THE INDIANA CODE
34 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
35 1, 2017]: **Sec. 11. (a) As used in this section, "license" means any
36 license, permit, registration, endorsement, or certificate required
37 by a unit for:**

38 **(1) an individual to practice or a business to engage one (1) or
39 more individuals to practice an occupation or profession in an
40 area over which the unit has jurisdiction; or**

41 **(2) an individual or business to use in an area over which the
42 unit has jurisdiction, a name, or other designation that is**



- 1 associated with an occupation or a profession.
- 2 (b) A unit may not do the following:
- 3 (1) Impose a fee or tax for:
- 4 (A) an application for or issuance;
- 5 (B) application for or renewal;
- 6 (C) application for or reinstatement; or
- 7 (D) tests, inspections, or other activities that are a
- 8 condition of issuance, renewal, or reinstatement;
- 9 of a license for which a fee was not charged by the unit before
- 10 July 1, 2017.
- 11 (2) Regulate an occupation or profession that was not
- 12 regulated by the unit before July 1, 2017.
- 13 (c) This subsection applies to a license for which a unit imposed
- 14 a fee or tax before July 1, 2017. After June 30, 2017, a unit may not
- 15 impose a fee for the application for or issuance, application for or
- 16 renewal, or application for or reinstatement of a license (including
- 17 tests, inspections, and other activities that are a condition of
- 18 issuance, renewal, or reinstatement of a license) that exceeds:
- 19 (1) twenty-five dollars (\$25) for a licensing period exceeding
- 20 twelve (12) months; and
- 21 (2) twenty-five dollars (\$25) multiplied by a fraction for a
- 22 licensing period of less than twelve (12) months. The
- 23 numerator of the fraction is the number of days covered by
- 24 the licensing period, and the denominator of the fraction is
- 25 three hundred sixty-five (365).
- 26 (d) This subsection applies to a license for which a unit imposed
- 27 a fee before July 1, 2017. After June 30, 2017, a unit shall waive
- 28 fees and taxes related to issuance, renewal, and reinstatement
- 29 (including tests, inspections, and other activities that are a
- 30 condition of issuance, renewal, or reinstatement of a license) of an
- 31 occupational or professional license if:
- 32 (1) the combined adjusted gross income (as defined in Section
- 33 62 of the Internal Revenue Code) of:
- 34 (A) the applicant and the applicant's spouse; and
- 35 (B) any other individuals living together with the applicant
- 36 at one (1) residence as a domestic unit with mutual
- 37 economic dependency;
- 38 for the calendar year preceding the year in which an
- 39 application to issue, renew, or reinstate is made did not exceed
- 40 the greater of thirty thousand dollars (\$30,000) or the amount
- 41 adopted by a rule issued by the Indiana professional licensing
- 42 agency;



- 1 (2) the applicant, at the time of submitting an application for
2 issuance, renewal, or reinstatement of a license, is enrolled in
3 a state or federal public assistance program;
4 (3) the applicant is a veteran (as defined in IC 10-17-15-3) or
5 the spouse of a veteran; or
6 (4) the applicant is a member of the armed forces of the
7 United States (as defined in IC 5-9-4-3) or national guard (as
8 defined in IC 5-9-4-4) on active duty or the spouse of the
9 member.

10 If the license is for a business, each owner of the business must
11 meet one (1) of the criteria in subdivisions (1) through (4).
12 Applicants seeking a waiver of a fee or tax under this subsection
13 must apply to the appropriate licensing authority within the unit
14 in a format prescribed by the licensing authority within the unit.
15 The licensing authority shall process the application not later than
16 thirty (30) days after receiving the waiver application from the
17 applicant.

18 (e) This subsection applies whenever a unit is permitted to issue
19 a license for an occupation or profession. The licensing authority
20 for a unit shall, not later than thirty (30) days after receiving an
21 application for a license from a resident of Indiana who is at the
22 time of the application licensed to practice that occupation or
23 profession in another unit or state:

- 24 (1) process the application; and
25 (2) issue the license to the applicant;

26 if the applicant's license is in good standing with the licensing
27 authority of the other unit or state that issued the license. A license
28 issued under this subsection may not be a provisional license and
29 must confer the same rights, privileges, and responsibilities as a
30 license issued by the licensing authority to an individual meeting
31 any other regulatory licensing requirements. To the extent that a
32 licensing requirement in effect after June 30, 2017, conflicts with
33 this subsection, the requirement is void. A unit shall adopt
34 necessary ordinances and regulations to implement this subsection.

35 SECTION 26. IC 36-12-11-9 IS REPEALED [EFFECTIVE JULY
36 1, 2017]. Sec. 9: To prevent unjust and arbitrary exclusions by other
37 states of certified librarians who have complied with the requirements
38 of Indiana law, the board may adopt rules necessary for the reciprocal
39 recognition of certificates for librarians issued by other states whose
40 qualifications for library service are at least as high as the
41 qualifications in Indiana. To effect this section, the board shall consider
42 the recommendations of the American Library Association.



1 SECTION 27. [EFFECTIVE JULY 1, 2017] (a) **The legislative**
2 **council shall provide for the preparation of legislation for**
3 **introduction in the 2018 session of the general assembly to bring**
4 **laws into conformity with this act.**
5 (b) **This SECTION expires July 1, 2018.**

