

Second Regular Session 119th General Assembly (2016)

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 2015 Regular Session of the General Assembly.

SENATE ENROLLED ACT No. 21

AN ACT to amend the Indiana Code concerning general provisions.

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

SECTION 1. IC 4-4-11-15.6, AS AMENDED BY P.L.233-2013, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 15.6. In addition to the powers listed in section 15 of this chapter, the authority may:

- (1) issue bonds under terms and conditions determined by the authority and use the proceeds of the bonds to acquire obligations issued by any entity authorized to acquire, finance, construct, or lease capital improvements under IC 5-1-17;
- (2) issue bonds under terms and conditions determined by the authority and use the proceeds of the bonds to acquire any obligations issued by the northwest Indiana regional development authority established by IC 36-7.5-2-1;
- ~~(3) after December 31, 2009, issue bonds under terms and conditions determined by the authority and use the proceeds of the bonds to acquire any obligations issued by either the commuter rail service board established under IC 8-24-5 or the regional demand and scheduled bus service board established under IC 8-24-6;~~
- ~~(4)~~ (3) enter into leases and issue bonds under terms and conditions determined by the authority and use the proceeds of the bonds to carry out the purposes of IC 5-1-17.5 within a motorsports investment district; and
- ~~(5)~~ (4) perform any other functions determined by the authority to

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be necessary or appropriate to carry out the purposes of IC 5-1-17.5 within a motorsports investment district.

SECTION 2. IC 4-15-2.2-1, AS ADDED BY P.L.229-2011, SECTION 56, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 1. (a) Except as provided in subsection (b), this chapter applies to employees of a governmental entity that exercises any of the executive powers of the state under the direction of the governor or lieutenant governor.

(b) This chapter does not apply to the following:

- (1) The legislative department of state government.
- (2) The judicial department of state government.
- (3) The following state elected officers and their personal staffs:
 - (A) The governor.
 - (B) The lieutenant governor.
 - (C) The secretary of state.
 - (D) The treasurer of state.
 - (E) The auditor of state.
 - (F) The superintendent of public instruction.
 - (G) The attorney general.
- (4) A body corporate and politic of the state created by state statute.
- (5) A political subdivision (as defined in IC 36-1-2-13).
- (6) An inmate who is working in a state penal, charitable, correctional, or benevolent institution.
- (7) The state police department.

(c) This subsection does not apply to a political subdivision, the ports of Indiana (established by IC 8-10-1-3), ~~or the northern Indiana commuter transportation district (established under IC 8-5-15).~~ ~~or the northern Indiana regional transportation district (established under IC 8-24-2).~~ The chief executive officer of a governmental entity that is exempt from this chapter under subsection (b) may elect to have this chapter apply to all or a part of the entity's employees by submitting a written notice of the election to the director.

SECTION 3. IC 4-15-17-3, AS ADDED BY P.L.229-2011, SECTION 57, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 3. (a) As used in this chapter, "state" means any of the following:

- (1) A department, commission, division, authority, board, bureau, or office of state government that exercises any executive powers.
 - (2) Any statewide elected official.
 - (3) A body corporate and politic of the state created by state statute.
- (b) The term does not include any of the following:
- (1) The state police department.



- (2) A state educational institution (as defined in IC 21-7-13-32).
- (3) A political subdivision (as defined in IC 3-5-2-38).
- (4) The ports of Indiana (established by IC 8-10-1-3).
- (5) The northern Indiana commuter transportation district (established under IC 8-5-15).
- (6) The northern Indiana regional transportation district (established under IC 8-24-2).

SECTION 4. IC 4-20.5-6-11 IS REPEALED [EFFECTIVE JULY 1, 2016]. Sec. 11: (a) The department shall commission and place within the state capitol a permanent display commemorating the contributions of black citizens of Indiana to:

- (1) the state;
- (2) other governmental entities; and
- (3) the private sector;

throughout the history of Indiana:

(b) The department shall consult with the Indiana historical bureau to:

- (1) identify the individuals whose contributions are to be included in the display; and
- (2) assist in the design of the display.

(c) Not later than July 1, 2008, the department shall submit the plans for the display to the legislative council for approval.

(d) After the legislative council has approved the plans for the display, the department shall have the display constructed and placed in the state capitol.

SECTION 5. IC 4-20.5-6-12 IS REPEALED [EFFECTIVE JULY 1, 2016]. Sec. 12: (a) The department shall commission and place within the state capitol a bust of President Benjamin Harrison:

(b) The department shall consult with the Indiana historical bureau and the Indiana arts commission to assist in the design of the bust:

(c) Not later than July 1, 2008, the department shall submit the plans for the bust to the legislative council for approval:

(d) After the legislative council approves the plans for the bust, the department shall have the bust made and placed in the state capitol.

SECTION 6. IC 4-23-24.2-5, AS AMENDED BY P.L.132-2012, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 5. (a) The commission shall do the following:

- (1) Enhance coordination and cooperation between state and local governments.
- (2) Review the effect of any federal or state legislation or any court decisions on local governmental entities.
- (3) Act as a forum for consultation among state and local government officials.
- (4) Conduct research on intergovernmental issues.



(5) Review studies of intergovernmental issues by universities, research and consulting organizations, and entities.

(6) Issue reports on the commission's activities.

(b) In addition to the duties set forth in subsection (a), the commission shall study the appropriate roles and responsibilities of the state, counties, municipalities, townships, and other political subdivisions in providing 911 and enhanced 911 services in Indiana. In conducting the study required by this subsection, the commission may consult with, or request necessary information or testimony from, local officials, public safety agencies, PSAPs (as defined in IC 36-8-16.7-20), the statewide 911 board established by IC 36-8-16.7-24, providers (as defined in IC 36-8-16.7-19), and any other appropriate witnesses or experts. Not later than November 1, 2012, the commission shall submit to the legislative council and to the budget committee a report of the commission's findings and recommendations as a result of the study conducted under this subsection. The report to the legislative council and the budget committee under this subsection must be in an electronic format under IC 5-14-6. **This subsection expires July 1, 2016.**

SECTION 7. IC 5-10-8-6.6 IS REPEALED [EFFECTIVE JULY 1, 2016]. Sec. 6-6: (a) As used in this section, "local unit group" means all of the local units that elect to provide coverage for health care services for active and retired:

- (1) elected or appointed officers and officials;
- (2) full-time employees; and
- (3) part-time employees;

of the local unit under this section.

(b) As used in this section, "state employee health plan" means:

- (1) an accident and sickness insurance policy (as defined in IC 27-8-5.6-1) purchased through the state personnel department under section 7(a) of this chapter; or
- (2) a contract with a prepaid health care delivery plan entered into by the state personnel department under section 7(c) of this chapter.

(c) The state personnel department shall allow a local unit to participate in the local unit group by electing to provide coverage of health care services for active and retired:

- (1) elected or appointed officers and officials;
- (2) full-time employees; and
- (3) part-time employees;

of the local unit under a state employee health plan. This subsection expires July 1, 2014.

(d) If a local unit elects to provide coverage under subsection (c):

- (1) the local unit group must be treated as a single group that is



separate from the group of state employees that is covered under a state employee health plan;

(2) the state personnel department shall:

(A) establish:

(i) the premium costs, as determined by an accident and sickness insurer or a prepaid health care delivery plan under which coverage is provided under this section;

(ii) the administrative costs; and

(iii) any other costs;

of the coverage provided under this section, including the cost of obtaining insurance or reinsurance, for the local unit group as a whole; and

(B) establish a uniform premium schedule for each accident and sickness insurance policy or prepaid health care delivery plan under which coverage is provided under this section for the local unit group; and

(3) the local unit shall provide for payment of the cost of the coverage as provided in sections 2.2 and 2.6 of this chapter.

The premium determined under subdivision (2) and paid by an individual local unit shall not be determined based on claims made by the local unit. This subsection expires July 1, 2014.

(e) The state personnel department shall provide an annual opportunity for local units to elect to provide or terminate coverage under subsection (c). This subsection expires July 1, 2014.

(f) The state personnel department may adopt rules under IC 4-22-2 to establish minimum participation and contribution requirements for participation in a state employee health plan under this section. This subsection expires July 1, 2014.

(g) The state personnel department shall not, after June 30, 2014, amend or renew:

(1) an accident and sickness insurance policy; or

(2) a prepaid health care delivery plan;

that is in effect on June 30, 2014, to provide coverage under this section for the local unit group.

(h) An accident and sickness insurance policy or a prepaid health care delivery plan that is in effect on June 30, 2014, to provide coverage under this section for the local unit group terminates on the first policy or plan renewal date occurring after June 30, 2014.

SECTION 8. IC 5-10-8-7, AS AMENDED BY P.L.91-2014, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 7. (a) The state, excluding state educational institutions, may not purchase or maintain a policy of group insurance, except:

(1) life insurance for the state's employees;



(2) long term care insurance under a long term care insurance policy (as defined in IC 27-8-12-5), for the state's employees;
~~(3) an accident and sickness insurance policy (as defined in IC 27-8-5.6-1) that:~~

~~(A) is in effect on June 30, 2014; and~~

~~(B) covers individuals to whom coverage is provided by a local unit under section 6.6 of this chapter;~~

~~may be maintained until the first policy renewal date after June 30, 2014; or~~

~~(4)~~ (3) an insurance policy that provides coverage that supplements coverage provided under a United States military health care plan.

(b) With the consent of the governor, the state personnel department may establish self-insurance programs to provide group insurance other than life or long term care insurance for state employees and retired state employees. The state personnel department may contract with a private agency, business firm, limited liability company, or corporation for administrative services. A commission may not be paid for the placement of the contract. The department may require, as part of a contract for administrative services, that the provider of the administrative services offer to an employee terminating state employment the option to purchase, without evidence of insurability, an individual policy of insurance.

(c) Notwithstanding subsection (a), with the consent of the governor, the state personnel department

~~(1)~~ may contract for health services for state employees through one (1) or more prepaid health care delivery plans. ~~and~~

~~(2) may maintain a contract:~~

~~(A) for health services for individuals to whom coverage is provided by a local unit under section 6.6 of this chapter through one (1) or more prepaid health care delivery plans; and~~

~~(B) that is in effect on June 30, 2014;~~

~~until the first policy renewal date after June 30, 2014.~~

(d) The state personnel department shall adopt rules under IC 4-22-2 to establish long term and short term disability plans for state employees (except employees who hold elected offices (as defined by IC 3-5-2-17)). The plans adopted under this subsection may include any provisions the department considers necessary and proper and must:

(1) require participation in the plan by employees with six (6) months of continuous, full-time service;

(2) require an employee to make a contribution to the plan in the form of a payroll deduction;



(3) require that an employee's benefits under the short term disability plan be subject to a thirty (30) day elimination period and that benefits under the long term plan be subject to a six (6) month elimination period;

(4) prohibit the termination of an employee who is eligible for benefits under the plan;

(5) provide, after a seven (7) day elimination period, eighty percent (80%) of base biweekly wages for an employee disabled by injuries resulting from tortious acts, as distinguished from passive negligence, that occur within the employee's scope of state employment;

(6) provide that an employee's benefits under the plan may be reduced, dollar for dollar, if the employee derives income from:

(A) Social Security;

(B) the public employees' retirement fund;

(C) the Indiana state teachers' retirement fund;

(D) pension disability;

(E) worker's compensation;

(F) benefits provided from another employer's group plan; or

(G) remuneration for employment entered into after the disability was incurred.

(The department of state revenue and the department of workforce development shall cooperate with the state personnel department to confirm that an employee has disclosed complete and accurate information necessary to administer subdivision (6).);

(7) provide that an employee will not receive benefits under the plan for a disability resulting from causes specified in the rules; and

(8) provide that, if an employee refuses to:

(A) accept work assignments appropriate to the employee's medical condition;

(B) submit information necessary for claim administration; or

(C) submit to examinations by designated physicians;

the employee forfeits benefits under the plan.

(e) This section does not affect insurance for retirees under IC 5-10.3 or IC 5-10.4.

(f) The state may pay part of the cost of self-insurance or prepaid health care delivery plans for its employees.

(g) A state agency may not provide any insurance benefits to its employees that are not generally available to other state employees, unless specifically authorized by law.

(h) The state may pay a part of the cost of group medical and life coverage for its employees.

(i) To carry out the purposes of this section, a trust fund may be



established. The trust fund established under this subsection is considered a trust fund for purposes of IC 4-9.1-1-7. Money may not be transferred, assigned, or otherwise removed from the trust fund established under this subsection by the state board of finance, the budget agency, or any other state agency. Money in a trust fund established under this subsection does not revert to the state general fund at the end of any state fiscal year. The trust fund established under this subsection consists of appropriations, revenues, or transfers to the trust fund under IC 4-12-1. Contributions to the trust fund are irrevocable. The trust fund must be limited to providing prefunding of annual required contributions and to cover OPEB liability for covered individuals. Funds may be used only for these purposes and not to increase benefits or reduce premiums. The trust fund shall be established to comply with and be administered in a manner that satisfies the Internal Revenue Code requirements concerning a trust fund for prefunding annual required contributions and for covering OPEB liability for covered individuals. All assets in the trust fund established under this subsection:

- (1) are dedicated exclusively to providing benefits to covered individuals and their beneficiaries according to the terms of the health plan; and
- (2) are exempt from levy, sale, garnishment, attachment, or other legal process.

The trust fund established under this subsection shall be administered by the state personnel department. The expenses of administering the trust fund shall be paid from money in the trust fund. The treasurer of state shall invest the money in the trust fund not currently needed to meet the obligations of the trust fund in the same manner as other public money may be invested.

SECTION 9. IC 5-11-10-1, AS AMENDED BY P.L.182-2009(ss), SECTION 76, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 1. (a) This section applies to the state and its political subdivisions. However, this section does not apply to the following:

- (1) A state educational institution, including Ivy Tech Community College of Indiana.
- (2) A municipality (as defined in IC 36-1-2-11).
- (3) A county.
- (4) An airport authority operating in a consolidated city.
- (5) A capital improvements board of managers operating in a consolidated city.
- (6) A board of directors of a public transportation corporation operating in a consolidated city.
- (7) A municipal corporation organized under IC 16-22-8-6.



- (8) A public library.
- (9) A library services authority.
- (10) A hospital organized under IC 16-22 or a hospital organized under IC 16-23.
- (11) A school corporation (as defined in IC 36-1-2-17).
- (12) A regional water or sewer district organized under IC 13-26 or under IC 13-3-2 (before its repeal).
- (13) A municipally owned utility (as defined in IC 8-1-2-1).
- (14) A board of an airport authority under IC 8-22-3.
- (15) A conservancy district.
- (16) A board of aviation commissioners under IC 8-22-2.
- (17) A public transportation corporation under IC 36-9-4.
- (18) A commuter transportation district under IC 8-5-15.
- (19) A solid waste management district established under IC 13-21 or IC 13-9.5 (before its repeal).
- (20) A county building authority under IC 36-9-13.
- (21) A soil and water conservation district established under IC 14-32.
- (22) The northwestern Indiana regional planning commission established by IC 36-7-7.6-3.
- ~~(23) The commuter rail service board established under IC 8-24-5.~~
- ~~(24) The regional demand and scheduled bus service board established under IC 8-24-6.~~

(b) No warrant or check shall be drawn by a disbursing officer in payment of any claim unless the same has been fully itemized and its correctness properly certified to by the claimant or some authorized person in the claimant's behalf, and filed and allowed as provided by law.

- (c) The certificate provided for in subsection (b) is not required for:
- (1) claims rendered by a public utility for electric, gas, steam, water, or telephone services, the charges for which are regulated by a governmental body;
 - (2) a warrant issued by the auditor of state under IC 4-13-2-7(b);
 - (3) a check issued by a special disbursing officer under IC 4-13-2-20(g); or
 - (4) a payment of fees under IC 36-7-11.2-49(b) or IC 36-7-11.3-43(b).

(d) The disbursing officer shall issue checks or warrants for all claims which meet all of the requirements of this section. The disbursing officer does not incur personal liability for disbursements:

- (1) processed in accordance with this section; and
- (2) for which funds are appropriated and available.

(e) The certificate provided for in subsection (b) must be in the



following form:

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

SECTION 10. IC 5-11-10-1.6, AS AMENDED BY P.L.182-2009(ss), SECTION 77, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 1.6. (a) As used in this section, "governmental entity" refers to any of the following:

- (1) A municipality (as defined in IC 36-1-2-11).
- (2) A school corporation (as defined in IC 36-1-2-17), including a school extracurricular account.
- (3) A county.
- (4) A regional water or sewer district organized under IC 13-26 or under IC 13-3-2 (before its repeal).
- (5) A municipally owned utility that is subject to IC 8-1.5-3 or IC 8-1.5-4.
- (6) A board of an airport authority under IC 8-22-3.
- (7) A board of aviation commissioners under IC 8-22-2.
- (8) A conservancy district.
- (9) A public transportation corporation under IC 36-9-4.
- (10) A commuter transportation district under IC 8-5-15.
- (11) The state.
- (12) A solid waste management district established under IC 13-21 or IC 13-9.5 (before its repeal).
- (13) A levee authority established under IC 14-27-6.
- (14) A county building authority under IC 36-9-13.
- (15) A soil and water conservation district established under IC 14-32.
- (16) The northwestern Indiana regional planning commission established by IC 36-7-7.6-3.
- ~~(17) The commuter rail service board established under IC 8-24-5.~~
- ~~(18) The regional demand and scheduled bus service board established under IC 8-24-6.~~

(b) As used in this section, "claim" means a bill or an invoice submitted to a governmental entity for goods or services.

(c) The fiscal officer of a governmental entity may not draw a warrant or check for payment of a claim unless:

- (1) there is a fully itemized invoice or bill for the claim;
- (2) the invoice or bill is approved by the officer or person receiving the goods and services;
- (3) the invoice or bill is filed with the governmental entity's fiscal officer;
- (4) the fiscal officer audits and certifies before payment that the

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invoice or bill is true and correct; and

(5) payment of the claim is allowed by the governmental entity's legislative body or the board or official having jurisdiction over allowance of payment of the claim.

This subsection does not prohibit a school corporation, with prior approval of the board having jurisdiction over allowance of payment of the claim, from making payment in advance of receipt of services as allowed by guidelines developed under IC 20-20-13-10. This subsection does not prohibit a municipality from making meal expense advances to a municipal employee who will be traveling on official municipal business if the municipal fiscal body has adopted an ordinance allowing the advance payment, specifying the maximum amount that may be paid in advance, specifying the required invoices and other documentation that must be submitted by the municipal employee, and providing for reimbursement from the wages of the municipal employee if the municipal employee does not submit the required invoices and documentation.

(d) The fiscal officer of a governmental entity shall issue checks or warrants for claims by the governmental entity that meet all of the requirements of this section. The fiscal officer does not incur personal liability for disbursements:

(1) processed in accordance with this section; and

(2) for which funds are appropriated and available.

(e) The certification provided for in subsection (c)(4) must be on a form prescribed by the state board of accounts.

SECTION 11. IC 5-14-3.5-13 IS REPEALED [EFFECTIVE JULY 1, 2016]. Sec. 13: Not later than November 15, 2011, the auditor of state shall provide a report to the state board of finance and the legislative council that details the progress the auditor has made to comply with this chapter. The report to the legislative council must be in an electronic format under IC 5-14-6.

SECTION 12. IC 5-14-3.6-5 IS REPEALED [EFFECTIVE JULY 1, 2016]. Sec. 5: Not later than November 15, 2011, the commission shall provide a report to the state board of finance and the legislative council on the progress the commission has made to comply with this chapter. The report to the legislative council must be in an electronic format under IC 5-14-6.

SECTION 13. IC 5-14-3.8-6 IS REPEALED [EFFECTIVE JULY 1, 2016]. Sec. 6: Not later than November 15, 2011, the department shall provide a report to the state board of finance and the legislative council that details the progress the department has made to comply with this chapter. The report to the legislative council must be in an electronic format under IC 5-14-6.

SECTION 14. IC 5-28-6-1, AS AMENDED BY P.L.53-2014,



SECTION 69, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 1. The corporation shall do the following:

- (1) Create and regularly update a strategic economic development plan that includes the following:
 - (A) Identification of specific economic regions within Indiana and methods by which the corporation will implement more regional collaboration between the corporation and the various local economic development organizations within these regions.
 - (B) Methods by which the corporation will implement more collaboration between the corporation and the various state economic development organizations within the states contiguous to Indiana.
- (2) Establish strategic benchmarks and performance measures.
- (3) Monitor and report on Indiana's economic performance.
- (4) Market Indiana to businesses worldwide.
- (5) Assist Indiana businesses that want to grow.
- (6) Solicit funding from the private sector for selected initiatives.
- (7) Provide for the orderly economic development and growth of Indiana.
- (8) Establish and coordinate the operation of programs commonly available to all citizens of Indiana to implement a strategic plan for the state's economic development and enhance the general welfare.
- (9) Evaluate and analyze the state's economy to determine the direction of future public and private actions, and report and make recommendations to the general assembly in an electronic format under IC 5-14-6 with respect to the state's economy. The report prepared under this subdivision must include recommendations for strategies and plans for collaboration by the corporation with:
 - (A) local economic development organizations within geographic regions in Indiana; and
 - (B) the various state economic development organizations within the states contiguous to Indiana.
- (10) Conduct a statewide study to determine specific economic sectors that should be emphasized by the state and by local economic development organizations within geographic regions in Indiana.
- (11) Report in an electronic format under IC 5-14-6 the results of the study conducted under subdivision (10) to the interim study committee on commerce and economic development established by IC 2-5-1.3-4.

SECTION 15. IC 5-28-11-10, AS AMENDED BY P.L.53-2014, SECTION 70, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE



JULY 1, 2016]: Sec. 10. The corporation shall collaborate with local economic development organizations throughout Indiana. ~~Before August 1~~ each year through 2014, the corporation shall submit a report to the interim study committee on commerce and economic development established by IC 2-5-1.3-4 in an electronic format under IC 5-14-6, indicating how the corporation has collaborated with local economic development organizations during the previous state fiscal year.

SECTION 16. IC 6-1.1-20.3-14 IS REPEALED [EFFECTIVE JULY 1, 2016]. Sec. 14. (a) The office of management and budget shall:

(1) review the board's organizational structure, the board's composition, the number of board members, and the staffing, policies, procedures, and capabilities of the board; and

(2) determine whether the board requires any additional powers or resources to carry out section 15 of this chapter.

(b) The office of management and budget may:

(1) recommend any legislation necessary to provide the board with sufficient powers and resources to carry out section 15 of this chapter; and

(2) submit the recommended legislation to the general assembly for consideration in the 2015 legislative session.

The office of management and budget shall submit the recommended legislation under subdivision (2) in an electronic format under IC 5-14-6.

SECTION 17. IC 6-8.1-1-1, AS AMENDED BY P.L.220-2014, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 1. "Listed taxes" or "taxes" includes only the pari-mutuel taxes (IC 4-31-9-3 through IC 4-31-9-5); the riverboat admissions tax (IC 4-33-12); the riverboat wagering tax (IC 4-33-13); the slot machine wagering tax (IC 4-35-8); the type II gambling game excise tax (IC 4-36-9); the gross income tax (IC 6-2.1) (repealed); the utility receipts and utility services use taxes (IC 6-2.3); the state gross retail and use taxes (IC 6-2.5); the adjusted gross income tax (IC 6-3); the supplemental net income tax (IC 6-3-8) (repealed); the county adjusted gross income tax (IC 6-3.5-1.1); the county option income tax (IC 6-3.5-6); the county economic development income tax (IC 6-3.5-7); the auto rental excise tax (IC 6-6-9); the financial institutions tax (IC 6-5.5); the gasoline tax (IC 6-6-1.1); the special fuel tax (IC 6-6-2.5); the motor carrier fuel tax (IC 6-6-4.1); a motor fuel tax collected under a reciprocal agreement under IC 6-8.1-3; the motor vehicle excise tax (IC 6-6-5); the aviation fuel excise tax (IC 6-6-13); the commercial vehicle excise tax (IC 6-6-5.5); the excise tax imposed on recreational vehicles and truck campers (IC 6-6-5.1); the hazardous waste disposal tax (IC 6-6-6.6) (repealed); the cigarette tax (IC 6-7-1);



the beer excise tax (IC 7.1-4-2); the liquor excise tax (IC 7.1-4-3); the wine excise tax (IC 7.1-4-4); the hard cider excise tax (IC 7.1-4-4.5); the malt excise tax (IC 7.1-4-5); the petroleum severance tax (IC 6-8-1); the various innkeeper's taxes (IC 6-9); the various food and beverage taxes (IC 6-9); the county admissions tax (IC 6-9-13 and IC 6-9-28); ~~the regional transportation improvement income tax (IC 8-24-17);~~ the oil inspection fee (IC 16-44-2); ~~the emergency and hazardous chemical inventory form fee (IC 6-6-10);~~ the penalties assessed for oversize vehicles (IC 9-20-3 and IC 9-30); the fees and penalties assessed for overweight vehicles (IC 9-20-4 and IC 9-30); and any other tax or fee that the department is required to collect or administer.

SECTION 18. IC 8-24 IS REPEALED [EFFECTIVE JULY 1, 2016]. (Northern Indiana Regional Transportation District).

SECTION 19. IC 14-19-6-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 1. The city of Indianapolis may do the following, subject to the same rules, regulations, ordinances, and laws as public parks owned by the city of Indianapolis:

- (1) Beautify, improve, maintain, and regulate the use of University Square ~~and Military Park~~ in Indianapolis.
- (2) Erect in University Square ~~and Military Park~~ monuments, fountains, and art treasures.

SECTION 20. IC 14-19-6-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 2. University Square ~~and Military Park~~ must be open at all times for the use and enjoyment of the people of Indiana as ~~a public parks park~~ to the same extent as to residents of Indianapolis.

SECTION 21. IC 14-19-6-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 4. The general assembly or the governor may revoke the authority granted by this chapter. However, the city of Indianapolis may remove the monuments, fountains, or art treasures that the city erected or located in ~~the parks~~ **University Square** if the authority is revoked.

SECTION 22. IC 16-47-1-0.1, AS ADDED BY P.L.220-2011, SECTION 325, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 0.1. The following amendments to this chapter apply as follows:

- (1) The addition of section 5(a)(1) of this chapter by P.L.50-2004 applies to a health benefit plan described in section 2(1) ~~and 2(2) and 2(3)~~ of this chapter, as added by P.L.50-2004, established, entered into, delivered, amended, or renewed after December 31, 2004.
- (2) The addition of section 5(a)(2) of this chapter by P.L.50-2004



applies to a health benefit plan described in section ~~2(4)~~ **2(3)** of this chapter, as added by P.L.50-2004, on the date that the health benefit plan is established, entered into, delivered, amended, or renewed after December 31, 2004.

SECTION 23. IC 16-47-1-2, AS AMENDED BY P.L.2-2007, SECTION 197, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 2. As used in this chapter, "health benefit plan" refers to the following:

- ~~(1)~~ **(1)** An accident and sickness insurance policy purchased or maintained under IC 5-10-8-7(a)(3).
- ~~(2)~~ **(1)** A self-insurance program established under IC 5-10-8-7(b) to provide group health coverage.
- ~~(3)~~ **(2)** A contract with a prepaid health care delivery plan that is entered into or renewed under IC 5-10-8-7(c).
- ~~(4)~~ **(3)** A plan through which a state educational institution arranges for coverage of the cost of health care services (as defined in IC 27-13-1-18) provided to employees of the state educational institution.

SECTION 24. IC 16-47-1-5, AS AMENDED BY P.L.46-2015, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 5. (a) This subsection does not apply to prescription drugs that are dispensed through an onsite clinic. The following shall participate in the program:

- (1) The department, for a health benefit plan:
 - (A) described in section 2(1) ~~or 2(2) or 2(3)~~ of this chapter; and
 - (B) that provides coverage for prescription drugs.
- (2) After June 30, 2011, a state educational institution, for a health benefit plan:
 - (A) described in section ~~2(4)~~ **2(3)** of this chapter; and
 - (B) that provides coverage for prescription drugs;
 unless the budget agency determines that the state educational institution's participation in the program would not result in an overall financial benefit to the state educational institution. The budget agency may delay compliance with this subdivision to a date after July 1, 2011, that is determined by the budget agency to allow for the orderly transition from another program.
- (b) The following may participate in the program:
 - (1) A state agency other than the department that:
 - (A) purchases prescription drugs; or
 - (B) arranges for the payment of the cost of prescription drugs.
 - (2) A local unit (as defined in IC 5-10-8-1).
 - (3) The Indiana comprehensive health insurance association established under IC 27-8-10.



(c) The state Medicaid program may not participate in the program under this chapter.

SECTION 25. IC 20-26-5-4, AS AMENDED BY SEA 3-2016, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 4. (a) In carrying out the school purposes of a school corporation, the governing body acting on the school corporation's behalf has the following specific powers:

(1) In the name of the school corporation, to sue and be sued and to enter into contracts in matters permitted by applicable law. However, a governing body may not use funds received from the state to bring or join in an action against the state, unless the governing body is challenging an adverse decision by a state agency, board, or commission.

(2) To take charge of, manage, and conduct the educational affairs of the school corporation and to establish, locate, and provide the necessary schools, school libraries, other libraries where permitted by law, other buildings, facilities, property, and equipment.

(3) To appropriate from the school corporation's general fund an amount, not to exceed the greater of three thousand dollars (\$3,000) per budget year or one dollar (\$1) per pupil, not to exceed twelve thousand five hundred dollars (\$12,500), based on the school corporation's ADM of the previous year (as defined in IC 20-43-1-7) to promote the best interests of the school corporation through:

(A) the purchase of meals, decorations, memorabilia, or awards;

(B) provision for expenses incurred in interviewing job applicants; or

(C) developing relations with other governmental units.

(4) To do the following:

(A) Acquire, construct, erect, maintain, hold, and contract for construction, erection, or maintenance of real estate, real estate improvements, or an interest in real estate or real estate improvements, as the governing body considers necessary for school purposes, including buildings, parts of buildings, additions to buildings, rooms, gymnasiums, auditoriums, playgrounds, playing and athletic fields, facilities for physical training, buildings for administrative, office, warehouse, repair activities, or housing school owned buses, landscaping, walks, drives, parking areas, roadways, easements and facilities for power, sewer, water, roadway, access, storm and surface water, drinking water, gas, electricity, other utilities and similar purposes, by purchase, either outright for cash (or



under conditional sales or purchase money contracts providing for a retention of a security interest by the seller until payment is made or by notes where the contract, security retention, or note is permitted by applicable law), by exchange, by gift, by devise, by eminent domain, by lease with or without option to purchase, or by lease under IC 20-47-2, IC 20-47-3, or IC 20-47-5.

(B) Repair, remodel, remove, or demolish, or to contract for the repair, remodeling, removal, or demolition of the real estate, real estate improvements, or interest in the real estate or real estate improvements, as the governing body considers necessary for school purposes.

(C) Provide for conservation measures through utility efficiency programs or under a guaranteed savings contract as described in IC 36-1-12.5.

(5) To acquire personal property or an interest in personal property as the governing body considers necessary for school purposes, including buses, motor vehicles, equipment, apparatus, appliances, books, furniture, and supplies, either by cash purchase or under conditional sales or purchase money contracts providing for a security interest by the seller until payment is made or by notes where the contract, security, retention, or note is permitted by applicable law, by gift, by devise, by loan, or by lease with or without option to purchase and to repair, remodel, remove, relocate, and demolish the personal property. All purchases and contracts specified under the powers authorized under subdivision (4) and this subdivision are subject solely to applicable law relating to purchases and contracting by municipal corporations in general and to the supervisory control of state agencies as provided in section 6 of this chapter.

(6) To sell or exchange real or personal property or interest in real or personal property that, in the opinion of the governing body, is not necessary for school purposes, in accordance with IC 20-26-7, to demolish or otherwise dispose of the property if, in the opinion of the governing body, the property is not necessary for school purposes and is worthless, and to pay the expenses for the demolition or disposition.

(7) To lease any school property for a rental that the governing body considers reasonable or to permit the free use of school property for:

(A) civic or public purposes; or

(B) the operation of a school age child care program for children who are at least five (5) years of age and less than fifteen (15) years of age that operates before or after the school



day, or both, and during periods when school is not in session; if the property is not needed for school purposes. Under this subdivision, the governing body may enter into a long term lease with a nonprofit corporation, community service organization, or other governmental entity, if the corporation, organization, or other governmental entity will use the property to be leased for civic or public purposes or for a school age child care program. However, if payment for the property subject to a long term lease is made from money in the school corporation's debt service fund, all proceeds from the long term lease must be deposited in the school corporation's debt service fund so long as payment for the property has not been made. The governing body may, at the governing body's option, use the procedure specified in IC 36-1-11-10 in leasing property under this subdivision.

(8) To do the following:

(A) Employ, contract for, and discharge superintendents, supervisors, principals, teachers, librarians, athletic coaches (whether or not they are otherwise employed by the school corporation and whether or not they are licensed under IC 20-28-5), business managers, superintendents of buildings and grounds, janitors, engineers, architects, physicians, dentists, nurses, accountants, teacher aides performing noninstructional duties, educational and other professional consultants, data processing and computer service for school purposes, including the making of schedules, the keeping and analyzing of grades and other student data, the keeping and preparing of warrants, payroll, and similar data where approved by the state board of accounts as provided below, and other personnel or services as the governing body considers necessary for school purposes.

(B) Fix and pay the salaries and compensation of persons and services described in this subdivision that are consistent with IC 20-28-9-1.5.

(C) Classify persons or services described in this subdivision and to adopt a compensation plan with a salary range that is consistent with IC 20-28-9-1.5.

(D) Determine the number of the persons or the amount of the services employed or contracted for as provided in this subdivision.

(E) Determine the nature and extent of the duties of the persons described in this subdivision.

The compensation, terms of employment, and discharge of teachers are, however, subject to and governed by the laws relating to employment, contracting, compensation, and discharge



of teachers. The compensation, terms of employment, and discharge of bus drivers are subject to and governed by laws relating to employment, contracting, compensation, and discharge of bus drivers.

(9) Notwithstanding the appropriation limitation in subdivision (3), when the governing body by resolution considers a trip by an employee of the school corporation or by a member of the governing body to be in the interest of the school corporation, including attending meetings, conferences, or examining equipment, buildings, and installation in other areas, to permit the employee to be absent in connection with the trip without any loss in pay and to reimburse the employee or the member the employee's or member's reasonable lodging and meal expenses and necessary transportation expenses. To pay teaching personnel for time spent in sponsoring and working with school related trips or activities.

(10) Subject to IC 20-27-13, to transport children to and from school, when in the opinion of the governing body the transportation is necessary, including considerations for the safety of the children. The transportation must be otherwise in accordance with applicable law.

(11) To provide a lunch program for a part or all of the students attending the schools of the school corporation, including the establishment of kitchens, kitchen facilities, kitchen equipment, lunch rooms, the hiring of the necessary personnel to operate the lunch program, and the purchase of material and supplies for the lunch program, charging students for the operational costs of the lunch program, fixing the price per meal or per food item. To operate the lunch program as an extracurricular activity, subject to the supervision of the governing body. To participate in a surplus commodity or lunch aid program.

(12) To purchase curricular materials, to furnish curricular materials without cost or to rent curricular materials to students, **and** to participate in a curricular materials aid program, all in accordance with applicable law.

(13) To accept students transferred from other school corporations and to transfer students to other school corporations in accordance with applicable law.

(14) To make budgets, to appropriate funds, and to disburse the money of the school corporation in accordance with applicable law. To borrow money against current tax collections and otherwise to borrow money, in accordance with IC 20-48-1.

(15) To purchase insurance or to establish and maintain a program of self-insurance relating to the liability of the school



corporation or the school corporation's employees in connection with motor vehicles or property and for additional coverage to the extent permitted and in accordance with IC 34-13-3-20. To purchase additional insurance or to establish and maintain a program of self-insurance protecting the school corporation and members of the governing body, employees, contractors, or agents of the school corporation from liability, risk, accident, or loss related to school property, school contract, school or school related activity, including the purchase of insurance or the establishment and maintenance of a self-insurance program protecting persons described in this subdivision against false imprisonment, false arrest, libel, or slander for acts committed in the course of the persons' employment, protecting the school corporation for fire and extended coverage and other casualty risks to the extent of replacement cost, loss of use, and other insurable risks relating to property owned, leased, or held by the school corporation. In accordance with IC 20-26-17, to:

(A) participate in a state employee health plan under ~~IC 5-10-8-6.6~~ or IC 5-10-8-6.7;

(B) purchase insurance; or

(C) establish and maintain a program of self-insurance; to benefit school corporation employees, including accident, sickness, health, or dental coverage, provided that a plan of self-insurance must include an aggregate stop-loss provision.

(16) To make all applications, to enter into all contracts, and to sign all documents necessary for the receipt of aid, money, or property from the state, the federal government, or from any other source.

(17) To defend a member of the governing body or any employee of the school corporation in any suit arising out of the performance of the member's or employee's duties for or employment with, the school corporation, if the governing body by resolution determined that the action was taken in good faith. To save any member or employee harmless from any liability, cost, or damage in connection with the performance, including the payment of legal fees, except where the liability, cost, or damage is predicated on or arises out of the bad faith of the member or employee, or is a claim or judgment based on the member's or employee's malfeasance in office or employment.

(18) To prepare, make, enforce, amend, or repeal rules, regulations, and procedures:

(A) for the government and management of the schools, property, facilities, and activities of the school corporation, the school corporation's agents, employees, and pupils and for the



operation of the governing body; and

(B) that may be designated by an appropriate title such as "policy handbook", "bylaws", or "rules and regulations".

(19) To ratify and approve any action taken by a member of the governing body, an officer of the governing body, or an employee of the school corporation after the action is taken, if the action could have been approved in advance, and in connection with the action to pay the expense or compensation permitted under IC 20-26-1 through IC 20-26-5, IC 20-26-7, IC 20-40-12, and IC 20-48-1 or any other law.

(20) To exercise any other power and make any expenditure in carrying out the governing body's general powers and purposes provided in this chapter or in carrying out the powers delineated in this section which is reasonable from a business or educational standpoint in carrying out school purposes of the school corporation, including the acquisition of property or the employment or contracting for services, even though the power or expenditure is not specifically set out in this chapter. The specific powers set out in this section do not limit the general grant of powers provided in this chapter except where a limitation is set out in IC 20-26-1 through IC 20-26-5, IC 20-26-7, IC 20-40-12, and IC 20-48-1 by specific language or by reference to other law.

(b) A superintendent hired under subsection (a)(8):

(1) is not required to hold a teacher's license under IC 20-28-5; and

(2) is required to have obtained at least a master's degree from an accredited postsecondary educational institution.

SECTION 26. IC 20-28-2-0.3, AS ADDED BY P.L.220-2011, SECTION 334, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 0.3. (a) ~~The professional standards board (previously established by section 1 of this chapter) is abolished.~~

(b) ~~The following are transferred on July 1, 2005, from the professional standards board to the department:~~

(1) ~~All real and personal property of the professional standards board.~~

(2) ~~All powers, duties, assets, and liabilities of the professional standards board.~~

(3) ~~All appropriations to the professional standards board.~~

(c) ~~Money in the professional standards board licensing fund established by P.L.224-2003, SECTION 9 is transferred on July 1, 2005, to the professional standards fund established by section 10 of this chapter.~~

(d) (a) ~~Rules that were adopted by the professional standards board before July 1, 2005, shall be treated as though the rules were adopted~~



by the advisory board of the division of professional standards of the department established by section 2 of this chapter, as amended by P.L.246-2005.

(e) (b) After June 30, 2005, a reference to the professional standards board in a statute or rule shall be treated as a reference to the division of professional standards established by section 1.5 of this chapter.

(f) The members appointed before July 1, 2005, to the professional standards board:

(1) become members of the advisory board for the division of professional standards established by section 2 of this chapter; and

(2) may serve until the expiration of the term for which the members were appointed:

(g) A license or permit issued by the professional standards board before July 1, 2005, shall be treated after June 30, 2005, as a license or permit issued by the department.

(h) Proceedings pending before the professional standards board on July 1, 2005, shall be transferred from the professional standards board to the department and treated as if initiated by the department.

SECTION 27. IC 20-28-2-7, AS ADDED BY P.L.246-2005, SECTION 143, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 7. (a) The department may recommend to the general assembly for consideration measures relating to the department's powers and duties that improve the quality of teacher preparation or teacher licensing standards.

(b) The department shall submit to the general assembly before November 1 of each year a report:

(1) detailing the findings and activities of the department, the division, and the advisory state board; and

(2) including any recommendations developed under this chapter.

A report under this subsection must in an electronic format under IC 5-14-6.

SECTION 28. IC 20-28-5-3, AS AMENDED BY P.L.6-2012, SECTION 135, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 3. (a) The department shall designate the grade point average required for each type of license.

(b) The department shall determine details of licensing not provided in this chapter, including requirements regarding the following:

(1) The conversion of one (1) type of license into another.

(2) The accreditation of teacher education schools and departments.

(3) The exchange and renewal of licenses.

(4) The endorsement of another state's license.

(5) The acceptance of credentials from teacher education



institutions of another state.

- (6) The academic and professional preparation for each type of license.
- (7) The granting of permission to teach a high school subject area related to the subject area for which the teacher holds a license.
- (8) The issuance of licenses on credentials.
- (9) The type of license required for each school position.
- (10) The size requirements for an elementary school requiring a licensed principal.
- (11) Any other related matters.

The department shall establish at least one (1) system for renewing a teaching license that does not require a graduate degree.

(c) This subsection does not apply to an applicant for a substitute teacher license. After June 30, 2011, the department may not issue an initial practitioner license at any grade level to an applicant for an initial practitioner license unless the applicant shows evidence that the applicant:

- (1) has successfully completed training approved by the department in:
 - (A) cardiopulmonary resuscitation that includes a test demonstration on a mannequin;
 - (B) removing a foreign body causing an obstruction in an airway;
 - (C) the Heimlich maneuver; and
 - (D) the use of an automated external defibrillator;
- (2) holds a valid certification in each of the procedures described in subdivision (1) issued by:
 - (A) the American Red Cross;
 - (B) the American Heart Association; or
 - (C) a comparable organization or institution approved by the **advisory state** board; or
- (3) has physical limitations that make it impracticable for the applicant to complete a course or certification described in subdivision (1) or (2).

The training in this subsection applies to a teacher (as defined in IC 20-18-2-22(b)).

(d) This subsection does not apply to an applicant for a substitute teacher license. After June 30, 2013, the department may not issue an initial teaching license at any grade level to an applicant for an initial teaching license unless the applicant shows evidence that the applicant has successfully completed education and training on the prevention of child suicide and the recognition of signs that a student may be considering suicide.

(e) This subsection does not apply to an applicant for a substitute



teacher license. After June 30, 2012, the department may not issue a teaching license renewal at any grade level to an applicant unless the applicant shows evidence that the applicant:

- (1) has successfully completed training approved by the department in:
 - (A) cardiopulmonary resuscitation that includes a test demonstration on a mannequin;
 - (B) removing a foreign body causing an obstruction in an airway;
 - (C) the Heimlich maneuver; and
 - (D) the use of an automated external defibrillator;
- (2) holds a valid certification in each of the procedures described in subdivision (1) issued by:
 - (A) the American Red Cross;
 - (B) the American Heart Association; or
 - (C) a comparable organization or institution approved by the **advisory state** board; or
- (3) has physical limitations that make it impracticable for the applicant to complete a course or certification described in subdivision (1) or (2).
- (f) The department shall periodically publish bulletins regarding:
 - (1) the details described in subsection (b);
 - (2) information on the types of licenses issued;
 - (3) the rules governing the issuance of each type of license; and
 - (4) other similar matters.

SECTION 29. IC 21-13-2-16 IS REPEALED [EFFECTIVE JULY 1, 2016]. ~~Sec. 16. Before January 1, 2015, the commission shall provide a report in an electronic format under IC 5-14-6 to the general assembly regarding the effectiveness of the program.~~

SECTION 30. IC 22-2-15-5 IS REPEALED [EFFECTIVE JULY 1, 2016]. ~~Sec. 5. The department shall before November 1, 2010, make recommendations in an electronic format under IC 5-14-6 to the legislative council concerning any legislative changes needed to implement the guidelines and procedures developed under this chapter, including a budgetary recommendation for the implementation of the guidelines and procedures and a funding mechanism, to the extent possible, which must include a fee.~~

SECTION 31. IC 35-44.2-2-3, AS ADDED BY P.L.126-2012, SECTION 55, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 3. (a) This subsection does not apply to the following:

- (1) A state educational institution (as defined in IC 21-7-13-32).
- (2) A municipality (as defined in IC 36-1-2-11).
- (3) A county.



- (4) An airport authority operating in a consolidated city.
 - (5) A capital improvements board of managers operating in a consolidated city.
 - (6) A board of directors of a public transportation corporation operating in a consolidated city.
 - (7) A municipal corporation organized under IC 16-22-8-6.
 - (8) A public library.
 - (9) A library services authority.
 - (10) A hospital organized under IC 16-22 or a hospital organized under IC 16-23.
 - (11) A school corporation (as defined in IC 36-1-2-17).
 - (12) A regional water or sewer district organized under IC 13-26 or under IC 13-3-2 (before its repeal).
 - (13) A municipally owned utility (as defined in IC 8-1-2-1).
 - (14) A board of an airport authority under IC 8-22-3.
 - (15) A conservancy district.
 - (16) A board of aviation commissioners under IC 8-22-2.
 - (17) A public transportation corporation under IC 36-9-4.
 - (18) A commuter transportation district under IC 8-5-15.
 - (19) A solid waste management district established under IC 13-21 or IC 13-9.5 (before its repeal).
 - (20) A county building authority under IC 36-9-13.
 - (21) A soil and water conservation district established under IC 14-32.
 - (22) The northwestern Indiana regional planning commission established by IC 36-7-7.6-3.
 - ~~(23) The commuter rail service board established under IC 8-24-5.~~
 - ~~(24) The regional demand and scheduled bus service board established under IC 8-24-6.~~
- (b) A disbursing officer (as described in IC 5-11-10) who knowingly or intentionally pays a claim that is not:
- (1) fully itemized; and
 - (2) properly certified to by the claimant or some authorized person in the claimant's behalf, with the following words of certification: I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid;
- commits a violation of the itemization and certification rule, a Class A misdemeanor.

SECTION 32. IC 36-3-1-5.1, AS AMENDED BY P.L.266-2013, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 5.1. (a) Except for those duties that are reserved by law to the county sheriff in this section, the city-county legislative



body may by majority vote adopt an ordinance, approved by the mayor, to consolidate the police department of the consolidated city and the county sheriff's department. The consolidated law enforcement department must be a division of the department of public safety under the direction and control of a director of public safety.

(b) The city-county legislative body may not adopt an ordinance under this section unless it first:

- (1) holds a public hearing on the proposed consolidation; and
- (2) determines that:
 - (A) reasonable and adequate police protection can be provided through the consolidation; and
 - (B) the consolidation is in the public interest.

(c) If an ordinance is adopted under this section, the consolidation shall take effect on the date specified in the ordinance.

(d) Notwithstanding any other law, an ordinance adopted under this section must provide that the county sheriff's department shall be responsible for all the following for the consolidated city and the county under the direction and control of the sheriff:

- (1) County jail operations and facilities.
- (2) Emergency communications.
- (3) Security for buildings and property owned by:
 - (A) the consolidated city;
 - (B) the county; or
 - (C) both the consolidated city and county.
- (4) Service of civil process and collection of taxes under tax warrants.
- (5) Sex and violent offender registration.

(e) The following apply if an ordinance is adopted under this section:

- (1) The department of local government finance shall adjust the maximum permissible ad valorem property tax levy of the consolidated city and the county for property taxes first due and payable in the year a consolidation takes effect under this section. When added together, the adjustments under this subdivision must total zero (0).
- (2) The ordinance must specify which law enforcement officers of the police department and which law enforcement officers of the county sheriff's department shall be law enforcement officers of the consolidated law enforcement department.
- (3) The ordinance may not prohibit the providing of law enforcement services for an excluded city under an interlocal agreement under IC 36-1-7.
- (4) A member of the county police force who:
 - (A) was an employee beneficiary of the sheriff's pension trust



before the consolidation of the law enforcement departments;
and

(B) after the consolidation becomes a law enforcement officer
of the consolidated law enforcement department;

remains an employee beneficiary of the sheriff's pension trust. The member retains, after the consolidation, credit in the sheriff's pension trust for service earned while a member of the county police force and continues to earn service credit in the sheriff's pension trust as a member of the consolidated law enforcement department for purposes of determining the member's benefits from the sheriff's pension trust.

(5) A member of the police department of the consolidated city who:

(A) was a member of the 1953 fund or the 1977 fund before the consolidation of the law enforcement departments; and

(B) after the consolidation becomes a law enforcement officer of the consolidated law enforcement department;

remains a member of the 1953 fund or the 1977 fund. The member retains, after the consolidation, credit in the 1953 fund or the 1977 fund for service earned while a member of the police department of the consolidated city and continues to earn service credit in the 1953 fund or the 1977 fund as a member of the consolidated law enforcement department for purposes of determining the member's benefits from the 1953 fund or the 1977 fund.

(6) The ordinance must designate the merit system that shall apply to the law enforcement officers of the consolidated law enforcement department.

(7) The ordinance must designate who shall serve as a coapplicant for a warrant or an extension of a warrant under IC 35-33.5-2.

(8) The consolidated city may levy property taxes within the consolidated city's maximum permissible ad valorem property tax levy limit to provide for the payment of the expenses for the operation of the consolidated law enforcement department. The police special service district established under section 6 of this chapter may levy property taxes to provide for the payment of expenses for the operation of the consolidated law enforcement department within the territory of the police special service district. Property taxes to fund the pension obligation under IC 36-8-7.5 may be levied only by the police special service district within the police special service district. The consolidated city may not levy property taxes to fund the pension obligation under IC 36-8-7.5. Property taxes to fund the pension obligation under IC 36-8-8 for members of the 1977 police officers' and



firefighters' pension and disability fund who were members of the police department of the consolidated city on the effective date of the consolidation may be levied only by the police special service district within the police special service district. Property taxes to fund the pension obligation under IC 36-8-10 for members of the sheriff's pension trust and under IC 36-8-8 for members of the 1977 police officers' and firefighters' pension and disability fund who were not members of the police department of the consolidated city on the effective date of the consolidation may be levied by the consolidated city within the consolidated city's maximum permissible ad valorem property tax levy. The assets of the consolidated city's 1953 fund and the assets of the sheriff's pension trust may not be pledged after the effective date of the consolidation as collateral for any loan.

(9) ~~The executive of the consolidated city shall provide for an independent evaluation and performance audit, due before March 1 of the year following the adoption of the consolidation ordinance and for the following two (2) years, to determine:~~

~~(A) the amount of any cost savings, operational efficiencies, or improved service levels; and~~

~~(B) any tax shifts among taxpayers;~~

~~that result from the consolidation. The independent evaluation and performance audit must be provided to the legislative council in an electronic format under IC 5-14-6 and to the budget committee.~~

SECTION 33. IC 36-8-16.7-48, AS ADDED BY P.L.132-2012, SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 48. (a) The budget committee shall review the statewide 911 system governed by this chapter for the two (2) calendar years ending:

(1) December 31, 2013; and

(2) December 31, 2014.

(b) In conducting the review required by this section, the budget committee may examine the following:

(1) Whether the fund is being administered by the board in accordance with this chapter. ~~In performing a review under this subdivision, the budget committee may consider the audit reports submitted to the budget committee by the state board of accounts under section 30(a) of this chapter.~~

(2) The collection, disbursement, and use of the statewide 911 fee assessed under section 32 of this chapter. In performing a review under this subdivision, the budget committee may

~~(A) examine whether the statewide 911 fee:~~

~~(i) (A) is being assessed in an amount that is reasonably~~



necessary to provide adequate and efficient 911 service; and
 (ii) **(B)** is being used only for the purposes set forth in this chapter. and

~~(B)~~ consider:

(i) the reports submitted to the budget committee by the board under section 30(e) of this chapter; and

(ii) the audit reports submitted to the budget committee by the state board of accounts under section 38(e) of this chapter.

(3) The report submitted to the budget committee by the Indiana advisory commission on intergovernmental relations under IC 4-23-24.2-5(b) **(before its expiration on July 1, 2016)**.

(4) Any other data, reports, or information the budget committee determines is necessary to review the statewide 911 system governed by this chapter.

(c) Subject to section 42 of this chapter, the board, the state board of accounts, political subdivisions, providers, and PSAPs shall provide to the budget committee all relevant data, reports, and information requested by the budget committee to assist the budget committee in carrying out its duties under this section.

(d) After conducting the review required by this section, the budget committee shall, not later than June 1, 2015, report its findings to the legislative council. The budget committee's findings under this subsection:

(1) must include a recommendation as to whether the statewide 911 fee assessed under section 32 of this chapter should continue to be assessed and collected under this chapter after June 30, 2015; and

(2) if the budget committee recommends under subdivision (1) that the statewide 911 fee assessed under section 32 of this chapter should continue to be assessed and collected under this chapter after June 30, 2015, may include recommendations for the introduction in the general assembly of any legislation that the budget committee determines is necessary to ensure that the statewide 911 system governed by this chapter is managed in a fair and fiscally prudent manner.

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

(e) If the budget committee does not recommend in its report under subsection (d) that the statewide 911 fee assessed under section 32 of this chapter should continue to be assessed and collected under this chapter after June 30, 2015, the statewide 911 fee assessed under section 32 of this chapter expires July 1, 2015, and may not be assessed or collected after June 30, 2015.

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SECTION 34. IC 36-9-2-1, AS AMENDED BY P.L.119-2012, SECTION 223, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 1. This chapter applies to all units except townships. However, with respect to a public transportation system, this chapter does not apply after December 31, 2009, to a county that is a member of the northern Indiana regional transportation district established under IC 8-24 and that has a population of:

- (1) more than four hundred thousand (400,000) but less than seven hundred thousand (700,000); or
- (2) more than one hundred fifty thousand (150,000) but less than one hundred seventy thousand (170,000);

or a unit located in such a county.

SECTION 35. IC 36-9-3-2, AS AMENDED BY P.L.119-2012, SECTION 224, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 2. (a) Except as provided in subsection (d), A fiscal body of a county or municipality may, by ordinance, establish a regional transportation authority (referred to as "the authority" in this chapter) for the purpose of acquiring, improving, operating, maintaining, financing, and generally supporting a public transportation system that operates within the boundaries of an area designated as a transportation planning district by the Indiana department of transportation. However, only one (1) public transportation authority may be established within an area designated as a transportation planning district by the Indiana department of transportation.

(b) The ordinance establishing the authority must include an effective date and a name for the authority. Except as provided in subsection (c), the words "regional transportation authority" must be included in the name of the authority.

(c) After December 31, 2009, this subsection applies if a county is not a member of the northern Indiana regional transportation district established under IC 8-24. The words "regional bus authority" must be included in the name of an authority that includes a county having a population of more than four hundred thousand (400,000) but less than seven hundred thousand (700,000).

(d) After December 31, 2009, this subsection applies if a county is a member of the northern Indiana regional transportation district established under IC 8-24 and has a population of:

- (1) more than four hundred thousand (400,000) but less than seven hundred thousand (700,000); or
- (2) more than one hundred fifty thousand (150,000) but less than one hundred seventy thousand (170,000).

In such a county the regional bus authority or regional transportation authority, whichever applies, is abolished effective January 1, 2010.



After December 31, 2009, a regional transportation authority may not be established by a fiscal body of such a county or a municipality in such a county:

SECTION 36. IC 36-9-3-5, AS AMENDED BY P.L.119-2012, SECTION 226, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 5. (a) An authority is under the control of a board (referred to as "the board" in this chapter) that, except as provided in subsections (b) and (c), consists of:

- (1) two (2) members appointed by the executive of each county in the authority;
- (2) one (1) member appointed by the executive of the largest municipality in each county in the authority;
- (3) one (1) member appointed by the executive of each second class city in a county in the authority; and
- (4) one (1) member from any other political subdivision that has public transportation responsibilities in a county in the authority.

(b) An authority that includes a consolidated city is under the control of a board consisting of the following:

- (1) Two (2) members appointed by the executive of the county having the consolidated city.
- (2) One (1) member appointed by the board of commissioners of the county having the consolidated city.
- (3) One (1) member appointed by the executive of each other county in the authority.
- (4) Two (2) members appointed by the governor from a list of at least five (5) names provided by the Indianapolis regional transportation council.
- (5) One (1) member representing the four (4) largest municipalities in the authority located in a county other than a county containing a consolidated city. The member shall be appointed by the executives of the municipalities acting jointly.
- (6) One (1) member representing the excluded cities located in a county containing a consolidated city that are members of the authority. The member shall be appointed by the executives of the excluded cities acting jointly.
- (7) One (1) member of a labor organization representing employees of the authority who provide public transportation services within the geographic jurisdiction of the authority. The labor organization shall appoint the member.

(c) After December 31, 2009, this subsection applies if both a county having a population of more than four hundred thousand (400,000) but less than seven hundred thousand (700,000) and a county having a population of more than one hundred fifty thousand (150,000) but less than one hundred seventy thousand (170,000) are not members



~~of the northern Indiana regional transportation district established under IC 8-24.~~ An authority that includes a county having a population of more than four hundred thousand (400,000) but less than seven hundred thousand (700,000) is under the control of a board consisting of the following twenty-one (21) members:

- (1) Three (3) members appointed by the executive of a city with a population of more than eighty thousand (80,000) but less than eighty thousand four hundred (80,400).
- (2) Two (2) members appointed by the executive of a city with a population of more than eighty thousand five hundred (80,500) but less than one hundred thousand (100,000).
- (3) One (1) member jointly appointed by the executives of the following municipalities located within a county having a population of more than four hundred thousand (400,000) but less than seven hundred thousand (700,000):
 - (A) A city with a population of more than four thousand nine hundred fifty (4,950) but less than five thousand (5,000).
 - (B) A city with a population of more than twenty-nine thousand six hundred (29,600) but less than twenty-nine thousand nine hundred (29,900).
- (4) One (1) member who is jointly appointed by the fiscal body of the following municipalities located within a county with a population of more than four hundred thousand (400,000) but less than seven hundred thousand (700,000):
 - (A) A town with a population of more than sixteen thousand five hundred (16,500) but less than twenty thousand (20,000).
 - (B) A town with a population of more than twenty-three thousand seven hundred (23,700) but less than twenty-four thousand (24,000).
 - (C) A town with a population of more than twenty thousand (20,000) but less than twenty-three thousand seven hundred (23,700).
- (5) One (1) member who is jointly appointed by the fiscal body of the following municipalities located within a county with a population of more than four hundred thousand (400,000) but less than seven hundred thousand (700,000):
 - (A) A town with a population of more than fourteen thousand (14,000) but less than sixteen thousand (16,000).
 - (B) A town with a population of more than twenty-four thousand (24,000) but less than thirty thousand (30,000).
 - (C) A town with a population of more than sixteen thousand (16,000) but less than sixteen thousand five hundred (16,500).
- (6) One (1) member who is jointly appointed by the following authorities of municipalities located in a county having a



population of more than four hundred thousand (400,000) but less than seven hundred thousand (700,000):

(A) The executive of a city with a population of more than twenty-five thousand (25,000) but less than twenty-nine thousand (29,000).

(B) The fiscal body of a town with a population of more than ten thousand (10,000) but less than fourteen thousand (14,000).

(C) The fiscal body of a town with a population of more than five thousand (5,000) but less than ten thousand (10,000).

(D) The fiscal body of a town with a population of less than one thousand five hundred (1,500).

(E) The fiscal body of a town with a population of more than two thousand two hundred (2,200) but less than five thousand (5,000).

(7) One (1) member appointed by the fiscal body of a town with a population of more than thirty thousand (30,000) located within a county with a population of more than four hundred thousand (400,000) but less than seven hundred thousand (700,000).

(8) One (1) member who is jointly appointed by the following authorities of municipalities that are located within a county with a population of more than four hundred thousand (400,000) but less than seven hundred thousand (700,000):

(A) The executive of a city having a population of more than twenty-nine thousand (29,000) but less than twenty-nine thousand five hundred (29,500).

(B) The executive of a city having a population of more than twelve thousand five hundred (12,500) but less than twelve thousand seven hundred (12,700).

(C) The fiscal body of a town having a population of more than one thousand five hundred (1,500) but less than two thousand two hundred (2,200).

(9) Three (3) members appointed by the fiscal body of a county with a population of more than four hundred thousand (400,000) but less than seven hundred thousand (700,000).

(10) One (1) member appointed by the county executive of a county with a population of more than four hundred thousand (400,000) but less than seven hundred thousand (700,000).

(11) One (1) member of a labor organization representing employees of the authority who provide public transportation services within the geographic jurisdiction of the authority. The labor organization shall appoint the member. If more than one (1) labor organization represents the employees of the authority, each organization shall submit one (1) name to the governor, and the



governor shall appoint the member from the list of names submitted by the organizations.

(12) The executive of a city with a population of more than thirty-one thousand seven hundred twenty-five (31,725) but less than thirty-five thousand (35,000), or the executive's designee.

(13) The executive of a city with a population of more than thirty-six thousand eight hundred twenty-five (36,825) but less than forty thousand (40,000), or the executive's designee.

(14) One (1) member of the board of commissioners of a county, with a population of more than one hundred fifty thousand (150,000) but less than one hundred seventy thousand (170,000), appointed by the board of commissioners, or the member's designee.

(15) One (1) member appointed jointly by the township executive of the township containing the following towns:

- (A) Chesterton.
- (B) Porter.
- (C) Burns Harbor.
- (D) Dune Acres.

The member appointed under this subdivision must be a resident of a town listed in this subdivision.

(16) One (1) member appointed jointly by the township executives of the following townships located in Porter County:

- (A) Washington Township.
- (B) Morgan Township.
- (C) Pleasant Township.
- (D) Boone Township.
- (E) Union Township.
- (F) Porter Township.
- (G) Jackson Township.
- (H) Liberty Township.
- (I) Pine Township.

The member appointed under this subdivision must be a resident of a township listed in this subdivision.

If a county or city becomes a member of the authority under section 3.5 of this chapter, the executive of the county or city shall appoint one (1) member to serve on the board.

SECTION 37. IC 36-9-3-7, AS AMENDED BY P.L.182-2009(ss), SECTION 448, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 7. (a) Except as provided in subsection (e), as soon as is practical, but not later than ninety (90) days after the authority is established, the members shall meet and organize themselves as a board.

(b) Except as provided in subsection (f), at its first meeting, and



annually after that, the board shall elect from its members a president, a vice president who shall perform the duties of the president during the absence or disability of the president, a secretary, and a treasurer. If the authority includes more than one (1) county, the president and vice president must be from different counties.

(c) The regional planning commission staff or the metropolitan planning organization if the authority includes a consolidated city shall serve as staff to the board secretary for the purpose of recording the minutes of all board meetings and keeping the records of the authority.

(d) The board shall keep its maps, plans, documents, records, and accounts in a suitable office, subject to public inspection at all reasonable times.

(e) ~~After December 31, 2009, this subsection applies if a county is not a member of the northern Indiana regional transportation district established under IC 8-24.~~ If the authority includes a county having a population of more than four hundred thousand (400,000) but less than seven hundred thousand (700,000), the first meeting of the board shall be at the call of the county council of the county having a population of more than four hundred thousand (400,000) but less than seven hundred thousand (700,000). The president of the county council shall preside over the first meeting until the officers of the board have been elected.

(f) ~~After December 31, 2009, this subsection applies if a county is not a member of the northern Indiana regional transportation district established under IC 8-24.~~ If the authority includes a county having a population of more than four hundred thousand (400,000) but less than seven hundred thousand (700,000), the board shall first meet in January. At the first meeting the board shall elect from its members a president, a vice president who shall perform the duties of the president during the absence or disability of the president, a secretary, a treasurer, and any other officers the board determines are necessary for the board to function.

SECTION 38. IC 36-9-3-9, AS AMENDED BY P.L.182-2009(ss), SECTION 449, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 9. (a) A majority of the members appointed to the board constitutes a quorum for a meeting.

(b) Except as provided in subsection (c), the board may act officially by an affirmative vote of a majority of those present at the meeting at which the action is taken.

(c) ~~After December 31, 2009, this subsection applies if a county is not a member of the northern Indiana regional transportation district established under IC 8-24.~~ If the authority includes a county having a population of more than four hundred thousand (400,000) but less than seven hundred thousand (700,000), then:

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(1) an affirmative vote of a majority of the board is necessary for an action to be taken; and

(2) a vacancy in membership does not impair the right of a quorum to exercise all rights and perform all duties of the board.

SECTION 39. IC 36-9-3-10, AS AMENDED BY P.L.182-2009(ss), SECTION 450, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 10. (a) Except as provided in subsection (b), the members of the board are not entitled to a salary but are entitled to an allowance for actual expenses and mileage at the same rate as other county officials.

(b) ~~After December 31, 2009, this subsection applies if a county is not a member of the northern Indiana regional transportation district established under IC 8-24.~~ If the authority includes a county having a population of more than four hundred thousand (400,000) but less than seven hundred thousand (700,000), a member of the board is entitled to reimbursement for traveling expenses and other expenses actually incurred in connection with the member's duties as provided:

(1) in the procedures established by the department of administration and approved by the budget agency for state employee travel; or

(2) by ordinance of the county fiscal body.

SECTION 40. IC 36-9-4-1, AS AMENDED BY P.L.119-2012, SECTION 227, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 1. This chapter applies to all municipalities. ~~However, after December 31, 2009, this chapter does not apply to a municipality if it is located in a county that is a member of the northern Indiana regional transportation district established under IC 8-24 and has a population of:~~

(1) more than four hundred thousand (400,000) but less than seven hundred thousand (700,000); or

(2) more than one hundred fifty thousand (150,000) but less than one hundred seventy thousand (170,000).

SECTION 41. P.L.281-2013, SECTION 35, IS REPEALED [EFFECTIVE JULY 1, 2016]. SECTION 35: (a) As used in this SECTION, the "commission" refers to the commission for higher education established in IC 21-18-2-1.

(b) The commission shall study and evaluate the following issues:

(1) The financial costs for students pursuing postsecondary education, including worker certifications, associate degrees, and baccalaureate degrees. The commission shall identify opportunities, methods, and strategies to increase the affordability of certification and degree programs in Indiana.

(2) On time degree completion rates for public and nonpublic Indiana colleges and universities. The commission shall identify



opportunities, methods, and strategies to increase the percentage of students in Indiana who complete a degree on time.

(c) Not later than November 1, 2013, the commission shall report its finding under subsection (b) to the legislative council in an electronic format under IC 5-14-6.



President of the Senate

President Pro Tempore

Speaker of the House of Representatives

Governor of the State of Indiana

Date: _____ Time: _____

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