

Second Regular Session of the 123rd General Assembly (2024)

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 2023 Regular Session of the General Assembly.

SENATE ENROLLED ACT No. 80

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 9-13-2-1.6, AS ADDED BY P.L.92-2013, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 1.6. "Advisory board", for purposes of IC 9-32, has the meaning set forth in ~~IC 9-32-2-3~~. **IC 9-32-2.1-2.**

SECTION 2. IC 9-13-2-8.5, AS AMENDED BY P.L.137-2018, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 8.5. "Automotive mobility dealer" has the meaning set forth in ~~IC 9-32-2-4.5~~. **IC 9-32-2.1-4.**

SECTION 3. IC 9-13-2-9, AS AMENDED BY P.L.198-2016, SECTION 82, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 9. "Automotive salvage rebuilder" has the meaning set forth in ~~IC 9-32-2-5~~. **IC 9-32-2.1-5.**

SECTION 4. IC 9-13-2-10.5, AS ADDED BY P.L.134-2023, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 10.5. "Average wholesale value", for purposes of IC 9-32-11, has the meaning set forth in ~~IC 9-32-2-5.5~~. **IC 9-32-2.1-6.**

SECTION 5. IC 9-13-2-15, AS AMENDED BY P.L.92-2013, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 15. "Broker", for purposes of IC 9-32, has the meaning set forth in ~~IC 9-32-2-6~~. **IC 9-32-2.1-7.**

SECTION 6. IC 9-13-2-19.5, AS AMENDED BY P.L.92-2013, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

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JULY 1, 2024]; Sec. 19.5. "Charge back", for purposes of IC 9-32, has the meaning set forth in ~~IC 9-32-2-9~~. **IC 9-32-2.1-8.**

SECTION 7. IC 9-13-2-42, AS AMENDED BY P.L.137-2018, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 42. "Dealer" has the meaning set forth in ~~IC 9-32-2-9.6~~. **IC 9-32-2.1-10.**

SECTION 8. IC 9-13-2-42.3, AS ADDED BY P.L.179-2017, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 42.3. "Dealer manager", for purposes of IC 9-32, has the meaning set forth in ~~IC 9-32-2-9.7~~. **IC 9-32-2.1-11.**

SECTION 9. IC 9-13-2-42.5, AS ADDED BY P.L.179-2017, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 42.5. "Dealer owner", for purposes of IC 9-32, has the meaning set forth in ~~IC 9-32-2-9.9~~. **IC 9-32-2.1-12.**

SECTION 10. IC 9-13-2-43.3, AS ADDED BY P.L.92-2013, SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 43.3. "Director", for purposes of IC 9-32, has the meaning set forth in ~~IC 9-32-2-10~~. **IC 9-32-2.1-13.**

SECTION 11. IC 9-13-2-45.2, AS ADDED BY P.L.151-2015, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 45.2. "Distributor representative", for purposes of IC 9-32-11, has the meaning set forth in ~~IC 9-32-2-10.5~~. **IC 9-32-2.1-15.**

SECTION 12. IC 9-13-2-45.5, AS ADDED BY P.L.92-2013, SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 45.5. "Division", for purposes of IC 9-32, has the meaning set forth in ~~IC 9-32-2-11~~. **IC 9-32-2.1-16.**

SECTION 13. IC 9-13-2-45.8, AS ADDED BY P.L.245-2019, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 45.8. "Document preparation fee" has the meaning set forth in ~~IC 9-32-2-11.2~~. **IC 9-32-2.1-17.**

SECTION 14. IC 9-13-2-51, AS AMENDED BY P.L.92-2013, SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 51. "Existing franchise", for purposes of IC 9-32, has the meaning set forth in ~~IC 9-32-2-12~~. **IC 9-32-2.1-21.**

SECTION 15. IC 9-13-2-67, AS AMENDED BY P.L.92-2013, SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 67. "Franchise", for purposes of IC 9-32, has the meaning set forth in ~~IC 9-32-2-13~~. **IC 9-32-2.1-22.**

SECTION 16. IC 9-13-2-68, AS AMENDED BY P.L.92-2013, SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 68. "Franchisee", for purposes of IC 9-32, has the



meaning set forth in ~~IC 9-32-2-14~~. **IC 9-32-2.1-23.**

SECTION 17. IC 9-13-2-69, AS AMENDED BY P.L.92-2013, SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 69. "Franchisor", for purposes of IC 9-32, has the meaning set forth in ~~IC 9-32-2-15~~. **IC 9-32-2.1-24.**

SECTION 18. IC 9-13-2-90, AS AMENDED BY P.L.92-2013, SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 90. "Labor rate", for purposes of IC 9-32, has the meaning set forth in ~~IC 9-32-2-16~~. **IC 9-32-2.1-28.**

SECTION 19. IC 9-13-2-97.6, AS ADDED BY P.L.151-2015, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 97.6. "Manufacturer representative", for purposes of IC 9-32-11, has the meaning set forth in ~~IC 9-32-2-18.5~~. **IC 9-32-2.1-31.**

SECTION 20. IC 9-13-2-111.5, AS ADDED BY P.L.120-2020, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 111.5. "New motor vehicle dealer", for purposes of IC 9-32, has the meaning set forth in ~~IC 9-32-2-18.3~~. **IC 9-32-2.1-32.**

SECTION 21. IC 9-13-2-124, AS AMENDED BY P.L.198-2016, SECTION 145, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 124. "Person" means an individual, a firm, a partnership, an association, a fiduciary, an executor or administrator, a governmental entity, a limited liability company, a corporation, a sole proprietorship, a trust, an estate, or another entity, except as defined in the following sections:

- (1) IC 9-20-14-0.5.
- (2) IC 9-20-15-0.5.
- (3) ~~IC 9-32-2-18.6~~. **IC 9-32-2.1-33.**

SECTION 22. IC 9-13-2-151.5, AS AMENDED BY P.L.92-2013, SECTION 28, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 151.5. "Relevant market area", for purposes of IC 9-32, has the meaning set forth in ~~IC 9-32-2-20~~. **IC 9-32-2.1-35.**

SECTION 23. IC 9-13-2-159.5, AS ADDED BY P.L.92-2013, SECTION 31, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 159.5. "Sale", for purposes of IC 9-32, has the meaning set forth in ~~IC 9-32-2-23~~. **IC 9-32-2.1-36.**

SECTION 24. IC 9-13-2-162.5, AS ADDED BY P.L.92-2013, SECTION 33, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 162.5. "Secretary", for purposes of IC 9-32, has the meaning set forth in ~~IC 9-32-2-24~~. **IC 9-32-2.1-37.**

SECTION 25. IC 9-13-2-174.3, AS ADDED BY P.L.134-2023,



SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 174.3. "Stop sale directive", for purposes of IC 9-32-11, has the meaning set forth in ~~IC 9-32-2-24.8.~~ **IC 9-32-2.1-39.**

SECTION 26. IC 9-13-2-185, AS AMENDED BY P.L.92-2013, SECTION 34, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 185. "Transfer dealer", for purposes of IC 9-32, has the meaning set forth in ~~IC 9-32-2-25.~~ **IC 9-32-2.1-40.**

SECTION 27. IC 9-13-2-191.5, AS AMENDED BY P.L.92-2013, SECTION 35, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 191.5. "Uniform time standards manual", for purposes of IC 9-32, has the meaning set forth in ~~IC 9-32-2-26.~~ **IC 9-32-2.1-42.**

SECTION 28. IC 9-13-2-194.5, AS ADDED BY P.L.120-2020, SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 194.5. "Used motor vehicle", for purposes of IC 9-32, has the meaning set forth in ~~IC 9-32-2-26.5.~~ **IC 9-32-2.1-43.**

SECTION 29. IC 9-13-2-195, AS AMENDED BY P.L.92-2013, SECTION 36, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 195. "Used parts dealer", for purposes of IC 9-32, has the meaning set forth in ~~IC 9-32-2-27.~~ **IC 9-32-2.1-45.**

SECTION 30. IC 9-32-2 IS REPEALED [EFFECTIVE JULY 1, 2024]. (Definitions for Dealer Services Law).

SECTION 31. IC 9-32-2.1 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]:

Chapter 2.1. Definitions

Sec. 1. The definitions in this chapter apply throughout this article.

Sec. 2. "Advisory board" refers to the motor vehicle sales advisory board established by IC 9-32-10-1.

Sec. 3. "Automobile auction company" means a person whose primary business consists of arranging, managing, sponsoring, advertising, hosting, carrying out, or otherwise facilitating the auction of more than three (3) motor vehicles or watercraft on the basis of bids by persons acting for themselves or others, within a twelve (12) month period. The term includes a place of business or facilities provided by an auctioneer as part of the business of the auctioneer for the purchase and sale of motor vehicles or watercraft on the basis of bids by persons acting for themselves or others. The term does not include a person acting only as an auctioneer under IC 25-6.1-1.



Sec. 4. "Automotive mobility dealer" means a person that:

- (1) engages exclusively in the business of selling, offering to sell, or soliciting or advertising the sale of adapted vehicles or watercraft;**
- (2) possesses adapted vehicles or watercraft exclusively for the purpose of resale, either on the automotive mobility dealer's own account or on behalf of another as the primary or incidental business of the automotive mobility dealer; or**
- (3) engages in the business of:**
 - (A) selling, installing, or servicing;**
 - (B) offering to sell, install, or service; or**
 - (C) soliciting or advertising the sale, installation, or servicing of;**

equipment or modifications specifically designed to facilitate use or operation of a vehicle or watercraft by an individual who is disabled or aged.

The term includes a converter manufacturer (as defined by section 9 of this chapter) that engages in any of the activities set forth in subdivisions (1), (2), and (3).

Sec. 5. "Automotive salvage rebuilder" means a person that:

- (1) acquires salvage vehicles for the purpose of restoring, reconstructing, or rebuilding the vehicles; and**
- (2) resells, offers to resell, or advertises for resale the vehicles for use on the highway.**

Sec. 6. "Average wholesale value" means the average trade-in value indicated in an independent third party guide for the year, make, model, mileage, and condition of a used motor vehicle.

Sec. 7. (a) "Broker" means a person that, for a fee, a commission, or other valuable consideration, arranges or offers to arrange a transaction involving the sale, for purposes other than resale, of a new or used motor vehicle and that is not, at any point in the transaction, the bona fide owner of the motor vehicle involved in the transaction.

(b) The term does not include:

- (1) a dealer licensed under this article or an employee of a dealer licensed under this article acting in an employment arrangement with the dealer, if the motor vehicle being sold is a motor vehicle in the dealer's inventory or is subject to a consignment agreement between the dealer and the owner of the motor vehicle;**
- (2) a distributor licensed under this article, or an employee of a distributor licensed under this article and acting in an**



employment arrangement with the distributor, if the sale being arranged is a sale to a dealer licensed under this article; (3) a manufacturer licensed under this article, or an employee of a manufacturer licensed under this article and acting in an employment arrangement with the manufacturer, if the sale being arranged is a sale to a dealer licensed under this article; or

(4) a lead generation or other marketing service, if:

- (A) the fee for the service is not based on whether the lead provided by the service generated a sale for the dealer; and
- (B) the service does not have an active role in the negotiation of a sale, including negotiating the price of the motor vehicle.

Sec. 8. "Charge back" means a manufacturer induced return of incentive payments to a manufacturer by a new motor vehicle dealer. The term includes a manufacturer drawing funds from an account of a new motor vehicle dealer.

Sec. 9. "Converter manufacturer" means a person that adds to, subtracts from, or modifies a previously assembled or manufactured motor vehicle. The term does not include a person that manufactures recreational vehicles.

Sec. 10. "Dealer", unless otherwise provided, refers to all persons required to be licensed by the secretary under this article, and before July 1, 2015, a wholesale dealer.

Sec. 11. "Dealer manager" means an individual who works at the established place of business of a dealer and who is responsible for and is in charge of the day to day operations, including the management, direction, and control of the dealership.

Sec. 12. "Dealer owner" means the following:

(1) For a transport operator, a licensed dealer, or an applicant dealer, other than a manufacturer, the following:

- (A) If a corporation, each officer, director, and shareholder having a ten percent (10%) or greater ownership interest in the corporation.
- (B) If a corporation and it has no officer, director, or shareholder having a ten percent (10%) or greater ownership interest in the corporation, one (1) or more officers, directors, or shareholders designated in writing by the board of directors.
- (C) If a sole proprietorship, the proprietor.
- (D) If a partnership, each partner.
- (E) If a limited liability company, each member of the



company.

(2) For a licensed or applicant manufacturer, one (1) or more officers, directors, or shareholders designated in writing by the manufacturer.

Sec. 13. "Director" refers to the director of the dealer services division within the office of the secretary of state who is appointed under IC 4-5-1-12(b).

Sec. 14. "Disclose" means to engage in a practice or conduct to make available and make known personal information contained in an individual record about an individual to a person by any means of communication.

Sec. 15. "Distributor representative" means a person that is certified by the secretary to be an agent of a licensed distributor to act on behalf of a distributor licensed under this article.

Sec. 16. "Division" refers to the dealer services division within the office of the secretary of state established by IC 4-5-1-12(a).

Sec. 17. "Document preparation fee" means any fee charged by a dealer concerning the sale of a motor vehicle, regardless of designation, and that includes costs incurred by the dealer for the preparation of documents concerning the sale of a motor vehicle. The term does not include a fee imposed by a financial institution for the purpose of extending credit for the purchase of a vehicle.

Sec. 18. "Electronic record" means a record created, generated, sent, communicated, received, or stored by electronic means.

Sec. 19. "Electronic signature" means an electronic sound, symbol, or process attached to or logically associated with an electronic record and executed or adopted by a person with the intent to sign the electronic record.

Sec. 20. "Established place of business" has the meaning set forth in IC 9-13-2-50.

Sec. 21. "Existing franchise" means the franchise in effect on the date of a franchisee's death or incapacity.

Sec. 22. "Franchise" means an oral or a written agreement for a definite or an indefinite period in which a manufacturer or distributor grants to a dealer a right to use a trade name, trade or service mark, or related characteristic, and in which there is a community of interest in the marketing of motor vehicles or related services at retail or otherwise.

Sec. 23. "Franchisee" means a dealer to whom a franchise is granted.

Sec. 24. "Franchisor" means a manufacturer or distributor who grants a franchise to a dealer.



Sec. 25. "Fraud" means:

- (1) a misrepresentation of a material fact, promise, representation, or prediction not made honestly or in good faith; or
- (2) the failure to disclose a material fact necessary in order to make the statements made, in light of the circumstances under which they were made, not misleading.

Sec. 26. "Highly restricted personal information" means the following information that identifies an individual:

- (1) Digital photograph or image.
- (2) Social Security number.
- (3) Medical or disability information.

Sec. 27. "Individual record" refers to a record created or maintained by the division that contains personal information or highly restricted personal information about an individual who is the subject of the record identified in a request. The term includes records created by a dealer related to the issuance of interim license plates.

Sec. 28. "Labor rate" means the hourly labor rate charged by a franchisee for service, filed periodically with the division as the division may require, and posted prominently in the franchisee's service department.

Sec. 29. (a) "Manufactured home dealer" means any person that within a twelve (12) month period sells, offers to sell, or advertises for sale, including directly by the Internet or another computer network, at least three (3) new or used manufactured homes.

(b) The term does not include:

- (1) a receiver, trustee, or other person appointed by or acting under the judgment or order of a court; or
- (2) a public officer while performing official duties.

Sec. 30. "Manufacturer of a vehicle subcomponent system" means a manufacturer of a vehicle subcomponent system essential to the operation of a motor vehicle. The term includes a public or private university that is engaged in the:

- (1) research;
- (2) development; or
- (3) manufacture;

of a vehicle subcomponent system.

Sec. 31. "Manufacturer representative" means a person that is certified by the secretary to be an agent of a licensed manufacturer to act on behalf of a manufacturer licensed under this article.

Sec. 32. "New motor vehicle dealer" means any person that



within a twelve (12) month period sells, offers to sell, or advertises for sale, including directly by the Internet or another computer network, at least twelve (12) new motor vehicles (excluding manufactured homes).

Sec. 33. "Person" does not include the state, an agency of the state, or a municipal corporation.

Sec. 34. (a) "Personal information" means information that identifies an individual, including an individual's:

- (1) digital photograph or image;
- (2) Social Security number;
- (3) driver's license or identification document number;
- (4) name;
- (5) address;
- (6) telephone number; or
- (7) medical or disability information.

(b) The term does not include:

- (1) the name of a dealer owner;
- (2) the name of a representative of a:
 - (A) manufacturer; or
 - (B) distributor;
- (3) the name of the zoning official who signed a dealer license application or zoning affidavit related to a dealer license application;
- (4) the name of the lessor of a dealer's established place of business;
- (5) the name of a dealer's registered agent; or
- (6) the name, address, or telephone number of the established place of business of a:
 - (A) business; or
 - (B) dealer.

Sec. 35. "Relevant market area" means the following:

- (1) With respect to a new motor vehicle dealer who plans to relocate the dealer's place of business in a county having a population of more than one hundred thousand (100,000), the area within a radius of six (6) miles of the intended site of the relocated dealer. The six (6) mile distance shall be determined by measuring the distance between the nearest surveyed boundary of the existing new motor vehicle dealer's principal place of business and the nearest surveyed boundary line of the relocated new motor vehicle dealer's place of business.
- (2) With respect to a:
 - (A) proposed new motor vehicle dealer; or



(B) new motor vehicle dealer who plans to relocate the dealer's place of business in a county having a population of not more than one hundred thousand (100,000); the area within a radius of ten (10) miles of the intended site of the proposed or relocated dealer. The ten (10) mile distance shall be determined by measuring the distance between the nearest surveyed boundary line of the existing new motor vehicle dealer's principal place of business and the nearest surveyed boundary line of the proposed or relocated new motor vehicle dealer's principal place of business.

Sec. 36. "Sale" includes every contract of sale, contract to sell, or disposition of a motor vehicle or interest in a motor vehicle for value.

Sec. 37. "Secretary" refers to the secretary of state holding office as set forth in IC 4-5-1-1.

Sec. 38. "Sign" or "signature" includes a manual, facsimile, or conformed signature, or an electronic signature.

Sec. 39. "Stop sale directive" means a notification issued by a manufacturer or distributor stating that a new or used vehicle in inventory may not be sold or leased at retail or wholesale due to:

- (1) a federal safety recall for:**
 - (A) a defect; or**
 - (B) a noncompliance; or**
- (2) a federal emissions recall.**

Sec. 40. (a) "Transfer dealer" means a person that is not engaged in the business of selling motor vehicles but, as a result of the person's primary business, has cause to sell, offer to sell, or advertise for sale at least twelve (12) motor vehicles during a twelve (12) month period.

(b) The term does not include:

- (1) a manufacturer;**
- (2) a distributor;**
- (3) a converter manufacturer;**
- (4) a watercraft dealer;**
- (5) an automotive mobility dealer;**
- (6) an automotive auction;**
- (7) a person engaged in the business of:**
 - (A) storing vehicles;**
 - (B) furnishing supplies for vehicles;**
 - (C) providing towing services for vehicles; or**
 - (D) repairing vehicles; or**
- (8) a person whose primary business is selling motor vehicles.**



Sec. 41. "Transport operator" has the meaning set forth in IC 9-13-2-187.

Sec. 42. "Uniform time standards manual" means a schedule established by a manufacturer or distributor setting forth the time allowances for the diagnosis and performance of warranty work and service.

Sec. 43. "Used motor vehicle" means a motor vehicle that:

- (1) has been previously titled under IC 9-17; or**
- (2) has been transferred by a manufacturer, distributor, or dealer to an ultimate purchaser.**

Sec. 44. (a) "Used motor vehicle dealer" means any person that within a twelve (12) month period sells, offers to sell, or advertises for sale, including directly by the Internet or another computer network, at least twelve (12) used motor vehicles (excluding manufactured homes).

(b) The term does not include the following:

- (1) A receiver, trustee, or other person appointed by or acting under the judgment or order of a court.**
- (2) A public officer while performing official duties.**
- (3) A person that holds a mechanic's lien on a motor vehicle under IC 9-22-6, if the person sells the motor vehicle:

 - (A) in accordance with requirements in IC 9-22-6; or**
 - (B) to an automotive salvage recycler licensed under IC 9-32-9 after the motor vehicle fails to sell at public auction conducted in compliance with IC 9-22-6.****
- (4) A person that holds a lien for towing services under IC 9-22-1, if the person complies with all applicable requirements in IC 9-22-1 and IC 9-22-6.**

Sec. 45. "Used parts dealer" means a person who primarily buys, sells, barter, exchanges, or deals in used major component parts. The term does not include a scrap metal processor.

Sec. 46. "Watercraft dealer" means a person that sells, offers to sell, or advertises the sale of at least six (6):

- (1) watercrafts;**
- (2) trailers designed and used exclusively for the transportation of watercrafts; or**
- (3) trailers sold in general association with the sale of watercrafts;**

within a period of twelve (12) months.

SECTION 32. IC 9-32-11-2.5, AS AMENDED BY P.L.120-2020, SECTION 61, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 2.5. (a) An automotive mobility dealer must be



licensed under this article as a used motor vehicle dealer, manufacturer, new motor vehicle dealer, or converter manufacturer.

(b) Effective January 1, 2018, before an automotive mobility dealer engages in any of the activities described in ~~IC 9-32-2-4.5~~, **IC 9-32-2.1-4**, the automotive mobility dealer must have an automotive mobility dealer endorsement issued by the secretary.

- (c) An application for an automotive mobility endorsement must be:
- (1) on a form prescribed by the secretary; and
 - (2) accompanied by proof that the applicant is accredited through the Quality Assurance Program of the National Mobility Equipment Dealers Association.

SECTION 33. IC 9-32-18-5, AS ADDED BY P.L.179-2017, SECTION 97, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 5. (a) The secretary may not make a payment to a qualifying individual under section 4 of this chapter unless the dealer ordered to pay restitution to the qualifying individual has not paid the full amount of the restitution as described in section 2(2) of this chapter:

- (1) by the date provided in the order; or
 - (2) not later than ninety (90) days after the order is issued;
- whichever is later.

(b) A qualifying individual may seek payment from the fund of any amount of the restitution:

- (1) ordered by the court to be paid to the qualifying individual or ordered under IC 9-32-16-2; and
 - (2) not paid by the dealer ordered to pay the restitution;
- by filing a claim with the secretary on a form prescribed by the secretary.

(c) The secretary must receive a claim filed under this chapter not later than one hundred eighty (180) days after the date on which the order described in section 2 of this chapter becomes final. The secretary may grant an extension of time for good cause shown by the qualifying individual filing the claim.

(d) Notwithstanding subsection (c), the secretary may not accept a claim that is received more than:

- (1) two (2) years after the date of the judgment described in section 2(2)(A) of this chapter; or
- (2) one hundred eighty (180) days after the date of the order described in section 2(2)(B) of this chapter;

becomes final.

(e) The personal information (as defined in ~~IC 9-32-2-18.7~~); **IC 9-32-2.1-34**) of a qualifying individual who files a qualifying claim



with the secretary under subsection (b) is confidential and may not be disclosed or distributed outside the secretary, except as required by law.

(f) Upon receiving a qualifying claim, the secretary may pay, from money available in the fund, to each qualifying individual identified in the claim under section 2(3) of this chapter an amount that:

- (1) is determined by the secretary, at the secretary's discretion;
- (2) may be up to the amount of the restitution awarded to the qualifying individual and not paid by the dealer ordered to pay the restitution; and
- (3) may not exceed three thousand dollars (\$3,000).

(g) The limits set forth in subsection (f) do not prohibit a qualifying individual from seeking to recover, in any action, or through any other lawful remedy available, any amount of the restitution that:

- (1) is awarded to the qualifying individual in the order described in section 2(2) of this chapter;
- (2) is not paid by the dealer ordered to pay the restitution; and
- (3) exceeds the amount paid to the qualifying individual by the secretary under subsection (f).

SECTION 34. IC 13-20-25-10, AS AMENDED BY P.L.130-2018, SECTION 68, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 10. (a) A person:

- (1) who:
 - (A) is not required to submit a recycling activity report under section 9 of this chapter; but
 - (B) recycled recyclable materials during a calendar year;
- (2) who:
 - (A) meets the definition of "scrap metal processing facility" set forth in IC 8-23-1-36;
 - (B) meets the definition of "automotive salvage recycler" set forth in IC 9-13-2-10;
 - (C) meets the definition of "recycling facility" set forth in IC 9-13-2-150.3;
 - (D) is engaged in business subject to IC 9-22-3;
 - (E) meets the definition of "automotive salvage rebuilder" set forth in ~~IC 9-32-2-5~~; **IC 9-32-2.1-5**;
 - (F) meets the definition of "scrap metal processor" set forth in IC 13-11-2-196.5;
 - (G) meets the definition of "core buyer" set forth in IC 25-37.5-1-0.2; or
 - (H) meets the definition of "valuable metal dealer" set forth in IC 25-37.5-1-1(b); or



(3) who:

(A) is not required to submit a recycling activity report under section 9 of this chapter; but

(B) took action during a calendar year to recover, from the solid waste stream, for purposes of:

(i) use or reuse;

(ii) conversion into raw materials; or

(iii) use in the production of new products;

materials that were not municipal waste;

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

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

SECTION 35. IC 24-5-13-3.1, AS AMENDED BY P.L.137-2018, SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 3.1. As used in this chapter, "dealer" has the meaning set forth in ~~IC 9-32-2-9.6~~ **IC 9-32-2.1-10**.

SECTION 36. IC 24-5-13.1-4, AS ADDED BY P.L.91-2022, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 4. As used in this chapter, "dealer" has the meaning set forth in ~~IC 9-32-2-9.6~~ **IC 9-32-2.1-10**.

SECTION 37. IC 34-30-34-2, AS ADDED BY P.L.211-2023, SECTION 81, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 2. As used in this chapter, "dealer" has the meaning set forth in ~~IC 9-32-2-9.6~~ **IC 9-32-2.1-10**.

SECTION 38. IC 3-7-16-16, AS AMENDED BY P.L.128-2015, SECTION 57, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 16. An employee or a volunteer of the office who provides an individual with an application for assistance or services under this chapter shall do the following:

(1) Inform each individual who applies for assistance or services that the information the individual provides on the individual's voter registration application will be used to register the individual to vote unless:

(A) the individual is not eligible to vote;

(B) the individual declines to register to vote or fails to complete the voter registration part of the application; or

(C) **the individual** answers "no" to either question described by IC 3-7-22-5(3) or IC 3-7-22-5(4).

(2) Provide each individual who indicates a desire to register or transfer registration with assistance in filling out the voter



registration application unless the individual refuses assistance, as provided in ~~52 U.S.C. 20506(a)(4)(ii)~~: **52 U.S.C. 20506(a)(4)(A)(ii)**.

(3) Check the completed voter registration form for legibility and completeness.

(4) Deliver the completed registration form to the office administrator (or the employee designated by the administrator to be responsible for voter registration services) for transmittal to the appropriate county voter registration office.

(5) Inform the individual that the individual will receive a mailing from the county voter registration office of the county where the individual resides concerning the disposition of the voter registration application.

SECTION 39. IC 3-7-18-8, AS AMENDED BY P.L.128-2015, SECTION 70, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 8. An employee of the office who provides an individual with an application for assistance or services under this chapter shall do the following:

(1) Inform each individual who applies for assistance or services that the information the individual provides on the individual's voter registration application will be used to register the individual to vote unless:

(A) the individual is not eligible to vote;

(B) the individual declines to register to vote or fails to complete the voter registration part of the application; or

(C) **the individual** answers "no" to either question described by IC 3-7-22-5(3) or IC 3-7-22-5(4).

(2) Provide each individual who indicates a desire to register or transfer registration with assistance in filling out the voter registration application unless the individual refuses assistance, as provided in 52 U.S.C. 20506(a)(4)(A)(ii).

(3) Check the completed voter registration form for legibility and completeness.

(4) Deliver the completed registration form to the office administrator (or the employee designated by the administrator to be responsible for voter registration services) for transmittal to the appropriate county voter registration office.

(5) Inform the individual that the individual will receive a mailing from the county voter registration office of the county where the individual resides concerning the disposition of the voter registration application.

SECTION 40. IC 25-14-6-1, AS AMENDED BY P.L.56-2023,



SECTION 227, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 1. (a) A dentist may order and administer an immunization that is recommended by the federal Centers for Disease Control and Prevention Advisory Committee on Immunization Practices for individuals who are not less than eleven (11) years of age, if the dentist complies with the following requirements:

(1) Before administering an immunization to an individual, the dentist receives the consent of one (1) of the following:

(A) If the individual to whom the immunization is to be administered is at least **eleven** (11) years of age and is less than eighteen (18) years of age, the parent or legal guardian of the individual.

(B) If the individual to whom the immunization is to be administered is at least eighteen (18) years of age and has a legal guardian, the legal guardian of the individual.

(C) If the individual to whom the immunization is to be administered is at least eighteen (18) years of age and does not have a legal guardian, the individual.

A parent or legal guardian who is required to give consent under this subdivision must be present at the time of immunization.

(2) Is certified in cardiopulmonary resuscitation.

(3) Has successfully completed a course of training in immunization that meets the requirements set forth in subsection (b).

(4) Administers the immunization in accordance with a protocol that meets the requirements set forth in section 2 of this chapter.

(b) A course of training under subsection (a)(3) must:

(1) be provided by an accredited provider;

(2) be approved by the board;

(3) meet the standards set forth by:

(A) the Centers for Disease Control and Prevention or a similar health authority; or

(B) a professional body approved by the board; and

(4) comply with guidelines issued by:

(A) the Centers for Disease Control and Prevention; and

(B) the Occupational Safety and Health Administration.

(c) A dentist who administers immunizations under this chapter shall maintain records of the dentist's completion of:

(1) training in cardiopulmonary resuscitation; and

(2) training described in subsection (b).

(d) If the Indiana department of health or the department of



homeland security determines that an emergency exists, subject to IC 16-41-9-1.7(a)(2), a dentist may administer any immunization in accordance with any instructions in the emergency determination.

SECTION 41. IC 35-44.1-3-5, AS AMENDED BY SEA 182-2024, SECTION 1, AND AS AMENDED BY HEA 1422-2024, SECTION 3, IS CORRECTED AND AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 5. (a) ~~As used in~~ *The following definitions apply throughout this section:*

(1) "Chemical intoxicant" means a substance that, when introduced into a person's body, causes intoxication or a similar physical effect. The term does not include an alcoholic beverage or a cigarette or tobacco product (as defined in IC 6-7-2-5).

(2) "Juvenile facility" means the following:

~~(A)~~ (A) A secure facility (as defined in IC 31-9-2-114) in which a child is detained under IC 31 or used for a child awaiting adjudication or adjudicated under IC 31 as a child in need of services or a delinquent child.

~~(B)~~ (B) A shelter care facility (as defined in IC 31-9-2-117) in which a child is detained under IC 31 or used for a child awaiting adjudication or adjudicated under IC 31 as a child in need of services or a delinquent child.

(b) A person who, without the prior authorization of the person in charge of a penal facility or juvenile facility, knowingly or intentionally:

(1) delivers, or carries into the penal facility or juvenile facility with intent to deliver, an article to an inmate or child of the facility;

(2) carries, or receives with intent to carry out of the penal facility or juvenile facility, an article from an inmate or child of the facility; or

(3) delivers, or carries to a worksite with the intent to deliver, alcoholic beverages to an inmate or child of a jail work crew or community work crew;

(including delivering, carrying, or receiving through the use of an unmanned aerial vehicle) commits trafficking with an inmate, a Class A misdemeanor. However, the offense is a Level 5 felony under subdivision (1) or (2) if the article is a controlled substance, a chemical intoxicant, a deadly weapon, or a cellular telephone or other wireless or cellular communications device.

(c) If:

(1) the person who committed the offense under subsection (b) is an employee of:



(A) the department of correction; or

(B) a penal facility;

and the article is a cigarette or tobacco product (as defined in IC 6-7-2-5), the court shall order the person to pay a fine of at least five hundred dollars (\$500) and not more than five thousand dollars (\$5,000) under IC 35-50-3-2, in addition to any term of imprisonment imposed under IC 35-50-3-2; or

(2) a person is convicted of committing a Level 5 felony under subsection (b)(1) or (b)(2) because the article was a cellular telephone or other wireless or cellular communication device, the court shall order the person to pay a fine of at least five hundred dollars (\$500) and not more than ten thousand dollars (\$10,000) under IC 35-50-2-6(a) in addition to any term of imprisonment imposed on the person under IC 35-50-2-6(a).

(d) A person who:

(1) is not an inmate of a penal facility or a child of a juvenile facility; and

(2) knowingly or intentionally possesses in, or carries or causes to be brought into, the penal facility or juvenile facility a deadly weapon without the prior authorization of the person in charge of the penal facility or juvenile facility;

commits carrying a deadly weapon into a correctional facility, a Level 5 felony.

SECTION 42. IC 24-5-0.5-3, AS AMENDED BY SEA 17-2024, SECTION 3, AND AS AMENDED BY HEA 1412-2024, SECTION 33, IS CORRECTED AND AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 3. (a) A supplier may not commit an unfair, abusive, or deceptive act, omission, or practice in connection with a consumer transaction. Such an act, omission, or practice by a supplier is a violation of this chapter whether it occurs before, during, or after the transaction. An act, omission, or practice prohibited by this section includes both implicit and explicit misrepresentations.

(b) Without limiting the scope of subsection (a), the following acts, and the following representations as to the subject matter of a consumer transaction, made orally, in writing, or by electronic communication, by a supplier, are deceptive acts:

(1) That such subject of a consumer transaction has sponsorship, approval, performance, characteristics, accessories, uses, or benefits it does not have which the supplier knows or should reasonably know it does not have.

(2) That such subject of a consumer transaction is of a particular standard, quality, grade, style, or model, if it is not and if the



supplier knows or should reasonably know that it is not.

(3) That such subject of a consumer transaction is new or unused, if it is not and if the supplier knows or should reasonably know that it is not.

(4) That such subject of a consumer transaction will be supplied to the public in greater quantity than the supplier intends or reasonably expects.

(5) That replacement or repair constituting the subject of a consumer transaction is needed, if it is not and if the supplier knows or should reasonably know that it is not.

(6) That a specific price advantage exists as to such subject of a consumer transaction, if it does not and if the supplier knows or should reasonably know that it does not.

(7) That the supplier has a sponsorship, approval, or affiliation in such consumer transaction the supplier does not have, and which the supplier knows or should reasonably know that the supplier does not have.

(8) That such consumer transaction involves or does not involve a warranty, a disclaimer of warranties, or other rights, remedies, or obligations, if the representation is false and if the supplier knows or should reasonably know that the representation is false.

(9) That the consumer will receive a rebate, discount, or other benefit as an inducement for entering into a sale or lease in return for giving the supplier the names of prospective consumers or otherwise helping the supplier to enter into other consumer transactions, if earning the benefit, rebate, or discount is contingent upon the occurrence of an event subsequent to the time the consumer agrees to the purchase or lease.

(10) That the supplier is able to deliver or complete the subject of the consumer transaction within a stated period of time, when the supplier knows or should reasonably know the supplier could not. If no time period has been stated by the supplier, there is a presumption that the supplier has represented that the supplier will deliver or complete the subject of the consumer transaction within a reasonable time, according to the course of dealing or the usage of the trade.

(11) That the consumer will be able to purchase the subject of the consumer transaction as advertised by the supplier, if the supplier does not intend to sell it.

(12) That the replacement or repair constituting the subject of a consumer transaction can be made by the supplier for the estimate the supplier gives a customer for the replacement or repair, if the



specified work is completed and:

- (A) the cost exceeds the estimate by an amount equal to or greater than ten percent (10%) of the estimate;
 - (B) the supplier did not obtain written permission from the customer to authorize the supplier to complete the work even if the cost would exceed the amounts specified in clause (A);
 - (C) the total cost for services and parts for a single transaction is more than seven hundred fifty dollars (\$750); and
 - (D) the supplier knew or reasonably should have known that the cost would exceed the estimate in the amounts specified in clause (A).
- (13) That the replacement or repair constituting the subject of a consumer transaction is needed, and that the supplier disposes of the part repaired or replaced earlier than seventy-two (72) hours after both:
- (A) the customer has been notified that the work has been completed; and
 - (B) the part repaired or replaced has been made available for examination upon the request of the customer.
- (14) Engaging in the replacement or repair of the subject of a consumer transaction if the consumer has not authorized the replacement or repair, and if the supplier knows or should reasonably know that it is not authorized.
- (15) The act of misrepresenting the geographic location of the supplier by listing an alternate business name or an assumed business name (as described in IC 23-0.5-3-4) in a local telephone directory if:
- (A) the name misrepresents the supplier's geographic location;
 - (B) the listing fails to identify the locality and state of the supplier's business;
 - (C) calls to the local telephone number are routinely forwarded or otherwise transferred to a supplier's business location that is outside the calling area covered by the local telephone directory; and
 - (D) the supplier's business location is located in a county that is not contiguous to a county in the calling area covered by the local telephone directory.
- (16) The act of listing an alternate business name or assumed business name (as described in IC 23-0.5-3-4) in a directory assistance data base if:
- (A) the name misrepresents the supplier's geographic location;
 - (B) calls to the local telephone number are routinely forwarded



or otherwise transferred to a supplier's business location that is outside the local calling area; and

(C) the supplier's business location is located in a county that is not contiguous to a county in the local calling area.

(17) The violation by a supplier of IC 24-3-4 concerning cigarettes for import or export.

(18) The act of a supplier in knowingly selling or reselling a product to a consumer if the product has been recalled, whether by the order of a court or a regulatory body, or voluntarily by the manufacturer, distributor, or retailer, unless the product has been repaired or modified to correct the defect that was the subject of the recall.

(19) The violation by a supplier of 47 U.S.C. 227, including any rules or regulations issued under 47 U.S.C. 227.

(20) The violation by a supplier of the federal Fair Debt Collection Practices Act (15 U.S.C. 1692 et seq.), including any rules or regulations issued under the federal Fair Debt Collection Practices Act (15 U.S.C. 1692 et seq.).

(21) A violation of IC 24-5-7 (concerning health spa services), as set forth in IC 24-5-7-17.

(22) A violation of IC 24-5-8 (concerning business opportunity transactions), as set forth in IC 24-5-8-20.

(23) A violation of IC 24-5-10 (concerning home consumer transactions), as set forth in IC 24-5-10-18.

(24) A violation of IC 24-5-11 (concerning real property improvement contracts), as set forth in IC 24-5-11-14.

(25) A violation of IC 24-5-12 (concerning telephone solicitations), as set forth in IC 24-5-12-23.

(26) A violation of IC 24-5-13.5 (concerning buyback motor vehicles), as set forth in IC 24-5-13.5-14.

(27) A violation of IC 24-5-14 (concerning automatic dialing-announcing devices), as set forth in IC 24-5-14-13.

(28) A violation of IC 24-5-15 (concerning credit services organizations), as set forth in IC 24-5-15-11.

(29) A violation of IC 24-5-16 (concerning unlawful motor vehicle subleasing), as set forth in IC 24-5-16-18.

(30) A violation of IC 24-5-17 (concerning environmental marketing claims), as set forth in IC 24-5-17-14.

(31) A violation of IC 24-5-19 (concerning deceptive commercial solicitation), as set forth in IC 24-5-19-11.

(32) A violation of IC 24-5-21 (concerning prescription drug discount cards), as set forth in IC 24-5-21-7.



(33) A violation of IC 24-5-23.5-7 (concerning real estate appraisals), as set forth in IC 24-5-23.5-9.

(34) A violation of IC 24-5-26 (concerning identity theft), as set forth in IC 24-5-26-3.

(35) A violation of IC 24-5.5 (concerning mortgage rescue fraud), as set forth in IC 24-5.5-6-1.

(36) A violation of IC 24-8 (concerning promotional gifts and contests), as set forth in IC 24-8-6-3.

(37) A violation of IC 21-18.5-6 (concerning representations made by a postsecondary credit bearing proprietary educational institution), as set forth in IC 21-18.5-6-22.5.

(38) A violation of IC 24-5-15.5 (concerning collection actions of a plaintiff debt buyer), as set forth in IC 24-5-15.5-6.

(39) A violation of IC 24-14 (concerning towing services), as set forth in IC 24-14-10-1.

(40) A violation of IC 24-5-14.5 (concerning misleading or inaccurate caller identification information), as set forth in IC 24-5-14.5-12.

(41) A violation of IC 24-5-27 (concerning intrastate inmate calling services), as set forth in IC 24-5-27-27.

(42) A violation of IC 15-21 (concerning sales of dogs by retail pet stores), as set forth in IC 15-21-7-4.

~~(42)~~ **(43)** *A violation of IC 24-4-23 (concerning the security of information collected and transmitted by an adult oriented website operator), as set forth in IC 24-4-23-14.*

(c) Any representations on or within a product or its packaging or in advertising or promotional materials which would constitute a deceptive act shall be the deceptive act both of the supplier who places such representation thereon or therein, or who authored such materials, and such other suppliers who shall state orally or in writing that such representation is true if such other supplier shall know or have reason to know that such representation was false.

(d) If a supplier shows by a preponderance of the evidence that an act resulted from a bona fide error notwithstanding the maintenance of procedures reasonably adopted to avoid the error, such act shall not be deceptive within the meaning of this chapter.

(e) It shall be a defense to any action brought under this chapter that the representation constituting an alleged deceptive act was one made in good faith by the supplier without knowledge of its falsity and in reliance upon the oral or written representations of the manufacturer, the person from whom the supplier acquired the product, any testing organization, or any other person provided that the source thereof is



disclosed to the consumer.

(f) For purposes of subsection (b)(12), a supplier that provides estimates before performing repair or replacement work for a customer shall give the customer a written estimate itemizing as closely as possible the price for labor and parts necessary for the specific job before commencing the work.

(g) For purposes of subsection (b)(15) and (b)(16), a telephone company or other provider of a telephone directory or directory assistance service or its officer or agent is immune from liability for publishing the listing of an alternate business name or assumed business name of a supplier in its directory or directory assistance data base unless the telephone company or other provider of a telephone directory or directory assistance service is the same person as the supplier who has committed the deceptive act.

(h) For purposes of subsection (b)(18), it is an affirmative defense to any action brought under this chapter that the product has been altered by a person other than the defendant to render the product completely incapable of serving its original purpose.

SECTION 43. IC 5-14-3-4, AS AMENDED BY SEA 172-2024, SECTION 28, AND AS AMENDED BY SEA 232-2024, SECTION 1, IS CORRECTED AND AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 4. (a) The following public records are excepted from section 3 of this chapter and may not be disclosed by a public agency, unless access to the records is specifically required by a state or federal statute or is ordered by a court under the rules of discovery:

- (1) Those declared confidential by state statute.
- (2) Those declared confidential by rule adopted by a public agency under specific authority to classify public records as confidential granted to the public agency by statute.
- (3) Those required to be kept confidential by federal law.
- (4) Records containing trade secrets.
- (5) Confidential financial information obtained, upon request, from a person. However, this does not include information that is filed with or received by a public agency pursuant to state statute.
- (6) Information concerning research, including actual research documents, conducted under the auspices of a state educational institution, including information:
 - (A) concerning any negotiations made with respect to the research; and
 - (B) received from another party involved in the research.
- (7) Grade transcripts and license examination scores obtained as



part of a licensure process.

(8) Those declared confidential by or under rules adopted by the supreme court of Indiana.

(9) Patient medical records and charts created by a provider, unless the patient gives written consent under IC 16-39 or as provided under IC 16-41-8.

(10) Application information declared confidential by the Indiana economic development corporation under IC 5-28.

(11) A photograph, a video recording, or an audio recording of an autopsy, except as provided in IC 36-2-14-10.

(12) A Social Security number contained in the records of a public agency.

(13) The following information that is part of a foreclosure action subject to IC 32-30-10.5:

(A) Contact information for a debtor, as described in IC 32-30-10.5-8(d)(1)(B).

(B) Any document submitted to the court as part of the debtor's loss mitigation package under IC 32-30-10.5-10(a)(3).

(14) The following information obtained from a call made to a fraud hotline established under IC 36-1-8-8.5:

(A) The identity of any individual who makes a call to the fraud hotline.

(B) A report, transcript, audio recording, or other information concerning a call to the fraud hotline.

However, records described in this subdivision may be disclosed to a law enforcement agency, a private university police department, the attorney general, the inspector general, the state examiner, or a prosecuting attorney.

(15) Information described in section 5(c)(3)(B) of this chapter that is contained in a daily log or record described in section 5(c) of this chapter for a victim of a crime or delinquent act who is less than eighteen (18) years of age, unless and to the extent that:

(A) a parent, guardian, or custodian of the victim consents in writing to public disclosure of the records; and

(B) that parent, guardian, or custodian of the victim has not been charged with or convicted of committing a crime against the victim.

However, records described in this subdivision may be disclosed to the department of child services.

(b) Except as otherwise provided by subsection (a), the following public records shall be excepted from section 3 of this chapter at the discretion of a public agency:



(1) Investigatory records of law enforcement agencies or private university police departments. For purposes of this chapter, a law enforcement recording is not an investigatory record. However, information described in subsection (a)(15) contained in a law enforcement recording is exempt from disclosure, unless and to the extent that a parent, guardian, or custodian of the victim consents in writing to public disclosure of the records. However, a parent, guardian, or custodian charged with or convicted of a crime against the victim may not consent to public disclosure of the records. Law enforcement agencies or private university police departments may share investigatory records with: ~~and~~

(A) a person who advocates on behalf of a crime victim, including a victim advocate (as defined in IC 35-37-6-3.5) or a victim service provider (as defined in IC 35-37-6-5), for the purposes of providing services to a victim or describing services that may be available to a victim; ~~and~~

(B) a school corporation (as defined by IC 20-18-2-16(a)), charter school (as defined by IC 20-24-1-4), or nonpublic school (as defined by IC 20-18-2-12) for the purpose of enhancing the safety or security of a student or a school facility; *and*

(C) *the victim services division of the Indiana criminal justice institute under IC 5-2-6-8, for the purposes of conducting an investigation under IC 5-2-6.1-26;*

without the law enforcement agency or private university police department losing its discretion to keep those records confidential from other records requesters. However, certain law enforcement records must be made available for inspection and copying as provided in section 5 of this chapter.

(2) The work product of an attorney representing, pursuant to state employment or an appointment by a public agency:

(A) a public agency;

(B) the state; or

(C) an individual.

(3) Test questions, scoring keys, and other examination data used in administering a licensing examination, examination for employment, or academic examination before the examination is given or if it is to be given again.

(4) Scores of tests if the person is identified by name and has not consented to the release of the person's scores.

(5) The following:

(A) Records relating to negotiations between:



- (i) the Indiana economic development corporation;
- (ii) the ports of Indiana;
- (iii) the Indiana state department of agriculture;
- (iv) the Indiana finance authority;
- (v) an economic development commission;
- (vi) the Indiana White River state park development commission;
- (vii) a local economic development organization that is a nonprofit corporation established under state law whose primary purpose is the promotion of industrial or business development in Indiana, the retention or expansion of Indiana businesses, or the development of entrepreneurial activities in Indiana; or
- (viii) a governing body of a political subdivision;

with industrial, research, or commercial prospects, if the records are created while negotiations are in progress. However, this clause does not apply to records regarding research that is prohibited under IC 16-34.5-1-2 or any other law.

(B) Notwithstanding clause (A), the terms of the final offer of public financial resources communicated by the Indiana economic development corporation, the ports of Indiana, the Indiana finance authority, an economic development commission, the Indiana White River state park development commission, or a governing body of a political subdivision to an industrial, a research, or a commercial prospect shall be available for inspection and copying under section 3 of this chapter after negotiations with that prospect have terminated.

(C) When disclosing a final offer under clause (B), the Indiana economic development corporation shall certify that the information being disclosed accurately and completely represents the terms of the final offer.

(D) Notwithstanding clause (A), an incentive agreement with an incentive recipient shall be available for inspection and copying under section 3 of this chapter after the date the incentive recipient and the Indiana economic development corporation execute the incentive agreement regardless of whether negotiations are in progress with the recipient after that date regarding a modification or extension of the incentive agreement.

- (6) Records that are intra-agency or interagency advisory or deliberative material, including material developed by a private



contractor under a contract with a public agency, that are expressions of opinion or are of a speculative nature, and that are communicated for the purpose of decision making.

(7) Diaries, journals, or other personal notes serving as the functional equivalent of a diary or journal.

(8) Personnel files of public employees and files of applicants for public employment, except for:

(A) the name, compensation, job title, business address, business telephone number, job description, education and training background, previous work experience, or dates of first and last employment of present or former officers or employees of the agency;

(B) information relating to the status of any formal charges against the employee; and

(C) the factual basis for a disciplinary action in which final action has been taken and that resulted in the employee being suspended, demoted, or discharged.

However, all personnel file information shall be made available to the affected employee or the employee's representative. This subdivision does not apply to disclosure of personnel information generally on all employees or for groups of employees without the request being particularized by employee name.

(9) Minutes or records of hospital medical staff meetings.

(10) Administrative or technical information that would jeopardize a record keeping system, voting system, voter registration system, or security system.

(11) Computer programs, computer codes, computer filing systems, and other software that are owned by the public agency or entrusted to it and portions of electronic maps entrusted to a public agency by a utility.

(12) Records specifically prepared for discussion or developed during discussion in an executive session under IC 5-14-1.5-6.1. However, this subdivision does not apply to that information required to be available for inspection and copying under subdivision (8).

(13) The work product of the legislative services agency under personnel rules approved by the legislative council.

(14) The work product of individual members and the partisan staffs of the general assembly.

(15) The identity of a donor of a gift made to a public agency if:
 (A) the donor requires nondisclosure of the donor's identity as a condition of making the gift; or



(B) after the gift is made, the donor or a member of the donor's family requests nondisclosure.

(16) Library or archival records:

(A) which can be used to identify any library patron; or

(B) deposited with or acquired by a library upon a condition that the records be disclosed only:

(i) to qualified researchers;

(ii) after the passing of a period of years that is specified in the documents under which the deposit or acquisition is made; or

(iii) after the death of persons specified at the time of the acquisition or deposit.

However, nothing in this subdivision shall limit or affect contracts entered into by the Indiana state library pursuant to IC 4-1-6-8.

(17) The identity of any person who contacts the bureau of motor vehicles concerning the ability of a driver to operate a motor vehicle safely and the medical records and evaluations made by the bureau of motor vehicles staff or members of the driver licensing medical advisory board regarding the ability of a driver to operate a motor vehicle safely. However, upon written request to the commissioner of the bureau of motor vehicles, the driver must be given copies of the driver's medical records and evaluations.

(18) School safety and security measures, plans, and systems, including emergency preparedness plans developed under 511 IAC 6.1-2-2.5.

(19) A record or a part of a record, the public disclosure of which would have a reasonable likelihood of threatening public safety by exposing a vulnerability to terrorist attack. A record described under this subdivision includes the following:

(A) A record assembled, prepared, or maintained to prevent, mitigate, or respond to an act of terrorism under IC 35-47-12-1 (before its repeal), an act of agricultural terrorism under IC 35-47-12-2 (before its repeal), or a felony terrorist offense (as defined in IC 35-50-2-18).

(B) Vulnerability assessments.

(C) Risk planning documents.

(D) Needs assessments.

(E) Threat assessments.

(F) Intelligence assessments.

(G) Domestic preparedness strategies.

(H) The location of community drinking water wells and



surface water intakes.

(I) The emergency contact information of emergency responders and volunteers.

(J) Infrastructure records that disclose the configuration of critical systems such as voting system and voter registration system critical infrastructure, and communication, electrical, ventilation, water, and wastewater systems.

(K) Detailed drawings or specifications of structural elements, floor plans, and operating, utility, or security systems, whether in paper or electronic form, of any building or facility located on an airport (as defined in IC 8-21-1-1) that is owned, occupied, leased, or maintained by a public agency, or any part of a law enforcement recording that captures information about airport security procedures, areas, or systems. A record described in this clause may not be released for public inspection by any public agency without the prior approval of the public agency that owns, occupies, leases, or maintains the airport. Both of the following apply to the public agency that owns, occupies, leases, or maintains the airport:

(i) The public agency is responsible for determining whether the public disclosure of a record or a part of a record, including a law enforcement recording, has a reasonable likelihood of threatening public safety by exposing a security procedure, area, system, or vulnerability to terrorist attack.

(ii) The public agency must identify a record described under item (i) and clearly mark the record as "confidential and not subject to public disclosure under IC 5-14-3-4(b)(19)(J) without approval of (insert name of submitting public agency)". However, in the case of a law enforcement recording, the public agency must clearly mark the record as "confidential and not subject to public disclosure under IC 5-14-3-4(b)(19)(K) without approval of (insert name of the public agency that owns, occupies, leases, or maintains the airport)".

(L) The home address, home telephone number, and emergency contact information for any:

(i) emergency management worker (as defined in IC 10-14-3-3);

(ii) public safety officer (as defined in IC 35-47-4.5-3);

(iii) emergency medical responder (as defined in IC 16-18-2-109.8); or



(iv) advanced emergency medical technician (as defined in IC 16-18-2-6.5).

(M) Information relating to security measures or precautions used to secure the statewide 911 system under IC 36-8-16.7.

This subdivision does not apply to a record or portion of a record pertaining to a location or structure owned or protected by a public agency in the event that an act of terrorism under IC 35-47-12-1 (before its repeal), an act of agricultural terrorism under IC 35-47-12-2 (before its repeal), or a felony terrorist offense (as defined in IC 35-50-2-18) has occurred at that location or structure, unless release of the record or portion of the record would have a reasonable likelihood of threatening public safety by exposing a vulnerability of other locations or structures to terrorist attack.

(20) The following personal information concerning a customer of a municipally owned utility (as defined in IC 8-1-2-1):

- (A) Telephone number.
- (B) Address.
- (C) Social Security number.

(21) The following personal information about a complainant contained in records of a law enforcement agency:

- (A) Telephone number.
- (B) The complainant's address. However, if the complainant's address is the location of the suspected crime, infraction, accident, or complaint reported, the address shall be made available for public inspection and copying.

(22) Notwithstanding subdivision (8)(A), the name, compensation, job title, business address, business telephone number, job description, education and training background, previous work experience, or dates of first employment of a law enforcement officer who is operating in an undercover capacity.

(23) Records requested by an offender, an agent, or a relative of an offender that:

- (A) contain personal information relating to:
 - (i) a correctional officer (as defined in IC 5-10-10-1.5);
 - (ii) a probation officer;
 - (iii) a community corrections officer;
 - (iv) a law enforcement officer (as defined in IC 35-31.5-2-185);
 - (v) a judge (as defined in IC 33-38-12-3);
 - (vi) the victim of a crime; or
 - (vii) a family member of a correctional officer, probation



officer, community corrections officer, law enforcement officer (as defined in IC 35-31.5-2-185), judge (as defined in IC 33-38-12-3), or victim of a crime; or

(B) concern or could affect the security of a jail or correctional facility.

For purposes of this subdivision, "agent" means a person who is authorized by an offender to act on behalf of, or at the direction of, the offender, and "relative" has the meaning set forth in IC 35-42-2-1(b). However, the term "agent" does not include an attorney in good standing admitted to the practice of law in Indiana.

(24) Information concerning an individual less than eighteen (18) years of age who participates in a conference, meeting, program, or activity conducted or supervised by a state educational institution, including the following information regarding the individual or the individual's parent or guardian:

(A) Name.

(B) Address.

(C) Telephone number.

(D) Electronic mail account address.

(25) Criminal intelligence information.

(26) The following information contained in a report of unclaimed property under IC 32-34-1.5-18 or in a claim for unclaimed property under IC 32-34-1.5-48:

(A) Date of birth.

(B) Driver's license number.

(C) Taxpayer identification number.

(D) Employer identification number.

(E) Account number.

(27) Except as provided in subdivision (19) and sections 5.1 and 5.2 of this chapter, a law enforcement recording. However, before disclosing the recording, the public agency must comply with the obscuring requirements of sections 5.1 and 5.2 of this chapter, if applicable.

(28) Records relating to negotiations between a state educational institution and another entity concerning the establishment of a collaborative relationship or venture to advance the research, engagement, or educational mission of the state educational institution, if the records are created while negotiations are in progress. The terms of the final offer of public financial resources communicated by the state educational institution to an industrial, a research, or a commercial prospect shall be available for



inspection and copying under section 3 of this chapter after negotiations with that prospect have terminated. However, this subdivision does not apply to records regarding research prohibited under IC 16-34.5-1-2 or any other law.

(c) Nothing contained in subsection (b) shall limit or affect the right of a person to inspect and copy a public record required or directed to be made by any statute or by any rule of a public agency.

(d) Notwithstanding any other law, a public record that is classified as confidential, other than a record concerning an adoption or patient medical records, shall be made available for inspection and copying seventy-five (75) years after the creation of that record.

(e) Only the content of a public record may form the basis for the adoption by any public agency of a rule or procedure creating an exception from disclosure under this section.

(f) Except as provided by law, a public agency may not adopt a rule or procedure that creates an exception from disclosure under this section based upon whether a public record is stored or accessed using paper, electronic media, magnetic media, optical media, or other information storage technology.

(g) Except as provided by law, a public agency may not adopt a rule or procedure nor impose any costs or liabilities that impede or restrict the reproduction or dissemination of any public record.

(h) Notwithstanding subsection (d) and section 7 of this chapter:

- (1) public records subject to IC 5-15 may be destroyed only in accordance with record retention schedules under IC 5-15; or
- (2) public records not subject to IC 5-15 may be destroyed in the ordinary course of business.

SECTION 44. IC 35-44.1-2-3, AS AMENDED BY SEA 232-2024, SECTION 4, AND AS AMENDED BY HEA 1021-2024, SECTION 34, IS CORRECTED AND AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 3. (a) As used in this section, "consumer product" has the meaning set forth in IC 35-45-8-1.

(b) As used in this section, "misconduct" means a violation of a departmental rule or procedure of a law enforcement agency.

(c) A person who reports that:

- (1) the person or another person has placed or intends to place an explosive, a destructive device, or other destructive substance in a building or transportation facility;
- (2) there has been or there will be tampering with a consumer product introduced into commerce; or
- (3) there has been or will be placed or introduced a weapon of mass destruction in a building or a place of assembly;



knowing the report to be false, commits false reporting, a Level 6 felony.

(d) A person who:

(1) gives:

(A) a false report of the commission of a crime; or

(B) false information to a law enforcement officer that relates to the commission of a crime;

knowing the report or information to be false;

(2) gives a false alarm of fire to the fire department of a governmental entity, knowing the alarm to be false;

(3) makes a false request for ambulance service to an ambulance service provider, knowing the request to be false;

(4) gives a false report concerning a missing child (as defined in IC 10-13-5-4), *missing veteran at risk* (as defined in IC 12-7-2-197.3), or missing endangered adult (as defined in IC 12-7-2-131.3) or gives false information to a law enforcement officer or a governmental entity that relates to a missing child, *missing veteran at risk*, or missing endangered adult knowing the report or information to be false;

(5) makes a complaint against a law enforcement officer to the state or municipality (as defined in IC 8-1-13-3(b)) that employs the officer:

(A) alleging the officer engaged in misconduct while performing the officer's duties; and

(B) knowing the complaint to be false;

(6) makes a false report of a missing person, knowing the report or information is false;

(7) gives a false report of actions, behavior, or conditions concerning:

(A) a septic tank soil absorption system under IC 8-1-2-125 or IC 13-26-5-2.5; or

(B) a septic tank soil absorption system or constructed wetland septic system under IC 36-9-23-30.1;

knowing the report or information to be false; or

(8) makes a false report that a person is dangerous (as defined in IC 35-47-14-1) knowing the report or information to be false;

commits false informing, a Class B misdemeanor *except as provided in subsection (e)*.

(e) ~~However~~, The offense described in subsection (d) is:

(1) a Class A misdemeanor if it:

(A) substantially hinders any law enforcement process; ~~or if it~~

(B) results in harm to another person; *or*



- (C) is committed under subsection (d)(8);
 (2) a Level 6 felony if it:
 (A) is committed under subsection (d)(8); and
 (B) either:
 (i) substantially hinders any law enforcement process; or
 (ii) results in harm to another person; and
 (3) a Level 5 felony if it is committed under subsection (d)(8) and results in serious bodily injury or death to another person.

SECTION 45. IC 4-13-16.5-2, AS AMENDED BY HEA 1026-2024, SECTION 32, AND AS AMENDED BY HEA 1278-2024, SECTION 10, IS CORRECTED AND AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 2. (a) There is established a governor's commission on supplier diversity. The commission shall consist of the following members:

- (1) A governor's designee, who shall serve as *chairman chairperson* of the commission.
- (2) The commissioner of the Indiana department of transportation, or the economic opportunity director of the Indiana department of transportation if the commissioner of the Indiana department of transportation so designates.
- (3) The chairperson of the board of the Indiana economic development corporation or the chairperson's designee.
- (4) The commissioner *of the department of administration*.
- (5) Nine (9) individuals with demonstrated capabilities in business and industry, especially minority business enterprises, women's business enterprises, and veteran owned small businesses, appointed by the governor from the following geographical areas of the state:
 - (A) Three (3) from the northern one-third (1/3) of the state.
 - (B) Three (3) from the central one-third (1/3) of the state.
 - (C) Three (3) from the southern one-third (1/3) of the state.
- (6) Two (2) members of the house of representatives, no more than one (1) from the same political party, appointed by the speaker of the house of representatives to serve in a nonvoting advisory capacity.
- (7) Two (2) members of the senate, no more than one (1) from the same political party, appointed by the president pro tempore of the senate to serve in a nonvoting advisory capacity.
- (8) The deputy commissioner *of the department of administration*, who shall serve as a nonvoting member.

Not more than six (6) of the ten (10) members appointed or designated by the governor may be of the same political party. *Appointed Members*



of the commission serve at the pleasure of the appointing authority and may be reappointed to successive terms. Subject to subsection (b), members of the commission appointed under subdivision (1) and subdivision (5) shall serve four (4) year terms. Members of the general assembly appointed to the commission serve two (2) year terms that expire June 30 of an odd-numbered year. A vacancy occurs if a legislative member leaves office for any reason. Any vacancy on the commission shall be filled in the same manner as the original appointment. An individual appointed to fill a vacancy serves on the commission for the remainder of the unexpired term of the individual's predecessor.

(b) The terms of the members appointed under subsection (a)(1) or (a)(5) expire as follows:

(1) For a member appointed under subsection (a)(1) or (a)(5)(A), June 30, 2025, and every fourth year thereafter.

(2) For a member appointed under subsection (a)(5)(B) or (a)(5)(C), June 30, 2027, and every fourth year thereafter.

~~(b)~~ *(c) Each member of the commission who is not a state employee is entitled to the following:*

(1) The minimum salary per diem provided by IC 4-10-11-2.1(b).

(2) Reimbursement for mileage, traveling expenses, and other expenses actually incurred in connection with the member's duties as provided under IC 4-13-1-4 and in the state travel policies and procedures established by the Indiana department of administration and approved by the budget agency.

The department shall pay expenses incurred under this subsection from amounts appropriated for the operating expenses of the department of administration.

~~(c)~~ *(d) Each legislative member of the commission is entitled to receive the same per diem, mileage, and travel allowances established by the legislative council and paid to members of the general assembly serving on interim study committees. The allowances specified in this subsection shall be paid by the legislative services agency from the amounts appropriated for that purpose.*

~~(d)~~ *(e) A member of the commission who is a state employee but who is not a member of the general assembly is not entitled to any of the following:*

(1) The minimum salary per diem provided by IC 4-10-11-2.1(b).

(2) Reimbursement for traveling expenses as provided under IC 4-13-1-4.

(3) Other expenses actually incurred in connection with the member's duties.



~~(e)~~ (f) The commission shall meet at least four (4) times each year *and at other times as the chairman considers necessary: at the call of the chairperson.*

~~(f)~~ (g) The duties of the commission shall include but not be limited to the following:

- (1) Identify minority business enterprises, women's business enterprises, and veteran owned small businesses in the state.
- (2) Assess the needs of minority business enterprises, women's business enterprises, and veteran owned small businesses.
- (3) Initiate aggressive programs to assist minority business enterprises, women's business enterprises, and veteran owned small businesses in obtaining state contracts.
- (4) Give special publicity to procurement, bidding, and qualifying procedures.
- (5) Include minority business enterprises, women's business enterprises, and veteran owned small businesses on solicitation mailing lists.
- (6) Evaluate the competitive differences between qualified minority or women's nonprofit corporations and other than qualified minority or women's nonprofit corporations and veteran owned small businesses that offer similar services and make recommendation to the department on policy changes necessary to ensure fair competition among minority business enterprises, women's business enterprises, and veteran owned small businesses.
- (7) Define the duties, goals, and objectives of the deputy commissioner of the department as created under this chapter to assure compliance by all state agencies, separate bodies corporate and politic, and state educational institutions with state and federal legislation and policy concerning the awarding of contracts (including, notwithstanding section 1(d) of this chapter or any other law, contracts of state educational institutions) to minority business enterprises, women's business enterprises, and veteran owned small businesses.
- (8) Establish annual goals:
 - (A) for the use of minority and women's business enterprises; and
 - (B) derived from a statistical analysis of utilization study of state contracts (including, notwithstanding section 1(d) of this chapter or any other law, contracts of state educational institutions) that are required to be updated every five (5) years.



(9) Prepare a review of the commission and the various affected departments of government to be submitted to the governor and the legislative council on March 1 and October 1 of each year, evaluating progress made in the areas defined in this subsection.

(10) Ensure that the statistical analysis required under this section:

(A) is based on goals for participation of minority business enterprises established in *Richmond v. Croson*, 488 U.S. 469 (1989);

(B) includes information on both contracts and subcontracts (including, notwithstanding section 1(d) of this chapter or any other law, contracts and subcontracts of state educational institutions); and

(C) uses data on the combined capacity of minority business enterprises, women's business enterprises, and veteran owned small businesses in Indiana and not just regional data.

(11) Establish annual goals for the use of minority business enterprises, women's business enterprises, and veteran owned small businesses for any contract that:

(A) will be paid for in whole or in part with state grant funds; and

(B) involves the use of real property of a unit. ~~(as defined in IC 4-4-32.2-9).~~

(12) Ensure compliance with the establishment and evaluation of the annual goal for veteran owned small businesses established in section 3.5 of this chapter.

~~(g)~~ (h) The department shall direct contractors to demonstrate a good faith effort to meet the annual participation goals established under subsection ~~(f)(11)~~. (g)(11). The good faith effort shall be demonstrated by contractors using the repository of certified firms created under section 3 of this chapter or a similar repository maintained by a unit. ~~(as defined in IC 4-4-32.2-9).~~

~~(f)~~ (i) The department shall adopt rules of ethics under IC 4-22-2 for commission members other than commission members appointed under subsection (a)(6) or (a)(7).

~~(f)~~ (j) The department of administration shall furnish administrative support and staff as is necessary for the effective operation of the commission.

~~(f)~~ (k) The commission shall advise the department on developing a statement, to be included in all applications for and agreements governing grants made with state funds, stating the importance of the use of minority business enterprises, women's business enterprises, and



veteran owned small businesses in fulfilling the purposes of the grant.

~~(f)~~ **(i)** For purposes of subsections ~~(f)(1) and (g)~~; **(g)(11) and (h)**, "unit" means a county, city, town, township, or school corporation.

SECTION 46. IC 22-2-18.1-30, AS AMENDED BY SEA 146-2024, SECTION 4, AND AS AMENDED BY HEA 1093-2024, SECTION 13, IS CORRECTED AND AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2025]: Sec. 30. (a) An employer that violates this chapter may be assessed the civil penalties described in this section by the department.

(b) For an hour violation of not more than thirty (30) minutes under ~~sections section 17 through 20~~ of this chapter ~~a violation of section 18(4) of this chapter~~, or a posting violation under section 22 of this chapter the civil penalties are as follows:

- (1) A warning letter for any violations identified during an initial inspection.
- (2) Fifty dollars (\$50) per instance for a second violation identified in a subsequent inspection.
- (3) Seventy-five dollars (\$75) per instance for a third violation that is identified in a subsequent inspection.
- (4) One hundred dollars (\$100) per instance for a fourth or subsequent violation that is identified in an inspection subsequent to the inspection under subdivision (3) and that occurs not more than two (2) years after a prior violation.

A civil penalty may not be assessed under this subsection for a violation of ten (10) minutes or less.

(c) For a failure to register or failure to register the correct number of minors employed under section 26 of this chapter, an hour violation of more than thirty (30) minutes under ~~sections section 17 through 20~~ of this chapter, an age violation under section 12 ~~or 14~~ of this chapter, each minor employed in violation of section 12(b) of this chapter, or a hazardous occupation violation under section 23 ~~or 23.5~~ of this chapter the civil penalties are as follows:

- (1) A warning letter for any violations identified during an initial inspection.
- (2) One hundred dollars (\$100) per instance for each violation identified in a subsequent inspection.
- (3) Two hundred dollars (\$200) per instance for a third violation that is identified in a subsequent inspection.
- (4) Four hundred dollars (\$400) per instance for a fourth or subsequent violation that is identified in an inspection subsequent to the inspection under subdivision (3) and that occurs not more than two (2) years after a prior violation.



SECTION 47. IC 12-21-2-3, AS AMENDED BY HEA 1205-2024, SECTION 1, AND AS AMENDED BY HEA 1328-2024, SECTION 26, IS CORRECTED AND AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 3. The secretary or the secretary's designee shall do the following:

- (1) Organize the division, create the appropriate personnel positions, and employ personnel necessary to discharge the statutory duties and powers of the division or a bureau of the division.
- (2) Subject to the approval of the state personnel department, establish personnel qualifications for all deputy directors, assistant directors, bureau heads, and superintendents.
- (3) Subject to the approval of the budget director and the governor, establish the compensation of all deputy directors, assistant directors, bureau heads, and superintendents.
- (4) Study the entire problem of mental health, mental illness, and addictions existing in Indiana.
- (5) Adopt rules under IC 4-22-2 for the following:
 - (A) Standards for the operation of private institutions that are licensed under IC 12-25 for the diagnosis, treatment, and care of individuals with psychiatric disorders, addictions, or other abnormal mental conditions.
 - (B) Licensing or certifying community residential programs described in IC 12-22-2-3.5 for individuals with serious mental illness (SMI), serious emotional disturbance (SED), or chronic addiction (CA) with the exception of psychiatric residential treatment facilities.
 - (C) *Subject to IC 12-29-2-21*, certifying community mental health centers to operate in Indiana.
 - (D) Establish exclusive geographic primary service areas for community mental health centers. The rules must include the following:
 - (i) Criteria and procedures to justify the change to the boundaries of a community mental health center's primary service area.
 - (ii) Criteria and procedures to justify the change of an assignment of a community mental health center to a primary service area.
 - (iii) A provision specifying that the criteria and procedures determined in items (i) and (ii) must include an option for the county and the community mental health center to initiate a request for a change in primary service area or



provider assignment.

(iv) A provision specifying the criteria and procedures determined in items (i) and (ii) may not limit an eligible consumer's right to choose or access the services of any provider who is certified by the division of mental health and addiction to provide public supported mental health services.

(6) Institute programs, in conjunction with an accredited college or university and with the approval, if required by law, of the commission for higher education, for the instruction of students of mental health and other related occupations. The programs may be designed to meet requirements for undergraduate and postgraduate degrees and to provide continuing education and research.

(7) Develop programs to educate the public in regard to the prevention, diagnosis, treatment, and care of all abnormal mental conditions.

(8) Make the facilities of the state institutions available for the instruction of medical students, student nurses, interns, and resident and fellow physicians under the supervision of the faculty of any accredited school of medicine or osteopathy located in Indiana or an accredited residency or fellowship training program in connection with research and instruction in psychiatric disorders.

(9) Institute a stipend program designed to improve the quality and quantity of staff that state institutions employ.

(10) Establish, supervise, and conduct community programs, either directly or by contract, for the diagnosis, treatment, and prevention of psychiatric disorders.

(11) Adopt rules under IC 4-22-2 concerning the records and data to be kept concerning individuals admitted to state institutions, community mental health centers, or other providers.

(12) Compile information and statistics concerning the ethnicity and gender of a program or service recipient.

(13) Establish standards for services described in IC 12-7-2-40.6 for community mental health centers and other providers.

(14) Provide that the standards for services provided by recovery residences for residential care and supported housing for chronic addiction, when used as a recovery residence, to:

(A) be certified through an entity approved by the division to ensure adherence to standards determined by the National Alliance for Recovery Residences (NARR) or a similar entity;



and

(B) meet other standards established by the division under rules adopted under IC 4-22-2.

(15) Provide that the standards for services provided by recovery community organizations for behavioral health recovery, when used as a recovery community organization:

(A) be certified through an entity approved by the division to ensure adherence to standards determined by the Indiana Recovery Network or similar entity that certifies recovery community organizations; and

(B) meet other standards established by the division under rules adopted under IC 4-22-2.

~~(15)~~ (16) Require the division to:

(A) provide best practice recommendations to community mental health centers; and

(B) work with community mental health centers in a collaborative manner in order to ensure improved health outcomes as a part of reviews or audits.

Documentation developed as a part of an incident or death reporting audit or review is confidential and may only be shared between the division and the community mental health center.

SECTION 48. IC 33-24-6-3, AS AMENDED BY SEA 179-2024, SECTION 1, AND AS AMENDED BY HEA 1240-2024, SECTION 18, IS CORRECTED AND AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 3. (a) The office of judicial administration shall do the following:

(1) Examine the administrative and business methods and systems employed in the offices of the clerks of court and other offices related to and serving the courts and make recommendations for necessary improvement.

(2) Collect and compile statistical data and other information on the judicial work of the courts in Indiana. All justices of the supreme court, judges of the court of appeals, judges of all trial courts, and any city or town courts, whether having general or special jurisdiction, court clerks, court reporters, and other officers and employees of the courts shall, upon notice by the chief administrative officer and in compliance with procedures prescribed by the chief administrative officer, furnish the chief administrative officer the information as is requested concerning the nature and volume of judicial business. The information must include the following:

(A) The volume, condition, and type of business conducted by



the courts.

(B) The methods of procedure in the courts.

(C) The work accomplished by the courts.

(D) The receipt and expenditure of public money by and for the operation of the courts.

(E) The methods of disposition or termination of cases.

(3) Prepare and publish reports, not less than one (1) or more than two (2) times per year, on the nature and volume of judicial work performed by the courts as determined by the information required in subdivision (2).

(4) Serve the judicial nominating commission and the judicial qualifications commission in the performance by the commissions of their statutory and constitutional functions.

(5) Administer the civil legal aid fund as required by IC 33-24-12.

(6) Administer the court technology fund established by section 12 of this chapter.

(7) By December 31, 2013, develop and implement a standard protocol for sending and receiving court data:

(A) between the protective order registry, established by IC 5-2-9-5.5, and county court case management systems;

(B) at the option of the ~~county~~ prosecuting attorney, for:

(i) a prosecuting attorney's case management system;

(ii) a county court case management system; and

(iii) a county court case management system developed and operated by the office of judicial administration;

to interface with the electronic traffic tickets, as defined by IC 9-30-3-2.5; and

(C) between county court case management systems and the case management system developed and operated by the office of judicial administration.

The standard protocol developed and implemented under this subdivision shall permit private sector vendors, including vendors providing service to a local system and vendors accessing the system for information, to send and receive court information on an equitable basis and at an equitable cost, and for a case management system developed and operated by the office of judicial administration, must include a searchable field for the name and bail agent license number, if applicable, of the bail agent or a person authorized by the surety that pays bail for an individual as described in IC 35-33-8-3.2.

(8) Establish and administer an electronic system for receiving information that relates to certain individuals who may be



prohibited from possessing a firearm for the purpose of:

- (A) transmitting this information to the Federal Bureau of Investigation for inclusion in the NICS; and
- (B) beginning July 1, 2021, compiling and publishing certain statistics related to the confiscation and retention of firearms as described under section 14 of this chapter.

(9) Establish and administer an electronic system for receiving drug related felony conviction information from courts. The office of judicial administration shall notify NPLeX of each drug related felony entered after June 30, 2012, and do the following:

- (A) Provide NPLeX with the following information:
 - (i) The convicted individual's full name.
 - (ii) The convicted individual's date of birth.
 - (iii) The convicted individual's driver's license number, state personal identification number, or other unique number, if available.
 - (iv) The date the individual was convicted of the felony.

Upon receipt of the information from the office of judicial administration, a stop sale alert must be generated through NPLeX for each individual reported under this clause.

(B) Notify NPLeX if the felony of an individual reported under clause (A) has been:

- (i) set aside;
- (ii) reversed;
- (iii) expunged; or
- (iv) vacated.

Upon receipt of information under this clause, NPLeX shall remove the stop sale alert issued under clause (A) for the individual.

(10) After July 1, 2018, establish and administer an electronic system for receiving from courts felony or misdemeanor conviction information for each felony or misdemeanor described in IC 20-28-5-8(c). The office of judicial administration shall notify the department of education at least one (1) time each week of each felony or misdemeanor described in IC 20-28-5-8(c) entered after July 1, 2018, and do the following:

- (A) Provide the department of education with the following information:
 - (i) The convicted individual's full name.
 - (ii) The convicted individual's date of birth.
 - (iii) The convicted individual's driver's license number, state personal identification number, or other unique number, if



available.

(iv) The date the individual was convicted of the felony or misdemeanor.

(B) Notify the department of education if the felony or misdemeanor of an individual reported under clause (A) has been:

- (i) set aside;
- (ii) reversed; or
- (iii) vacated.

(11) Perform legal and administrative duties for the justices as determined by the justices.

(12) Provide staff support for the judicial conference of Indiana established in IC 33-38-9.

(13) Work with the United States Department of Veterans Affairs to identify and address the needs of veterans in the court system.

(14) If necessary for purposes of IC 35-47-16-1, issue a retired judicial officer an identification card identifying the retired judicial officer as a retired judicial officer.

(15) Establish and administer the statewide juvenile justice data aggregation plan established under section 12.5 of this chapter.

(16) Create and make available an application for detention to be used in proceedings under IC 12-26-5 (mental health detention, commitment, and treatment).

(17) Create and make available a uniform form to assist a court in making an indigency determination under IC 35-33-7-6.5.

(b) All forms to be used in gathering data must be approved by the supreme court and shall be distributed to all judges and clerks before the start of each period for which reports are required.

(c) The office of judicial administration may adopt rules to implement this section.

SECTION 49. IC 14-22-12-1, AS AMENDED BY SEA 241-2024, SECTION 2, AND AS AMENDED BY HEA 1401-2024, SECTION 7, IS CORRECTED AND AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 1. (a) The department may issue the following licenses individually or in combination and, except as provided in section 1.5 of this chapter and subject to subsection (b), shall charge the following minimum license fees to hunt, trap, or fish in Indiana:

- (1) A resident yearly license to fish, eight dollars and seventy-five cents (\$8.75).
- (2) A resident yearly license to hunt, eight dollars and seventy-five cents (\$8.75).



- (3) A resident yearly license to hunt and fish, thirteen dollars and seventy-five cents (\$13.75).
- (4) A resident yearly license to trap, eight dollars and seventy-five cents (\$8.75).
- (5) A nonresident yearly license to fish, twenty-four dollars and seventy-five cents (\$24.75).
- (6) A nonresident yearly license to hunt, sixty dollars and seventy-five cents (\$60.75).
- (7) A nonresident yearly license to trap, one hundred seventeen dollars and seventy-five cents (\$117.75).
- (8) A resident or nonresident license to fish, including for trout and salmon, for one (1) day only, four dollars and seventy-five cents (\$4.75).
- (9) A nonresident license to fish, excluding for trout and salmon, for seven (7) days only, twelve dollars and seventy-five cents (\$12.75).
- (10) A nonresident license to hunt for five (5) consecutive days only, twenty-five dollars and seventy-five cents (\$25.75).
- (11) A resident or nonresident yearly electronically generated stamp to fish for trout and salmon, six dollars and seventy-five cents (\$6.75).
- (12) A resident yearly license to take a deer with a shotgun, muzzle loading gun, rifle, or handgun, thirteen dollars and seventy-five cents (\$13.75).
- (13) A resident yearly license to take a deer with a muzzle loading gun, thirteen dollars and seventy-five cents (\$13.75).
- (14) A resident yearly license to take a deer with a:
- (A) bow and arrow; or
 - (B) crossbow and bolt;
- thirteen dollars and seventy-five cents (\$13.75).
- (15) A nonresident yearly license to take a deer with a shotgun, muzzle loading gun, rifle, or handgun, one hundred twenty dollars and seventy-five cents (\$120.75).
- (16) A nonresident yearly license to take a deer with a muzzle loading gun, one hundred twenty dollars and seventy-five cents (\$120.75).
- (17) A nonresident yearly license to take a deer with a:
- (A) bow and arrow; or
 - (B) crossbow and bolt;
- one hundred twenty dollars and seventy-five cents (\$120.75).
- (18) A resident license to take an extra deer by a means, in a location, and under conditions established by rule adopted by the



department under IC 4-22-2, five dollars (\$5).

(19) A nonresident license to take an extra deer by a means, in a location, and under conditions established by rule adopted by the department under IC 4-22-2, ten dollars (\$10).

(20) A resident yearly license to take a turkey, fourteen dollars and seventy-five cents (\$14.75).

(21) A nonresident yearly license to take a turkey, one hundred fourteen dollars and seventy-five cents (\$114.75).

(22) A resident license to take an extra turkey by a means, in a location, and under conditions established by rule adopted by the department under IC 4-22-2, fourteen dollars and seventy-five cents (\$14.75).

(23) A nonresident license to take an extra turkey by a means, in a location, and under conditions established by rule adopted by the department under IC 4-22-2, one hundred fourteen dollars and seventy-five cents (\$114.75).

(24) A resident youth yearly consolidated license to hunt *and trap*, ~~and fish~~, six dollars (\$6). This license is subject to the following:

(A) An applicant must be less than eighteen (18) years of age *at the time of application, but the license may still be used when the license holder is eighteen (18) years of age while the license is still valid.*

(B) The license is in lieu of the resident yearly license to hunt *and trap* ~~and fish~~ and all other yearly licenses, stamps, or permits to hunt *and trap* ~~and fish~~ for a specific species or by a specific means.

(25) A nonresident youth yearly license to hunt, seventeen dollars (\$17). The applicant must be less than eighteen (18) years of age *at the time of application, but the license may still be used when the license holder is eighteen (18) years of age while the license is still valid.* This license includes all yearly stamps to hunt for a specific species or by specific means.

(26) A nonresident youth yearly license to trap, seventeen dollars (\$17). The applicant must be less than eighteen (18) years of age *at the time of application, but the license may still be used when the license holder is eighteen (18) years of age while the license is still valid.*

(27) A nonresident youth yearly license to take a turkey, twenty-five dollars (\$25). The applicant must be less than eighteen (18) years of age *at the time of application, but the license may still be used when the license holder is eighteen (18) years of age while the license is still valid. This license includes*



all yearly stamps to hunt wild turkeys and all specific means.

(28) A nonresident youth license to take an extra turkey by a means, in a location, and under conditions established by rule adopted by the department under IC 4-22-2, twenty-five dollars (\$25). The applicant must be less than eighteen (18) years of age *at the time of application, but the license may still be used when the license holder is eighteen (18) years of age while the license is still valid. This license includes all yearly stamps to hunt wild turkeys and all specific means.*

(29) A nonresident youth yearly license to take a deer with a shotgun, muzzle loading gun, or rifle, twenty-four dollars (\$24). The applicant must be less than eighteen (18) years of age *at the time of application, but the license may still be used when the license holder is eighteen (18) years of age while the license is still valid.*

(30) A nonresident youth yearly license to take a deer with a muzzle loading gun, twenty-four dollars (\$24). The applicant must be less than eighteen (18) years of age *at the time of application, but the license may still be used when the license holder is eighteen (18) years of age while the license is still valid.*

(31) A nonresident youth yearly license to take a deer with a:

(A) bow and arrow; or

(B) crossbow and bolt;

twenty-four dollars (\$24). The applicant must be less than eighteen (18) years of age *at the time of application, but the license may still be used when the license holder is eighteen (18) years of age while the license is still valid.*

(32) A nonresident youth license to take an extra deer by a means, in a location, and under conditions established by rule adopted by the department under IC 4-22-2, twenty-four dollars (\$24). The applicant must be less than eighteen (18) years of age *at the time of application, but the license may still be used when the license holder is eighteen (18) years of age while the license is still valid.*

(33) A resident senior yearly license to fish, three dollars (\$3). This license is subject to the following:

(A) An applicant must be at least sixty-four (64) years of age and born after March 31, 1943.

(B) The license is in lieu of the resident yearly license to fish and all other yearly licenses, stamps, or permits to fish for a specific species or by a specific means.

(C) *The license may still be used if the license holder moves out of state.*



(34) A resident senior "fish for life" license, seventeen dollars (\$17). This license is subject to the following:

- (A) An applicant must be at least sixty-four (64) years of age.
- (B) The license applies each year for the remainder of the license holder's life.
- (C) The license is in lieu of the resident senior yearly license to fish and all other yearly licenses, stamps, or permits to fish for a specific species or by a specific means.
- (D) *The license may still be used if the license holder moves out of state.*

(35) A voluntary resident senior yearly license to fish, three dollars (\$3). This license is subject to the following:

- (A) An applicant must have been born before April 1, 1943.
- (B) The license is instead of the resident yearly license to fish and all other yearly licenses, stamps, and permits to fish for a specific species or by a specific means.

(36) A resident license to take a bobcat, fifteen dollars (\$15).

(37) A nonresident youth license to take a bobcat, twenty-four dollars (\$24).

(38) A nonresident license to take a bobcat, one hundred twenty dollars (\$120).

(b) The commission may set license fees to hunt, trap, or fish above the minimum fees established under subsection (a).

(c) In addition to the license fees set under this section, the department shall establish a procedure to collect voluntary donations for processing wild game when a hunting license is sold. The minimum suggested donation must be one dollar (\$1). The money collected under this section shall be deposited in the Indiana sportsmen's benevolence account (IC 14-9-5-4).

SECTION 50. IC 9-32-2-24.8, AS AMENDED BY SEA 222-2024, SECTION 1, IS REPEALED [EFFECTIVE JULY 1, 2024]. ~~Sec. 24.8. "Stop sale directive" means a notification issued by a manufacturer or distributor stating that a new or used vehicle in inventory may not be sold or leased at retail or wholesale due to:~~

- ~~(1) a federal safety recall for:

 - ~~(A) a defect; or~~
 - ~~(B) a noncompliance; or~~~~
- ~~(2) a federal emissions recall.~~

SECTION 51. IC 20-46-1-8, AS AMENDED BY SEA 270-2024, SECTION 10, AND AS AMENDED BY HEA 1328-2024, SECTION 28, IS CORRECTED AND AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 8. (a) Subject to subsections (e), (f),



and (g) and this chapter, the governing body of a school corporation may adopt a resolution to place a referendum under this chapter on the ballot for any of the following purposes:

(1) The governing body of the school corporation determines that it cannot, in a calendar year, carry out its public educational duty unless it imposes a referendum tax levy under this chapter.

(2) The governing body of the school corporation determines that a referendum tax levy under this chapter should be imposed to replace property tax revenue that the school corporation will not receive because of the application of the credit under IC 6-1.1-20.6.

(3) Except for resolutions described in subsection (b), the governing body makes the determination required under subdivision (1) or (2) and determines to share a portion of the referendum proceeds with a charter school, excluding a virtual charter school, in the manner prescribed in subsection (e).

(b) A resolution for a referendum for a county described in section 21 of this chapter that is adopted after May 10, 2023, shall specify that a portion of the proceeds collected from the proposed levy will be distributed to applicable charter schools in the manner described under section 21 of this chapter.

(c) The governing body of the school corporation shall certify a copy of the resolution to place a referendum on the ballot to the following:

(1) The department of local government finance, including:

(A) the language for the question required by section 10 of this chapter, or in the case of a resolution to extend a referendum levy certified to the department of local government finance after March 15, 2016, section 10.1 of this chapter; and

(B) a copy of the revenue spending plan adopted under subsection (g).

The language of the public question must include the estimated average percentage increases certified by the county auditor under section 10(e) or 10.1(f) of this chapter, as applicable. The governing body of the school corporation shall also provide the county auditor's certification described in section 10(e) or 10.1(f) of this chapter, as applicable. The department of local government finance shall post the values certified by the county auditor to the department's website. The department shall review the language for compliance with section 10 or 10.1 of this chapter, whichever is applicable, and either approve or reject the language. The department shall send its decision to the governing body of the



school corporation not more than ten (10) days after *both the certification of the county auditor described in section 10(e) or 10.1(f) of this chapter, as applicable, and the resolution is* are submitted to the department. If the language is approved, the governing body of the school corporation shall certify a copy of the resolution, including the language for the question and the department's approval.

(2) The county fiscal body of each county in which the school corporation is located (for informational purposes only).

(3) The circuit court clerk of each county in which the school corporation is located.

(d) If a school safety referendum tax levy under IC 20-46-9 has been approved by the voters in a school corporation at any time in the previous three (3) years, the school corporation may not:

(1) adopt a resolution to place a referendum under this chapter on the ballot; or

(2) otherwise place a referendum under this chapter on the ballot.

(e) Except as provided in section 21 of this chapter, the resolution described in subsection (a) must indicate whether proceeds in the school corporation's education fund collected from a tax levy under this chapter will be used to provide a distribution to a charter school or charter schools, excluding a virtual charter school, under IC 20-40-3-5 as well as the amount that will be distributed to the particular charter school or charter schools. A school corporation may request from the designated charter school or charter schools any financial documentation necessary to demonstrate the financial need of the charter school or charter schools. *Distribution to a charter school of proceeds from a referendum held before May 10, 2023, does not provide exemption from this chapter.*

(f) This subsection applies to a resolution described in subsection (a) for a county described in section 21(a) of this chapter that is adopted after May 10, 2023. The resolution described in subsection (a) shall include a projection of the amount that the school corporation expects to be distributed to a particular charter school, excluding virtual charter schools or adult high schools, under section 21 of this chapter if the charter school voluntarily elects to participate in the referendum in the manner described in subsection (i). At least sixty (60) days before the resolution described in subsection (a) is voted on by the governing body, the school corporation shall contact the department to determine the number of students in kindergarten through grade 12 who have legal settlement in the school corporation but attend a charter school, excluding virtual charter schools or adult



high schools, and who receive not more than fifty percent (50%) virtual instruction. The department shall provide the school corporation with the number of students with legal settlement in the school corporation who attend a charter school and who receive not more than fifty percent (50%) virtual instruction, which shall be disaggregated for each particular charter school, excluding a virtual charter school or adult high school. The projection may include an expected increase in charter schools during the term the levy is imposed under this chapter. The department of local government finance shall prescribe the manner in which the projection shall be calculated. The governing body shall take into consideration the projection when adopting the revenue spending plan under subsection (g).

(g) As part of the resolution described in subsection (a), the governing body of the school corporation shall adopt a revenue spending plan for the proposed referendum tax levy that includes:

- (1) an estimate of the amount of annual revenue expected to be collected if a levy is imposed under this chapter;
- (2) the specific purposes for which the revenue collected from a levy imposed under this chapter will be used;
- (3) an estimate of the annual dollar amounts that will be expended for each purpose described in subdivision (2); and
- (4) for a resolution for a referendum that is adopted after May 10, 2023, for a county described in section 21(a) of this chapter, the projected revenue that shall be distributed to charter schools as provided in subsections (f) and (i). The revenue spending plan shall also take into consideration deviations in the proposed revenue spending plan if the actual charter school distributions exceed or are lower than the projected charter school distributions described in subsection (f). The resolution shall include for each charter school that elects to participate under subsection (i) information described in subdivisions (1) through (3).

(h) A school corporation shall specify in its proposed budget the school corporation's revenue spending plan adopted under subsection (g) and annually present the revenue spending plan at its public hearing on the proposed budget under IC 6-1.1-17-3.

(i) This subsection applies to a resolution described in subsection (a) for a county described in section 21(a) of this chapter that is adopted after May 10, 2023. At least forty-five (45) days before the resolution described in subsection (a) is voted on by the governing body, the school corporation shall contact each charter school, excluding virtual charter schools or adult high schools, disclosed by the department to the school corporation under subsection (f) to determine



whether the charter school will participate in the referendum. The charter school must respond in writing to the school corporation at least fifteen (15) days prior to the date that the resolution described in subsection (a) is to be voted on by the governing body. If the charter school elects to not participate in the referendum, the school corporation may exclude distributions to the charter school under section 21 of this chapter and from the projection described in subsection (f). If the charter school elects to participate in the referendum, the charter school may receive distributions under section 21 of this chapter and must be included in the projection described in subsection (f). In addition, a charter school that elects to participate in the referendum under this subsection shall contribute a proportionate share of the cost to conduct the referendum based on the total combined ADM of the school corporation and any participating charter schools.

(j) This subsection applies to a resolution described in subsection (a) for a county described in section 21(a) of this chapter that is adopted after May 10, 2023. At least thirty (30) days before the resolution described in subsection (a) is voted on by the governing body, the school corporation that is pursuing the resolution and any charter school that has elected to participate under subsection (i), shall post a referendum disclosure statement on each school's respective website that contains the following information:

- (1) The salaries of all employees employed by the school corporation or charter school listed from highest salary to lowest salary.
- (2) An acknowledgment that the school corporation or charter school is not committing any crime described in IC 35-44.1-1.
- (3) A link to the school corporation's or charter school's most recent state board of accounts audit on the state board of accounts' website.
- (4) The current enrollment of the school corporation or charter school disaggregated by student group and race.
- (5) The school corporation's or charter school's high school graduation rate.
- (6) The school corporation's or charter school's annual retention rate for teachers for the previous five (5) years.



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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