

SENATE BILL No. 170

DIGEST OF INTRODUCED BILL

Citations Affected: IC 1-1-4-5; IC 4-15; IC 5-2; IC 5-16-6-1; IC 5-28-21-7; IC 7.1-3; IC 8-24-8-7; IC 10-13-3; IC 10-16-8-15; IC 12-20-5.5-1; IC 12-30; IC 12-32-1-4; IC 16-23-1-21; IC 20-24-2-2; IC 20-24.5-3-5; IC 20-33-1; IC 20-42-3-10; IC 20-51-4-3; IC 21-18.5; IC 21-40-2; IC 22-4.1-21-27; IC 22-9; IC 22-9.5; IC 24-9-3-9; IC 27-2; IC 27-7-12-7; IC 31-9-2-20; IC 33-28-5-18; IC 33-41-1-2; IC 35-46-2; IC 36-9-4-37.

Synopsis: Civil rights. Extends antidiscrimination and civil rights statutes to include prohibiting discrimination based on sexual orientation, gender identity, national origin, age, disability, religion, and ancestry.

Effective: July 1, 2016.

Alting

January 6, 2016, read first time and referred to Committee on Rules & Legislative Procedure.



Second Regular Session 119th General Assembly (2016)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2015 Regular Session of the General Assembly.

SENATE BILL No. 170

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

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

1 SECTION 1. IC 1-1-4-5, AS AMENDED BY P.L.114-2012,
2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2016]: Sec. 5. The following definitions apply to the
4 construction of all Indiana statutes, unless the construction is plainly
5 repugnant to the intent of the general assembly or of the context of the
6 statute:

- 7 (1) "Adult", "of full age", and ~~"person in his "~~**"age of majority"**
8 **mean refer to** a person at least eighteen (18) years of age.
- 9 (2) "Attorney" includes a counselor or other person authorized to
10 appear and represent a party in an action or special proceeding.
- 11 (3) "Autism" means a neurological condition as described in the
12 most recent edition of the Diagnostic and Statistical Manual of
13 Mental Disorders of the American Psychiatric Association.
- 14 (4) "Bond" does not necessarily imply a seal.
- 15 (5) "Clerk" means the clerk of the court or a person authorized to
16 perform the clerk's duties.
- 17 (6) **"Gender identity" means an individual's self identification**



- 1 **as a male or a female, regardless of the individual's biological**
 2 **sex.**
 3 ~~(6)~~ (7) "Health record", "hospital record", or "medical record"
 4 means written or printed information possessed by a provider (as
 5 defined in IC 16-18-2-295) concerning any diagnosis, treatment,
 6 or prognosis of the patient, unless otherwise defined. Except as
 7 otherwise provided, the terms include mental health records and
 8 drug and alcohol abuse records.
 9 ~~(7)~~ (8) "Highway" includes county bridges and state and county
 10 roads, unless otherwise expressly provided.
 11 ~~(8)~~ (9) "Infant" or "minor" means a person less than eighteen (18)
 12 years of age.
 13 ~~(9)~~ (10) "Inhabitant" may be construed to mean a resident in any
 14 place.
 15 ~~(10)~~ (11) "Judgment" means all final orders, decrees, and
 16 determinations in an action and all orders upon which executions
 17 may issue.
 18 ~~(11)~~ (12) "Land", "real estate", and "real property" include lands,
 19 tenements, and hereditaments.
 20 ~~(12)~~ (13) "Mentally incompetent" means of unsound mind.
 21 ~~(13)~~ (14) "Money demands on contract", when used in reference
 22 to an action, means an action arising out of contract when the
 23 relief demanded is a recovery of money.
 24 ~~(14)~~ (15) "Month" means a calendar month, unless otherwise
 25 expressed.
 26 ~~(15)~~ (16) "Noncode statute" means a statute that is not codified as
 27 part of the Indiana Code.
 28 ~~(16)~~ (17) "Oath" includes "affirmation", and "to swear" includes
 29 to "affirm".
 30 ~~(17)~~ (18) "Person" extends to bodies politic and corporate.
 31 ~~(18)~~ (19) "Personal property" includes goods, chattels, evidences
 32 of debt, and things in action.
 33 ~~(19)~~ (20) "Population" has the meaning set forth in IC 1-1-3.5-3.
 34 ~~(20)~~ (21) "Preceding" and "following", referring to sections in
 35 statutes, mean the sections next preceding or next following that
 36 in which the words occur, unless some other section is designated.
 37 ~~(21)~~ (22) "Property" includes personal and real property.
 38 **(23) "Sexual orientation" means actual or perceived**
 39 **bisexuality, heterosexuality, or homosexuality.**
 40 ~~(22)~~ (24) "Sheriff" means the sheriff of the county or another
 41 person authorized to perform sheriff's duties.
 42 ~~(23)~~ (25) "State", applied to any one (1) of the United States,



- 1 includes the District of Columbia and the commonwealths,
 2 possessions, states in free association with the United States, and
 3 the territories. "United States" includes the District of Columbia
 4 and the commonwealths, possessions, states in free association
 5 with the United States, and the territories.
- 6 ~~(24)~~ **(26)** "Under legal disabilities" includes persons less than
 7 eighteen (18) years of age, mentally incompetent, or out of the
 8 United States.
- 9 ~~(25)~~ **(27)** "Verified", when applied to pleadings, means supported
 10 by oath or affirmation in writing.
- 11 ~~(26)~~ **(28)** "Will" includes a testament and codicil.
- 12 ~~(27)~~ **(29)** "Without relief" in any judgment, contract, execution,
 13 or other instrument of writing or record, means without the
 14 benefit of valuation laws.
- 15 ~~(28)~~ **(30)** "Written" and "in writing" include printing,
 16 lithographing, or other mode of representing words and letters. If
 17 the written signature of a person is required, the terms mean the
 18 proper handwriting of the person or the person's mark.
- 19 ~~(29)~~ **(31)** "Year" means a calendar year, unless otherwise
 20 expressed.
- 21 ~~(30)~~ **(32)** The definitions in IC 35-31.5 apply to all statutes
 22 relating to penal offenses.
- 23 SECTION 2. IC 4-15-2.2-12, AS ADDED BY P.L.229-2011,
 24 SECTION 56, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 25 JULY 1, 2016]: Sec. 12. (a) This chapter shall be liberally construed so
 26 as to increase governmental efficiency and responsiveness and to
 27 ensure the employment of qualified persons in the state classified
 28 service on the basis of the following merit principles:
- 29 (1) Recruitment, selection, and promotion of employees on the
 30 basis of an individual's relative ability, knowledge, and skills.
- 31 (2) The provision of equitable and adequate compensation.
- 32 (3) The training of employees to ensure high quality performance.
- 33 (4) The retention of employees based on:
- 34 (A) the quality of the employees' performance; and
- 35 (B) the correction of inadequate performance;
- 36 and the dismissal of employees whose inadequate performance is
 37 not corrected.
- 38 (5) Fair treatment of applicants and employees in all aspects of
 39 personnel administration:
- 40 (A) without regard to political affiliation, race, color, national
 41 origin, gender, **sexual orientation, gender identity, religious**
 42 **creed, religion, ancestry**, age, or disability; and



- 1 (B) with proper regard for the applicants' and employees'
 2 privacy and constitutional rights as citizens.
- 3 (6) Protection of employees from coercion for partisan political
 4 purposes, and prohibition on an employee using the employee's
 5 official authority to interfere with, or affect the result of, an
 6 election or nomination for political office.
- 7 (b) All employment matters in the state classified service are guided
 8 by the merit principles set forth in subsection (a).
- 9 (c) The personnel administration systems adopted under this chapter
 10 govern and limit all other state employment matters and every
 11 appointing authority.
- 12 **(d) This chapter is exempt from IC 34-13-9.**
- 13 SECTION 3. IC 4-15-12-2 IS AMENDED TO READ AS
 14 FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 2. (a) The state is
 15 committed to an affirmative action policy that includes the
 16 establishment of employment policies and conditions that ensure the
 17 elimination of underutilization of qualified members of affected classes
 18 and the elimination of discrimination on the basis of race, ~~or~~ color,
 19 religion, national origin, ~~or~~ ancestry, age, sex, **sexual orientation,**
 20 **gender identity,** and disability.
- 21 **(b) This chapter is exempt from IC 34-13-9.**
- 22 SECTION 4. IC 5-2-1-9, AS AMENDED BY P.L.117-2015,
 23 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 24 JULY 1, 2016]: Sec. 9. (a) The board shall adopt in accordance with
 25 IC 4-22-2 all necessary rules to carry out the provisions of this chapter.
 26 The rules, which shall be adopted only after necessary and proper
 27 investigation and inquiry by the board, shall include the establishment
 28 of the following:
- 29 (1) Minimum standards of physical, educational, mental, and
 30 moral fitness which shall govern the acceptance of any person for
 31 training by any law enforcement training school or academy
 32 meeting or exceeding the minimum standards established
 33 pursuant to this chapter.
- 34 (2) Minimum standards for law enforcement training schools
 35 administered by towns, cities, counties, law enforcement training
 36 centers, agencies, or departments of the state.
- 37 (3) Minimum standards for courses of study, attendance
 38 requirements, equipment, and facilities for approved town, city,
 39 county, and state law enforcement officer, police reserve officer,
 40 and conservation reserve officer training schools.
- 41 (4) Minimum standards for a course of study on cultural diversity
 42 awareness, including training on the U nonimmigrant visa created



- 1 through the federal Victims of Trafficking and Violence
 2 Protection Act of 2000 (P.L. 106-386) that must be required for
 3 each person accepted for training at a law enforcement training
 4 school or academy. Cultural diversity awareness study must
 5 include an understanding of cultural issues related to race,
 6 religion, gender, age, **sexual orientation, gender identity,**
 7 **ancestry,** domestic violence, national origin, and physical and
 8 mental disabilities.
- 9 (5) Minimum qualifications for instructors at approved law
 10 enforcement training schools.
- 11 (6) Minimum basic training requirements which law enforcement
 12 officers appointed to probationary terms shall complete before
 13 being eligible for continued or permanent employment.
- 14 (7) Minimum basic training requirements which law enforcement
 15 officers appointed on other than a permanent basis shall complete
 16 in order to be eligible for continued employment or permanent
 17 appointment.
- 18 (8) Minimum basic training requirements which law enforcement
 19 officers appointed on a permanent basis shall complete in order
 20 to be eligible for continued employment.
- 21 (9) Minimum basic training requirements for each person
 22 accepted for training at a law enforcement training school or
 23 academy that include six (6) hours of training in interacting with:
- 24 (A) persons with autism, mental illness, addictive disorders,
 25 intellectual disabilities, and developmental disabilities;
 26 (B) missing endangered adults (as defined in IC 12-7-2-131.3);
 27 and
 28 (C) persons with Alzheimer's disease or related senile
 29 dementia;
- 30 to be provided by persons approved by the secretary of family and
 31 social services and the board. The training must include an
 32 overview of the crisis intervention teams.
- 33 (10) Minimum standards for a course of study on human and
 34 sexual trafficking that must be required for each person accepted
 35 for training at a law enforcement training school or academy and
 36 for inservice training programs for law enforcement officers. The
 37 course must cover the following topics:
- 38 (A) Examination of the human and sexual trafficking laws
 39 (IC 35-42-3.5).
 40 (B) Identification of human and sexual trafficking.
 41 (C) Communicating with traumatized persons.
 42 (D) Therapeutically appropriate investigative techniques.



1 (E) Collaboration with federal law enforcement officials.

2 (F) Rights of and protections afforded to victims.

3 (G) Providing documentation that satisfies the Declaration of
4 Law Enforcement Officer for Victim of Trafficking in Persons
5 (Form I-914, Supplement B) requirements established under
6 federal law.

7 (H) The availability of community resources to assist human
8 and sexual trafficking victims.

9 (b) A law enforcement officer appointed after July 5, 1972, and
10 before July 1, 1993, may not enforce the laws or ordinances of the state
11 or any political subdivision unless the officer has, within one (1) year
12 from the date of appointment, successfully completed the minimum
13 basic training requirements established under this chapter by the board.
14 If a person fails to successfully complete the basic training
15 requirements within one (1) year from the date of employment, the
16 officer may not perform any of the duties of a law enforcement officer
17 involving control or direction of members of the public or exercising
18 the power of arrest until the officer has successfully completed the
19 training requirements. This subsection does not apply to any law
20 enforcement officer appointed before July 6, 1972, or after June 30,
21 1993.

22 (c) Military leave or other authorized leave of absence from law
23 enforcement duty during the first year of employment after July 6,
24 1972, shall toll the running of the first year, which shall be calculated
25 by the aggregate of the time before and after the leave, for the purposes
26 of this chapter.

27 (d) Except as provided in subsections (e), (l), (r), and (s), a law
28 enforcement officer appointed to a law enforcement department or
29 agency after June 30, 1993, may not:

30 (1) make an arrest;

31 (2) conduct a search or a seizure of a person or property; or

32 (3) carry a firearm;

33 unless the law enforcement officer successfully completes, at a board
34 certified law enforcement academy or at a law enforcement training
35 center under section 10.5 or 15.2 of this chapter, the basic training
36 requirements established by the board under this chapter.

37 (e) This subsection does not apply to:

38 (1) a gaming agent employed as a law enforcement officer by the
39 Indiana gaming commission; or

40 (2) an:

41 (A) attorney; or

42 (B) investigator;



1 designated by the securities commissioner as a police officer of
2 the state under IC 23-19-6-1(k).

3 Before a law enforcement officer appointed after June 30, 1993,
4 completes the basic training requirements, the law enforcement officer
5 may exercise the police powers described in subsection (d) if the
6 officer successfully completes the pre-basic course established in
7 subsection (f). Successful completion of the pre-basic course authorizes
8 a law enforcement officer to exercise the police powers described in
9 subsection (d) for one (1) year after the date the law enforcement
10 officer is appointed.

11 (f) The board shall adopt rules under IC 4-22-2 to establish a
12 pre-basic course for the purpose of training:

13 (1) law enforcement officers;
14 (2) police reserve officers (as described in IC 36-8-3-20); and
15 (3) conservation reserve officers (as described in IC 14-9-8-27);

16 regarding the subjects of arrest, search and seizure, the lawful use of
17 force, interacting with individuals with autism, and the operation of an
18 emergency vehicle. The pre-basic course must be offered on a periodic
19 basis throughout the year at regional sites statewide. The pre-basic
20 course must consist of at least forty (40) hours of course work. The
21 board may prepare the classroom part of the pre-basic course using
22 available technology in conjunction with live instruction. The board
23 shall provide the course material, the instructors, and the facilities at
24 the regional sites throughout the state that are used for the pre-basic
25 course. In addition, the board may certify pre-basic courses that may be
26 conducted by other public or private training entities, including
27 postsecondary educational institutions.

28 (g) The board shall adopt rules under IC 4-22-2 to establish a
29 mandatory inservice training program for police officers and police
30 reserve officers (as described in IC 36-8-3-20). After June 30, 1993, a
31 law enforcement officer who has satisfactorily completed basic training
32 and has been appointed to a law enforcement department or agency on
33 either a full-time or part-time basis is not eligible for continued
34 employment unless the officer satisfactorily completes the mandatory
35 inservice training requirements established by rules adopted by the
36 board. Inservice training must include training in interacting with
37 persons with mental illness, addictive disorders, intellectual
38 disabilities, autism, developmental disabilities, and Alzheimer's disease
39 or related senile dementia, to be provided by persons approved by the
40 secretary of family and social services and the board, and training
41 concerning human and sexual trafficking and high risk missing persons
42 (as defined in IC 5-2-17-1). The board may approve courses offered by



1 other public or private training entities, including postsecondary
 2 educational institutions, as necessary in order to ensure the availability
 3 of an adequate number of inservice training programs. The board may
 4 waive an officer's inservice training requirements if the board
 5 determines that the officer's reason for lacking the required amount of
 6 inservice training hours is due to either of the following:

- 7 (1) An emergency situation.
- 8 (2) The unavailability of courses.

9 (h) The board shall also adopt rules establishing a town marshal
 10 basic training program, subject to the following:

- 11 (1) The program must require fewer hours of instruction and class
 12 attendance and fewer courses of study than are required for the
 13 mandated basic training program.
- 14 (2) Certain parts of the course materials may be studied by a
 15 candidate at the candidate's home in order to fulfill requirements
 16 of the program.
- 17 (3) Law enforcement officers successfully completing the
 18 requirements of the program are eligible for appointment only in
 19 towns employing the town marshal system (IC 36-5-7) and having
 20 not more than one (1) marshal and two (2) deputies.
- 21 (4) The limitation imposed by subdivision (3) does not apply to an
 22 officer who has successfully completed the mandated basic
 23 training program.
- 24 (5) The time limitations imposed by subsections (b) and (c) for
 25 completing the training are also applicable to the town marshal
 26 basic training program.
- 27 (6) The program must require training in interacting with
 28 individuals with autism.

29 (i) The board shall adopt rules under IC 4-22-2 to establish an
 30 executive training program. The executive training program must
 31 include training in the following areas:

- 32 (1) Liability.
- 33 (2) Media relations.
- 34 (3) Accounting and administration.
- 35 (4) Discipline.
- 36 (5) Department policy making.
- 37 (6) Lawful use of force.
- 38 (7) Department programs.
- 39 (8) Emergency vehicle operation.
- 40 (9) Cultural diversity.

41 (j) A police chief shall apply for admission to the executive training
 42 program within two (2) months of the date the police chief initially



1 takes office. A police chief must successfully complete the executive
 2 training program within six (6) months of the date the police chief
 3 initially takes office. However, if space in the executive training
 4 program is not available at a time that will allow completion of the
 5 executive training program within six (6) months of the date the police
 6 chief initially takes office, the police chief must successfully complete
 7 the next available executive training program that is offered after the
 8 police chief initially takes office.

9 (k) A police chief who fails to comply with subsection (j) may not
 10 continue to serve as the police chief until completion of the executive
 11 training program. For the purposes of this subsection and subsection
 12 (j), "police chief" refers to:

- 13 (1) the police chief of any city;
- 14 (2) the police chief of any town having a metropolitan police
 15 department; and
- 16 (3) the chief of a consolidated law enforcement department
 17 established under IC 36-3-1-5.1.

18 A town marshal is not considered to be a police chief for these
 19 purposes, but a town marshal may enroll in the executive training
 20 program.

21 (l) A fire investigator in the division of fire and building safety
 22 appointed after December 31, 1993, is required to comply with the
 23 basic training standards established under this chapter.

24 (m) The board shall adopt rules under IC 4-22-2 to establish a
 25 program to certify handgun safety courses, including courses offered
 26 in the private sector, that meet standards approved by the board for
 27 training probation officers in handgun safety as required by
 28 IC 11-13-1-3.5(3).

29 (n) The board shall adopt rules under IC 4-22-2 to establish a
 30 refresher course for an officer who:

- 31 (1) is hired by an Indiana law enforcement department or agency
 32 as a law enforcement officer;
- 33 (2) has not been employed as a law enforcement officer for at
 34 least two (2) years and less than six (6) years before the officer is
 35 hired under subdivision (1) due to the officer's resignation or
 36 retirement; and
- 37 (3) completed at any time a basic training course certified by the
 38 board before the officer is hired under subdivision (1).

39 (o) The board shall adopt rules under IC 4-22-2 to establish a
 40 refresher course for an officer who:

- 41 (1) is hired by an Indiana law enforcement department or agency
 42 as a law enforcement officer;



1 (2) has not been employed as a law enforcement officer for at
 2 least six (6) years and less than ten (10) years before the officer
 3 is hired under subdivision (1) due to the officer's resignation or
 4 retirement;

5 (3) is hired under subdivision (1) in an upper level policymaking
 6 position; and

7 (4) completed at any time a basic training course certified by the
 8 board before the officer is hired under subdivision (1).

9 A refresher course established under this subsection may not exceed
 10 one hundred twenty (120) hours of course work. All credit hours
 11 received for successfully completing the police chief executive training
 12 program under subsection (i) shall be applied toward the refresher
 13 course credit hour requirements.

14 (p) Subject to subsection (q), an officer to whom subsection (n) or
 15 (o) applies must successfully complete the refresher course described
 16 in subsection (n) or (o) not later than six (6) months after the officer's
 17 date of hire, or the officer loses the officer's powers of:

18 (1) arrest;

19 (2) search; and

20 (3) seizure.

21 (q) A law enforcement officer who has worked as a law enforcement
 22 officer for less than twenty-five (25) years before being hired under
 23 subsection (n)(1) or (o)(1) is not eligible to attend the refresher course
 24 described in subsection (n) or (o) and must repeat the full basic training
 25 course to regain law enforcement powers. However, a law enforcement
 26 officer who has worked as a law enforcement officer for at least
 27 twenty-five (25) years before being hired under subsection (n)(1) or
 28 (o)(1) and who otherwise satisfies the requirements of subsection (n)
 29 or (o) is not required to repeat the full basic training course to regain
 30 law enforcement power but shall attend the refresher course described
 31 in subsection (n) or (o) and the pre-basic training course established
 32 under subsection (f).

33 (r) This subsection applies only to a gaming agent employed as a
 34 law enforcement officer by the Indiana gaming commission. A gaming
 35 agent appointed after June 30, 2005, may exercise the police powers
 36 described in subsection (d) if:

37 (1) the agent successfully completes the pre-basic course
 38 established in subsection (f); and

39 (2) the agent successfully completes any other training courses
 40 established by the Indiana gaming commission in conjunction
 41 with the board.

42 (s) This subsection applies only to a securities enforcement officer



1 designated as a law enforcement officer by the securities
 2 commissioner. A securities enforcement officer may exercise the police
 3 powers described in subsection (d) if:

4 (1) the securities enforcement officer successfully completes the
 5 pre-basic course established in subsection (f); and

6 (2) the securities enforcement officer successfully completes any
 7 other training courses established by the securities commissioner
 8 in conjunction with the board.

9 (t) As used in this section, "upper level policymaking position"
 10 refers to the following:

11 (1) If the authorized size of the department or town marshal
 12 system is not more than ten (10) members, the term refers to the
 13 position held by the police chief or town marshal.

14 (2) If the authorized size of the department or town marshal
 15 system is more than ten (10) members but less than fifty-one (51)
 16 members, the term refers to:

17 (A) the position held by the police chief or town marshal; and

18 (B) each position held by the members of the police
 19 department or town marshal system in the next rank and pay
 20 grade immediately below the police chief or town marshal.

21 (3) If the authorized size of the department or town marshal
 22 system is more than fifty (50) members, the term refers to:

23 (A) the position held by the police chief or town marshal; and

24 (B) each position held by the members of the police
 25 department or town marshal system in the next two (2) ranks
 26 and pay grades immediately below the police chief or town
 27 marshal.

28 (u) This subsection applies only to a correctional police officer
 29 employed by the department of correction. A correctional police officer
 30 may exercise the police powers described in subsection (d) if:

31 (1) the officer successfully completes the pre-basic course
 32 described in subsection (f); and

33 (2) the officer successfully completes any other training courses
 34 established by the department of correction in conjunction with
 35 the board.

36 **(v) This section is exempt from IC 34-13-9.**

37 SECTION 5. IC 5-2-8-1, AS AMENDED BY P.L.164-2014,
 38 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 39 JULY 1, 2016]: Sec. 1. (a) The following definitions apply in this
 40 section:

41 (1) "Abuse" means:

42 (A) conduct that causes bodily injury (as defined in



- 1 IC 35-31.5-2-29) or damage to property; or
 2 (B) a threat of conduct that would cause bodily injury (as
 3 defined in IC 35-31.5-2-29) or damage to property.
 4 (2) "County law enforcement agency" includes:
 5 (A) postsecondary educational institution police officers
 6 appointed under IC 21-17-5 or IC 21-39-4; and
 7 (B) school corporation police officers appointed under
 8 IC 20-26-16.
- 9 (b) There is established in each county a county law enforcement
 10 continuing education program. The program is funded by amounts
 11 appropriated under IC 33-37-8-4 or IC 33-37-8-6.
- 12 (c) A county law enforcement agency receiving amounts based upon
 13 claims for law enforcement continuing education funds under
 14 IC 33-37-8-4 or IC 33-37-8-6 shall deposit each fee collected into the
 15 county law enforcement continuing education fund.
- 16 (d) Distribution of money in the county law enforcement continuing
 17 education fund shall be made to a county law enforcement agency
 18 without the necessity of first obtaining an appropriation from the
 19 county fiscal body.
- 20 (e) Money in excess of one hundred dollars (\$100) that is
 21 unencumbered and remains in a county law enforcement continuing
 22 education fund for at least one (1) entire calendar year from the date of
 23 its deposit shall, at the end of a county's fiscal year, be deposited by the
 24 county auditor in the law enforcement training fund established under
 25 IC 5-2-1-13(b).
- 26 (f) To make a claim under IC 33-37-8-6, a law enforcement agency
 27 shall submit to the fiscal body a verified statement of cause numbers
 28 for fees collected that are attributable to the law enforcement efforts of
 29 that agency.
- 30 (g) A law enforcement agency shall submit a claim for fees under
 31 this section in the same county fiscal year in which the fees are
 32 collected under IC 33-37-4.
- 33 (h) A county law enforcement agency program shall provide to each
 34 law enforcement officer employed by the county and may provide to
 35 each law enforcement officer employed by a city or town law
 36 enforcement agency within the county continuing education concerning
 37 the following:
- 38 (1) Duties of a law enforcement officer in enforcing restraining
 39 orders, protective orders, temporary injunctions, and permanent
 40 injunctions involving abuse.
 41 (2) Guidelines for making felony and misdemeanor arrests in
 42 cases involving abuse.



- 1 (3) Techniques for handling incidents of abuse that:
 2 (A) minimize the likelihood of injury to the law enforcement
 3 officer; and
 4 (B) promote the safety of a victim.
 5 (4) Information about the nature and extent of abuse.
 6 (5) Information about the legal rights of and remedies available
 7 to victims of abuse, including the U nonimmigrant visa created
 8 under the federal Victims of Trafficking and Violence Protection
 9 Act of 2000 (P.L. 106-386).
 10 (6) How to document and collect evidence in an abuse case.
 11 (7) The legal consequences of abuse.
 12 (8) The impact on children of law enforcement intervention in
 13 abuse cases.
 14 (9) Services and facilities available to victims of abuse and
 15 abusers.
 16 (10) Verification of restraining orders, protective orders,
 17 temporary injunctions, and permanent injunctions.
 18 (11) Policies concerning arrest or release of suspects in abuse
 19 cases.
 20 (12) Emergency assistance to victims of abuse and criminal
 21 justice options for victims of abuse.
 22 (13) Landlord-tenant concerns in abuse cases.
 23 (14) The taking of an abused child into protective custody.
 24 (15) Assessment of a situation in which a child may be seriously
 25 endangered if the child is left in the child's home.
 26 (16) Assessment of a situation involving an endangered adult (as
 27 defined in IC 12-10-3-2).
 28 (17) Response to a sudden, unexpected infant death.
 29 (18) Performing cardiopulmonary resuscitation and the Heimlich
 30 maneuver.
 31 (19) Cultural diversity awareness that includes an understanding
 32 of cultural issues related to race, religion, gender, **sexual**
 33 **orientation, gender identity, ancestry**, age, domestic violence,
 34 national origin, and physical and mental disabilities.
 35 (i) A county law enforcement agency may enter into an agreement
 36 with other law enforcement agencies to provide the continuing
 37 education required by this section and section 2(f) of this chapter.
 38 (j) **This section is exempt from IC 34-13-9.**
 39 SECTION 6. IC 5-2-18.2-8, AS ADDED BY P.L.171-2011,
 40 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 41 JULY 1, 2016]: Sec. 8. (a) This chapter shall be enforced without
 42 regard to race, religion, gender, **disability, sexual orientation, gender**



1 **identity, age, ancestry, ethnicity, or national origin.**

2 **(b) This chapter is exempt from IC 34-13-9.**

3 SECTION 7. IC 5-16-6-1 IS AMENDED TO READ AS FOLLOWS
4 [EFFECTIVE JULY 1, 2016]: Sec. 1. **(a)** Every contract for or on
5 behalf of the state of Indiana or any of the municipal corporations
6 thereof, for the construction, alteration, or repair of any public building
7 or public work in the state of Indiana shall contain provisions by which
8 the contractor agrees:

9 ~~(a)~~ **(1)** that in the hiring of employees for the performance of work
10 under this contract or any subcontract hereunder, no contractor,
11 or subcontractor, nor any person acting on behalf of such
12 contractor or subcontractor, shall, by reason of race, religion,
13 color, sex, **sexual orientation, gender identity**, national origin,
14 **age, disability**, or ancestry, discriminate against any citizen of the
15 state of Indiana who is qualified and available to perform the
16 work to which the employment relates;

17 ~~(b)~~ **(2)** that no contractor, subcontractor, nor any person on ~~his~~
18 behalf **of the contractor or the subcontractor** shall, in any
19 manner, discriminate against or intimidate any employee hired for
20 the performance of work under this contract on account of race,
21 religion, color, sex, **sexual orientation, gender identity**, national
22 origin, **age, disability**, or ancestry;

23 ~~(c)~~ **(3)** that there may be deducted from the amount payable to the
24 contractor by the state of Indiana or by any municipal corporation
25 thereof, under this contract, a penalty of five dollars ~~(\$5.00)~~ **(\$5)**
26 for each person for each calendar day during which such person
27 was discriminated against or intimidated in violation of the
28 provisions of the contract; and

29 ~~(d)~~ **(4)** that this contract may be ~~cancelled~~ **canceled** or terminated
30 by the state of Indiana or by any municipal corporation thereof,
31 and all money due or to become due hereunder may be forfeited,
32 for a second or any subsequent violation of the terms or
33 conditions of this section of the contract.

34 **(b) This section is exempt from IC 34-13-9.**

35 SECTION 8. IC 5-28-21-7, AS ADDED BY P.L.4-2005, SECTION
36 34, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1,
37 2016]: Sec. 7. **(a)** A political subdivision (as defined in IC 36-1-2-13),
38 a nonprofit organization, or a for-profit organization may submit an
39 application to the corporation to obtain a grant, loan, or loan guarantee
40 to establish a small business incubator. The application must:

- 41 (1) describe the facility that is to be converted to an incubator;
42 (2) specify the cost of the conversion;



1 (3) demonstrate the ability of the applicant to directly provide or
 2 arrange for the provision of business development services
 3 (including financial consulting assistance, management and
 4 marketing assistance, and physical services) for tenants of the
 5 incubator;

6 (4) demonstrate a potential for sustained use of the incubator by
 7 eligible tenants through a market study or other means;

8 (5) demonstrate the ability of the applicant to operate the
 9 incubator in accordance with section 19 of this chapter;

10 (6) state that the applicant will not discriminate against an
 11 employee or applicant for employment on the basis of race,
 12 religion, color, national origin, **ancestry**, sex, **sexual orientation**,
 13 **gender identity, disability**, or age; and

14 (7) include any other information required by the corporation.

15 **(b) This section is exempt from IC 34-13-9.**

16 SECTION 9. IC 7.1-3-1.6-12, AS ADDED BY P.L.269-2013,
 17 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 18 JULY 1, 2016]: Sec. 12. (a) A provider of a server program under this
 19 chapter must be willing to accept onsite audits by the commission and
 20 perform onsite audits as the commission considers necessary. An onsite
 21 audit may review the following:

22 (1) The self-generated program audit described in section 11 of
 23 this chapter.

24 (2) The number of Indiana server certificates that have been
 25 issued by the program provider.

26 (3) The measures taken by the program provider for the protection
 27 of test questions.

28 (4) The procedures of the program provider for scoring tests.

29 (5) The size of the item bank from which the test questions are
 30 taken.

31 (6) The methodology used to translate the course and test into
 32 multiple languages and the qualifications of the individuals
 33 performing the translation.

34 (7) The integrity of the course data generated and stored by the
 35 program provider.

36 (8) The program provider's data handling, reporting, and
 37 archiving capacities, policies, and procedures.

38 (9) The availability and credentials of individuals providing
 39 qualified assistance to participants who have questions regarding
 40 course content and instructional materials.

41 (10) The program provider's policies and procedures for
 42 addressing participants' questions.



1 (11) The program provider's procedures to ensure that participants
 2 are not discriminated against due to age, sex, race, religion, ethnic
 3 origin, disability, **sexual orientation, gender identity, national**
 4 **origin**, or marital status.

5 **(b) This section is exempt from IC 34-13-9.**

6 SECTION 10. IC 7.1-3-4-7 IS AMENDED TO READ AS
 7 FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 7. (a) Notwithstanding
 8 any other law, a beer retailer may limit sales to the following:

9 (1) Persons that the retailer selects to have access to the retailer's
 10 facilities and services in return for payment of an annual fee to the
 11 retailer.

12 (2) Guests of a person described in subdivision (1).

13 (b) A beer retailer may call the annual fee described in subsection
 14 (a) a membership fee.

15 (c) A beer retailer may call the retailer's premises a club. However,
 16 the premises is not a club within the meaning of IC 7.1-3-20-1.

17 (d) This section does not allow a beer retailer to discriminate among
 18 persons on the basis of race, sex, age, **sexual orientation, gender**
 19 **identity, national origin, ancestry, disability**, or religion when
 20 selecting persons to have access to the retailer's facilities and services.

21 **(e) This section is exempt from IC 34-13-9.**

22 SECTION 11. IC 7.1-3-9-9.5 IS AMENDED TO READ AS
 23 FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 9.5. (a)
 24 Notwithstanding any other law, a liquor retailer may limit sales to the
 25 following:

26 (1) Persons that the retailer selects to have access to the retailer's
 27 facilities and services in return for payment of an annual fee to the
 28 retailer.

29 (2) Guests of a person described in subdivision (1).

30 (b) A liquor retailer may call the annual fee described in subsection
 31 (a) a membership fee.

32 (c) A liquor retailer may call the retailer's premises a club. However,
 33 the premises is not a club within the meaning of IC 7.1-3-20-1.

34 (d) This section does not allow a liquor retailer to discriminate
 35 among persons on the basis of race, sex, **sexual orientation, gender**
 36 **identity, age, national origin, ancestry, disability**, or religion when
 37 selecting persons to have access to the retailer's facilities and services.

38 **(e) This section is exempt from IC 34-13-9.**

39 SECTION 12. IC 7.1-3-14-5 IS AMENDED TO READ AS
 40 FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 5. (a) Notwithstanding
 41 any other law, a wine retailer may limit sales to the following:

42 (1) Persons that the retailer selects to have access to the retailer's



- 1 facilities and services in return for payment of an annual fee to the
- 2 retailer.
- 3 (2) Guests of a person described in subdivision (1).
- 4 (b) A wine retailer may call the annual fee described in subsection
- 5 (a) a membership fee.
- 6 (c) A wine retailer may call the retailer's premises a club. However,
- 7 the premises is not a club within the meaning of IC 7.1-3-20-1.
- 8 (d) This section does not allow a wine retailer to discriminate
- 9 among persons on the basis of race, sex, **sexual orientation, gender**
- 10 **identity, age, national origin, ancestry, disability,** or religion when
- 11 selecting persons to have access to the retailer's facilities and services.
- 12 **(e) This section is exempt from IC 34-13-9.**
- 13 SECTION 13. IC 8-24-8-7, AS ADDED BY P.L.182-2009(ss),
- 14 SECTION 282, IS AMENDED TO READ AS FOLLOWS
- 15 [EFFECTIVE JULY 1, 2016]: Sec. 7. (a) All employees of the district:
- 16 (1) shall be employed solely on the basis of ability, taking into
- 17 account their qualifications to perform the duties of their
- 18 positions;
- 19 (2) shall be employed regardless of political affiliation;
- 20 (3) may not be appointed, promoted, reduced, removed, or in any
- 21 way favored or discriminated against because of their political
- 22 affiliation, race, religion, color, sex, national origin, **sexual**
- 23 **orientation, gender identity, age, disability,** or ancestry;
- 24 (4) are ineligible to hold, or be a candidate for, elected office (as
- 25 defined in IC 3-5-2-17) while employed by the district;
- 26 (5) may not solicit or receive political contributions;
- 27 (6) may not be required to make contributions for or participate
- 28 in political activities;
- 29 (7) shall be employed on a six (6) month probationary period,
- 30 with a written evaluation prepared after five (5) months of service
- 31 by their immediate supervisor for the executive director to
- 32 determine if employment should continue beyond the
- 33 probationary period; and
- 34 (8) shall be evaluated annually in writing by their immediate
- 35 supervisor to advise the executive director as to whether the
- 36 employees should remain in their positions.
- 37 **(b) This section is exempt from IC 34-13-9.**
- 38 SECTION 14. IC 10-13-3-1 IS AMENDED TO READ AS
- 39 FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 1. As used in this
- 40 chapter, "bias crime" means an offense in which the person who
- 41 commits the offense knowingly or intentionally:
- 42 (1) selected the person who was injured; or



1 (2) damaged or otherwise affected property;
 2 by the offense because of the color, ~~creed~~, **religion**, disability, national
 3 origin, **ancestry**, race, religion, ~~or sex~~, sexual orientation, **gender**
 4 **identity, or age** of the injured person or of the owner or occupant of
 5 the affected property or because the injured person or owner or
 6 occupant of the affected property was associated with any other
 7 recognizable group or affiliation.

8 SECTION 15. IC 10-13-3-23.5 IS ADDED TO THE INDIANA
 9 CODE AS A **NEW SECTION TO READ AS FOLLOWS**
 10 [EFFECTIVE JULY 1, 2016]: **Sec. 23.5. This chapter is exempt from**
 11 **IC 34-13-9.**

12 SECTION 16. IC 10-16-8-15 IS AMENDED TO READ AS
 13 FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 15. (a) Adequate
 14 provisions shall be made to allow the enlistment and induction of able
 15 bodied citizens of each and all racial groups in Indiana into all
 16 branches and departments of the Indiana guard reserve organized to
 17 defend and enforce the laws of Indiana. To that end, all racial groups
 18 in Indiana are entitled to that representation in each branch or
 19 department of the Indiana guard reserve in approximate proportion to
 20 the group or groups to the population of Indiana. However, this section
 21 or any other statute may not be construed so as to allow racial
 22 segregation.

23 (b) Race, ~~or~~ color, **religion, sex, sexual orientation, gender**
 24 **identity, national origin, age, disability, or ancestry** may not be a
 25 cause for excluding the application to serve or the service of any person
 26 in any branch of service provided for in this chapter.

27 **(c) This section is exempt from IC 34-13-9.**

28 SECTION 17. IC 12-20-5.5-1, AS AMENDED BY P.L.73-2005,
 29 SECTION 24, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 30 JULY 1, 2016]: Sec. 1. (a) The township trustee shall process all
 31 applications for township assistance according to uniform written
 32 standards and without consideration of the race, ~~creed~~, **religion**,
 33 nationality, **ancestry, sexual orientation, gender identity, age,**
 34 **disability**, or gender of the applicant or any member of the applicant's
 35 household.

36 (b) The township's standards for the issuance of township assistance
 37 and the processing of applications must be:

- 38 (1) governed by the requirements of this article;
 39 (2) proposed by the township trustee, adopted by the township
 40 board, and filed with the board of county commissioners;
 41 (3) reviewed and updated annually to reflect changes in the cost
 42 of basic necessities in the township and changes in the law;



1 (4) published in a single written document, including addenda
2 attached to the document; and

3 (5) posted in a place prominently visible to the public in all
4 offices of the township trustee where township assistance
5 applications are taken or processed.

6 **(c) This section is exempt from IC 34-13-9.**

7 SECTION 18. IC 12-30-3-14 IS AMENDED TO READ AS
8 FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 14. (a) Admission of all
9 patients and residents to the county home must be on a voluntary basis
10 and without regard to race, religion, color, sex, **sexual orientation,**
11 **gender identity,** national origin, **age, disability,** or ancestry.

12 (b) Recipients of old age assistance and blind assistance shall be
13 admitted to the county home on the same basis and for the same charge
14 as other patients and residents in the county home. There may be no
15 discrimination in the care and treatment of patients and residents of the
16 county home because of the source of the money for the support and
17 care of the patients and residents.

18 **(c) This section is exempt from IC 34-13-9.**

19 SECTION 19. IC 12-30-7-32 IS AMENDED TO READ AS
20 FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 32. (a) Discrimination
21 may not be made in accommodation, care, or treatment of any patient
22 at a health center established under this chapter because of race, ~~creed,~~
23 **religion,** national origin, **ancestry, sex, sexual orientation, gender**
24 **identity, age, disability,** or ability to pay.

25 **(b) This chapter is exempt from IC 34-13-9.**

26 SECTION 20. IC 12-32-1-4, AS ADDED BY P.L.171-2011,
27 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
28 JULY 1, 2016]: Sec. 4. (a) This chapter shall be enforced without
29 regard to race, religion, gender, **sexual orientation, gender identity,**
30 **age, disability, ancestry,** ethnicity, or national origin.

31 **(b) This chapter is exempt from IC 34-13-9.**

32 SECTION 21. IC 16-23-1-21 IS AMENDED TO READ AS
33 FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 21. (a) The hospital
34 may not discriminate among patients due to the following:

35 (1) Race, color, **religion, national origin, ancestry, sexual**
36 **orientation, gender identity, age, disability,** or sex.

37 (2) Occupational, economic, or social status.

38 (3) Political or religious belief or the lack of political or religious
39 belief.

40 (b) The hospital must also be open to all licensed physicians of the
41 county and the patients of licensed physicians on equal terms and under
42 uniform rules.



1 **(c) This section is exempt from IC 34-13-9.**

2 SECTION 22. IC 20-24-2-2, AS ADDED BY P.L.1-2005,
3 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
4 JULY 1, 2016]: Sec. 2. **(a)** A charter school is subject to all federal and
5 state laws and constitutional provisions that prohibit discrimination on
6 the basis of the following:

- 7 (1) Disability.
8 (2) Race.
9 (3) Color.
10 (4) Gender.
11 (5) National origin.
12 (6) Religion.
13 (7) Ancestry.

14 **(8) Sexual orientation.**

15 **(9) Gender identity.**

16 **(b) This section is exempt from IC 34-13-9.**

17 SECTION 23. IC 20-24.5-3-5, AS ADDED BY P.L.2-2007,
18 SECTION 209, IS AMENDED TO READ AS FOLLOWS
19 [EFFECTIVE JULY 1, 2016]: Sec. 5. **(a)** A student who applies for
20 admission to the academy must:

- 21 (1) be eligible to attend a public school in Indiana;
22 (2) demonstrate exceptional intellectual ability; and
23 (3) demonstrate a commitment to scholarship.

24 **(b)** A student shall be admitted without regard to sex, race, religion,
25 ~~creed~~, national origin, **ancestry, sexual orientation, gender identity,**
26 **age, disability,** or household income.

27 **(c) This section is exempt from IC 34-13-9.**

28 SECTION 24. IC 20-33-1-1, AS AMENDED BY P.L.3-2008,
29 SECTION 118, IS AMENDED TO READ AS FOLLOWS
30 [EFFECTIVE JULY 1, 2016]: Sec. 1. **(a)** The following is the public
31 policy of the state:

- 32 (1) To provide:
33 (A) equal;
34 (B) nonsegregated; and
35 (C) nondiscriminatory;

36 educational opportunities and facilities for all, regardless of race,
37 ~~creed~~, **religion,** national origin, **ancestry,** color, ~~or~~ sex, **gender**
38 **identity, or sexual orientation.**

- 39 (2) To provide and furnish public schools open equally to all, and
40 prohibited and denied to none because of race, ~~creed~~, color, ~~or~~
41 **religion,** national origin, **ancestry, sex, gender identity, or**
42 **sexual orientation.**



- 1 (3) To reaffirm the principles of:
 2 (A) the Bill of Rights;
 3 (B) civil rights; and
 4 (C) the Constitution of the State of Indiana.
 5 (4) To provide a uniform democratic system of public school
 6 education to the state and the citizens of Indiana.
 7 (5) To:
 8 (A) abolish;
 9 (B) eliminate; and
 10 (C) prohibit;
 11 segregated and separate schools or school districts on the basis of
 12 race, ~~creed~~, **or religion, national origin, ancestry**, color, **sex,**
 13 **gender identity, or sexual orientation.**
 14 (6) To eliminate and prohibit:
 15 (A) segregation;
 16 (B) separation; and
 17 (C) discrimination;
 18 on the basis of race, ~~creed~~, **or color, religion, national origin,**
 19 **ancestry, sex, gender identity, or sexual orientation** in public
 20 schools.
 21 **(b) This chapter is exempt from IC 34-13-9.**
 22 SECTION 25. IC 20-33-1-3, AS AMENDED BY P.L.2-2007,
 23 SECTION 226, IS AMENDED TO READ AS FOLLOWS
 24 [EFFECTIVE JULY 1, 2016]: Sec. 3. (a) The governing body of a
 25 school corporation and the board of trustees of a state educational
 26 institution may not build or erect, establish, maintain, continue, or
 27 permit any segregated or separate public schools, including any public
 28 school departments or divisions, on the basis of race, color, ~~creed~~, **or**
 29 **religion, national origin, ancestry, gender identity, or sexual**
 30 **orientation** of pupils or students.
 31 (b) The officials described in subsection (a) may take any
 32 affirmative actions that are reasonable, feasible, and practical to effect
 33 greater integration and to reduce or prevent segregation or separation
 34 of races in public schools for whatever cause, including:
 35 (1) site selection; or
 36 (2) revision of:
 37 (A) school districts;
 38 (B) curricula; or
 39 (C) enrollment policies;
 40 to implement equalization of educational opportunity for all.
 41 (c) A school corporation shall review the school corporation's
 42 programs to determine if the school corporation's practices of:



1 (1) separating students by ability;
 2 (2) placing students into educational tracks; or
 3 (3) using test results to screen students;
 4 have the effect of systematically separating students by race, color,
 5 ~~creed~~, **religion**, national origin, **ancestry**, **sexual orientation**, **gender**
 6 **identity**, or socioeconomic class.

7 SECTION 26. IC 20-33-1-4, AS AMENDED BY P.L.2-2007,
 8 SECTION 227, IS AMENDED TO READ AS FOLLOWS
 9 [EFFECTIVE JULY 1, 2016]: Sec. 4. (a) A student is entitled to be
 10 admitted and enrolled in a public school in the school corporation in
 11 which the student resides without regard to race, ~~creed~~, **religion**, color,
 12 socioeconomic class, ~~or~~ national origin, **ancestry**, **gender identity**, **or**
 13 **sexual orientation**.

14 (b) A student may not be prohibited, segregated, or denied
 15 attendance or enrollment in a public school in the student's school
 16 corporation because of the student's race, ~~creed~~, **religion**, color, ~~or~~
 17 national origin, **ancestry**, **gender identity**, **or sexual orientation**.

18 (c) Every student is free to attend a public school, including a
 19 department or division of a public school within the laws applicable
 20 alike to noncitizen and nonresident students.

21 SECTION 27. IC 20-33-1-5, AS AMENDED BY P.L.2-2007,
 22 SECTION 228, IS AMENDED TO READ AS FOLLOWS
 23 [EFFECTIVE JULY 1, 2016]: Sec. 5. (a) A public school may not
 24 segregate, separate, or discriminate against any of its students on the
 25 basis of race, ~~creed~~, ~~or religion~~, color, **national origin**, **ancestry**,
 26 **gender identity**, **or sexual orientation**.

27 (b) Admission to a public school may not be approved or denied on
 28 the basis of race, ~~creed~~, ~~or religion~~, color, **national origin**, **ancestry**,
 29 **gender identity**, **or sexual orientation**.

30 SECTION 28. IC 20-33-1-6, AS AMENDED BY P.L.2-2007,
 31 SECTION 229, IS AMENDED TO READ AS FOLLOWS
 32 [EFFECTIVE JULY 1, 2016]: Sec. 6. A public school may not
 33 discriminate in any way in the hiring, upgrading, tenure, or placement
 34 of a teacher on the basis of race, ~~creed~~, **religion**, color, ~~or~~ national
 35 origin, **ancestry**, **age**, **disability**, **sex**, **gender identity**, **or sexual**
 36 **orientation**.

37 SECTION 29. IC 20-42-3-10, AS AMENDED BY P.L.286-2013,
 38 SECTION 124, IS AMENDED TO READ AS FOLLOWS
 39 [EFFECTIVE JULY 1, 2016]: Sec. 10. (a) The trustee, with the advice
 40 and consent of the township board, shall use the account for the
 41 following educational purposes:

42 (1) Each year the trustee shall pay, to the parent or legal guardian



1 of any child whose residence is within the township, the initial
 2 cost for the rental of curricular materials used in any elementary
 3 or secondary school that has been accredited by the state. The
 4 reimbursement for the rental of curricular materials shall be for
 5 the initial yearly rental charge only. Curricular materials
 6 subsequently lost or destroyed may not be paid for from this
 7 account.

8 (2) Students who are residents of the township for the last two (2)
 9 years of their secondary education and who still reside within the
 10 township are entitled to receive financial assistance in an amount
 11 not to exceed an amount determined by the trustee and the
 12 township board during an annual review of postsecondary
 13 education fees and tuition costs of education at any accredited
 14 postsecondary educational institution. Amounts to be paid to each
 15 eligible student shall be set annually after this review. The
 16 amount paid each year must be:

17 (A) equitable for every eligible student without regard to race,
 18 religion, ~~creed~~, sex, disability, **sexual orientation, gender**
 19 **identity, ancestry, age**, or national origin; and

20 (B) based on the number of students and the amount of funds
 21 available each year.

22 (3) A person who has been a permanent resident of the township
 23 continuously for at least two (2) years and who needs educational
 24 assistance for job training or retraining may apply to the trustee
 25 of the township for financial assistance. The trustee and the
 26 township board shall review each application and make assistance
 27 available according to the need of each applicant and the
 28 availability of funds.

29 (4) If all the available funds are not used in any one (1) year, the
 30 unused funds shall be retained in the account by the trustee for
 31 use in succeeding years.

32 **(b) This section is exempt from IC 34-13-9.**

33 SECTION 30. IC 20-51-4-3, AS AMENDED BY P.L.6-2012,
 34 SECTION 144, IS AMENDED TO READ AS FOLLOWS
 35 [EFFECTIVE JULY 1, 2016]: Sec. 3. (a) An eligible school may not
 36 discriminate on the basis of race, color, **sexual orientation, gender**
 37 **identity, ancestry, religion**, or national origin.

38 (b) An eligible school shall abide by the school's written admission
 39 policy fairly and without discrimination with regard to students who:

40 (1) apply for; or

41 (2) are awarded;

42 scholarships under this chapter.



1 (c) If the number of applicants for enrollment in an eligible school
 2 under a choice scholarship exceeds the number of choice scholarships
 3 available to the eligible school, the eligible school must draw at
 4 random in a public meeting the applications of applicants who are
 5 entitled to a choice scholarship from among the applicants who meet
 6 the requirements for admission to the eligible school.

7 (d) The department shall make random visits to at least five percent
 8 (5%) of eligible schools and charter schools to verify that the eligible
 9 school or charter school complies with the provisions of this chapter
 10 and the Constitutions of the state of Indiana and the United States.

11 (e) Each eligible school, public school, and charter school shall
 12 grant the department reasonable access to its premises, including
 13 access to the school's grounds, buildings, and property.

14 (f) Each year the principal of each eligible school shall certify under
 15 penalties of perjury to the department that the eligible school is
 16 complying with the requirements of this chapter. The department shall
 17 develop a process for eligible schools to follow to make certifications.

18 SECTION 31. IC 21-18.5-4-2, AS ADDED BY P.L.107-2012,
 19 SECTION 58, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 20 JULY 1, 2016]: Sec. 2. (a) The commission shall exercise its functions
 21 under this chapter without regard to an applicant's race, ~~creed~~, **religion**,
 22 sex, color, national origin, **sexual orientation**, **gender identity**, or
 23 ancestry.

24 **(b) This chapter is exempt from IC 34-13-9.**

25 SECTION 32. IC 21-18.5-6-15, AS AMENDED BY P.L.273-2013,
 26 SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 27 JULY 1, 2016]: Sec. 15. (a) A postsecondary credit bearing proprietary
 28 educational institution's authorization shall be suspended at any time
 29 if the authorized postsecondary credit bearing proprietary educational
 30 institution denies enrollment to a student or makes a distinction or
 31 classification of students on the basis of race, color, **national origin**,
 32 **sexual orientation**, **gender identity**, **ancestry**, or ~~creed~~: **religion**.

33 **(b) This section is exempt from IC 34-13-9.**

34 SECTION 33. IC 21-40-2-1, AS ADDED BY P.L.2-2007,
 35 SECTION 281, IS AMENDED TO READ AS FOLLOWS
 36 [EFFECTIVE JULY 1, 2016]: Sec. 1. (a) The following is the public
 37 policy of the state:

38 (1) To provide:

39 (A) equal;

40 (B) nonsegregated; and

41 (C) nondiscriminatory;

42 educational opportunities and facilities for all, regardless of race,



- 1 ~~creed~~, **religion**, national origin, **ancestry**, color, ~~or~~ sex, **gender**
 2 **identity, or sexual orientation.**
- 3 (2) To provide and furnish state educational institutions open
 4 equally to all, and prohibited and denied to none because of race,
 5 ~~creed~~, **religion**, color, ~~or~~ national origin, **ancestry, gender**
 6 **identity, or sexual orientation.**
- 7 (3) To reaffirm the principles of:
 8 (A) the Bill of Rights;
 9 (B) civil rights; and
 10 (C) the Constitution of the State of Indiana.
- 11 (4) To provide a uniform democratic system of public education
 12 to the state and the citizens of Indiana.
- 13 (5) To:
 14 (A) abolish;
 15 (B) eliminate; and
 16 (C) prohibit;
 17 segregated and separate departments or divisions of a state
 18 educational institution on the basis of race, ~~creed~~, ~~or~~ **religion**,
 19 color, **national origin, ancestry, gender identity, or sexual**
 20 **orientation.**
- 21 (6) To eliminate and prohibit:
 22 (A) segregation;
 23 (B) separation; and
 24 (C) discrimination;
 25 on the basis of race, color, ~~or~~ ~~creed~~ **religion, national origin,**
 26 **ancestry, gender identity, or sexual orientation** in state
 27 educational institutions.
- 28 **(b) This chapter is exempt from IC 34-13-9.**
- 29 SECTION 34. IC 21-40-2-4, AS ADDED BY P.L.2-2007,
 30 SECTION 281, IS AMENDED TO READ AS FOLLOWS
 31 [EFFECTIVE JULY 1, 2016]: Sec. 4. (a) The board of trustees of a
 32 state educational institution may not build or erect, establish, maintain,
 33 continue, or permit any segregated or separate state educational
 34 institutions on the basis of race, color, ~~creed~~, ~~or~~ **religion**, national
 35 origin, **ancestry, gender identity, or sexual orientation** of students.
- 36 (b) The officials described in subsection (a) may take any
 37 affirmative actions that are reasonable, feasible, and practical to effect
 38 greater integration and to reduce or prevent segregation or separation
 39 of races in state educational institutions for whatever cause, including:
 40 (1) site selection; or
 41 (2) revision of:
 42 (A) districts;



1 (B) curricula; or
 2 (C) enrollment policies;
 3 to implement equalization of educational opportunity for all.
 4 SECTION 35. IC 21-40-2-5, AS ADDED BY P.L.2-2007,
 5 SECTION 281, IS AMENDED TO READ AS FOLLOWS
 6 [EFFECTIVE JULY 1, 2016]: Sec. 5. (a) A student may not be
 7 prohibited, segregated, or denied attendance or enrollment to a state
 8 educational institution because of the student's race, ~~creed~~, **religion**,
 9 color, ~~or~~ national origin, **ancestry, gender identity, or sexual**
 10 **orientation.**
 11 (b) Every student is free to attend a state educational institution
 12 within the laws applicable alike to noncitizen and nonresident students.
 13 SECTION 36. IC 21-40-2-6, AS ADDED BY P.L.2-2007,
 14 SECTION 281, IS AMENDED TO READ AS FOLLOWS
 15 [EFFECTIVE JULY 1, 2016]: Sec. 6. (a) A state educational institution
 16 may not segregate, separate, or discriminate against any of its students
 17 on the basis of race, ~~creed~~, ~~or~~ **religion**, color, **national origin,**
 18 **ancestry, gender identity, or sexual orientation.**
 19 (b) Admission to a state educational institution may not be approved
 20 or denied on the basis of race, ~~creed~~, ~~or~~ **religion**, color, **national**
 21 **origin, ancestry, gender identity, or sexual orientation.**
 22 SECTION 37. IC 21-40-2-7, AS ADDED BY P.L.2-2007,
 23 SECTION 281, IS AMENDED TO READ AS FOLLOWS
 24 [EFFECTIVE JULY 1, 2016]: Sec. 7. A state educational institution
 25 may not discriminate in any way in the hiring, upgrading, tenure, or
 26 placement of any teacher on the basis of **age, disability,** race, ~~creed~~,
 27 **religion,** color, ~~or~~ national origin, **ancestry, gender identity, or sexual**
 28 **orientation.**
 29 SECTION 38. IC 22-4.1-21-27, AS ADDED BY P.L.107-2012,
 30 SECTION 61, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 31 JULY 1, 2016]: Sec. 27. (a) A postsecondary proprietary educational
 32 institution's accreditation shall be suspended at any time if the
 33 accredited postsecondary proprietary educational institution denies
 34 enrollment to a student or makes a distinction or classification of
 35 students on the basis of race, color, **national origin, sexual**
 36 **orientation, gender identity, ancestry, or** ~~creed~~ **religion.**
 37 (b) **This section is exempt from IC 34-13-9.**
 38 SECTION 39. IC 22-9-1-2, AS AMENDED BY P.L.136-2014,
 39 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 40 JULY 1, 2016]: Sec. 2. (a) It is the public policy of the state to provide
 41 all of its citizens equal opportunity for education, employment, access
 42 to public conveniences and accommodations, and acquisition through



1 purchase or rental of real property, including but not limited to housing,
2 and to eliminate segregation or separation based solely on race,
3 religion, color, sex, disability, national origin, **sexual orientation**,
4 **gender identity, age**, or ancestry, since such segregation is an
5 impediment to equal opportunity. Equal education and employment
6 opportunities and equal access to and use of public accommodations
7 and equal opportunity for acquisition of real property are hereby
8 declared to be civil rights.

9 (b) The practice of denying these rights to properly qualified
10 persons by reason of the race, religion, color, sex, disability, national
11 origin, **sexual orientation, gender identity, age**, or ancestry of such
12 person is contrary to the principles of freedom and equality of
13 opportunity and is a burden to the objectives of the public policy of this
14 state and shall be considered as discriminatory practices. The
15 promotion of equal opportunity without regard to race, religion, color,
16 sex, **sexual orientation, gender identity, age**, disability, national
17 origin, or ancestry through reasonable methods is the purpose of this
18 chapter.

19 (c) It is also the public policy of this state to protect employers,
20 labor organizations, employment agencies, property owners, real estate
21 brokers, builders, and lending institutions from unfounded charges of
22 discrimination.

23 (d) It is hereby declared to be contrary to the public policy of the
24 state and an unlawful practice for any person, for profit, to induce or
25 attempt to induce any person to sell or rent any dwelling by
26 representations regarding the entry or prospective entry into the
27 neighborhood of a person or persons of a particular race, religion,
28 color, sex, disability, national origin, **sexual orientation, gender**
29 **identity, age**, or ancestry.

30 (e) The general assembly recognizes that on February 16, 1972,
31 there are institutions of learning in Indiana presently and traditionally
32 following the practice of limiting admission of students to males or to
33 females. It is further recognized that it would be unreasonable to
34 impose upon these institutions the expense of remodeling facilities to
35 accommodate students of both sexes, and that educational facilities of
36 similar quality and type are available in coeducational institutions for
37 those students desiring such facilities. It is further recognized that this
38 chapter is susceptible of interpretation to prevent these institutions
39 from continuing their traditional policies, a result not intended by the
40 general assembly. Therefore, the amendment effected by Acts 1972,
41 P.L.176, is desirable to permit the continuation of the policies
42 described.



1 (f) It is against the public policy of the state and a discriminatory
 2 practice for an employer to discriminate against a prospective
 3 employee on the basis of status as a veteran by:

4 (1) refusing to employ an applicant for employment on the basis
 5 that the applicant is a veteran of the armed forces of the United
 6 States; or

7 (2) refusing to employ an applicant for employment on the basis
 8 that the applicant is a member of the Indiana National Guard or
 9 member of a reserve component.

10 (g) This chapter shall be construed broadly to effectuate its purpose.

11 **(h) This article is exempt from IC 34-13-9.**

12 SECTION 40. IC 22-9-1-3, AS AMENDED BY P.L.136-2014,
 13 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 14 JULY 1, 2016]: Sec. 3. As used in this chapter:

15 (a) "Person" means one (†) or more individuals; partnerships;
 16 associations; organizations; limited liability companies; corporations;
 17 labor organizations; cooperatives; legal representatives; trustees;
 18 trustees in bankruptcy; receivers; and other organized groups of
 19 persons. "Affirmative action" means those acts that the commission
 20 determines necessary to assure compliance with the Indiana civil
 21 rights law.

22 (b) "Commission" means the civil rights commission created under
 23 section 4 of this chapter.

24 (c) "Director" means the director of the civil rights commission.
 25 "Commission attorney" means the deputy attorney general, such
 26 assistants of the attorney general as may be assigned to the
 27 commission, or such other attorney as may be engaged by the
 28 commission.

29 (d) "Deputy director" means the deputy director of the civil rights
 30 commission. "Complainant" means:

31 (1) any individual charging on the individual's own behalf to
 32 have been personally aggrieved by a discriminatory practice;
 33 or

34 (2) the director or deputy director of the commission charging
 35 that a discriminatory practice was committed against a
 36 person (other than the director or deputy director) or a class
 37 of people, in order to vindicate the public policy of the state
 38 (as set forth in section 2 of this chapter).

39 (e) "Commission attorney" means the deputy attorney general; such
 40 assistants of the attorney general as may be assigned to the
 41 commission; or such other attorney as may be engaged by the
 42 commission. "Complaint" means any written grievance that is:



1 (1) sufficiently complete and filed by a complainant with the
2 commission; or

3 (2) filed by a complainant as a civil action in the circuit or
4 superior court having jurisdiction in the county in which the
5 alleged discriminatory practice occurred.

6 (f) "Consent agreement" means a formal agreement entered into in
7 lieu of adjudication.

8 (g) "Affirmative action" means those acts that the commission
9 determines necessary to assure compliance with the Indiana civil rights
10 law. **"Deputy director" means the deputy director of the civil rights**
11 **commission.**

12 (h) "Employer" means the state or any political or civil subdivision
13 thereof and any person employing six (6) or more persons within the
14 state, except that the term "employer" does not include:

15 (1) any nonprofit corporation or association organized exclusively
16 for fraternal or religious purposes;

17 (2) any school, educational, or charitable religious institution
18 owned or conducted by or affiliated with a church or religious
19 institution; or

20 (3) any exclusively social club, corporation, or association that is
21 not organized for profit. **"Director" means the director of the**
22 **civil rights commission.**

23 (i) "Employee" means any person employed by another for wages or
24 salary. However, the term does not include any individual employed:

25 (1) by the individual's parents, spouse, or child; or

26 (2) in the domestic service of any person. **"Disabled" or**
27 **"disability" means the physical or mental condition of a**
28 **person that constitutes a substantial disability. In reference to**
29 **employment under this chapter, "disabled" or "disability"**
30 **also means the physical or mental condition of a person that**
31 **constitutes a substantial disability unrelated to the person's**
32 **ability to engage in a particular occupation.**

33 (j) "Labor organization" means any organization that exists for the
34 purpose in whole or in part of collective bargaining or of dealing with
35 employers concerning grievances, terms, or conditions of employment
36 or for other mutual aid or protection in relation to employment.

37 **"Discriminatory practice" means:**

38 (1) the exclusion of a person from equal opportunities because
39 of race, religion, color, sex, sexual orientation, gender identity,
40 age, disability, national origin, ancestry, or status as a
41 veteran;

42 (2) a system that excludes persons from equal opportunities



1 because of race, religion, color, sex, sexual orientation, gender
 2 identity, age, disability, national origin, ancestry, or status as
 3 a veteran;

4 (3) the promotion of racial segregation or separation in any
 5 manner, including but not limited to the inducing of or the
 6 attempting to induce for profit any person to sell or rent any
 7 dwelling by representations regarding the entry or
 8 prospective entry in the neighborhood of a person or persons
 9 of a particular race, religion, color, sex, sexual orientation,
 10 gender identity, age, disability, national origin, Indiana
 11 national guard service, United States military service, or
 12 ancestry; or

13 (4) a violation of IC 22-9-5 that is committed by a covered
 14 entity (as defined in IC 22-9-5-4).

15 (k) "Employment agency" means any person undertaking with or
 16 without compensation to procure, recruit, refer, or place employees.
 17 "Employee" means any person employed by another for wages or
 18 salary. However, the term does not include any individual
 19 employed:

20 (1) by the individual's parents, spouse, or child; or

21 (2) in the domestic service of any person.

22 (l) "Discriminatory practice" means:

23 (1) the exclusion of a person from equal opportunities because of
 24 race, religion, color, sex, disability, national origin, ancestry or
 25 status as a veteran;

26 (2) a system that excludes persons from equal opportunities
 27 because of race, religion, color, sex, disability, national origin,
 28 ancestry or status as a veteran;

29 (3) the promotion of racial segregation or separation in any
 30 manner, including but not limited to the inducing of or the
 31 attempting to induce for profit any person to sell or rent any
 32 dwelling by representations regarding the entry or prospective
 33 entry in the neighborhood of a person or persons of a particular
 34 race, religion, color, sex, disability, national origin, or ancestry;
 35 or

36 (4) a violation of IC 22-9-5 that occurs after July 25, 1992, and is
 37 committed by a covered entity (as defined in IC 22-9-5-4).

38 Every discriminatory practice relating to the acquisition or sale of real
 39 estate, education, public accommodations, employment, or the
 40 extending of credit (as defined in IC 24-4.5-1-301.5) shall be
 41 considered unlawful unless it is specifically exempted by this chapter.

42 "Employer" means the state or any political or civil subdivision of



1 the state and any person employing six (6) or more persons within
2 Indiana, except that the term "employer" does not include:

- 3 (1) any nonprofit corporation or association organized
4 exclusively for fraternal or religious purposes;
5 (2) any school, educational, or charitable religious institution
6 owned or conducted by or affiliated with a church or religious
7 institution; or
8 (3) any exclusively social club, corporation, or association that
9 is not organized for profit.

10 (m) "Public accommodation" means any establishment that caters
11 or offers its services or facilities or goods to the general public.

12 "Employment agency" means any person undertaking with or
13 without compensation to procure, recruit, refer, or place
14 employees.

15 (n) "Complainant" means:

- 16 (1) any individual charging on the individual's own behalf to have
17 been personally aggrieved by a discriminatory practice; or
18 (2) the director or deputy director of the commission charging that
19 a discriminatory practice was committed against a person (other
20 than the director or deputy director) or a class of people; in order
21 to vindicate the public policy of the state (as defined in section 2
22 of this chapter). "Labor organization" means any organization
23 that exists for the purpose in whole or in part of collective
24 bargaining or of dealing with employers concerning
25 grievances, terms, or conditions of employment or for other
26 mutual aid or protection in relation to employment.

27 (o) "Complaint" means any written grievance that is:

- 28 (1) sufficiently complete and filed by a complainant with the
29 commission; or
30 (2) filed by a complainant as a civil action in the circuit or
31 superior court having jurisdiction in the county in which the
32 alleged discriminatory practice occurred.

33 The original of any complaint filed under subdivision (1) shall be
34 signed and verified by the complainant. "Person" means one (1) or
35 more individuals, partnerships, associations, organizations, limited
36 liability companies, corporations, labor organizations,
37 cooperatives, legal representatives, trustees, trustees in
38 bankruptcy, receivers, and other organized groups of persons.

39 (p) "Sufficiently complete" refers to a complaint that includes:

- 40 (1) the full name and address of the complainant;
41 (2) the name and address of the respondent against whom the
42 complaint is made;



1 (3) the alleged discriminatory practice and a statement of
2 particulars thereof;

3 (4) the date or dates and places of the alleged discriminatory
4 practice and if the alleged discriminatory practice is of a
5 continuing nature the dates between which continuing acts of
6 discrimination are alleged to have occurred; and

7 (5) a statement as to any other action, civil or criminal, instituted
8 in any other form based upon the same grievance alleged in the
9 complaint, together with a statement as to the status or disposition
10 of the other action.

11 No complaint shall be valid unless filed within one hundred eighty
12 (180) days from the date of the occurrence of the alleged
13 discriminatory practice. **"Public accommodation" means any**
14 **establishment that caters or offers its services or facilities or goods**
15 **to the general public.**

16 (q) "Sex" as it applies to segregation or separation in this chapter
17 applies to all types of employment, education, public accommodations,
18 and housing. However:

19 (1) it shall not be a discriminatory practice to maintain separate
20 restrooms;

21 (2) it shall not be an unlawful employment practice for an
22 employer to hire and employ employees, for an employment
23 agency to classify or refer for employment any individual, for a
24 labor organization to classify its membership or to classify or refer
25 for employment any individual, or for an employer, labor
26 organization, or joint labor management committee controlling
27 apprenticeship or other training or retraining programs to admit
28 or employ any other individual in any program on the basis of sex
29 in those certain instances where sex is a bona fide occupational
30 qualification reasonably necessary to the normal operation of that
31 particular business or enterprise; and

32 (3) it shall not be a discriminatory practice for a private or
33 religious educational institution to continue to maintain and
34 enforce a policy of admitting students of one (1) sex only.

35 (r) "Disabled" or "disability" means the physical or mental condition
36 of a person that constitutes a substantial disability. In reference to
37 employment under this chapter, "disabled or disability" also means the
38 physical or mental condition of a person that constitutes a substantial
39 disability unrelated to the person's ability to engage in a particular
40 occupation. **"Sufficiently complete" refers to a complaint that**
41 **includes:**

42 (1) the full name and address of the complainant;



- 1 **(2) the name and address of the respondent against whom the**
 2 **complaint is made;**
 3 **(3) the alleged discriminatory practice and a statement of**
 4 **particulars of the alleged discriminatory practice;**
 5 **(4) the date or dates and places of the alleged discriminatory**
 6 **practice and if the alleged discriminatory practice is of a**
 7 **continuing nature, the dates between which continuing acts of**
 8 **discrimination are alleged to have occurred; and**
 9 **(5) a statement as to any other action, civil or criminal,**
 10 **instituted in any other form based upon the same grievance**
 11 **alleged in the complaint, together with a statement as to the**
 12 **status or disposition of the other action.**

13 (s) "Veteran" means:

- 14 (1) a veteran of the armed forces of the United States;
 15 (2) a member of the Indiana National Guard; or
 16 (3) a member of a reserve component.

17 SECTION 41. IC 22-9-1-6, AS AMENDED BY P.L.136-2014,
 18 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 19 JULY 1, 2016]: Sec. 6. (a) The commission shall establish and
 20 maintain a permanent office in the city of Indianapolis.

21 (b) Except as it concerns judicial review, the commission may adopt
 22 rules under IC 4-22-2 to implement this chapter.

23 (c) The commission shall formulate policies to effectuate the
 24 purposes of this chapter and make recommendations to agencies and
 25 officers of the state or local subdivisions thereof to effectuate such
 26 policies. The several departments, commissions, divisions, authorities,
 27 boards, bureaus, agencies, and officers of the state or any political
 28 subdivision or agency thereof shall furnish the commission, upon its
 29 request, all records, papers, and information in their possession relating
 30 to any matter before the commission.

31 (d) The commission shall receive and investigate complaints
 32 alleging discriminatory practices. The commission shall not hold
 33 hearings in the absence of a complaint. All investigations of complaints
 34 shall be conducted by staff members of the civil rights commission or
 35 their agents.

36 (e) The commission may create such advisory agencies and
 37 conciliation councils, local or statewide, as will aid in effectuating the
 38 purposes of this chapter. The commission may itself, or it may
 39 empower these agencies and councils to:

- 40 (1) study the problems of discrimination in the areas covered by
 41 section 2 of this chapter when based on race, religion, color, sex,
 42 ~~handicap~~, **sexual orientation, gender identity, disability, age,**



1 national origin, or ancestry; and

2 (2) foster through community effort, or otherwise, good will
3 among the groups and elements of the population of the state.

4 These agencies and councils may make ~~recommendation~~
5 **recommendations** to the commission for the development of policies
6 and procedures in general. Advisory agencies and conciliation councils
7 created by the commission shall be composed of representative citizens
8 serving without pay, but with reimbursement for reasonable and
9 necessary actual expenses.

10 (f) The commission may issue such publications and such results of
11 investigations and research as in its judgment will tend to promote
12 good will and minimize or eliminate discrimination because of race,
13 religion, color, sex, ~~handicap~~, **sexual orientation, gender identity,**
14 **disability, age**, national origin, or ancestry.

15 (g) The commission shall prevent any person from discharging,
16 expelling, or otherwise discriminating against any other person because
17 the person filed a complaint, testified in any hearing before this
18 commission, or in any way assisted the commission in any matter under
19 its investigation.

20 (h) The commission may hold hearings, subpoena witnesses, compel
21 their attendance, administer oaths, take the testimony of any person
22 under oath, and require the production for examination of any books
23 and papers relating to any matter under investigation or in question
24 before the commission. The commission may make rules as to the
25 issuance of subpoenas by individual commissioners. Contumacy or
26 refusal to obey a subpoena issued under this section shall constitute a
27 contempt. All hearings shall be held within Indiana at a location
28 determined by the commission. A citation of contempt may be issued
29 upon application by the commission to the circuit or superior court in
30 the county in which the hearing is held or in which the witness resides
31 or transacts business.

32 (i) The commission may appoint administrative law judges other
33 than commissioners, when an appointment is deemed necessary by a
34 majority of the commission. The administrative law judges shall be
35 members in good standing before the bar of Indiana and shall be
36 appointed by the chairman of the commission. An administrative law
37 judge appointed under this subsection shall have the same powers and
38 duties as a commissioner sitting as an administrative law judge.
39 However, the administrative law judge may not issue subpoenas.

40 (j) The commission shall state its findings of fact after a hearing
41 and, if the commission finds a person has engaged in an unlawful
42 discriminatory practice, shall cause to be served on this person an order



1 requiring the person to cease and desist from the unlawful
 2 discriminatory practice and requiring the person to take further
 3 affirmative action as will effectuate the purposes of this chapter,
 4 including but not limited to the power:

5 (1) to restore complainant's losses incurred as a result of
 6 discriminatory treatment, as the commission may deem necessary
 7 to assure justice; however, except in discriminatory practices
 8 involving veterans, this specific provision when applied to orders
 9 pertaining to employment shall include only wages, salary, or
 10 commissions;

11 (2) to require the posting of notice setting forth the public policy
 12 of Indiana concerning civil rights and respondent's compliance
 13 with the policy in places of public accommodations;

14 (3) to require proof of compliance to be filed by respondent at
 15 periodic intervals; and

16 (4) to require a person who has been found to be in violation of
 17 this chapter and who is licensed by a state agency authorized to
 18 grant a license to show cause to the licensing agency why the
 19 person's license should not be revoked or suspended.

20 When an employer has been found to have committed a discriminatory
 21 practice in employment by failing to employ an applicant on the basis
 22 that the applicant is a veteran, the order to restore the veteran's losses
 23 may include placing the veteran in the employment position with the
 24 employer for which the veteran applied.

25 (k) Judicial review of a cease and desist order or other affirmative
 26 action as referred to in this chapter may be obtained under IC 22-9-8.
 27 If no proceeding to obtain judicial review is instituted within thirty (30)
 28 days from receipt of notice by a person that an order has been made by
 29 the commission, the commission, if it determines that the person upon
 30 whom the cease and desist order has been served is not complying or
 31 is making no effort to comply, may obtain a decree of a court for the
 32 enforcement of the order in circuit or superior court upon showing that
 33 the person is subject to the commission's jurisdiction and resides or
 34 transacts business within the county in which the petition for
 35 enforcement is brought.

36 (l) If, upon all the evidence, the commission shall find that a person
 37 has not engaged in any unlawful practice or violation of this chapter,
 38 the commission shall state its findings of facts and shall issue and
 39 cause to be served on the complainant an order dismissing the
 40 complaint as to the person.

41 (m) The commission may furnish technical assistance requested by
 42 persons subject to this chapter to further compliance with this chapter



1 or with an order issued thereunder.

2 (n) The commission shall promote the creation of local civil rights
3 agencies to cooperate with individuals, neighborhood associations, and
4 state, local, and other agencies, both public and private, including
5 agencies of the federal government and of other states.

6 (o) The commission may reduce the terms of conciliation agreed to
7 by the parties to writing (to be called a consent agreement) that the
8 parties and a majority of the commissioners shall sign. When signed,
9 the consent agreement shall have the same effect as a cease and desist
10 order issued under subsection (j). If the commission determines that a
11 party to the consent agreement is not complying with it, the
12 commission may obtain enforcement of the consent agreement in a
13 circuit or superior court upon showing that the party is not complying
14 with the consent agreement and the party is subject to the commission's
15 jurisdiction and resides or transacts business within the county in
16 which the petition for enforcement is brought.

17 (p) In lieu of investigating a complaint and holding a hearing under
18 this section, the commission may issue an order based on findings and
19 determinations by the federal Department of Housing and Urban
20 Development or the federal Equal Employment Opportunity
21 Commission concerning a complaint that has been filed with one (1) of
22 these federal agencies and with the commission. The commission shall
23 adopt by rule standards under which the commission may issue such an
24 order.

25 (q) Upon notice that a complaint is the subject of an action in a
26 federal court, the commission shall immediately cease investigation of
27 the complaint and may not conduct hearings or issue findings of fact or
28 orders concerning that complaint.

29 SECTION 42. IC 22-9-1-9.5 IS ADDED TO THE INDIANA CODE
30 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
31 1, 2016]: **Sec. 9.5. (a) Every discriminatory practice relating to the
32 acquisition or sale of real estate, education, public
33 accommodations, employment, or the extending of credit (as
34 defined in IC 24-4.5-1-301.5) shall be considered unlawful unless it
35 is specifically exempted by this chapter.**

36 **(b) A complaint must be filed within one hundred eighty (180)
37 days from the date of the occurrence of the alleged discriminatory
38 practice.**

39 **(c) An original complaint filed with the commission shall be
40 signed and verified by the complainant.**

41 SECTION 43. IC 22-9-1-10 IS AMENDED TO READ AS
42 FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 10. Every contract to



1 which the state or any of its political or civil subdivisions is a party,
 2 including franchises granted to public utilities, shall contain a provision
 3 requiring the contractor and ~~his~~ **the contractor's** subcontractors not to
 4 discriminate against any employee or applicant for employment to be
 5 employed in the performance of such contract, with respect to ~~his~~ **the**
 6 **employee's or applicant's** hire, tenure, terms, conditions, or privileges
 7 of employment or any matter directly or indirectly related to
 8 employment, because of ~~his~~ **the employee's or applicant's** race,
 9 religion, color, sex, **sexual orientation, gender identity, age,**
 10 disability, national origin, or ancestry. Breach of this covenant may be
 11 regarded as a material breach of the contract.

12 SECTION 44. IC 22-9-1-11 IS AMENDED TO READ AS
 13 FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 11. In addition to its
 14 power to investigate the discriminatory practices referred to in this
 15 chapter, the commission may receive written complaints of violation of
 16 this chapter or other discriminatory practices based upon race, religion,
 17 color, sex, **sexual orientation, gender identity, age, disability,**
 18 national origin, or ancestry and ~~to~~ investigate such complaints as it
 19 deems meritorious, or ~~to~~ conduct such investigation in the absence of
 20 complaints whenever it deems it in the public interest. ~~It~~ **The**
 21 **commission** may transmit to the general assembly, **in an electronic**
 22 **format under IC 5-14-6,** its recommendations for legislation designed
 23 to aid in the removing of such discrimination.

24 SECTION 45. IC 22-9-2-11, AS AMENDED BY P.L.166-2009,
 25 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 26 JULY 1, 2016]: Sec. 11. Nothing contained herein shall be deemed to
 27 repeal any of the provisions of any law of this state relating to
 28 discrimination because of age, race, ~~or~~ color, religion, **sex, sexual**
 29 **orientation, gender identity, disability,** or country of ancestral origin.
 30 Nothing herein shall be deemed to limit, restrict or affect the freedom
 31 of any employer in regard to:

- 32 (a) ~~(1)~~ **(1)** fixing compulsory retirement requirements for any class of
- 33 employees at an age or ages less than seventy-five (75) years **of**
- 34 **age;**
- 35 (b) ~~(2)~~ **(2)** fixing eligibility requirements for participation in, or
- 36 enjoyment by employees of, benefits under any annuity plan or
- 37 pension or retirement plan on the basis that any employee may be
- 38 excluded from eligibility therefor who, at the time ~~he~~ **the**
- 39 **employee** would otherwise become eligible for such benefits, is
- 40 older than the age fixed in such eligibility requirements; or
- 41 (c) ~~(3)~~ **(3)** keeping age records for any such purposes.

42 SECTION 46. IC 22-9-10-2, AS ADDED BY P.L.136-2014,



1 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
2 JULY 1, 2016]: Sec. 2. As used in this chapter, "complainant" has the
3 meaning set forth in ~~IC 22-9-1-3(n)~~: **IC 22-9-1-3(d)**.

4 SECTION 47. IC 22-9-10-3, AS ADDED BY P.L.136-2014,
5 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
6 JULY 1, 2016]: Sec. 3. As used in this chapter, "complaint" has the
7 meaning set forth in ~~IC 22-9-1-3(o)~~: **IC 22-9-1-3(e)**.

8 SECTION 48. IC 22-9-10-6, AS ADDED BY P.L.136-2014,
9 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
10 JULY 1, 2016]: Sec. 6. As used in this chapter, "employee" has the
11 meaning set forth in ~~IC 22-9-1-3(i)~~: **IC 22-9-1-3(k)**.

12 SECTION 49. IC 22-9-10-7, AS ADDED BY P.L.136-2014,
13 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
14 JULY 1, 2016]: Sec. 7. As used in this chapter, "employer" has the
15 meaning set forth in ~~IC 22-9-1-3(h)~~: **IC 22-9-1-3(l)**.

16 SECTION 50. IC 22-9.5-1-1 IS AMENDED TO READ AS
17 FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 1. **(a)** The purposes of
18 this article are the following:

- 19 (1) To provide for fair housing practices in Indiana.
20 (2) To create a procedure for investigating and settling complaints
21 of discriminatory housing practices.
22 (3) To provide rights and remedies substantially equivalent to
23 those granted under federal law.

24 **(b) This article is exempt from IC 34-13-9.**

25 SECTION 51. IC 22-9.5-3-2 IS AMENDED TO READ AS
26 FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 2. This article does not
27 prohibit a religious organization, an association, or a society or a
28 nonprofit institution or an organization operated, supervised, or
29 controlled by or in conjunction with a religious organization, an
30 association, or a society from:

- 31 (1) limiting the sale, rental, or occupancy of dwellings that it
32 owns or operates for other than a commercial purpose to persons
33 of the same religion; or
34 (2) giving preference to persons of the same religion, unless
35 membership in the religion is restricted because of race, color, ~~or~~
36 national origin, **ancestry, sex, sexual orientation, gender**
37 **identity, age, or disability**.

38 SECTION 52. IC 22-9.5-3-3 IS AMENDED TO READ AS
39 FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 3. This article does not
40 prohibit a private club not open to the public that, as an incident to the
41 club's primary purpose, provides lodging that the club owns or operates
42 for other than a commercial purpose from limiting the rental or



1 occupancy of that lodging to the members or from giving preference to
 2 the members, unless membership in the club is restricted because of
 3 race, color, or national origin, **age, disability, ancestry, sex, gender**
 4 **identity, or sexual orientation.**

5 SECTION 53. IC 22-9.5-3-5 IS AMENDED TO READ AS
 6 FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 5. This article does not
 7 prohibit a person engaged in the business of furnishing appraisals of
 8 real property from taking into consideration factors other than race,
 9 color, religion, sex, **sexual orientation,** disability, familial status, **age,**
 10 **ancestry, gender identity,** or national origin.

11 SECTION 54. IC 22-9.5-5-1 IS AMENDED TO READ AS
 12 FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 1. (a) A person may not
 13 refuse to sell or to rent after the making of a bona fide offer, refuse to
 14 negotiate for the sale or rental of, or otherwise make unavailable or
 15 deny a dwelling to any person because of race, color, religion, sex,
 16 **sexual orientation, gender identity,** familial status, disability, **age,**
 17 **ancestry,** or national origin.

18 (b) A person may not discriminate against any person in the terms,
 19 conditions, or privileges of sale or rental of a dwelling, or in providing
 20 services or facilities in connection with the sale or rental of a dwelling,
 21 because of race, color, religion, sex, **sexual orientation, gender**
 22 **identity,** familial status, disability, **age, ancestry,** or national origin.

23 (c) This section does not prohibit discrimination against a person
 24 because the person has been convicted under federal law or the law of
 25 any state of the illegal manufacture or distribution of a controlled
 26 substance.

27 SECTION 55. IC 22-9.5-5-2 IS AMENDED TO READ AS
 28 FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 2. A person may not
 29 make, print, or publish or cause to be made, printed, or published any
 30 notice, statement, or advertisement with respect to the sale or rental of
 31 a dwelling that indicates any preference, limitation, or discrimination
 32 based on race, color, religion, sex, **sexual orientation, gender**
 33 **identity, age,** disability, familial status, **ancestry,** or national origin, or
 34 an intention to make such a preference, limitation, or discrimination.

35 SECTION 56. IC 22-9.5-5-3 IS AMENDED TO READ AS
 36 FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 3. A person may not
 37 represent to any person because of race, color, religion, sex, **sexual**
 38 **orientation, gender identity, age,** disability, familial status, **ancestry,**
 39 or national origin that a dwelling is not available for inspection for sale
 40 or rental when the dwelling is available for inspection.

41 SECTION 57. IC 22-9.5-5-4 IS AMENDED TO READ AS
 42 FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 4. A person may not,



1 for profit, induce or attempt to induce a person to sell or rent a dwelling
 2 by representations regarding the entry or prospective entry into a
 3 neighborhood of a person of a particular race, color, religion, sex,
 4 **sexual orientation, gender identity, age**, disability, familial status,
 5 **ancestry**, or national origin.

6 SECTION 58. IC 22-9.5-5-6 IS AMENDED TO READ AS
 7 FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 6. (a) As used in this
 8 section, "residential real estate related transaction" means the
 9 following:

10 (1) Making or purchasing loans or providing other financial
 11 assistance:

12 (A) to purchase, construct, improve, repair, or maintain a
 13 dwelling; or

14 (B) to secure residential real estate.

15 (2) Selling, brokering, or appraising residential real property.

16 (b) A person whose business includes engaging in residential real
 17 estate related transactions may not discriminate against a person in
 18 making a real estate related transaction available or in the terms or
 19 conditions of a real estate related transaction because of race, color,
 20 religion, sex, **sexual orientation, gender identity, age**, disability,
 21 familial status, **ancestry**, or national origin.

22 SECTION 59. IC 22-9.5-5-7 IS AMENDED TO READ AS
 23 FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 7. A person may not
 24 deny any person access to, or membership or participation in, a
 25 multiple-listing service, real estate brokers' organization, or other
 26 service, organization, or facility relating to the business of selling or
 27 renting dwellings, or discriminate against a person in the terms or
 28 conditions of access, membership, or participation in such an
 29 organization, service, or facility because of race, color, religion, sex,
 30 **sexual orientation, gender identity, age**, disability, familial status,
 31 **ancestry**, or national origin.

32 SECTION 60. IC 22-9.5-10-1 IS AMENDED TO READ AS
 33 FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 1. A person commits
 34 a Class A misdemeanor if the person, whether or not acting under color
 35 of law, by force or threat of force intentionally intimidates or interferes
 36 with or attempts to intimidate or interfere with a person:

37 (1) because of the person's race, color, religion, sex, **sexual**
 38 **orientation, gender identity, age**, disability, familial status,
 39 **ancestry**, or national origin and because the person is or has been
 40 selling, purchasing, renting, financing, occupying, or contracting
 41 or negotiating for the sale, purchase, rental, financing, or
 42 occupation of any dwelling, or applying for or participating in a



1 service, organization, or facility relating to the business of selling
2 or renting dwellings; or

3 (2) because the person is or has been, or to intimidate the person
4 from:

5 (A) participating, without discrimination because of race,
6 color, religion, sex, **sexual orientation, gender identity,**
7 disability, familial status, **age, ancestry,** or national origin, in
8 an activity, a service, an organization, or a facility described in
9 subdivision (1);

10 (B) affording another person opportunity or protection to
11 participate in an activity, a service, an organization, or a
12 facility described in subdivision (1); or

13 (C) lawfully aiding or encouraging other persons to participate,
14 without discrimination because of race, color, religion, sex,
15 **sexual orientation, gender identity,** disability, familial status,
16 **age, ancestry,** or national origin, in an activity, a service, an
17 organization, or a facility described in subdivision (1).

18 SECTION 61. IC 24-9-3-9 IS AMENDED TO READ AS
19 FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 9. (a) It is unlawful for
20 a creditor to discriminate against any applicant with respect to any
21 aspect of a credit transaction on the basis of race, color, religion,
22 **ancestry,** national origin, sex, marital status, **disability, sexual**
23 **orientation, gender identity,** or age, if the applicant has the ability to
24 contract.

25 (b) **This section is exempt from IC 34-13-9.**

26 SECTION 62. IC 27-2-17-6 IS AMENDED TO READ AS
27 FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 6. (a) An insurance
28 company that issues property or casualty insurance shall not
29 discriminate in the appointment of an independent insurance producer
30 on the basis of race, color, national origin, **religion, ancestry, sexual**
31 **orientation, gender identity, age, disability,** or gender.

32 (b) Except as provided in subsection (c), the department has
33 exclusive jurisdiction to investigate any complaints of discrimination
34 in the appointment of independent insurance producers in violation of
35 subsection (a).

36 (c) If the commissioner of the department determines after a hearing
37 that an insurance company has violated subsection (a), the
38 commissioner may order one (1) of the following remedies:

39 (1) Payment of a civil penalty of not more than two thousand
40 dollars (\$2,000) for each violation.

41 (2) Suspension or revocation of the insurance company's
42 certificate of authority if the commissioner determines that the



1 violation was willful or wanton and that similar violations have
 2 been committed by that company with a frequency that constitutes
 3 a general business practice.

4 (3) Any other remedy agreed to by the department and the
 5 insurance company.

6 (d) Any determination made by the commissioner under this section
 7 is subject to IC 4-21.5.

8 (e) Findings of the department under this section may not be
 9 considered as evidence in any civil action other than an appeal as
 10 provided under IC 4-21.5.

11 **(f) This section is exempt from IC 34-13-9.**

12 SECTION 63. IC 27-2-21-16, AS AMENDED BY P.L.84-2009,
 13 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 14 JULY 1, 2016]: Sec. 16. (a) An insurer that uses credit information to
 15 underwrite or rate risks shall not do the following:

16 (1) Use an insurance score that is calculated using income,
 17 gender, address, ZIP code, ethnic group, **race**, religion, marital
 18 status, **sexual orientation, gender identity, ancestry, age,**
 19 **disability**, or nationality of the consumer as a factor.

20 (2) Deny, cancel, or decline to renew a personal insurance policy
 21 solely on the basis of credit information.

22 (3) Base an insured's renewal rate for a personal insurance policy
 23 solely on credit information.

24 (4) Take an adverse action against a consumer solely because the
 25 consumer does not have a credit card account.

26 (5) Consider an absence of credit information or an inability to
 27 calculate an insurance score in underwriting or rating a personal
 28 insurance policy, unless the insurer does one (1) of the following:

29 (A) Presents to the commissioner information that the absence
 30 or inability relates to the risk for the insurer and treats the
 31 consumer as approved by the commissioner.

32 (B) Treats the consumer as if the consumer had neutral credit
 33 information, as defined by the insurer.

34 (6) Take an adverse action against a consumer based on credit
 35 information unless the insurer obtains and uses:

36 (A) a credit report issued; or

37 (B) an insurance score calculated;

38 not more than ninety (90) days before the date the personal
 39 insurance policy is first written or the renewal is issued.

40 (7) Use the following as a negative factor in an insurance scoring
 41 methodology or in reviewing credit information for the purpose
 42 of underwriting or rating a personal insurance policy:



- 1 (A) A credit inquiry:
 2 (i) not initiated by the consumer; or
 3 (ii) requested by the consumer for the consumer's own credit
 4 information.
 5 (B) A credit inquiry relating to insurance coverage.
 6 (C) A late payment or a collection account with a medical
 7 industry code on the consumer's credit report.
 8 (D) Multiple lender inquiries:
 9 (i) coded by the consumer reporting agency on the
 10 consumer's credit report as being from the home mortgage
 11 industry; and
 12 (ii) made within thirty (30) days of one another.
 13 (E) Multiple lender inquiries:
 14 (i) coded by the consumer reporting agency on the
 15 consumer's credit report as being from the automobile
 16 lending industry; and
 17 (ii) made within thirty (30) days of one another.
 18 (b) An insurer that uses credit information to underwrite or rate risks
 19 shall, at annual renewal upon the request of an insured or an insured's
 20 agent, re-underwrite and re-rate the insured's personal insurance policy
 21 based on a current credit report or insurance score unless one (1) of the
 22 following applies:
 23 (1) The insurer's treatment of the consumer is otherwise approved
 24 by the commissioner.
 25 (2) The insured is in the most favorably priced tier of the insurer,
 26 within a group of affiliated insurers.
 27 (3) Credit information was not used for underwriting or rating the
 28 insured when the personal insurance policy was initially written.
 29 (4) The insurer reevaluates the insured at least every thirty-six
 30 (36) months after a personal insurance policy is issued based on
 31 underwriting or rating factors other than credit information.
 32 (5) The insurer has re-underwritten and re-rated the insured's
 33 personal insurance policy based on a credit report obtained or an
 34 insurance score recalculated less than twelve (12) months before
 35 the date of the request by the insured or the insured's agent.
 36 (c) An insurer that uses credit information to underwrite or rate risks
 37 may obtain current credit information upon the renewal of a personal
 38 insurance policy when renewal occurs more frequently than every
 39 thirty-six (36) months if consistent with the insurer's underwriting
 40 guidelines.
 41 **(d) This section is exempt from IC 34-13-9.**
 42 SECTION 64. IC 27-7-12-7 IS AMENDED TO READ AS



1 FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 7. **(a)** Termination of
 2 property insurance coverage by an insurer is prohibited if the
 3 termination is based on any of the following:

4 (1) Upon the race, religion, nationality, **ancestry**, ethnic group,
 5 age, sex, **sexual orientation**, **gender identity**, **disability**, or
 6 marital status of the applicant or named insured.

7 (2) Solely upon the lawful occupation or profession of the
 8 applicant or named insured. However, this subdivision does not
 9 apply to an insurer that limits its market to one (1) lawful
 10 occupation or profession or to several related lawful occupations
 11 or professions.

12 (3) Upon the age or location of the residence of the applicant or
 13 named insured, unless that decision is for a business purpose that
 14 is not a mere pretext for a decision based on factors prohibited in
 15 this chapter or any other provision of this title.

16 (4) Upon the fact that another insurer previously declined to
 17 insure the applicant or terminated an existing policy in which the
 18 applicant was the named insured.

19 (5) Upon the fact that the applicant or named insured previously
 20 obtained insurance coverage through a residual market insurance
 21 mechanism.

22 **(b) This section is exempt from IC 34-13-9.**

23 SECTION 65. IC 31-9-2-20 IS AMENDED TO READ AS
 24 FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 20. "Child with a
 25 disability", for purposes of IC 31-34-1-9, means an individual who:

26 (1) is less than eighteen (18) years of age; and

27 (2) has a disability (as defined in ~~IC 22-9-1-3(r)~~ **IC 22-9-1-3(i)**).

28 SECTION 66. IC 33-28-5-18, AS AMENDED BY P.L.157-2009,
 29 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 30 JULY 1, 2016]: Sec. 18. (a) The supervising judge or the jury
 31 administrator shall determine whether a prospective juror is qualified
 32 to serve or, if disabled but otherwise qualified, whether the prospective
 33 juror could serve with reasonable accommodation. A person who is not
 34 eligible for jury service may not serve. The facts supporting juror
 35 disqualification or exemption must be recorded under oath or
 36 affirmation. A disqualification or exemption is not authorized unless
 37 supported by the facts. The jury administrator shall make a record of all
 38 disqualifications.

39 (b) A prospective juror is disqualified to serve on a jury if any of the
 40 following conditions exist:

41 (1) The person is not a citizen of the United States, at least
 42 eighteen (18) years of age, and a resident of the county.



- 1 (2) The person is unable to read, speak, and understand the
 2 English language with a degree of proficiency sufficient to fill out
 3 satisfactorily a juror qualification form.
- 4 (3) The person is incapable of rendering satisfactory jury service
 5 due to physical or mental disability. However, a person claiming
 6 this disqualification may be required to submit a physician's or
 7 authorized Christian Science practitioner's certificate confirming
 8 the disability, and the certifying physician or practitioner is then
 9 subject to inquiry by the court at the court's discretion.
- 10 (4) A guardian has been appointed for the person under IC 29-3
 11 because the person has a mental incapacity.
- 12 (5) The person has had the right to vote revoked by reason of a
 13 felony conviction and the right has not been restored.
- 14 (c) A person scheduled to appear for jury service has the right to
 15 defer the date of the person's initial appearance for jury service one (1)
 16 time upon a showing of hardship, extreme inconvenience, or necessity.
 17 The court shall grant a prospective juror's request for deferral if the
 18 following conditions are met:
- 19 (1) The prospective juror has not previously been granted a
 20 deferral.
- 21 (2) The prospective juror requests a deferral by contacting the
 22 jury administrator:
- 23 (A) by telephone;
 24 (B) by electronic mail;
 25 (C) in writing; or
 26 (D) in person.
- 27 (3) The prospective juror selects another date on which the
 28 prospective juror will appear for jury service that is:
- 29 (A) not more than one (1) year after the date upon which the
 30 prospective juror was originally scheduled to appear; and
 31 (B) a date when the court will be in session.
- 32 (4) The court determines that the prospective juror has
 33 demonstrated that a deferral is necessary due to:
- 34 (A) hardship;
 35 (B) extreme inconvenience; or
 36 (C) necessity.
- 37 (d) A prospective juror who is at least seventy-five (75) years of age
 38 may be exempted from jury service if the prospective juror notifies the
 39 jury administrator that the prospective juror is at least seventy-five (75)
 40 years of age and wishes to be exempted from jury service.
- 41 (e) A person may not serve as a petit juror in any county if the
 42 person served as a petit juror in the same county within the previous



1 three hundred sixty-five (365) days in a case that resulted in a verdict.
 2 The fact that a person's selection as a juror would violate this
 3 subsection is sufficient cause for challenge.

4 (f) A grand jury, a petit jury, or an individual juror drawn for service
 5 in one (1) court may serve in another court of the county, in accordance
 6 with orders entered on the record in each of the courts.

7 (g) The same petit jurors may be used in civil cases and in criminal
 8 cases.

9 (h) A person may not be excluded from jury service on account of
 10 race, color, religion, sex, national origin, **sexual orientation, gender**
 11 **identity, ancestry, age, disability,** or economic status.

12 **(i) This section is exempt from IC 34-13-9.**

13 SECTION 67. IC 33-41-1-2 IS AMENDED TO READ AS
 14 FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 2. (a) A person may not
 15 be considered ineligible to serve as official reporter because of the
 16 person's gender, **race, religion, sexual orientation, gender identity,**
 17 **national origin, age, disability, or ancestry.**

18 (b) A judge may not appoint the judge's son or daughter as an
 19 official reporter.

20 **(c) This section is exempt from IC 34-13-9.**

21 SECTION 68. IC 35-46-2-1 IS AMENDED TO READ AS
 22 FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 1. **(a)** A person who
 23 knowingly or intentionally denies to another person, because of color,
 24 ~~creed~~, disability, national origin, **ancestry,** race, religion, ~~or sex,~~ **sexual**
 25 **orientation, gender identity, or age,** the full and equal use of the
 26 services, facilities, or goods in:

27 (1) an establishment that caters or offers its services, facilities, or
 28 goods to the general public; or

29 (2) a housing project owned or subsidized by a governmental
 30 entity;

31 commits a civil rights violation, a Class B misdemeanor.

32 **(b) This section is exempt from IC 34-13-9.**

33 SECTION 69. IC 35-46-2-2 IS AMENDED TO READ AS
 34 FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 2. **(a)** A public servant
 35 having the duty to select or summon persons for grand jury or trial jury
 36 service who knowingly or intentionally fails to select or summon a
 37 person because of color, ~~creed~~, disability, national origin, **ancestry,**
 38 race, religion, **sexual orientation, gender identity, age,** or sex
 39 commits discrimination in jury selection, a Class A misdemeanor.

40 **(b) This section is exempt from IC 34-13-9.**

41 SECTION 70. IC 36-9-4-37 IS AMENDED TO READ AS
 42 FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 37. (a) The board of



1 directors of a public transportation corporation may appoint or employ
2 a general manager, accountants, attorneys, traffic engineers, drivers,
3 clerks, secretaries, guards, laborers, and other employees, and may
4 prescribe and define their duties, regulate their compensation,
5 discharge them, and appoint or employ their successors. Employees
6 shall be selected without regard to race, religion, **sexual orientation,**
7 **gender identity, ancestry, national origin, age, disability,** or any
8 personal affiliation. The board shall select the general manager on the
9 basis of ~~his~~ **the individual's** fitness for the position, taking into account
10 ~~his~~ **the individual's** executive ability and ~~his~~ knowledge of and
11 experience in the field of mass public transportation.

12 (b) The board shall bargain collectively and enter into written
13 contracts with authorized labor organizations representing employees
14 other than executive, administrative, or professional personnel. These
15 contracts may provide for the binding arbitration of disputes, wages,
16 salaries, hours, working conditions, health and welfare, insurance,
17 vacations, holidays, sick leave, seniority, pensions, retirement, and
18 other benefits.

19 (c) **This section is exempt from IC 34-13-9.**

20 SECTION 71. [EFFECTIVE JULY 1, 2016] (a) **IC 35-46-2-1 and**
21 **IC 35-46-2-2, both as amended by this act, apply only to crimes**
22 **committed after June 30, 2016.**

23 (b) **This SECTION expires January 1, 2018.**

