

## ITA REPORT

Report created on February 2, 2018

**HB1004 VARIOUS STATE AND LOCAL GOVERNMENT STREAMLINING MATTERS (SIEGRIST S)** Provides that the journals, the enrolled acts, the session laws, and the Indiana Code may be distributed in paper or electronic format. Requires that copies of the journals, the session laws, and the Indiana Code must be provided to public libraries located in Indiana that participate in the federal depository library program. Permits the clerk of the house of representatives and the secretary of the senate (with respect to the journals) and the legislative council (with respect to the session laws and the Indiana Code) to specify a list of other public officials who automatically receive copies of the journals, the session laws, and the Indiana Code. Permits the publication and circulation to circuit court clerks of the enrolled acts, as required by the state constitution, to be performed electronically, and permits circuit court clerks to electronically acknowledge receipt of the enrolled acts directly to the legislative services agency. Permits the implementation of a system that would allow county clerks to send the acknowledgment electronically. Requires a meeting for receiving quotes must be open to the public. Provides that the individual who receives a quote by telephone, facsimile transmission, or electronic mail for a public work project shall report to the board of a political subdivision or an agency (board) in a public meeting the names of the persons providing each quote and the amount of each quote. Specifies that the copy of an employee drug testing program submitted to the board not later than 15 days after the date on which bids are opened must have been effective and applied at the time of the solicitation for bids. Allows the board to keep on file a copy of the contractor's policy submitted in the current calendar year or previous two calendar years to satisfy the requirement for submitting a policy unless the policy has been revised. Specifies that the fire and building safety commission (commission) shall include citations to specific provisions of state law regarding the fire safety laws and the building laws that are the basis for a denial of an ordinance or other regulation of a political subdivision that is submitted for approval by the commission. Provides that a person may electronically file any document that is required to be filed as part of a lis pendens record. Repeals a provision requiring a circuit court clerk to provide to a court the names of all attorneys having business in that court. Makes changes concerning the role of a circuit court clerk regarding recovery of treatment and maintenance charges from the estate of a patient of a state institution or from a responsible party. Provides that: (1) the secretary and treasurer shall make a report of their trusts to the local board of the 1925 police pension fund (fund) before February 15; and (2) after the local board receives the report of the secretary and treasurer, the trustees of the local board shall be elected at the next meeting of the members of the police department. Removes a prohibition on political affiliation for members of a park board in a third class city. Urges the legislative council to assign to an appropriate interim study committee the subject of costs and benefits related to publication of certain reports.

*Current Status:* 2/1/2018 - Referred to Senate Public Policy

*Recent Status:* 2/1/2018 - First Reading

1/30/2018 - Referred to Senate

**HB1005 TOWNSHIP GOVERNMENT CONSOLIDATION (ZIEMKE C)** Requires all townships with a population of less than 1,200 (as determined by the 2010 federal decennial census) to merge with other townships, effective not later than January 1, 2023. Requires merging townships to adopt identical resolutions and a merger plan. Requires the department of local government finance (DLGF) to assist merging townships. Provides the following with regard to the required merger: (1) Requires merging townships to opt for a township legislative body in which: (A) members are elected at large; or (B) one member must

reside within the geographic area of each of the former townships, and all voters of the new merged township vote for all legislative body members. (2) The new merged township government assumes the indebtedness of the former townships, but may levy property taxes to pay the indebtedness only within the geographic area of the former township that incurred the debt. (3) Provides that only the property owners, school corporations, and residents residing within the geographic area of a former township in which seminary lands are located may continue to receive the benefits from the seminary lands after the merger. (4) Provides that firefighting and emergency services equipment must remain housed and maintained within the geographic boundaries of a former township for not less than five years after the effective date of a township merger. Makes the following changes with regard to all townships: (1) Makes a stylistic change to a statute that allows a participating unit in a newly formed fire protection territory to phase in the unit's property tax levy. (2) Allows a township assistance applicant to appeal to the county commissioners if a township trustee refuses or fails to respond to a request for township assistance services. (3) Amends the information required in the township trustee's annual statistical report. (4) Caps a township board member's salary, for calendar year 2019 and every year thereafter, at not more than \$7,000 per year plus a per diem at a rate recommended by the trustee and approved by the township legislative body. (5) Requires a township to prepare a capital improvement plan for the ensuing three years if the balance in certain capital improvement funds in the preceding year exceeds 150% of the township's annual budget estimate. Prohibits the township from collecting property taxes for certain capital improvement funds in the ensuing year unless the township has adopted a capital improvement plan. Urges the legislative council to assign to the appropriate interim study committee the task of studying issues related to the funding of township firefighting services. Makes the following changes in the government reorganization statutes in IC 36-1.5 (government modernization statutes): (1) Removes obsolete references to dates for phasing in changes to procedures for reorganizing political subdivisions. (2) Removes provisions requiring political subdivisions to establish a voter threshold for approving a public question for certain reorganizations (county-municipality reorganizations and municipality-township reorganizations). (3) Requires the DLGF to provide guidance to political subdivisions regarding government reorganization, including posting written information on the DLGF Internet web site and providing education and training upon request. (4) Updates the government modernization statutes to recognize the school corporation operations fund and the elimination of the transportation, school bus replacement, and capital projects funds. (5) Provides that a plan of reorganization must specify any adjustments (instead of decreases) that the DLGF will make to levies, rates, and budgets of the reorganizing political subdivisions. (6) Requires the legislative bodies of political subdivisions that adopt substantially identical resolutions to reorganize to prepare and vote on a plan of reorganization. (7) Provides that if the voters of two or more political subdivisions petition to mutually reorganize, and at least one of the political subdivisions declines to participate, a public question must be conducted on the reorganization if a petition is filed by 5% of the voters of each of the political subdivisions who voted for secretary of state at the most recent general election. (8) Requires that, if a legislative body of a political subdivision does not adopt a final plan of reorganization, 5% (instead of 10%) of voters of the political subdivision who voted for secretary of state at the most recent general election, must sign a petition to have the reorganization plan approved or rejected by voters in a public question. (9) Removes a provision requiring reorganizing political subdivisions to pay the cost of the DLGF's review of a fiscal impact analysis of the reorganization. (10) Removes the requirement that a political subdivision follow the procedure for reorganization in order to enter into a cooperative agreement with another political subdivision, and specifies that the requirements for an interlocal agreement must be followed. (11) Provides that if a cooperative agreement provides for abolishing an elected office, the voters of the political subdivision whose elected office is to be abolished

may file a remonstrance petition objecting to the abolition of the elected office with the circuit court clerk of each county in which the political subdivision is located.

**Current Status:** 2/5/2018 - House Bills on Third Reading

**Recent Status:** 2/1/2018 - Second reading amended, ordered engrossed  
2/1/2018 - Amendment #7 (Saunders) prevailed; voice vote

**HB1028 PUBLIC SAFETY PERSONNEL HEALTH STUDIES (FRYE R)** Establishes the public safety research fund. Provides that \$500,000 shall be appropriated from the state general fund and disbursed to the public safety research fund on July 1 of each year. Requires money disbursed to the public safety research fund to be used for research studies designed to understand and improve the physical health, safety, and psychological well-being of public safety personnel. Requires research studies to be performed by the national institute for public safety and health (NIPSH). Requires NIPSH to provide a report of ongoing or performed research studies to the executive director of the department of homeland security before December 31 of each year. Provides that money not allotted for research studies reverts to the state general fund at the end of each state fiscal year.

**Current Status:** 1/3/2018 - Referred to House Ways and Means

**Recent Status:** 1/3/2018 - First Reading  
1/3/2018 - Authored By Randall Frye

**HB1044 VARIOUS ELECTION LAW MATTERS (THOMPSON J)** Provides that voter registration closes after the twenty-first day before the date of an election rather than after the twenty-ninth day before the date of an election. Provides that early voting begins on the eighteenth day before an election rather than the twenty-eighth day before an election. Increases the maximum civil penalty for a delinquent filing of a preprimary or pre-election campaign finance report from \$1,000 to \$1,250 (and in some cases, \$2,500). Provides for staggering the terms of the members of township boards (other than township boards in Marion County), beginning with the 2022 general election.

**Current Status:** 1/29/2018 - Senate sponsor: Senator Zakas

**Recent Status:** 1/3/2018 - Referred to House Elections and Apportionment  
1/3/2018 - First Reading

**HB1045 CONTROLLED PROJECT REFERENDUM (THOMPSON J)** Provides that if the estimated increase in a political subdivision's property tax levy for debt service for a proposed controlled project will be offset in whole or in part because of the retirement of existing debt of the political subdivision, the proper officers of the political subdivision may adopt a resolution that does the following: (1) Includes a schedule that specifies certain information concerning the debt service for the controlled project and the expected changes in the political subdivision's total debt service payments that will result because the debt service for the controlled project will be offset by the retirement of existing debt. (2) States that the political subdivision intends to maintain the political subdivision's total debt service property tax rate (including debt service for the controlled project and for all other debt of the political subdivision) at or below a specified tax rate. Provides that the political subdivision's statement that it intends to maintain its total debt service property tax rate at or below a specified tax rate may include exceptions for specified projects or purposes, including any projects that the political subdivision declares are required by an emergency or are required for the safety and security of citizens or students. Specifies the ballot language for the referendum on such a proposed controlled project.

**Current Status:** 1/9/2018 - added as coauthor Representative Cook

**Recent Status:** 1/3/2018 - added as coauthor Representative Clere  
1/3/2018 - Referred to House Ways and Means

**HB1046**

**LOCAL INCOME TAXES (THOMPSON J)** Expires the existing local income tax law on December 31, 2021, and adds a new local income tax law effective in 2022 and thereafter. Does the following under the new local income tax law: (1) Authorizes counties, municipalities, and school corporations to each enact a property tax relief tax rate of not more than 0.5% in the case of counties and municipalities and not more than 0.25% in the case of school corporations. Provides that in Marion County, municipalities may not enact a property tax relief rate, but the Marion County city-county council may adopt a 1% property tax relief rate. (2) Authorizes counties, municipalities (other than municipalities in Marion County), and school corporations to each enact an expenditure rate. (3) Provides that an expenditure rate may not exceed: (A) 1.25% in the case of counties other than Marion County or 2% in the case of Marion County; (B) 1% in the case of municipalities (other than municipalities in Marion County); and (C) 0.25% in the case of school corporations. (4) Provides that if an expenditure rate is imposed by a municipality, the municipality shall receive the revenue from the tax, and specifies that the revenue may be used for any legal purpose of the municipality (including providing additional property tax credits). (5) Specifies that a school corporation may not adopt an expenditure rate unless: (A) the expenditure rate is approved by the voters of the school corporation in a local public question; or (B) the revenue from the expenditure rate is used to provide additional property tax credits. Provides that if a school corporation's expenditure rate is approved by the voters, the revenue may be used for any legal purpose of the school corporation (including providing additional property tax credits). Provides that the maximum period for an expenditure rate approved by the voters of a school corporation is eight years, but that the expenditure rate may be reimposed by the school corporation if approved by the voters. (6) Provides that if an expenditure rate is imposed by a county other than Marion County, the revenue shall be distributed as certified shares to civil taxing units in the county (other than municipalities and school corporations) on the basis of property tax levies. Specifies that in counties other than Marion County, the revenue from the county's expenditure rate may be allocated to a public safety answering point or used to provide additional property tax credits before the remaining revenue is distributed as certified shares. (7) Provides that the 2% maximum expenditure rate in Marion County consists of: (A) an expenditure rate of not more than 1%, to be distributed as certified shares to the county and to excluded cities in the county on the basis of property tax levies; and (B) an expenditure rate of not more than 1%, to be distributed as certified shares to the county and to townships in the county on the basis of property tax levies. (8) Specifies that in Marion County: (A) the revenue from the county's expenditure rate may be allocated to a public communications system and computer facilities district, a public library, or a public transportation corporation, or for additional property tax credits before the remaining revenue is distributed as certified shares; and (B) revenue distributed as certified shares may be used for any legal purpose of the unit receiving the certified shares. (9) Provides that, after May 31, 2018, a political subdivision may not pledge for the payment of bonds, leases, or other obligations any tax revenue received under the current local income tax law (other than a special purpose rate). (10) Maintains the existing special purpose rates. (11) Provides that after December 31, 2021, a local income tax rate imposed for transit purposes after approval in a local public question: (A) is a separate special purpose rate; and (B) is not part of the county's expenditure rate or considered in determining whether the county is imposing its maximum expenditure rate. (12) For property taxes due and payable in 2022 and thereafter, requires the department of local government finance to adjust each maximum property tax levy for which a levy freeze amount was applied under the existing local income tax law in 2021. (13) Authorizes a political subdivision to appeal to the department of local government finance for the authority to impose an additional local income tax rate if the political subdivision's expected local income tax distributions will be insufficient to pay obligations for which a pledge of revenue was made under the

prior local income tax laws. (14) Specifies that the legislative council shall provide for the preparation and introduction of legislation in the 2019 session of the general assembly to correct cross references and make other changes to the Indiana Code, as necessary, to bring other provisions of the Indiana Code into conformity with this act.

*Current Status:* 1/3/2018 - added as coauthor Representative Cherry

*Recent Status:* 1/3/2018 - Referred to House Ways and Means  
1/3/2018 - First Reading

**HB1104** **PROPERTY TAX MATTERS** (LEONARD D) Excludes political subdivisions that do not have the power to impose ad valorem property taxes from the requirement to upload a digital copy of certain contracts on the Indiana transparency Internet web site. Specifies the deadlines for county auditors to submit property tax settlement and distribution information to the department of local government finance (DLGF). Repeals the electronic digital signature act. Amends the definition of "owner" (for purposes of the property tax statutes) to delete the provision specifying that an owner of tangible property includes the holder of a tenancy for a term of years. Deletes obsolete language in the statutes exempting certain business personal property with an acquisition cost of less than \$20,000. Specifies that a taxpayer eligible for such an exemption must include on the taxpayer's personal property tax return: (1) information concerning whether the taxpayer's business personal property within the county is in one location or multiple locations; and (2) an address for the location of the property. Eliminates (effective retroactive to July 1, 2017) several property tax deduction and credit reapplication requirements that were added by HEA 1450-2017 pertaining to unmarried taxpayers who married, married taxpayers who divorced, and taxpayers who came to own their property jointly or as tenants in common with another individual. Provides that if a local service fee is imposed on a taxpayer claiming such an exemption, the county shall include the local service fee on a property tax bill associated with the tax district in which the majority value of the taxpayer's business personal property within the county is located. Provides that a taxpayer may be charged only one local service fee per county. Specifies that if a penalty is imposed on a taxpayer for failing to declare on the taxpayer's tax return that the taxpayer is entitled to the exemption for business personal property with an acquisition cost of less than \$20,000, the county shall include the penalty on a property tax bill associated with the tax district in which the majority value of the taxpayer's business personal property within the county is located. Provides that the appropriate county officer designated by the county executive (rather than the assessor, under current law) is responsible for: (1) maintaining data files of the geographic information system characteristics of each parcel in the county as of each assessment date; and (2) submitting those files to the geographic information office of the office of technology. Provides that if an assessing official determines that the owner of a parcel of property is unable to use the property to the owner's full and complete benefit because: (1) the parcel is completely surrounded by parcels owned by other owners; and (2) the owner does not possess and cannot obtain an easement granting ingress or egress into the property or the owner is otherwise incapable of having sufficient ingress or egress to the property; the assessing official shall apply an influence factor for limited access as prescribed in the rules of the DLGF. Requires that the budget notice that political subdivisions must publish on the DLGF's computer gateway must also include information concerning the percentage change between the current and proposed tax levies of each fund. Requires county auditors to submit data on deductions applicable to the current tax year to the homestead property data base on or before March 15 of each year, in a manner prescribed by the DLGF. Repeals the statute providing for a county board of tax adjustment. Repeals provisions related to the county board of tax adjustment and the local budgeting process. Specifies that a political subdivision shall file the budget adopted by the political subdivision with the DLGF not later than five business days after the budget is adopted.

Authorizes the DLGF to adopt rules for procedures related to local government budgeting. Specifies that the adoption, amendment, or repeal of such a rule by the DLGF may not take effect before March 1 or after July 31 of a particular year. Specifies: (1) that rules adopted by the DLGF for the appraisal of real property may not apply to any appraisal contemporaneously being conducted under a county's reassessment plan; and (2) that rules adopted by the DLGF may first apply to the reassessment phase beginning in the following calendar year under a county's reassessment plan. Specifies that for purposes of attributing the amount of a property tax deduction or exemption to the gross assessed value of a property: (1) a deduction or exemption that is specific to an improvement shall be applied only to the assessed value allocation pertaining to that improvement; and (2) to the extent that a deduction or exemption is not specific to an improvement; the deduction or exemption shall be applied in the order that will maximize the benefit of the deduction or exemption to the taxpayer. Allows Green Township in Hancock County to increase its maximum permissible ad valorem property tax levy for the township's general fund to offset the reduction in the maximum levy that occurred beginning in 2003 that was based on the township's actual levy (levy banked amount). Provides for an alternative distribution of the certified share part of local income tax revenue in certain counties based on revenue and population of municipalities and townships in the county. Provides that the Jasper County local income tax (LIT) adopting body may adopt an ordinance to provide that property taxes imposed due to a referendum, adopted before July 1, 2015, are eligible for the property tax relief rate credit for distributing LIT revenue. Authorizes a county fiscal body to establish a salary schedule that includes greater compensation for the presiding officer or secretary of the county fiscal body or county executive if certain conditions are satisfied. Provides that a redevelopment commission may issue bonds or enter into leases with a term of up to 50 years to finance a project that includes, as part of the project, the use and repurposing of two or more buildings and structures that are: (1) at least 75 years old; and (2) located at a site at which manufacturing previously occurred over a period of at least 75 years. Specifies that in the case of an allocation area that is established after June 30, 2018, for such a project, the expiration date of the allocation provision may not be more than 50 years after the date on which the allocation provision is established. Specifies that the base assessed value for tax increment financing purposes includes the net residential assessed value within the allocation area, as finally determined for the current assessment date. Provides the following with regard to a waiver of remonstrance of annexation executed before, on, or after June 30, 2018: (1) The waiver is void if the waiver is recorded more than 90 business days after the date the waiver was executed. (2) The waiver expires not later than 15 years after the date the waiver was executed. (3) A void or expired waiver does not invalidate an annexation that was effective on or before July 1, 2018. Provides a property tax exemption for certain continuing care retirement communities and provides for certain exceptions to the exemption filing deadlines for taxpayers who otherwise qualify for an exemption under current law. Urges the legislative council to assign to the fiscal policy s

*Current Status:* 2/1/2018 - Referred to Senate Appropriations

*Recent Status:* 2/1/2018 - First Reading

1/31/2018 - Referred to Senate

**HB1107 PUBLICATION OF LOCAL GOVERNMENT NOTICES (GUTWEIN D)** Requires a political subdivision, which includes an agency of a political subdivision, to publish legal notices on a legal notice web site instead of in a newspaper. Establishes requirements regarding availability and accessibility of a legal notice web site. Requires the political subdivision to designate an official responsible for the electronic publication of legal notices. Provides that if a political subdivision does not have an official web site, legal notices shall be published on an official web site of the county government. Establishes requirements for the duration of the posting of a legal notice and proof of posting.

**Current Status:** 1/4/2018 - Referred to House Local Government

**Recent Status:** 1/4/2018 - First Reading  
1/4/2018 - Authored By Doug Gutwein

**HB1115 LANDOWNER IMMUNITY FOR TRAIL ACCESS (HAMILTON C)** Specifies that with respect to the statute that restricts a landowner's liability for an injury to a person or property caused by an act or failure to act of another person using the landowner's premises for certain recreational purposes, those purposes include another person going on or through the premises for the purpose of accessing a trail, a greenway, a park, or another similar area used for recreational purposes. Makes a technical change to include in the statute that lists Indiana Code provisions that: (1) are outside the Indiana Code title concerning civil law and procedure; and (2) confer immunity; the statute that provides immunity to owners of land used by persons for hunting, fishing, or trapping.

**Current Status:** 2/1/2018 - Senate sponsors: Senators Freeman and Ruckelshaus

**Recent Status:** 2/1/2018 - Third reading passed; Roll Call 128: yeas 94, nays 0  
2/1/2018 - House Bills on Third Reading

**HB1122 TOWNSHIP ASSISTANCE FOR CEMETERY MAINTENANCE (MAY C)** Authorizes the trustee of a township to provide financial assistance for maintenance purposes to a cemetery that is operated by a nonprofit organization and located in the township if the trustee reasonably believes that: (1) the funds available to the cemetery from its perpetual care fund and other sources are not sufficient to provide for the necessary maintenance of the cemetery; and (2) providing financial assistance to the cemetery will help to prevent the full responsibility for maintenance of the cemetery from falling on the township. Requires a township trustee of a township that assists a cemetery with maintenance expenses to enter into an agreement with the cemetery that provides: (1) a description and schedule of maintenance expenses that are covered by the agreement; (2) that the trustee may not pay money directly to the cemetery for maintenance but shall only reimburse the cemetery for documented maintenance expenses actually incurred from claims submitted to the trustee under procedures stated in the agreement; and (3) the duration of the agreement. Provides, for purposes of the law concerning township care of cemeteries, that the maintenance of a cemetery includes mowing the lawn.

**Current Status:** 1/25/2018 - DO PASS AMEND Yeas: 9; Nays: 2

**Recent Status:** 1/25/2018 - Committee Report amend do pass, adopted  
1/25/2018 - House Local Government, (Bill Scheduled for Hearing); **Time & Location:** 8:30 AM, Rm. 156-B

**HB1125 VOLUNTEER FIRE DEPARTMENT CONTRACTS (MAY C)** Requires a township trustee to: (1) make a separate estimated expenditure for legal services related to a contract with a volunteer fire department for fire protection services or emergency services; and (2) get the approval of the township board before hiring an attorney or paying legal fees related to a contract with a volunteer fire department for fire protection or emergency services. Specifies the requirements for a contract for services between a political subdivision and a volunteer fire department.

**Current Status:** 2/1/2018 - Referred to Senate Local Government

**Recent Status:** 2/1/2018 - First Reading  
1/23/2018 - Senate sponsors: Senators Houchin and Koch

**HB1138 LOCAL TAX MATTERS (ELLINGTON J)** Provides that the local income tax council is the county adopting body for purposes of the local income tax only if: (1) the county income tax council (under the prior law) adopted either the county option income tax or the

county economic development income tax; and (2) the population of the county is more than 140,000. Specifies that in all other cases, the county adopting body is the county council. Provides that Highland Township in Greene County may increase its maximum township property tax levy for 2019 and thereafter. Provides that Taylor Township in Greene County may increase its maximum township property tax levy and its maximum fire protection and emergency services property tax levy for 2019 and thereafter.

*Current Status:* 1/4/2018 - Referred to House Ways and Means

*Recent Status:* 1/4/2018 - First Reading  
1/4/2018 - Authored By Jeff Ellington

**HB1149 FIRE PROTECTION DISTRICTS (OLTHOFF J)** Authorizes the board of fire trustees (board) of a fire protection district that: (1) was established before 1990; and (2) provides fire protection service in at least two counties; to adopt a resolution providing that, in addition to any other powers and duties, the fire protection district shall establish, operate, and maintain emergency medical services within the territory of the fire protection district. Provides that if a board adopts such a resolution, the department of local government finance shall increase the district's maximum property tax levy by a percentage of the amounts expended for emergency medical services by the county in which the district is located.

*Current Status:* 1/8/2018 - Referred to House Ways and Means

*Recent Status:* 1/8/2018 - First Reading  
1/8/2018 - Authored By Julie Olthoff

**HB1172 STUDY OF FUNDING TOWNSHIP FIREFIGHTING (SAUNDERS T)** Urges the legislative council to assign to the appropriate interim study committee the task of studying issues related to the funding of township firefighting services.

*Current Status:* 1/8/2018 - Referred to House Ways and Means

*Recent Status:* 1/8/2018 - First Reading  
1/8/2018 - Coauthored by Representative Hamm

**HB1227 NOXIOUS WEEDS (BAIRD J)** Specifies that waterhemp, marehail, Palmer amaranth, and poison hemlock are noxious weeds for purposes of the weed control board law, which requires the weed control board to take all necessary and proper steps to control noxious weeds affecting agricultural production in Indiana.

*Current Status:* 2/1/2018 - Referred to Senate Natural Resources

*Recent Status:* 2/1/2018 - First Reading  
1/23/2018 - Senate sponsor: Senator Glick

**HB1252 PETITION AND REMONSTRANCE PROCESS (RICHARDSON K)** Provides that the local public question that is used in a referendum to issue debt for a political subdivision's controlled project may not exceed 200 words.

*Current Status:* 1/16/2018 - Referred to House Local Government

*Recent Status:* 1/16/2018 - First Reading  
1/16/2018 - Authored By Kathy Richardson

**HB1258 PUBLIC MEETINGS AND PUBLIC RECORDS (KARICKHOFF M)** Amends the law exempting a county executive or a town legislative body from giving notice of a meeting if the meeting concerns routine administrative functions. Provides that if a public record is in an electronic format, a state or local government agency (excluding the office of the county recorder) shall provide an electronic copy or a paper copy of the public record, at the option of the person making the request for the public record. Prohibits, with certain



exceptions, a state or local government agency from charging a fee for providing a public record by electronic mail.

**Current Status:** 1/16/2018 - Referred to House Local Government

**Recent Status:** 1/16/2018 - First Reading  
1/16/2018 - Coauthored by Representative Slager

**HB1262 TAX REFUND INTERCEPTS FOR DEBT OWED TO LOCAL UNITS (KARICKHOFF M)** Revises the procedures involved when a political subdivision seeks a set off of a tax refund from the department of state revenue for debts owed to the political subdivision by a debtor. Repeals a provision pertaining to hearings with debtors on disputed debts that are owed to political subdivisions that use the tax refund set off process.

**Current Status:** 2/1/2018 - Referred to Senate Tax and Fiscal Policy

**Recent Status:** 2/1/2018 - First Reading  
1/31/2018 - Referred to Senate

**HB1278 ECONOMIC IMPROVEMENT DISTRICTS (EBERHART S)** Provides that a petition to establish an economic improvement district (district) may be filed with the clerk (instead of the legislative body) of the county or municipality. Requires a person that intends to file a petition for the establishment of a district to first provide the clerk with written notice of the person's intent before initiating the petition process. Provides that a petition for the establishment of a district may be filed with the clerk not later than 120 days after the date on which the person filed the notice of intent. Requires the clerk to retain the paper copy of a petition for not less than 90 days from the date the petition is filed. Provides that the clerk of the county or municipality shall publish notice of a hearing on the proposed district, mail a copy of the notice to each owner of real property within the district, and include the hearing date in the notice. Provides that the date of the hearing may not be more than 60 days after the date on which the notice is mailed. Increases the required percentage number of signatures needed on a petition from owners of real property within a proposed district. Specifies that the signature of a person whose property is: (1) owned by this state, or a state agency, or leased to a state agency and is exempt from property taxation; or (2) owned by a political subdivision of this state and is exempt from property taxation; may not be considered in determining whether the required number of signatures needed on a petition are met. Provides that the assessed valuation of property that is: (1) owned by this state, or a state agency, or leased to a state agency and is exempt from property taxation; or (2) owned by a political subdivision of this state and is exempt from property taxation; may not be considered in determining the total assessed valuation in the proposed district. Repeals the provision that allows the proposals contained in the petition to be amended or modified in the ordinance adopted to establish the district. Eliminates the provision that allows the board of a district (board) to increase a special assessment following a hearing on an owner's protest of the special assessment. Requires the board to either confirm or decrease the special assessment in its determination of the owner's protest. Provides that the legislative body of a unit (legislative body) may not pass an amending ordinance to increase the boundaries of a district. Requires the district (or the person that files the petition, if the proposed district is rejected) to, at the request of the unit, reimburse the unit for the reasonable expenses incurred by the unit to comply with the statutory requirements for the district. Provides that the legislative body may choose not to collect all or part of the reasonable expenses.

**Current Status:** 2/1/2018 - Referred to Senate Local Government

**Recent Status:** 2/1/2018 - First Reading  
2/1/2018 - Referred to Senate

**HB1284 TAX INCREMENT FINANCING ISSUES (CLERE E)** Requires the department of local government finance (DLGF) to annually prepare a report for each taxing unit that includes a calculation of the following: (1) The total property tax levy from the assessed value in the taxing unit and the amount of loss due to the circuit breaker credits. (2) The total property tax proceeds from the assessed value that exceeds the base assessed value in all allocation areas established within the taxing unit. (3) The effect, if any, on the amount of the tax levy or proceeds and the credit for excessive property taxes under IC 6-1.1-20.6 for the taxing unit and for the allocation areas if the allocation and distribution of tax proceeds in the allocation areas were: (A) eliminated; (B) reduced by 10%; (C) reduced by 20%; or (D) reduced by 30%. Requires the DLGF to: (1) post the report on the DLGF web site; and (2) file the report with the governor and the general assembly. Provides that the county council of a county in which a redevelopment authority is located may require redistribution to taxing units of up to 20% of the assessed value that is allocated to allocation areas if, when considering a reduction in the allocation in allocation areas from 10% to 20%, the amount of the reduction in losses due to the circuit breaker credits is exceeded by more than 50%. Provides, however, that the county council may not make a redistribution to taxing units if: (1) the redistribution would affect debt service; or (2) there is no loss that meets the criteria for a distribution that is to a unit other than the municipality in which the allocation area is located, or a special service district that is wholly located within the boundaries of the municipality that established the allocation area. Provides that allocated property tax proceeds may be expended for projects located outside a redevelopment district only if the commission adopts a declaratory resolution that finds that the expenditures: (1) will directly benefit the redevelopment district; and (2) will result in the creation of jobs in the private sector. Requires the legislative body of a unit and the redevelopment commission established by the unit to hold a joint public hearing before December 1 of each year for the purpose of reviewing the commission's proposed expenditures in the upcoming calendar year.

*Current Status:* 1/22/2018 - added as coauthors Representatives Thompson, Cook, Stemler

*Recent Status:* 1/11/2018 - Referred to House Ways and Means  
1/11/2018 - First Reading

**HB1289 LOCAL REGULATION OF NATURAL RESOURCE DEVELOPMENT (ELLINGTON J)** Changes the definition of "urban area" for purposes of a land use statute in the area planning law to include any lands or lots used for residential purposes where there are at least 20 residences (instead of eight residences) within any quarter mile square area. Specifies that the statute does not authorize an ordinance or action of a plan commission or a board of zoning appeals prohibited by the remainder of the bill. Provides that the prohibition applies when exercising jurisdiction within the geographic area of a plan commission or board of zoning appeals, including within a flood plain. Restricts the power of a unit (a county, city, town, or township) to regulate the development of natural resources on private property. Defines "development of natural resources" as the extraction of mineral resources or the sale or removal of merchantable timber. Allows the enforcement of ordinances concerning the use of a road or damage to a road. Provides that if an ordinance or resolution of a unit requires a person to obtain a permit for a road cut or other access to a road located in the unit, the unit shall issue a permit to a person upon receipt of the person's completed application. Prohibits a unit from charging a person who sells or removes merchantable timber from private property a fee or requiring a bond for a road cut or other access to a highway that exceeds a fee or bond that the unit requires for new commercial construction.

*Current Status:* 2/5/2018 - House Bills on Third Reading

*Recent Status:* 2/1/2018 - removed as coauthor Representative Bauer  
2/1/2018 - added as coauthors Representatives Bacon and Zent

**HB1313 PUBLIC WORKS CONTRACTS (MILLER D)** Provides that a public agency may not do any of the following: (1) Require a potential bidder on a public works project to provide any information that the potential bidder considers confidential or proprietary as a requirement for the public agency finding the bidder to be a responsive or responsible bidder. (2) By rule, ordinance, or any other action relating to contracts for public works projects for which competitive bids are required impose any requirement that directly or indirectly restricts potential bidders to any predetermined class of bidders defined by experience on similar projects, size of company, union membership, or any other criteria. (3) Take certain actions based on a bidder's, offeror's, or contractor's entering into, refusing to enter into, adhering to, or refusing to adhere to an agreement with a labor organization.

*Current Status:* 1/18/2018 - added as coauthor Representative Leonard

*Recent Status:* 1/16/2018 - Referred to House Employment, Labor and Pensions  
1/16/2018 - First Reading

**HB1321 OVERSIGHT REQUIREMENTS FOR STATE ASSISTANCE (SLAGER H)** Provides that the distressed unit appeal board (DUAB) must before January 1, 2019, establish financial and qualitative indicators and thresholds that will be used by the DUAB to determine if a political subdivision that is seeking state assistance must: (1) enter into an oversight agreement with the DUAB; and (2) comply with specified requirements and conditions; before any state assistance may be provided to the political subdivision. Provides that in establishing these indicators and thresholds, the DUAB shall consider: (1) certain factors specified in current law for the purposes of evaluating the fiscal health of school corporations and other political subdivisions; and (2) the conditions specified in current law as the grounds for the designation of distressed political subdivisions. Specifies that the DUAB may not establish or revise financial and qualitative indicators and thresholds unless the proposed indicators and thresholds or proposed revisions have been reviewed by the state budget committee. Provides that after June 30, 2019, state assistance may not be provided to a political subdivision unless: (1) the DUAB has first applied the financial and qualitative indicators and thresholds to determine whether the political subdivision must enter into an oversight agreement and comply with the statutory oversight requirements and conditions; and (2) if required based on the DUAB's application of the financial and qualitative indicators and thresholds, the political subdivision has entered into an oversight agreement, has submitted a financial stability plan to the DUAB, and otherwise complies with the statutory oversight requirements and conditions. Requires the DUAB to provide a model oversight agreement that the DUAB and political subdivisions shall use as a template in determining the terms and conditions of oversight agreements. Requires an oversight agreement entered into by the DUAB and a political subdivision to do the following: (1) Set out the conditions, requirements, and oversight required as a condition of the political subdivision receiving state assistance. (2) Require the political subdivision to comply with the statutory oversight requirements and conditions. (3) Designate the political subdivision as a supervised political subdivision. (4) Include the conditions that must be satisfied before the political subdivision's status as a supervised political subdivision is terminated and the political subdivision is no longer required to comply with oversight agreement and the statutory requirements and conditions. Requires the DUAB to assist a supervised political subdivision in developing a financial stability plan. Specifies oversight requirements and duties that apply to a supervised political subdivision. Specifies certain actions that a supervised political subdivision may not take unless the supervised political subdivision has first obtained the approval of the DUAB. Requires the management

performance hub to assist the DUAB in carrying out the DUAB's duties under these provisions.

**Current Status:** 1/16/2018 - Referred to House Ways and Means

**Recent Status:** 1/16/2018 - First Reading  
1/16/2018 - Authored By Harold Slager

**HB1412 LIBRARIES (SAUNDERS T)** Merges the Indiana historical bureau (bureau) into the Indiana state library (library) as a division of the library. (Current law specifies that the bureau and the library are separate divisions of the Indiana library and historical department (ILHD).) Specifies that: (1) the ILHD shall manage the library; and (2) the library shall manage the bureau. Requires the director of the library to appoint a deputy director of the bureau. (Current law requires the board of the ILHD to appoint a director of the bureau.) Makes the following changes to the membership of the state oversight committee on public records (committee): (1) Removes the deputy director of the bureau. (2) Requires the governor to appoint a circuit court clerk or county recorder who also serves on a county commission of public records. Allows the Indiana archives records administration to present evidence to a county cemetery commission regarding whether a cemetery is a burial ground for a Civil War veteran. Makes various changes to the state and local library laws. Repeals provisions concerning: (1) the state library and historical building; (2) the location of facilities housing the state archives; (3) acceptance of gifts by the Indiana library and historical board; (4) payments by the library to public library districts; and (5) the historic library building improvement matching grant program. Reorganizes and makes changes to provisions concerning the petition and remonstrance process for units that seek to: (1) establish a public library; (2) expand a public library into not more than one township or part of a township; or (3) expand a public library into more than one township or parts of more than one township. Requires certain language to appear where signatures are affixed to a petition or a remonstrance for the: (1) establishment of a public library; or (2) expansion of a public library. Makes various changes to the law regarding the leasing of library property. Makes technical corrections and conforming changes.

**Current Status:** 2/5/2018 - House Bills on Third Reading

**Recent Status:** 2/1/2018 - Second reading ordered engrossed  
2/1/2018 - House Bills on Second Reading

**SB10 TOWN EMPLOYEES HOLDING ELECTED OFFICE (BOHACEK M)** Provides with regard to a town that has a population of less than 2,500, that a town employee may: (1) serve on the town board; and (2) may not participate in a vote on the town's budget and tax levies.

**Current Status:** 2/1/2018 - Referred to House

**Recent Status:** 1/30/2018 - Third reading passed; Roll Call 94: yeas 35, nays 13  
1/30/2018 - House sponsor: Representative Pressel

**SB27 1977 FUND NEW UNIT CREDITS FOR PRIOR SERVICE (BOOTS P)** Provides, in the case of a unit (county, city, town, or township) that begins participation in the 1977 police officers' and firefighters' pension and disability fund (1977 fund), that the unit and the member (firefighter, police officer, or emergency medical technician) may agree how to share the cost of acquiring credit in the 1977 fund for the member's prior service as a firefighter, police officer, or emergency medical technician. (The introduced version of this bill was prepared by the interim study committee on pension management oversight.)

**Current Status:** 1/10/2018 - added as coauthor Senator Melton

**Recent Status:** 1/9/2018 - added as coauthor Senator Randolph  
1/9/2018 - added as third author Senator Tallian

**SB71 EMPLOYMENT OF EMERGENCY MEDICAL SERVICE PROVIDERS (CRIDER M)** Provides that if a governing body of a city, town, township, or county must reduce the number of its members of emergency medical services personnel by layoff for financial reasons, the last member appointed must be the first laid off, with other members laid off in reverse order of being hired. Provides that if the emergency medical services personnel are later increased in number, the members who have been laid off must be reinstated before any new member is appointed. Provides for notification of reinstatement to a member, and directs that a member in receipt of a notice must, within 20 calendar days after the notice is sent, advise the unit of government whether the member accepts reinstatement. Provides that the reinstatement rights of a member terminate upon the member's failure to accept reinstatement within the 20 day period or five years after the date of the member's layoff.

**Current Status:** 1/3/2018 - Referred to Senate Local Government

**Recent Status:** 1/3/2018 - First Reading  
1/3/2018 - Authored By Michael Crider

**SB75 1977 FUND RETIREMENT AGE AND BENEFITS STUDY (FORD J)** Urges the legislative council to assign to the interim study committee on pension management oversight or another appropriate interim study committee the task of studying the following: (1) A reduction from 52 to 50 the age at which a member of the 1977 police officers' and firefighters' pension and disability fund (1977 fund) is eligible to receive an unreduced retirement benefit. (2) An increase from 1% to 1.5% in the amount of the additional retirement benefit payable to a 1977 fund member for each six months of active service over 20 years. (3) A reduction from 32 to 28 in the number of years of service that may be used to compute a retirement benefit for a 1977 fund member.

**Current Status:** 1/29/2018 - Referred to House

**Recent Status:** 1/25/2018 - House sponsor: Representative VanNatter  
1/25/2018 - Third reading passed; Roll Call 67: yeas 48, nays 0

**SB95 LEGISLATIVE ETHICS (DELPH M)** Provides that a lobbyist and certain persons associated with state educational institutions may not give a gift to a legislative person with certain stated exceptions. Requires a lobbyist who communicates with certain legislative persons to make a log of the communication. Requires a lobbyist to submit a copy of the communications log electronically to the lobby registration commission (commission) on a weekly basis. Requires a lobbyist to maintain a copy of written communications and an archived copy of certain electronic communications for four years. Provides that upon the request of the commission, a lobbyist shall provide the commission with an electronic copy of a communication that is required to be maintained or archived. Requires the commission to provide an electronic copy of any of those communications to any person who makes a request to inspect the communication. Repeals superseded statutes. Makes conforming changes.

**Current Status:** 1/3/2018 - Referred to Senate Rules and Legislative Procedure

**Recent Status:** 1/3/2018 - First Reading  
1/3/2018 - Authored By Michael Delph

**SB97 RESIDENCY OF POLICE OFFICERS AND FIREFIGHTERS (ZAKAS J)** Allows a city, town, or township to adopt an ordinance or resolution that allows a member of a police or fire department to reside within a county that is: (1) located outside Indiana and

contiguous to the county in which the city, town, or township is located; or (2) any Indiana county, if the member resides within 25 miles from the nearest boundary of the city, town, or township where the police or fire department is located.

**Current Status:** 1/3/2018 - Referred to Senate Local Government

**Recent Status:** 1/3/2018 - First Reading  
1/3/2018 - Authored By Joseph Zakas

**SB100 CARBON MONOXIDE EMISSIONS TESTING (DELPH M)** Provides that a fire department established by a: (1) county; (2) city; (3) town; or (4) township; or a volunteer fire department may provide vehicular carbon monoxide testing (testing) to the owner of a motor vehicle. Requires testing to be offered to the owner of a motor vehicle without charge. Specifies the manner in which testing is to be conducted. Specifies certain paperwork and record keeping requirements. Provides that a test administrator's good faith effort to properly conduct a vehicular carbon monoxide test immunizes the test administrator from civil liability and all associated damages, including punitive damages, arising from or related to the administered test. Provides that a fire department, volunteer fire department, or other person may not be found liable for any: (1) claim; (2) cause of action; (3) damages, including punitive damages; (4) demand; or (5) expense; arising from or related to an administered vehicular carbon monoxide test by reason of an agency relationship between the test administrator and the fire department, the volunteer fire department, or the other person. Defines certain terms.

**Current Status:** 1/23/2018 - added as coauthor Senator Crane

**Recent Status:** 1/23/2018 - Cosponsor: Representative Macer  
1/23/2018 - House sponsor: Representative Burton

**SB101 PUBLIC RECORDS (DELPH M)** Restates the law describing the information that a public agency is required to keep about a public employee or an applicant for public employment. Describes the procedure for release of information that must be disclosed by a public agency relating to the suspension, demotion, or discharge of a public employee or former public employee.

**Current Status:** 1/3/2018 - Referred to Senate Local Government

**Recent Status:** 1/3/2018 - First Reading  
1/3/2018 - Authored By Michael Delph

**SB103 ENGLISH AS OFFICIAL LANGUAGE (DELPH M)** Encourages Indiana residents to promote the use and mastery of the English language by all Indiana residents. Provides that the state's official language, English, must be used for each public record, each public meeting, and each official act of the state of Indiana, including those governmental documents, records, meetings, actions, or policies that are enforceable with the full weight and authority of the state of Indiana.

**Current Status:** 1/3/2018 - Referred to Senate Public Policy

**Recent Status:** 1/3/2018 - First Reading  
1/3/2018 - Authored By Michael Delph

**SB123 NEWBORN SAFETY DEVICES AT FIRE DEPARTMENTS (HOLDMAN T)** Specifies under the safe haven law that it is a defense to a claim of neglect of a dependent if the individual left the child in a newborn safety device that is located at a fire department, including a volunteer fire department, that meets specified requirements. Provides civil immunity for a fire department that operates a newborn safety device for an act or omission relating to the device: (1) if the device meets specified requirements; and (2) unless the act or omission constitutes gross negligence or willful or wanton misconduct.

*Current Status:* 1/18/2018 - Referred to House

*Recent Status:* 1/18/2018 - added as coauthor Senator Bassler

1/18/2018 - added as coauthor Senator Stoops

**SB129**      **FINAL DISPOSITION OF INDIGENT DECEDENT** (BUCK J) Transfers the township trustee's responsibility for the final disposition of an indigent decedent to the county coroner. Makes conforming changes.

*Current Status:* 1/10/2018 - Senate Local Government, (Bill Scheduled for Hearing); **Time & Location:** 2:00 PM, Rm. 130

*Recent Status:* 1/3/2018 - Referred to Senate Local Government

1/3/2018 - First Reading

**SB132**      **FIRE DEPARTMENT RESIDENCY REQUIREMENTS** (RAATZ J) Provides that a city, town, or township may adopt an ordinance or resolution that allows a member of the city, town, or township fire department to reside within a county that is: (1) located outside Indiana and contiguous to the county in which the city, town, or township is located, if the member becomes an Indiana resident within two years of being hired; or (2) any Indiana county, if the member resides within 25 miles from the boundaries of the city, town, or township where the fire department is located. Removes provisions requiring a member of a city, town, or township fire department to maintain, in the member's residence, telephone service with the city, town, or township.

*Current Status:* 1/3/2018 - Referred to Senate Local Government

*Recent Status:* 1/3/2018 - First Reading

1/3/2018 - Authored By Jeff Raatz

**SB162**      **RESIDENCY OF POLICE OFFICERS AND FIREFIGHTERS** (MESSMER M) Allows a member of a police or fire department to reside within a county that is noncontiguous to the county where the police or fire department is located but is not more than 50 miles from the closest boundary of the city, town, or township where the police or fire department is located.

*Current Status:* 1/18/2018 - added as third author Senator Raatz

*Recent Status:* 1/16/2018 - added as second author Senator Ruckelshaus

1/3/2018 - Referred to Senate Local Government

**SB165**      **TOWNSHIP BOARD TERMS OF OFFICE** (CRANE J) Provides for the staggering of the terms of the members of township boards (other than township boards in Marion County) beginning with the 2022 general election. Establishes a process for filling vacancies and resolving ties for township board offices being elected during an election at which staggered terms are implemented.

*Current Status:* 1/30/2018 - Referred to House

*Recent Status:* 1/29/2018 - House sponsor: Representative Thompson

1/29/2018 - Third reading passed; Roll Call 82: yeas 47, nays 2

**SB173**      **AUDIT EXAMINATIONS AND DISCLOSURE REQUIREMENTS** (BUCK J) Provides that the uniform compliance guidelines for audit examinations of state and local units conducted by the state board of accounts must include a requirement that the unit disclose any pledge, covenant, or agreement that the unit has made as security or guarantor for a private bond issue of a private company. Requires any entity that: (1) is subject to examination or audit by the state board accounts; and (2) has made a pledge, covenant, or agreement as security or guarantor for a private bond issue of a private company; to disclose such fact in the notes of the entity's financial statements. Provides that, before a

political subdivision that is subject to audit by the state board of accounts may issue or guarantee any debt obligation, the fiscal officer of the political subdivision must first prepare a debt capacity analysis report (report) and present the report to the fiscal body of the political subdivision in a public hearing. Requires the state board of accounts, with the assistance of the department of local government finance, to prescribe a standard form report that must be used by a fiscal officer in the presentation. Requires the report to include a determination of the percentage of the political subdivision's total debt obligations (including guarantees) compared to the political subdivision's prospective revenue available for debt service.

**Current Status:** 2/1/2018 - Referred to House

**Recent Status:** 1/30/2018 - Cosponsor: Representative Brown, T  
1/30/2018 - House sponsor: Representative Zent

**SB191 TOWNSHIP CEMETERY OWNERSHIP AND MAINTENANCE** (BUCK J) Transfers from townships to counties the current provisions concerning cemetery establishment, ownership, and maintenance. Requires townships to transfer to the county in which the township is located cemetery related property and responsibilities before January 1, 2019.

**Current Status:** 1/10/2018 - Senate Local Government, (Bill Scheduled for Hearing); **Time & Location:** 2:00 PM, Rm. 130

**Recent Status:** 1/3/2018 - Referred to Senate Local Government  
1/3/2018 - First Reading

**SB194 DISTRIBUTIONS OF PUBLIC SAFETY INCOME TAX REVENUE** (NIEMEYER R) Requires the distribution of public safety local income tax revenues to a township that provides fire protection or emergency medical services.

**Current Status:** 1/3/2018 - Referred to Senate Local Government

**Recent Status:** 1/3/2018 - First Reading  
1/3/2018 - Authored By Rick Niemeyer

**SB231 TOWNSHIP PROPERTY TAXES** (RUCKELSHAUS J) Specifies that when formulating an annual budget, a township must consider: (1) the ending balance that will remain in each township fund relative to the budgeted expenditures from the fund; and (2) whether the part of the balance in excess of 10% of budgeted expenditures should be used instead of imposing additional property taxes for the ensuing year. Requires the department of local government finance to consider those factors when reviewing a township's budget, tax rate, and tax levy.

**Current Status:** 1/3/2018 - Referred to Senate Local Government

**Recent Status:** 1/3/2018 - First Reading  
1/3/2018 - Authored By John Ruckelshaus

**SB242 TAX ISSUES** (HOLDMAN T) Provides that the lottery commission must obtain a tax clearance statement from the department of state revenue (DOR) for a retailer before the lottery commission may enter into a contract with that retailer. (Current law requires the retailer to provide the tax clearance statement to the lottery commission.) Requires the riverboat supplemental wagering tax and wagering tax to be paid on the twenty-fourth calendar day of each month (rather than one day before the last business day of each month, under current law). Eliminates the maritime opportunity district property tax deduction for new manufacturing equipment installed in a district after June 30, 2018. Provides that the reduced tax rate for a corporation in a qualified military enhancement area (area) applies only to a corporation that locates all or part of its operations in an area before January 1, 2019. Extends the definition of a "facilitator" in the sales tax law to



include transactions involving the rental of tangible personal property and the rental of vehicles subject to the state auto rental excise tax, the Vanderburgh County supplemental auto rental excise tax, and the Marion County supplemental auto rental excise tax. Specifies that a facilitator is a retail merchant making a retail transaction when the facilitator accepts payment for the rental or lease of tangible personal property to another person (other than for subrent or sublease), including the rental of a vehicle subject to the state auto rental excise tax, the Vanderburgh County supplemental auto rental excise tax, or the Marion County supplemental auto rental excise tax. Provides that each such rental or lease is a separate unitary transaction unless the facilitator provides an itemized statement separately stating the amounts charged for renting the tangible personal property or vehicles, the amount collected as tax, and the amount that is a fee, commission, or other charge of the facilitator. Provides that the "double direct" sales tax exemption for property acquired for direct use in the direct production or processing of other tangible personal property applies to the following equipment purchased and used by a person that manufactures hot mix asphalt at an asphalt plant: (1) Trucks that are used to transport hot mix asphalt from that person's asphalt plant to a job site. (2) Pavers that are used to spread that person's hot mix asphalt. Provides that the DOR may require that certain information be provided or updated before the issuance or renewal of a registered retail merchant's certificate. Specifies that if for any taxable year a taxpayer is subject to different corporate income tax rates, the calculation is based on the number of days (rather than months, under current law) that each of the different tax rates is in effect. Provides that if the due date for a federal income tax return is extended by the Internal Revenue Service to a date that is later than the date otherwise required for a state income tax return, the DOR may extend the due date of the state return to the due date permitted for the federal return. Authorizes the DOR to issue refunds in certain circumstances without a taxpayer filing a refund claim. Requires state and local employees whose duties include access to confidential tax information to submit to a fingerprint based criminal history background check of both national and state records data bases before being granted access to the confidential tax information, and requires these employees to submit to such criminal history background checks at least once every 10 years thereafter. Requires each contractor or subcontractor whose contract or subcontract grants access to confidential tax information to submit to a fingerprint based criminal history background check of both national and state records data bases at least once every 10 years before being granted access to the confidential tax information. Provides that: (1) an income tax return preparer may not provide tax preparation services for income tax returns unless the income tax return preparer provides a preparer tax identification number (PTIN) when submitting and signing an income tax return; and (2) the DOR shall require each income tax return preparer to include the income tax return preparer's PTIN on any income tax return that the income tax return preparer prepares and files with the DOR. Specifies that the DOR: (1) may develop and implement a program using PTINs as an oversight mechanism; and (2) may establish formal and regular communication protocols with the Commissioner of the Internal Revenue Service to share and exchange PTIN information for income tax return preparers who are suspected of fraud, who have been disciplined, or who are barred from filing tax returns with the DOR or the Internal Revenue Service. Provides that the DOR may establish additional communication protocols with other states to exchange similar enforcement or discipline information. Provides that the DOR may impose a penalty on any income tax return preparer who fails to provide a PTIN. Provides that the DOR: (1) may investigate the actions of any income tax return preparer filing income tax returns; and (2) after a hearing, may bar or suspend an income tax return preparer from filing returns with the department for good cause.

***Current Status:*** 2/1/2018 - Committee Report amend do pass, adopted

**Recent Status:** 1/30/2018 - DO PASS AMEND Yeas: 11; Nays: 0  
1/30/2018 - Senate Tax and Fiscal Policy, (Bill Scheduled for  
Hearing); **Time & Location:** 9:00 AM, Rm. 431

**SB246 CEMETERY MAINTENANCE EXPENSES** (KOCH E) Defines "immediate maintenance needs" of a cemetery and specifies that the income from a cemetery's perpetual care fund may be used to meet the cemetery's immediate maintenance needs. Provides that money in a cemetery's perpetual care fund may be invested in certificates of deposit, mutual funds, money market mutual funds, and other interest bearing accounts or funds. Allows a cemetery to obtain maintenance funds from the state consumer protection fund for cemetery maintenance (fund) if the appreciation and income of the principal of the cemetery's perpetual care fund are not sufficient to meet the cemetery's immediate maintenance needs. Allows the state board of funeral and cemetery service (board) to authorize a withdrawal of up to \$50,000 from the fund in response to an application concerning a cemetery in need of emergency maintenance. Authorizes the board to suspend the requirement that cemetery owners make payments to the fund if the fund balance equals or exceeds \$500,000. (Under current law, the requirement to make payments to the fund can be suspended if the fund balance equals or exceeds \$250,000.) Provides, for purposes of the law concerning township care of cemeteries, that the maintenance of a cemetery includes mowing the lawn. Authorizes the trustee of a township to provide financial assistance for maintenance purposes to a cemetery that is operated by a nonprofit organization and located in the township if the trustee reasonably believes that: (1) the funds available to the cemetery from its perpetual care fund and other sources are not sufficient to provide for the necessary maintenance of the cemetery; and (2) providing financial assistance to the cemetery will help to prevent the full responsibility for maintenance of the cemetery from falling on the township. Provides that those cemeteries that are ten acres or less in size may not access the consumer protection fund for cemetery maintenance. (Current law provides that cemeteries that are: (1) ten acres or less in size; (2) owned and operated by a nonprofit mutual association in existence on June 14, 1939; and (3) in which burials took place before June 14, 1939; could not access the consumer protection fund for cemetery maintenance.) Provides that a member of the state board of funeral and cemetery service may serve not more than two consecutive terms on the board. Eliminates the consideration of a board member's service on the state board of embalmers and funeral directors as a limitation on the number of terms the member may serve on the state board of funeral and cemetery service.

**Current Status:** 1/23/2018 - added as coauthor Senator Smith J

**Recent Status:** 1/23/2018 - House sponsor: Representative May  
1/23/2018 - Third reading passed; Roll Call 61: yeas 49, nays 0

**SB269 ROAD AND UTILITY REPAIR** (KOCH E) Defines "department action" as one or more of the following: (1) Detour creation or implementation. (2) Planned bridge repair. (3) Planned road repair. Requires the department of transportation (department) to consult with the appropriate: (1) county commissioner; (2) county executive; (3) mayor; or (4) town executive; whenever a proposed department action adversely affects certain local interests. Requires the department to: (1) consult with an appropriate local representative; and (2) memorialize; the substance of any consultation involving a local representative. Requires the commissioner of the department to review the substance of all consultations involving a local representative. Requires the commissioner to either: (1) approve a proposed department action subject to the concerns of the appropriate local representative; or (2) remand a proposed department action to appropriate department personnel for the purpose of devising a revised department action that is less destructive to certain local interests. Allows the department to contract with third party agencies

approved of by the commissioner of the department. Requires the department to consider the following when determining when to let a contract involving certain construction, maintenance, and repair projects: (1) Impact on local commerce. (2) Impact on local residents. (3) Impact on local tourism. Requires the department to make a good faith effort to use: (1) the least disruptive timing when determining when to let a contract involving certain construction, maintenance, and repair projects; and (2) the least restrictive means when implementing or performing certain construction, maintenance, and repair projects. Requires the department to release a contract let list: (1) every 180 days; and (2) to a local news media organization. Provides that the hearing officer appointed to conduct a hearing concerning a petition to establish a regional water, sewage, or solid waste district is required to provide notice of the hearing to the executive of a city or town that has a municipal sewage works or public sanitation department having extraterritorial jurisdiction within the boundaries of the area to be included in the proposed district. Requires the board of trustees of a regional sewage district, when seeking to add territory to the district, to file a copy of its motion for the addition of territory in the office of: (1) the executive of each governmental entity having territory within the territory proposed to be added to the regional sewage district; and (2) the executive of a city or town that has a municipal sewage works or public sanitation department if the territory proposed to be added to the regional sewage district includes territory within the extraterritorial jurisdiction of the municipal sewage works or public sanitation department. Defines "governmental entity", for purpose of the law concerning regional water, sewage, and solid waste districts, as a municipal corporation or a special taxing district.

**Current Status:** 2/1/2018 - added as third author Senator Crider

**Recent Status:** 2/1/2018 - added as second author Senator Buck  
2/1/2018 - Second reading ordered engrossed

**SB270 STATE SETTLEMENT AGREEMENTS (KOCH E)** Provides that neither a unit nor a school corporation may settle a claim by agreeing to: (1) adopt, refuse to adopt, or refuse to enforce an ordinance or policy; or (2) the terms of an injunction, restraining order, or consent decree; without providing the attorney general an opportunity to intervene. Requires the court to certify such a case to the attorney general to provide the attorney general an opportunity to intervene. Provides that the attorney general may present evidence that relates to the state's interest in the outcome of the action, and arguments on the state's interest in the outcome of the action.

**Current Status:** 2/1/2018 - added as second author Senator Freeman

**Recent Status:** 2/1/2018 - Second reading ordered engrossed  
2/1/2018 - Senate Bills on Second Reading

**SB276 TAX INCREMENT FINANCING DISTRICTS (BASSLER E)** Provides that if a redevelopment commission outside Marion County wishes to establish a tax increment financing (TIF) area after December 31, 2018, a unit (county, city, town, or township) or school corporation that is located wholly or partly within a proposed TIF area may elect whether to participate in the TIF area. Provides that after December 31, 2018, each taxing unit that is located wholly or partly in a TIF area is bound by the terms of the TIF area until the TIF area expires, except for those units and school corporations that do not elect to participate in the TIF area.

**Current Status:** 1/4/2018 - Referred to Senate Tax and Fiscal Policy

**Recent Status:** 1/4/2018 - First Reading  
1/4/2018 - Authored By Eric Bassler

**SB299**      **STUDY CONCERNING LOCAL SURCHARGE ON STATE PARK FEES** (RAATZ J) Urges the legislative council to assign to a study committee the task of studying whether counties should be authorized to: (1) adopt an ordinance to impose a surcharge on fees collected within a state park; and (2) use the revenue from the surcharge to assist a unit of local government that provides police protection, fire protection, emergency medical services, or road repairs to the state park.

*Current Status:* 1/22/2018 - House sponsor: Representative Lyness

*Recent Status:* 1/22/2018 - Third reading passed; Roll Call 39: yeas 42, nays 7  
1/22/2018 - Senate Bills on Third Reading

**SB383**      **SPECIFICATIONS FOR LOCAL PUBLIC WORK CONTRACTS** (MESSMER M) Provides that specifications for a local public work contract must be written to encourage competition for each product or system furnished under the contract. Provides that for a local public work project for a school corporation that has an estimated cost greater than \$1,000,000, the designer must specify at least three products or systems that are acceptable as substantially equal in terms of quality, durability, appearance, and functionality. Establishes a procedure for the specification of a single approved source for a product or system when it is considered to be in the best interest of the public to do so.

*Current Status:* 2/1/2018 - Cosponsor: Representative GiaQuinta

*Recent Status:* 2/1/2018 - House sponsor: Representative Soliday  
2/1/2018 - Third reading passed; Roll Call 123: yeas 36, nays 12

**SB385**      **LOCAL GOVERNMENT BUDGET NOTICES** (GLICK S) Reinstates certain expired and repealed statutes concerning local government budget notices. Reinstates the requirement that a political subdivision must give notice by publication to taxpayers of the estimated budget, the estimated maximum permissible levy, the current and proposed tax levies of each fund, the amount by which the political subdivision's property taxes may be reduced by circuit breaker credits, the amounts of excessive levy appeals to be requested, and the time and place of the public hearing on the budget. (Under current law, the political subdivision is required to submit this information to the department of local government finance's (DLGF's) gateway.) Provides that a political subdivision must include in each notice the Internet address of the DLGF's gateway at which the budget information is also available. Reinstates an expired statute providing that if the budget notice is not timely published due to the fault of a newspaper, the notice is a valid notice if it is published one time at least three days before the budget hearing. Reinstates an expired provision allowing the DLGF to correct certain errors or omissions that cause the budget notice to inaccurately reflect the tax rate, tax levy, or budget of a political subdivision.

*Current Status:* 1/8/2018 - Referred to Senate Local Government

*Recent Status:* 1/8/2018 - First Reading  
1/8/2018 - Authored By Susan Glick

**SB391**      **TOWNSHIP PROPERTY TAX LEVIES** (NIEMEYER R) Authorizes a township to appeal to the department of local government finance (DLGF) for an increase in the township's maximum property tax levy to meet the costs of providing township assistance. Specifies that the maximum increase that the DLGF may authorize for a township for a particular calendar year is the levy that would result from a \$0.01 increase in the township's township assistance property tax rate. Provides that the DLGF shall increase the maximum property tax levy for a township's firefighting fund for 2019 and thereafter if: (1) the township imposed a debt service levy in 2018 to pay amounts borrowed to furnish fire protection; and (2) the township executive before August 1, 2018, submits a petition to the DLGF requesting the increase. Specifies that the amount of the increase in the maximum property tax levy for the township's firefighting fund is equal to the total amount

of the principal that will be due in 2019 on amounts borrowed by the township to furnish fire protection. Makes a technical correction.

**Current Status:** 1/10/2018 - Referred to Senate Tax and Fiscal Policy

**Recent Status:** 1/10/2018 - First Reading  
1/10/2018 - Authored By Rick Niemeyer

**SB398**      **OFFICE BASED OPIOID TREATMENT PROGRAMS (HOUCHIN E)** Urges the legislative council to assign to an appropriate interim study committee for the 2018 interim period the task of studying whether Indiana should impose a license requirement or other regulatory requirements on an office based opioid treatment program operating in Indiana and, if the committee determines that regulation is necessary, to identify the appropriate agency to perform the regulation.

**Current Status:** 2/1/2018 - Committee Report amend do pass, adopted

**Recent Status:** 1/31/2018 - DO PASS AMEND Yeas: 12; Nays: 0  
1/31/2018 - Senate Health and Provider Services, (Bill Scheduled for Hearing); **Time & Location:** 9:00 AM, Rm. 431

**SB400**      **RANKED CHOICE VOTING (STOOPS M)** Permits a municipality to implement ranked choice voting for all of the municipality's elected offices. Permits a county to implement ranked choice voting for all offices elected in the county. Establishes the procedure for a voter to rank the candidates according to the voter's choice when there are three or more candidates for election to an office. Establishes the procedures to count the voter's choices as votes at various stages of tabulating ballots. Makes conforming amendments.

**Current Status:** 1/8/2018 - Referred to Senate Elections

**Recent Status:** 1/8/2018 - First Reading  
1/8/2018 - Authored By Mark Stoops