

Indiana Coalition Against Domestic Violence

Indiana General Assembly
Final legislative report: March 18, 2020

The Indiana General Assembly ended its 2020 regular legislative session on March 11, 2020, three days before the last day permitted by statute for short sessions. Of the 903 bills filed in the House and Senate, 168 bills, almost 19% of those filed, passed through to the Governor's desk for consideration.

Although ICADV did not request specific legislation this session, ICADV was part of a number of different coalitions advocating on legislation including pregnancy accommodation (**SB 342**) and protections from usurious credit, and against legislation that both preempts local control over attempts to stabilize and improve rental housing, and diminishes renter protections (**HEA 148**). ICADV also participated in shaping the legislation which moves 211 to FSSA (**SEA 267**), and will hopefully participate in groups advising the transfer and operation of the revamped 211 system.

Governor Holcomb's 2020 agenda included support of **SB 342**, which would have added Indiana to the 27 states that already require employers to reasonably accommodate pregnant women on the job. ICADV joined a wide cross-section of professionals, businesses, and individuals testifying in support of **SB 342** in the senate committee, including support sent from former Governor Mitch Daniels. **SB 342** passed committee with only 2 dissenting votes. Unfortunately, under the pressure of strong opposition from the Indiana Chamber of Commerce and the Indiana Manufacturers Association, **SB 342** was amended on second reading to turn it into a bill urging interim study. The goal will now be to have Legislative Council recommend study of this issue, hopefully in the interim health committee, and return to a push for its passage in 2021.

2020 was the first in 5 years that the payday lobby was not pushing legislation to expand high interest lending. Senators Walker and Melton again filed legislation to limit payday loans to 36%, but neither was heard this year. Security Finance returned to seek enabling of installment loans at 99%APR, but that bill was also not heard. Ultimately, the only bills that passed were **SEA 395** and **HEA 1353**, neither of which raised interest rates. However, **SEA 395** does increase allowable non-refundable origination and refinancing fees, while banning precomputed interest.

Another bill that arose in the last 2 weeks of session was an amendment to **SB 340** on the last day for hearing in the House Judiciary Committee, with no public notice or access. It bans local government from regulating any aspect of the landlord-tenant relationship, unless expressly permitted by an act of the General Assembly, and adds language to protect tenants against retaliation that is full of holes and can be written away in contracts, and which could also allow landlords to more quickly evict tenants in a broader range of cases. This language passed the House and was then moved to **SEA 148** in conference committee, from where it passed out and now sits on the Governor's desk for action.

Along with pregnancy accommodation, other topics which may be studied over the summer interim are overcrowded jails (and perhaps pre-trial release), guardianship, and affordable housing tax credits.

Below are summarized many more bills likely of interest to ICADV. To read the complete language of any of these bills, go to <http://iga.in.gov/legislative/2020/bills/>, and type in the requested bill number.

I. Domestic Violence

SEA 47 EXPUNGEMENT ISSUES (FREEMAN A) Defines "protection order records" and requires companies that provide background checks to periodically review their records and remove records relating to expunged protection orders (in the same manner as expunged convictions are removed). Permits a person to expunge protection order records in connection with the denial of an ex parte petition for a protection order. Provides that if a court reduces a Class D or Level 6 felony to a misdemeanor, the five-year waiting period for expungement begins on the date of the felony conviction and not on the date the felony was converted to a misdemeanor. Provides that, if a person whose records have been expunged seeks employment with a law enforcement agency or a probation or community corrections department, the law enforcement agency or the probation or community corrections

department may: (1) inquire about the person's expunged records; and (2) refuse to employ the person. Specifies the procedure to expunge records of a collateral action entered in a different county than the county which issued the expungement order.

3/18/2020 – SIGNED BY GOVERNOR

SEA 249 EXPLOITATION OF DEPENDENTS AND ENDANGERED ADULTS (YOUNG M) Defines "person in a position of trust" and "self-dealing". Provides that a: (1) person commits exploitation of a dependent or an endangered adult if the person recklessly uses or exerts control over the personal services or property of an endangered adult or dependent; and (2) person in a position of trust commits exploitation of a dependent or an endangered adult if the person recklessly engages in self-dealing with the property of the dependent or endangered adult. Increases the penalty if the person has a prior unrelated conviction. Removes: (1) provisions relating to the Social Security Act; (2) a sentencing enhancement that applies if the victim is at least 60 years of age; and (3) a sentencing enhancement based on the value of the property. **3/18/2020: SIGNED BY GOVERNOR**

SEA 267 ADMINISTRATION OF 211 SERVICES (BOHACEK M) Transfers responsibility for the 211 human services information dialing code from the Indiana housing and community development authority (authority) to the office of the secretary of family and social services (office of the secretary). Eliminates provisions: (1) regarding recognized 211 service providers; (2) prohibiting state agencies or departments from establishing telephone lines or hotlines to provide human services information or referrals without first consulting a recognized 211 provider and notifying the authority; (3) prohibiting dissemination of information to the public about the availability of 211 services except in conformity with rules adopted by the authority; (4) limiting disbursements from the 211 services account to \$50,000 annually; (5) requiring consultation with the board of directors of Indiana 211 Partnership, Inc., for purposes of preparation of the annual plan for expenditure of funds from the 211 services account; and (6) requiring an annual report to the general assembly regarding 211 services and deposits to and disbursements from the 211 services account. Creates the 211 services fund in place of the 211 services account. Creates the 211 advisory committee for purposes of advising the office of the secretary regarding use of and goals for 211 services. Requires the office of the secretary to: (1) compile specified data regarding 211 services beginning July 1, 2021; (2) enter into data sharing agreements to make the data available to entities approved by the office of the secretary; and (3) obtain and maintain accreditation for 211 operations in accordance with the standards of a national accreditation organization for information and referral services. Requires the office of the secretary to submit to the general assembly an annual report regarding 211 services. Makes conforming amendments. **3/18/20 – SIGNED BY GOVERNOR**

SEA 335 CRIMINAL LAW ISSUES (YOUNG M) Provides that, if certain criminal penalties are increased (or, in the case of an infraction, imposed) due to a prior conviction or infraction committed by a defendant, the new offense must have been committed not later than 12 years from the later of the date: (1) of the conviction or infraction judgment; or (2) the person was released from incarceration, probation, or parole. Excludes certain crimes and classes of crimes from the 12 year lookback period. Specifies the duties of an operator of a boat who is involved in an accident or collision resulting in injury. **Adds strangulation and domestic battery to the definition of "crimes of violence"**. Specifies that references to a conviction for Indiana offenses include: (1) an attempt to commit the offense; (2) a conspiracy to commit the offense; and (3) a substantially similar offense committed in another jurisdiction. Provides that credit earned by a person on pretrial home detention does not include accrued time. **Makes it a crime to possess a firearm with an obliterated serial number (under current law, it is only a crime to possess a handgun with an obliterated serial number)**. Provides that a person who: (1) agrees with two or more persons to commit theft; and (2) performs an overt act in furtherance of the agreement; commits organized theft, a Level 6 felony. **Prohibits a person who has been adjudicated a delinquent child for committing an act while armed with a firearm that would be a serious violent felony if committed by an adult (serious delinquent) from possessing a firearm unless the person is at least: (1) 26 years of age, in the case of less serious acts; or (2) 28 years of age, in the case of more serious acts. Makes possession of a firearm by a serious delinquent a Level 6 felony, and increases the penalty to a Level 5 felony for a second or subsequent offense.** Requires a juvenile court to transmit certain findings to the office of judicial administration for transmission to the National Instant Criminal Background Check System (NICS) upon a finding of delinquency for an act that would be a serious violent felony if committed by an adult. Allows a court to consider certain factors when evaluating a petition to expunge certain juvenile adjudications. Beginning July 1, 2021: (1) requires the office of judicial administration to collect and publish certain statistics related to the confiscation and retention of firearms; and (2) requires a court to provide certain information to the office of judicial administration after issuing a finding concerning a person's dangerousness. Provides that a person who knowingly makes a false report that another person is dangerous commits false informing, a Class B misdemeanor. Specifies that a person commits the offense of operating a vehicle with a controlled substance if the controlled substance is in the person's blood (rather than the person's body). Increases the penalty for operating a vehicle with a controlled substance in the person's blood if the person is transporting a child in the vehicle. Provides a defense to a "smokable hemp" offense if the hemp is carried in continuous transit from a licensed producer in another state through Indiana to a licensed handler in another state. Makes conforming amendments, reconciles conflicts, and makes technical corrections.

3/18/2020 – Sent to Governor for signature.

SEA 424 ADDRESS CONFIDENTIALITY PROGRAM (ROGERS L) Allows a victim of harassment, human trafficking, intimidation, or invasion of privacy to participate in the address confidentiality program (program) of the office of the attorney general (office). (Currently the law allows only victims of domestic violence, sexual assault, or stalking to participate in the program.) Removes the requirement that a victim must have obtained a protective order to participate in the program. Requires that an applicant to the program provide a description of the applicant's plan to maintain the confidentiality of the applicant's new address. Provides, with certain exceptions, that if a program participant provides written notice to an individual, state or local government agency, business, or other legal entity: (1) the entity shall use the address designated by the office; (2) the entity may not disclose the program participant's address; and (3) if the entity is a landlord, the entity may not display the program participant's name at the protected address. Allows the office to revoke a person's participation in the program or deny an applicant's application if the person: (1) uses or intends to use the program in furtherance of a crime; (2) knowingly misrepresents in a fraudulent manner any information the program participant or applicant provides to the program; or (3) is unable or unwilling to maintain the confidentiality of the program participant's or applicant's address. Establishes the circumstances under which a program participant's address may be disclosed in a court proceeding and requires the court to issue an appropriate order to limit any further disclosure. Repeals a statute providing that a program participant who provides false information on a program application commits perjury.

3/18/2020 – Sent to Governor for signature.

Bills that did not pass:

HB1098 PUNITIVE DAMAGES (STEUERWALD G)

HB1152 FALSE INFORMING AND RED FLAG LAW ORDERS (LUCAS J)

HB1297 SURRENDER OF FIREARMS FOR DOMESTIC VIOLENCE CRIMES (SMITH V)

HB1355 MARITAL VIOLENCE VICTIMS (HATCHER R)

HB1306 FULL FAITH AND CREDIT FOR TRIBAL COURT ORDERS (DELANEY E) Requires that, under certain circumstances, a court of record in Indiana shall give full faith and credit to judgments and orders of a tribal court affiliated with the Pokagon Band of Potawatomi. 3/3/2020 - DEAD BILL

II. Sexual Assault

SEA 109 STATUTE OF LIMITATIONS (CRIDER M) Provides that an otherwise barred offense may be commenced not later than five years from the earlier of the date on which: (1) the state first discovers DNA evidence sufficient to charge the offender; (2) the state first becomes aware of a recording that provides evidence sufficient to charge the offender; or (3) a person confesses to the offense. Permits the alleged victim of certain child sex crimes to apply for victim compensation not later than five years after: (1) the state first discovers DNA evidence sufficient to charge the offender; (2) the state first becomes aware of a recording that provides evidence sufficient to charge the offender; or (3) a person confesses to the offense. **3/14/2020 - SIGNED BY GOVERNOR**

SEA 146 SEXUAL ASSAULT VICTIMS' RIGHTS (DORIOT B) Provides rights to sexual assault victims, including the right to: (1) speak with a victim advocate or victim service provider, if available, and a victims assistance or a social worker, if a victim advocate or victim service provider is not available, before a forensic medical exam or during the course of an investigation; (2) the collection of sexual assault forensic evidence; and (3) notice. Requires a provider, before commencing a forensic medical examination, or as soon as possible, to notify a victim advocate or victim service provider, if available, or victims assistance or a social worker, if a victim advocate or victim service provider is not available. **03/18/2020 - SIGNED BY GOVERNOR**

SEA 206 DEPOSITION OF A CHILD VICTIM (MESSMER M) Defines "child victim" as a child less than 16 years of age who is the victim of a sex offense, and specifies that a child victim has the right to confer with a representative of the prosecuting attorney's office before being deposed. Repeals and replaces the current statute concerning the deposition of a child with a new statute that provides that a defendant may only depose a child victim if the prosecuting attorney agrees to the deposition or if a court authorizes the deposition. Establishes a procedure for a court to use to determine whether to authorize the deposition of a child victim, and to specify the manner in which the deposition may be conducted. Provides that an order authorizing the deposition of a child must expressly prohibit the presence of the person accused of committing the offense against the child unless certain conditions apply and the presence of the accused is necessary to preserve the person's rights under the United States or Indiana constitution. Makes conforming amendments. **3/18/2020 - SIGNED BY GOVERNOR**

Bills that did not pass:

HB1160 CONSENT (ERRINGTON S, Negele, Campbell, Schaibley)

HB1161 SEXUAL BATTERY (ERRINGTON S, Negele, Campbell)

HB1270 LEWD TOUCHING (CANDELARIA REARDON M)

HB1271 REMOVAL OF ELECTED OFFICIALS (CANDELARIA REARDON M)

HB1380 RIGHT TO A VICTIM ADVOCATE (NEGELE S)

SB116 HUMAN TRAFFICKING (CRIDER M,Ford)

- SB175 PREVENTION OF SEXUAL VIOLENCE, DOMESTIC VIOLENCE, AND STALKING (MRVAN F)
SB360 HUMAN TRAFFICKING (DONATO S)
SB386 CIVIL STATUTES OF LIMITATIONS (FREEMAN A)

III. Pregnancy accommodation/infant mortality/Job supports

HB1129 INFANT SCREENING (LAUER R) Requires every infant to be screened for Adrenoleukodystrophy (ALD) at the earliest feasible time. Requires the infant pulse oximetry screening examination to be given according to rules adopted by the state department of health. **3/11/2020 - SIGNED BY GOVERNOR**

Bills that did not pass:

SB342 PREGNANCY AND CHILDBIRTH DISCRIMINATION (ALTING R, Bohacek, Grooms, J.D. Ford, Walker, Breaux, Becker, Crider, Donato) Prohibits an employer from discriminating against a pregnant employee. Requires an employer to provide reasonable employment accommodations for a pregnant employee. Requires the civil rights commission to investigate complaints and attempt to resolve complaints. **Hearing on January 27, at 9 a.m. in S. Family and Children, Senate Chamber Amended on second reading to be a study committee. Assigned to Rules in the House and was not heard.**

HB1294 PREGNANCY AND CHILDBIRTH DISCRIMINATION (ENGLEMAN K) Prohibits an employer from discriminating against a pregnant employee. Requires an employer to provide reasonable employment accommodations for a pregnant employee. Requires the civil rights commission to investigate complaints and attempt to resolve complaints
1/14/2020 - Referred to House Employment, Labor and Pensions - not heard in this committee.

HB1141 BIRTH CONTROL PRESCRIPTIONS (FLEMING R)

HB1248 POSTPARTUM MEDICAID FOR PREGNANT WOMEN (SUMMERS V)

SB283 MEDICAID TREATMENT FOR PREGNANT WOMEN (BREAUX J)

SB305 CONTRACEPTIVE COVERAGE (TALLIAN K)

SB428 REPORT ON CHILD FATALITIES (LEISING J)

HB1427 PAID FAMILY AND MEDICAL LEAVE PROGRAM (CAMPBELL C, Hamilton, Fleming) Requires the department of workforce development to establish a paid family and medical leave program to provide payments for employees who take family and medical leave. Establishes the family and medical leave fund to be funded with appropriations from the general assembly and payroll contributions. 1/15/2020 - Referred to Committee on Employment, Labor and Pensions. Not heard.

SB34 PAID EMPLOYEE LEAVE (RANDOLPH L, Stoops) Urges the legislative council to assign to an appropriate interim study committee during the 2020 legislative interim the task of studying paid personal leave from employment.

IV. Homelessness and Housing

SEA 148 ZONING AND HOUSING MATTERS (DORIOT B) Amends a statute concerning manufactured homes (manufactured home statute) to provide, with respect to a manufactured home located outside of a mobile home community, as follows: (1) A comprehensive plan or zoning ordinance adopted by a unit of local government may: (A) specify aesthetic standards and requirements concerning the manufactured home's permanent foundation system; and (B) require compatibility of the manufactured home's permanent foundation system with surrounding residential structures. (2) A unit of local government may not require: (A) a permanent foundation system that is incompatible with the structural design of the manufactured home; or (B) more than one permanent foundation system for a manufactured home. Specifies that the changes to the manufactured home statute do not affect a requirement applicable to property that is subject to the jurisdiction of a preservation commission. Provides that a unit of local government may not adopt or enforce certain ordinances, regulations, requirements, or other restrictions that mandate size requirements for a manufactured home that is placed in a mobile home community. Provides that, subject to certain conditions, an industrialized residential structure may be located in a mobile home community. Requires a mobile home community operator (operator) to provide all owners of mobile homes, manufactured homes, or industrialized residential structures in a mobile home community with written notice not less than 180 days before the mobile home community's closure. Provides that an operator who violates the notice requirement commits a deceptive act that is actionable by the attorney general or a consumer. Prohibits a unit of local government from regulating certain aspects of a landlord-tenant relationship with respect to privately owned real property located in the unit unless the regulation is authorized by the general assembly. Prohibits a landlord from taking certain retaliatory actions in response to a tenant's engaging in one or more enumerated protected activities. Prohibits a local unit from adopting or enforcing any ordinance or regulation concerning retaliatory acts by landlords. Makes conforming changes.

3/18/2020 - Sent to Governor for consideration

3/11/2020 - Conference Committee Report Adopted (H) Report 1: adopted by the House: yeas 64, nays 32

3/11/2020 - Conference Committee Report Adopted (S) Report 1: adopted by the Senate: yeas 29, nays 19

HB1022 PANHANDLING (TORR J) Provides that a person who panhandles within 50 feet of: (1) the entrance or exit to a bank, business, or restaurant; (2) the location where a financial transaction occurs; or (3) a public monument; commits the offense of panhandling, a Class C misdemeanor. Provides that a person who knowingly or intentionally panhandles regardless of the time of

day commits panhandling, a Class C misdemeanor. (Current law limits the time period of the offense to after sunset and before sunrise.) Defines "financial transaction" and "public monument".

3/18/2020 - Sent to Governor for Signature

HB1104 HOUSING AND COMMUNITY DEVELOPMENT AUTHORITY (CLERE E) Repeals the laws governing the microenterprise partnership program fund and microenterprise partnership program. Requires the governing body of an eligible entity to notify the Indiana housing and community development authority of the creation of an affordable housing fund. Replaces the member of the low income housing trust fund advisory committee appointed by and representing the Indianapolis Coalition for Neighborhood Development with one member appointed by and representing the Indiana housing and community development authority.

3/11/2020 - SIGNED BY GOVERNOR

Bills that did not pass:

SB67 TOWNSHIP HOMELESS ASSISTANCE (SANDLIN J) Provides that a township trustee of a township that has a population of more than 10,000, shall, if the trustee considers it advisable, place in the county home or provide township assistance to a homeless person whose legal residence: (1) is not in the township; or (2) cannot be ascertained. Provides that a township trustee of a township that has a population of less than 10,000, may, if the trustee considers it advisable, place in the county home or provide township assistance to a homeless person whose legal residence: (1) is not in the township; or (2) cannot be ascertained. Requires each township trustee in a county to collaborate and prepare a list of public and known private resources that is: (1) available to the homeless population for each township in the county; and (2) distributed and published on the county's Internet web site not later than March 1 of each year. (When House would not hear this bill, the Senate amended SB 67 into HB 1113 However, during conference committee SB 67 was removed.

HB1018 STUDENT HUNGER AND HOMELESSNESS (HARRIS JR. E, Macer) Establishes the student hunger and homelessness study committee (committee)

HB1103 TENANT'S RIGHTS (SHACKLEFORD R)

HB1133 REQUIRED NOTICES TO MOBILE HOME COMMUNITIES (MOED J, Macer)

HB1134 RESIDENTIAL HOUSING DEVELOPMENT PROGRAM (MOED J, Macer)

HB1191 LAND CONTRACTS (CLERE E) Defines "principal dwelling land contract" (contract) as a land contract for the sale of real property: (1) designed for the occupancy of one to two families; and (2) that is or will be occupied by the buyer as the buyer's principal dwelling. Provides that the seller under a contract must provide the buyer with certain disclosures at least 10 days before the contract is executed. Sets forth disclosures that must be included in a contract. Provides a three day cancellation period for the buyer. Specifies certain recording provisions for principal dwelling land contracts. Provides that a violation of disclosure provisions constitutes a deceptive act under the deceptive consumer sales act. Passed the House, but the Senate did not hear this bill.

HB1217 EMERGENCY EVICTIONS (LAUER R)

HB1256 MARION COUNTY HOUSING TRUST FUND (MOED J)

HB1381 AFFORDABLE HOUSING TAX CREDIT (NEGELE S)

SB115 DEDUCTION FOR CERTAIN RESIDENTIAL PROPERTY (CRIDER M) Provides a property tax deduction to the owner of real property, a mobile home not assessed as real property, or a manufactured home not assessed as real property if: (1) the property is occupied by an individual who is blind or is an individual with a disability; (2) the occupant principally uses the property as the occupant's residence; and (3) the owner's gross income for the year preceding the year for which the deduction is claimed does not exceed \$17,000. **Died in the Senate.**

SB123 AFFORDABLE AND WORKFORCE HOUSING INCENTIVES (HOLDMAN T) Allows the Indiana housing and community development authority (authority) to establish a program (program) to incentivize investment in affordable and workforce housing projects in Indiana. Provides that an eligible applicant who wishes to obtain an incentive under the program must apply to the authority after June 30, 2021. Requires the authority to provide a report to the interim study committee on fiscal policy concerning: (1) affordable and workforce housing incentives offered in other states; and (2) a recommendation on the type of incentive that should be offered in Indiana. **Died in the House.**

SB204 NOTICE OF LEASE TERMINATION FOR FAILURE TO PAY RENT (MESSMER M)

SB253 PRINCIPAL DWELLING LAND CONTRACTS (FORD J)

SB359 LANDLORD-TENANT RELATIONS (MERRITT J)

SB391 PROPERTY MATTERS (BOHACEK M) Requires a local health officer to have information establishing probable cause of a public health law or rule violation before a court may issue certain orders concerning the property. (Current law requires reliable information.) Requires a health officer's order of abatement to include the name of the person making the complaint and requires the health officer to report to the county prosecutor certain information concerning a person who provided false information. Requires the health and hospital corporation of Marion County to post notice of an ordinance pending final action on the county's Internet web site. Requires a health officer to provide information concerning a person who made a false report concerning a communicable disease to the person against whom a false report was made. States that a dwelling is unfit for human habitation when the dwelling places a person's health or life in danger. (Current law states that the dwelling is dangerous or detrimental to life

or health.) Requires a health officer to provide notice concerning an unfit dwelling and provide a reasonable amount of time to comply with the notice, and removes language providing that each day the dwelling remains unfit is a separate offense. Specifies language to be included in a notice to quit concerning personal property left on the property after eviction. Repeals the chapter requiring a landlord to transfer a tenant's abandoned personal property to a warehouseman or storage facility, and adds language providing that a landlord is not responsible for a tenant's personal property once it is abandoned. Specifies that a landlord is not responsible for a health code violation by a tenant. Reduces the fines for certain ordinance violations from: (1) \$2,500 to \$250; and (2) \$7,500 to \$750. Scheduled for hearing then not heard.

SB442 RESIDENTIAL LANDLORD-TENANT MATTERS (MELTON E)

V. Guns

SB16 JUVENILE DELINQUENTS AND FIREARMS (BOHACEK M) (Passed Senate, added to **SB 335** in conference committee. See above.)

Bills that died:

HB1029 SECURE FIREARMS STORAGE FOR DEALERS (BURTON W)

HB1152 FALSE INFORMING AND RED FLAG LAW ORDERS (LUCAS J)

HB1211 CONSTITUTIONAL CARRY OF FIREARMS (NISLY C)

HB1251 STUDY IMPACT OF VIOLENT CRIME ON PUBLIC HEALTH (SUMMERS V)

HB1259 FIREARMS AND MEDICAL FACILITIES (DEAL R)

HB1273 CARRYING FIREARMS ON SCHOOL PROPERTY (HEINE D)

HB1297 SURRENDER OF FIREARMS FOR DOMESTIC VIOLENCE CRIMES (SMITH V)

HB1383 INFORMATION CONCERNING SEIZURE OF FIREARMS (NEGELE S)

SB9 TARGET SHOOTING (TOMES J)

SB28 UNIVERSAL BACKGROUND CHECKS FOR FIREARMS (STOOPS M)

SB29 STORAGE OF FIREARMS (STOOPS M)

SB69 POSSESSION OF FIREARMS ON SCHOOL PROPERTY (SANDLIN J) (Passed Senate, not heard in House.)

SB203 FIREARMS (TAYLOR G)

SB245 POSSESSION OF FIREARMS (SANDLIN J)

SB263 HANDGUN TRAINING FOR TEACHERS (HOLDMAN T, Garten) (Passed Senate, not heard in House.)

SB291 LAW ENFORCEMENT AND HANDGUNS IN A CASINO (GROOMS R) (Passed Senate, not heard in House.)

VI. Immigration

All bills in this category died:

HB1025 RESIDENT TUITION FOR ELIGIBLE INDIVIDUALS (HARRIS JR. E)

HB1260 COMMISSION ON MIGRANT FARMWORKERS (DEAL R)

SB107 ELIGIBILITY FOR RESIDENT TUITION RATE (NIEZGODSKI D)

SB196 RESIDENCY STATUS OF PRISONERS (KOCH E)

SB251 STANDBY GUARDIANS (FORD J)

VII. Anti-Poverty

HB1009 VARIOUS WELFARE MATTERS (GOODRICH C) Provides that money earned by a child or a member of the child's family as a student participating in a paid internship, a work based learning course, or a paid postsecondary work experience that allows the individual to apply for a related apprenticeship is: (1) disregarded for purposes of determining eligibility for assistance or the amount of assistance for a child under the federal Temporary Assistance for Needy Families (TANF) program and the Supplemental Nutrition Assistance Program (SNAP); (2) disregarded for certain Medicaid category populations in determining eligibility for Medicaid; and (3) factored by applying a reasonable method to include a prorated portion of reasonably predictable future income in determining Medicaid eligibility for certain Medicaid category populations. Specifies that income earned by an individual employed in a temporary job as a census worker is not counted for purposes of: (1) TANF; (2) SNAP; (3) Medicaid; (4) a school lunch program; and (5) determining eligibility for certain scholarships, grants, or awards. Changes the amount of equity value in a motor vehicle disregarded for purposes of eligibility in the TANF program from \$5,000 to \$10,000. **3/11/2020 - SIGNED BY GOVERNOR**

Bills that did not pass:

HB1118 RESTRICTIONS ON SNAP BENEFIT PURCHASES (ZIEMKE C)

HB1340 REPAYMENT OF FEDERAL STUDENT LOANS (DVORAK R)

SB111 TANF ELIGIBILITY (FORD J, Stoops, Merritt, Ruckleshaus)

SB313 ELIGIBILITY FOR PUBLIC PROGRAMS (BREAUX J)

SB347 DRUG TESTING OF RECIPIENTS OF ASSISTANCE (HOUCHIN E)

SB356 HEALTHY FOOD FINANCE (MERRITT J) Establishes the healthy food financing fund (fund) and healthy food financing program (program) under the administration of the Indiana housing and community development authority (IHCDA). Passed the Senate. **Not heard in the House.**

VIII. Payday – loan sharking, and other consumer credit related bills

HB1353 FINANCIAL INSTITUTIONS AND CONSUMER CREDIT (BURTON W) Makes various changes to the statutes concerning: (1) first lien mortgage lenders; (2) persons licensed under the Uniform Consumer Credit Code (UCCC); (3) civil proceeding advance payment providers; (4) debt management companies; (5) banks; (6) credit unions; (7) pawnbrokers; (8) money transmitters; and (9) licensed cashers of checks. Repeals a provision in the statute governing credit unions that concerns loans made by a credit union to the credit union's individual directors and committee members. Amends a provision in the statute governing credit unions that concerns loans made by a credit union to the credit union's individual officers to: (1) include extensions of credit made to the credit union's individual directors and supervisory committee members (and to the immediate family members and related interests of the credit union's individual directors and supervisory committee members); and (2) specify that such extensions of credit shall be made in accordance with Regulation O of the Board of Governors of the Federal Reserve System. Provides that an appraisal required in connection with a real estate mortgage loan to a credit union member must be: (1) a written appraisal; or (2) a written estimate of market value; consistent with the appraisal standards and transaction value limitations set forth in the appraisal regulations of the National Credit Union Administration. **3/18/2020 - SIGNED BY GOVERNOR**

SB395 UNIFORM CONSUMER CREDIT CODE (BASSLER E) Amends the Uniform Consumer Credit Code (UCCC) as follows: (1) Changes: (A) from July 1 of each even-numbered year to January 1 of each odd-numbered year the effective date for the adjustment, based on changes in the Consumer Price Index, of various dollar amounts set forth in the UCCC; and (B) the corresponding date that precedes the adjustment date and by which the department of financial institutions (department) must issue an emergency rule announcing the adjustment. (2) For an agreement for a consumer credit sale entered into after June 30, 2020: (A) authorizes a seller to contract for and receive a nonrefundable prepaid finance charge based on the amount financed, in addition to the credit service charge and any other authorized charges and fees; and (B) prohibits precomputed consumer credit sales. (3) Repeals a provision concerning the credit service charge for revolving charge accounts and relocates the language to the provision concerning the authorized credit service charge for consumer sales. (4) For an agreement for a consumer loan entered into after June 30, 2020: (A) changes the amount of the authorized nonrefundable prepaid finance charge from \$50 to an amount that is not more than: (i) \$75; (ii) \$150; or (iii) \$200; based on the amount financed, in the case of a consumer loan not secured by an interest in land; and (B) prohibits precomputed consumer loans. Makes conforming changes with respect to supervised loans. Changes from \$1.50 to \$3 the amount of the fee that a lessor in a rental purchase agreement may impose for accepting rental payments by telephone. Makes conforming technical amendments throughout the UCCC to reflect the bill's changes. **3/18/2020 - SIGNED BY GOVERNOR**

Bills that did not pass:

SB26 SMALL LOAN FINANCE CHARGES (WALKER G, JD Ford, Kruse) Changes the current incremental finance charge limits that apply to a small loan to a maximum annual rate of 36 %.

SB327 REPORTING OF CONSUMER LOANS BY UNLICENSED LENDERS (ZAY A)

SB328 FINANCIAL RESPONSIBILITY TRAINING AND INSTRUCTION (ZAY A)

SB329 SUPERVISED LOANS (ZAY A)

SB394 UCCC DELINQUENCY CHARGES (BASSLER E)

SB407 CONSUMER CREDIT TRANSACTIONS (WALKER G, Bohacek)

SB415 SMALL LOAN FINANCE CHARGES (MELTON E) Changes the current incremental finance charge limits that apply to a small loan to a maximum annual rate of 36%.

IX. Family Law

HB1006 MINIMUM AGE TO MARRY AND EMANCIPATION OF MINORS (KIRCHHOFER C) Specifies that an "adult" is: (1) a person at least eighteen years of age; or (2) a: (A) married minor who is at least sixteen years of age; or (B) minor that has been completely emancipated by a court; for the purpose of marriage. Raises the minimum age to marry from 15 years of age to 16 years of age. Provides that an individual 16 or 17 years of age may marry only if: (1) the individual's intended spouse is not more than four years older than the individual; (2) a juvenile court has issued an order allowing the individual to marry; and (3) the individual: (A) completes any premarital counseling required under the order; (B) applies for a marriage license not earlier than 15 days after the order is issued; and (C) includes a certified copy of the order with the individual's application for a marriage license. Repeals provisions requiring an individual less than 18 years of age to obtain consent to marry from the individual's parent or guardian. Specifies a process an individual 16 or 17 years of age must follow to petition a juvenile court for an order allowing the individual to marry, and specifies conditions necessary for approval of the petition and conditions requiring denial of the petition. Provides that a court that issues an order allowing an individual at least 16 years of age to marry must also issue an order completely emancipating

the individual. Amends the list of records or documents an individual may submit to a court clerk as proof of the individual's date of birth for purposes of applying for a marriage license. Amends the law regarding petitions by minors for emancipation as follows: (1) Provides that a court hearing a minor's petition for emancipation must appoint a guardian ad litem for the minor. (2) Provides that the guardian ad litem shall investigate the statements contained in the minor's petition and file a report of the investigation with the court. (3) Provides that a court may grant a minor's petition for emancipation only if the court finds that emancipation is in the child's best interests. (4) Provides that if the court completely emancipates the child: (A) the child has all the rights and responsibilities of an adult; and (B) the emancipation order may not specify terms of emancipation. Provides that an emancipated child remains subject to: (1) Indiana law concerning minimum age for marriage; and (2) other specific constitutional and statutory age requirements applicable to the emancipated child because of the emancipated child's age. Makes conforming amendments.

3/18/2020 - SIGNED BY GOVERNOR

SB139 ADULT GUARDIANSHIP SERVICES (LANANE T) Combines the volunteer advocates for seniors program and the volunteer advocates for incapacitated adults programs into one program. Requires that, in submitting a progress report to the court, a volunteer advocate for seniors and incapacitated adults shall include a person centered care plan in the progress report.

3/11/2020 - SIGNED BY GOVERNOR

Bills that did not pass:

HB1196 CHILD CUSTODY AND PARENTING TIME (JUDY C)

HB1262 CHILDREN IN NEED OF SERVICES (MAY C)

HB1278 GRANDPARENT VISITATION (BAUER B) Passed House, died in the Senate.

HB1314 PHYSICAL CUSTODY AND PARENTING TIME (VANNATTER H)

HB1323 GRANDPARENT AND GREAT-GRANDPARENT RIGHTS (BORDERS B)

SB310 ADOPTION SUBSIDIES (NIEZGODSKI D)

SB312 PARENTS WITH A DISABILITY (NIEZGODSKI D)

SB348 GRANDPARENT VISITATION (HOUCHIN E)

SB457 CUSTODY AND PARENTING TIME (GARTEN C)

X. Juveniles/Youth/DCS

SB2 SCHOOL ACCOUNTABILITY (RAATZ J) Provides that a school's or school corporation's category or designation of school or school corporation performance assigned by the state board of education for the 2018-2019 school year may not be lower than the school's or school corporation's category or designation of school or school corporation performance for the 2017-2018 school year. Provides that a school's or school corporation's category or designation of school or school corporation performance assigned by the state board of education for the 2019-2020 school year is the higher of the school's or school corporation's: (1) category or designation of school or school corporation performance assigned for the 2018-2019 school year; or (2) category or designation of school or school corporation performance for the 2019-2020 school year. Provides that consequences for school improvement do not apply for the 2018-2019 or 2019-2020 school years. Provides that ILEARN program test scores or a school's category or designation of school improvement for the 2018-2019 or 2019-2020 school year may not be used by a school corporation as part of an annual performance evaluation of a particular certificated employee unless the use of the ILEARN program test scores or a school's category or designation of school improvement would improve the particular certificated employee's annual performance rating. **2/12/2020 - SIGNED BY GOVERNOR**

SB409 EMPLOYMENT OF MINORS (MESSMER M) Moves provisions on employment of students from Title 20 (Education) to Title 22 (Labor and Safety). Provides that a minor who is at least 14 years of age and less than 16 years of age: (1) may not work before 7 a.m. or after 7 p.m.; and (2) may work until 9 p.m. from June 1 through Labor Day except on a day that precedes a school day when the minor may only work until 7 p.m. (Current law provides that a child who is at least 14 years of age and less than 16 years of age may not work before 7 a.m. or after 7 p.m. on a day that precedes a school day or after 10 p.m. on a day that does not precede a school day.) Provides that a minor who is at least 16 years of age and less than 18 years of age: (1) may not work for more than nine hours in any one day, 40 hours in a school week, 48 hours in a nonschool week, and six days in any one week; (2) may not begin a work day before 6 a.m.; (3) may work in certain occupations until 10 p.m. on nights that are followed by a school day; and (4) may work until 11 p.m. on a night followed by a school day with written permission from the minor's parent. (Current law: (1) provides that a child who is at least 16 years of age and less than 17 years of age: (A) may not work for more than eight hours in any one day, 30 hours in any one week, and six days in any one week; (B) may not begin a work day before 6 a.m.; and (C) may work until 11 p.m. on a night followed by a school day with written permission from the child's parent; (2) provides that a child who is at least 17 years of age and less than 18 years of age: (A) may not work for more than eight hours in any one day, 30 hours in any one week, and six days in any one week; (B) may not begin a work day before 6 a.m. on a school day; and (C) may work until 11:30 p.m. on nights that are followed by a school day and 1 a.m. on a following day with written permission from the child's parent; and (3) allows a child who is at least 16 years of age and less than 18 years of age to be employed for up to 40 hours during a school week, not exceeding

nine hours in any one day, and a total of 48 hours in any one nonschool week with written permission from the child's parent.) Provides that an employer may notify the issuing officer if the minor's employment terminates. (Current law provides that an employer must notify the issuing officer.) Removes provisions: (1) requiring rest breaks for a child who is less than 18 years of age; (2) prohibiting employment of a child who is less than 18 years of age from 7:30 a.m. to 3:30 p.m. unless the child presents a written exception from the child's school; (3) prohibiting a child who is less than 18 years of age from working after 10 p.m. or before 6 a.m. in an establishment that is open to the public unless another employee at least 18 years of age works in the establishment during the same hours as the child, so long as the establishment is open to the public before 6 a.m. or after 10 p.m.; (4) requiring a child less than 18 years of age who is not a resident of Indiana, a minor who is a resident but attends a nonpublic school that employs less than one employee, or a minor who is a resident but is enrolled in a career and technical education program as approved by the Indiana state board of education to obtain an employment certificate; (5) allowing the state board of education the ability to revoke a employment certificate; and (6) providing that the state board of education adopt rules and approve forms related to employment certificates. Provides that the transfer in the bill of provisions related to employment certificates and employment of minors from Title 20 (Education) to Title 22 (Labor and Safety) expires June 30, 2021. Provides that after June 30, 2021, certain provisions that were transferred to Title 22 are transferred and relocated to a new chapter within Title 22, including provisions related to: (1) the maximum number of hours a minor may be employed or permitted to work each day of the week and the hours beginning and ending each day; (2) civil penalties; and (3) age restrictions. Renames the bureau of child labor to the "bureau of youth employment". Replaces the term "child labor" throughout the Indiana Code. Provides that a principal of a school may send notice to the bureau of youth employment and the bureau of motor vehicles to revoke the student's employment certificate and driver's license or learner's permit. (Current law provides that the principal must send notice.) Provides that the Indiana department of labor may establish recommendations for rest breaks. Requires certain employers to register with the Indiana department of labor. Provides that the labor education and youth employment fund shall be used for the expenses of hiring and salaries of additional inspectors to enforce the new chapter, including developing and maintaining the data base, and any remaining funds may be used for the purposes of education and awarding grants to provide educational programs. Requires the Indiana department of labor to prepare a report outlining a plan to develop and maintain a data base displaying certain employers that employ minors by August 1, 2020, and develop the data base by July 1, 2021. Removes provisions that allow an employer to pay an employee who has not attained the age of 20 years, during the first 90 consecutive calendar days after the employee is initially employed by the employer, a wage which is not less than the amount payable under the federal Fair Labor Standards Act of 1938. Provides that a minor less than 16 years of age may not be employed or permitted to work during school hours. Provides that a minor may not work in an establishment that is open to the public after 10 p.m. or before 6 a.m. unless another employer who is at least 18 years of age also works with the minor so long as the establishment is open to the public before 6 a.m. or after 10 p.m. Makes conforming changes.

3/18/2020 - Sent to Governor for Signature

Bills that died:

HB1056 PARENTAL NOTICE OF JUVENILE ARREST AT SCHOOL (BOY P)

HB1057 DETENTION OF JUVENILES CHARGED AS ADULTS (BOY P)

HB1075 MINIMUM AGE FOR JUVENILE DETENTION (PRYOR C)

HB1249 KINSHIP CARE OVERSIGHT COMMITTEE (SUMMERS V) **Passed House. Died in Senate**

HB1261 CHILD PLACEMENT (MAY C)

HB1262 CHILDREN IN NEED OF SERVICES (MAY C)

HB1275 CHILD SERVICES FUNDING (HEINE D) Requires the department of child services (department) to annually review the hourly and per diem reimbursement rates for community based providers compared to the average statewide cost of providing services.

HB1287 STUDENT ID CARD (MOSELEY C) Requires each approved postsecondary educational institution to issue to each of its students a student ID card that contains all the information on the card that makes the card an acceptable proof of identification under Indiana election law.

HB1344 EMPLOYMENT OF MINORS (LYNESS R)

HB1395 TUTORING FOR FOSTER CHILDREN AND INTERIM STUDY (DEVON D) Requires a school corporation to provide tutoring for a child who is or was in foster care if requested by the child's foster parent or adoptive parent.

HB1406 EXPUNGEMENT OF JUVENILE RECORDS (SHACKLEFORD R)

SB31 LIMITS ON EXPULSIONS AND LONG TERM SUSPENSIONS (RANDOLPH L)

SB62 PSYCHOTROPIC MEDICATION IN FOSTER CARE STUDY COMMITTEE TOPIC (GROOMS R)

SB64 INDIANA YOUTH SERVICE PROGRAM (RUCKELSHAUS J) Provides that the Center of Excellence in Leadership of Learning at the University of Indianapolis shall develop a proposal to establish the Indiana youth service program (program) to provide high school students with the opportunity to learn various skills and participate in service at host sites throughout Indiana. Provides that the Center of Excellence in Leadership of Learning at the University of Indianapolis may seek input on the program from the department of workforce development, the commission for higher education, and the legislative services agency. Provides that the Center of Excellence in Leadership of Learning at the University of Indianapolis shall present the proposed program, including costs of administration, to the budget committee and the general assembly for review and consideration not later than December 1, 2020.

Passed Senate. Not heard in House Education.

SB144 KIDS FIRST TRUST FUND BOARD SUBSIDIARY CORPORATION (ZAY A) **Passed Senate. Died in House.**

SB259 CHILD SERVICES REPORTS (SPARTZ V) **Passed Senate. Died in House.**

SB289 FAMILY AND JUVENILE LAW MATTERS (GROOMS R) Provides that certain individuals can begin work at a child caring institution, group home, or child placing agency if: (1) the individual's: (A) in-state child protection index check; (B) national sex offender registry check; (C) in-state local law enforcement records check; and (D) fingerprint based check of national crime information data bases; have been completed; (2) the individual's: (A) out-of-state child abuse registry check; and (B) out-of-state local law enforcement records check; have been requested; and (3) the individual completes an attestation, under penalty of perjury, disclosing: (A) any abuse or neglect complaints made against the individual with the child welfare agency of a state other than Indiana in which the individual resided within the five years preceding the date of the attestation; and (B) any contact the individual had with a law enforcement agency in connection with the individual's suspected or alleged commission of a crime in a state other than Indiana in which the individual resided within the five years preceding the date of the attestation. Provides that before the individual's out-of-state abuse registry check and out-of-state local law enforcement records check have been completed, the individual's employment must be limited to employment training during which: (1) the individual does not have direct contact with a child; and (B) the individual is accompanied by an employee who meets certain requirements. **Died in conference committee.**

SB310 ADOPTION SUBSIDIES (NIEZGODSKI D)

SB312 PARENTS WITH A DISABILITY (NIEZGODSKI D) **Passed Senate. Died in House.**

SB315 INTERVIEWING, STATEMENT, OR RECORDING OF A STUDENT (KRUSE D)

SB336 PRETRIAL DETENTION OF JUVENILES (BREAUX J)

SB345 INTERIM STUDY COMMITTEE ON CHILD SERVICES (HOUCHIN E) **Passed Senate. Died in House.**

SB351 JUVENILE LAW MATTERS (TAYLOR G)

SB362 REPEAL OF YOUTH OFFENDER BOOT CAMP PROGRAM (DONATO S) Repeals the boot camp for youthful offenders article.

SB363 INTERIM STUDY COMMITTEE (DONATO S) **Passed Senate. Died in the House.**

SB449 JUVENILES (HOUCHIN E) For certain serious offenses committed by a juvenile: (1) reduces the minimum age for committing the child to the department of correction from 13 to 12; (2) adds an attempt to commit certain serious offenses to the list of serious offenses allowing wardship by the department of correction; and (3) permits the court to commit a juvenile to the department of correction for up to six years. Requires the department of correction to provide the court with a progress report for a child committed to the department for six years at the time the child turns 18, and requires the court to review the report and determine the appropriateness of release. Specifies that the juvenile court lacks jurisdiction over certain juveniles charged with an attempt to commit certain crimes. Establishes a two-year disproportionality review panel staffed by the Indiana criminal justice institute to study the issue of disparate racial impact with respect to juvenile court direct file, discretionary transfer, and waiver provisions. Defines "young offender" and prohibits the department of correction from housing a young offender with the general population of a penal facility. Prohibits a jail from housing a child less than eighteen years of age in the same cell as an adult.

Passed Senate. Killed by House Criminal Committee.

XI. Medicaid

HB1092 STATE MEDICAID PLAN AMENDMENTS (ZIEMKE C) Requires, by July 1, 2020, the office of the secretary of family and social services to amend the state Medicaid plan to include certain reimbursements and implementation of supervision by specified providers of patient's plan of treatment for outpatient mental health or substance abuse treatment services. Requires an insurer that issues a policy of accident and sickness insurance or a health maintenance organization contract that provides coverage of services for treatment of a mental illness or substance abuse to annually submit a report and analysis to the department of insurance (department) that includes certain information demonstrating its compliance with federal laws regarding parity in coverage of services for treatment of a mental illness or substance abuse and coverage of services for treatment of other medical or surgical conditions, including the processes used: (1) to develop medical necessity criteria for coverage of services; and (2) to develop and apply nonquantitative treatment limitations. Extends a prohibition concerning risk based managed care programs and capitated managed care programs from June 30, 2020, to June 30, 2021. **3/18/2020 - SIGNED BY GOVERNOR**

HB1094 SUBSTANCE USE PREVENTION AND RECOVERY (ZIEMKE C) Requires the executive director of the Indiana criminal justice institute to work with local coordinating councils and other stakeholders when implementing certain recommendations concerning substance use and substance use disorder. Includes public safety programs in the statutory definition of "criminal justice services and activities". Specifies that local coordinating councils responsible for the combating of drug and substance use are: (1) collaborative; and (2) open to the public. Permits county drug free community funds to supplement local government spending on: (1) drug use recovery programs; (2) drug use intervention programs; and (3) drug use prevention programs. Defines certain terms.

3/14/2020 - SIGNED BY GOVERNOR

Not passed:

SB62 PSYCHOTROPIC MEDICATION IN FOSTER CARE (GROOMS R) **(Passed Senate. Died in House.)**

SB142 MEDICAID REIMBURSEMENT FOR SCHOOLS (ZAY A) **(Passed Senate. Died in House.)**

SB192 INPATIENT MENTAL HEALTH CARE FOR MEDICAID CHILDREN (GROOMS R) **(Passed Senate. Died in House.)**

SB243 PHYSICIANS WHO LEAVE AN EMPLOYER (BROWN L) Provides that a physician noncompete agreement, to be enforceable, must contain the following provisions: (1) A provision requiring the physician's employer to provide the physician with a copy of any notice that: (A) concerns the physician's departure; and (B) was sent to a patient seen or treated by the physician during the two years preceding the termination of the physician's employment or expiration of the departing physician's contract. (2) A provision requiring the physician's employer to provide current or last known contact and location information to a patient seen or treated by the physician during the two years preceding the termination of the physician's employment or expiration of the physician's contract. (3) A provision providing the physician whose employment has terminated or whose contract has expired with the option to purchase a complete and final release from the terms of an enforceable noncompete agreement at a reasonable price. (4) A provision prohibiting the providing of medical records to the physician in a format differing from the format used to create or store the medical record during the ordinary course of business. Provides for information and notification that an employer must give to: (1) a physician who leaves the employment of the provider; and (2) certain patients who request the physician's contact information. Allows a person or entity responsible for copying or transferring a medical record to charge a reasonable fee. **Died in conference committee.**

XII. Early Education/Child Care

HB1176 FIRST STEPS PROGRAM (CLERE E) Provides that: (1) a health benefits plan; or (2) an employee health plan; may not require authorization for services specified in a covered individual's individualized family service plan once the individualized family service plan is signed by a physician. Adds habilitative services to the services that are required under the definition of "early intervention services" for purposes of the First Steps program. Provides that a member of the interagency coordinating council (council) shall continue to serve until a successor is appointed. Removes the authority of the governor to designate the chairperson of the council or to call a meeting of the council. Requires the council to annually elect a chairperson and vice chairperson. Provides that, except for members of the general assembly, per diem and travel expenses for council members are governed by the policies and procedures established by the Indiana department of administration and approved by the budget agency. Establishes procedures that the division must follow before making a change to the cost participation schedule under the First Steps program. Establishes a method to determine the rate at which: (1) a provider of the services under the First Steps program; or (2) the division; is reimbursed for providing early intervention services using Current Procedural Terminology (CPT) code rates. Provides that: (1) a health plan information card issued: (A) to an insured by an insurer for a policy of accident and sickness insurance; or (B) to an enrollee by a health maintenance organization (HMO); must indicate the type of health plan that is providing the health benefits and services under the insurance policy or HMO contract; and (2) these requirements apply only to a health plan information card issued: (A) initially to a new insured or new enrollee; or (B) to an insured or enrollee at the time of the insured's or enrollee's policy or contract renewal; after July 1, 2020. Provides that: (1) the electronic database by which an issuer of a policy of accident and sickness insurance, or an administrator of a self insured plan, allows an insured or a provider to verify the coverage or benefits of an insured must indicate: (A) whether health benefits and services under the policy of accident and sickness insurance are provided by the issuer of the policy or by a third party administrator; and (B) whether the policy of accident and sickness insurance is subject to state or federal regulation; and (2) the electronic database by which by which an HMO, or an administrator of benefits and health care services under an HMO contract, allows an enrollee or a provider to verify the coverage or benefits of an enrollee must indicate: (A) whether benefits and health care services under the HMO contract are provided by the HMO or by a third party administrator; and (B) whether the HMO contract is a self funded or fully funded plan. Requires the department of insurance to adopt rules to ensure compliance with certain provisions added by the bill. **3/18/2020 - SIGNED BY GOVERNOR**

HB1264 CHILD CARE BACKGROUND CHECKS (MAY C) Requires employees and volunteers of a child care facility who may be present on the premises of the child care facility during operating hours to submit to a national criminal history background check. (Under current law, employees and volunteers who have direct contact with children must submit to a national criminal history background check.) Specifies that results of the background check may be used as grounds for denial or revocation of a child care license or registration or eligibility for a child care and development fund voucher payment. **3/18/2020 - SIGNED BY GOVERNOR**

HB1265 DRINKING WATER TESTING (JACKSON C) Requires each person or entity having authority over a school building to test the drinking water in the school building before January 1, 2023, to determine whether the drinking water equals or exceeds the action level for lead of 15 parts per billion. Provides that the testing requirement is satisfied if the drinking water of a school building: (1) was tested during the lead sampling program for school buildings conducted by the Indiana finance authority (IFA) in 2017 and 2018; (2) is tested in the lead sampling program conducted by the IFA in 2019 and 2020; or has otherwise been tested for compliance with the federal drinking water standards at least once since 2016. Requires that drinking water in school buildings located in Lake County be tested at least once in each period of two calendar years beginning in 2023. Provides that if a test of the drinking water of a school building indicates the presence of lead in the water equal to or greater than 15 parts per billion, the person or entity having authority over the school building is required to take action to reduce the lead levels in the drinking water to less than 15 parts per

billion. Provides that the person or entity having authority over a school building that is subject to drinking water testing is required to seek state and federal money that is available for lead sampling or testing. **3/18/2020 - SIGNED BY GOVERNOR**

SB238 VARIOUS HUMAN SERVICES MATTERS (BROWN L) Removes obsolete references to Larue D. Carter Memorial Hospital. Amends the definition of "early intervention services" to include additional services and qualified personnel for purposes of the infants and toddlers with disabilities program. Requires child care ministries to have at least one individual who maintains a CPR certification present at all times that a child is in the care of the child care ministry and requires employees and volunteers who are caregivers to maintain current first aid certification. **3/11/2020 - SIGNED BY GOVERNOR**

XIII. Mental Health and Disabilities

SB25 MENTAL HEALTH DISABILITY REVIEW PANELS (BOOTS P) Establishes mental health disability review panels (review panel) for evaluation of members of the 1977 police officers' and firefighters' pension and disability fund (1977 fund) who have been determined to have an impairment for mental illness. Includes mental illness in the description of "occupational diseases" for purposes of determining whether a 1977 fund member has an impairment. Makes the final determination of an impairment for a mental illness provisional for two years: (1) beginning July 1, 2020, for a final determination made after December 31, 2012, and before July 1, 2020; or (2) from the date of the final determination, for a final determination made after June 30, 2020. Requires that, during that time, the 1977 fund member participate in a mental health treatment plan, at the employer's cost, and at the end of the two year period, requires the review panel to evaluate the 1977 fund member to determine if the 1977 fund member: (1) is medically able to return to duty; or (2) may continue for another two year provisional disability period. Requires that, at the end of the second provisional period, the review panel evaluate the 1977 fund member to determine if the 1977 fund member: (1) is medically able to return to duty; or (2) has a permanent impairment. Provides that the evaluations conducted by the mental health disability review panels are confidential. Provides that the board of trustees of the Indiana public retirement system may suspend a 1977 fund member's disability benefits if the member fails to comply with reasonable requests for information by the mental health disability review panel. (The introduced version of this bill was prepared by the interim study committee on pension management oversight.) **3/18/2020 - SIGNED BY GOVERNOR**

SB246 MENTAL HEALTH SERVICES (CRIDER M) Requires a school corporation, charter school, or accredited nonpublic school to certify to the department of homeland security that the school corporation, charter school, or accredited nonpublic school has a memorandum of understanding in place with a community mental health center or provider certified or licensed by the state to provide mental and behavioral health services to students before applying for a grant from the Indiana secured school fund. Provides that the community mental health center or provider may be employed by the school corporation, charter school, or accredited nonpublic school. Requires a school corporation and a charter school to enter into a memorandum of understanding with a community mental health center or provider certified or licensed by the state to provide mental and behavioral health services to students. Requires the division of mental health and addiction to develop a memorandum of understanding for referral and assist school corporations and charter schools in obtaining a memorandum of understanding with a community mental health center or an appropriate provider. Requires each school corporation and charter school that enters into a memorandum of understanding with a community mental health center or appropriate provider to comply with certain confidentiality and referral requirements. **3/18/2020 - SIGNED BY GOVERNOR**

SB273 INDIANA BEHAVIORAL HEALTH COMMISSION (CRIDER M) Establishes the Indiana behavioral health commission (commission). Specifies the membership of the commission. Requires the commission to prepare: (1) an interim report not later than October 1, 2020; and (2) a final report not later than October 1, 2022. Specifies the issues and topics to be discussed in the commission reports. Requires commission reports to be issued to the following parties: (1) The governor. (2) The legislative council. (3) Any other party specified by the commission chairperson. Requires commission reports to be issued in an electronic format. Abolishes the commission on December 31, 2022. Defines certain terms. **3/18/2020 - SIGNED BY GOVERNOR**

SB346 STUDENTS WITH DISABILITIES (HOUCHIN E) Provides that the department of education (department) must submit any guidance or recommendation to a school corporation or school that attempts to affect in any manner based on statewide assessment accommodations which instructional methods are included or excluded from the student's special education plan or program to the state board of education (state board) for approval. Provides that the department shall, to the extent permitted under federal law, provide the same text-to-speech, screen reader, or human reader and calculator accommodations to a student in grades 6 through 12 on every section of the statewide assessment program if that accommodation is provided as part of the student's special education plan or program. Provides that the state board, in consultation with The Arc of Indiana and the Indiana Council of Administrators of Special Education (ICASE), shall consult with one or more individuals who specialize in special education as part of the state board's oversight of the development and implementation of the Indiana's Learning Evaluation Assessment Readiness Network (ILEARN) program. Provides that a student's score on the statewide assessment may not be the primary factor or measure used to determine whether a student is eligible for a particular course or program. Establishes the Indiana standards and

assessment accommodation task force to review: (1) the accommodations provided for by Indiana's statewide assessment to determine if appropriate accommodations are available to accurately measure a student's learning; and (2) the possibility of separating the academic standard of reading comprehension into a separate reading academic standard and a comprehension academic standard. Provides that the department, in consultation with The Arc of Indiana and ICASE, shall develop a notice for parents of certain students with disabilities that informs a parent that the student is not allowed to use certain accommodations on all or part of the statewide assessment. Provides that, not later than February 1, 2021, and not later than February 1, 2022, each public school, including each charter school, and each accredited nonpublic school shall do the following: (1) Provide the notice to the parent during the annual review of the student's special education plan or program. (2) If the parent does not attend the annual review, provide the notice to the parent by certified mail or personal delivery. (3) Discuss and determine, at the annual review of the student's special education plan or program in which a parent of the student participates, whether the student may be eligible to opt out of any applicable section of the statewide assessment. Provides that at least one member of the state board shall be a practicing licensed special education teacher or special education director at the time the member is appointed.

3/18/2020 - SIGNED BY GOVERNOR

HB1182 HIV, FATALITY REVIEWS, AND SYRINGE EXCHANGE PROGRAMS (CLERE E) Removes acquired immune deficiency syndrome (AIDS) from the statutory definition of "exposure risk disease". Replaces the term "AIDS" with the term "human immunodeficiency virus (HIV)" where appropriate. Replaces the term "carrier" with the term "individual with a communicable disease" where appropriate. Replaces the term "danger" with the term "risk" where appropriate. Replaces the term "spread" with the term "transmission" where appropriate. Replaces the term "HIV antibody" with "human immunodeficiency virus (HIV)" where appropriate. Requires the state department of health (department) to specify, in any literature provided to children and young adults concerning HIV, that abstinence is the best way to prevent the transmission of HIV as a result of sexual activity. Provides that a physician or the authorized representative of a physician may not order an HIV test unless the physician or the authorized representative of a physician: (1) informs the patient of the test orally or in writing; (2) provides the patient with an explanation of the test orally, in writing, by video, or by a combination of these methods; and (3) informs the patient orally or in writing of the patient's right to ask questions and to refuse the test. Requires the information to be communicated to the patient in a language or manner that the patient understands. Requires a physician or an authorized representative of the physician to inform a patient of the counseling services and treatment options available to the patient if an HIV test indicates that the patient is HIV positive. Requires a patient to be notified of their right to a: (1) hearing; and (2) counsel; in certain situations involving a court ordered HIV test. Specifies that the use of antiretroviral drugs and other medical interventions may lessen the likelihood of transmitting HIV to a child during childbirth. (Current law states that birth by caesarean section may lessen the likelihood of transmitting HIV to a child during childbirth). Provides that the requirement to dispose of semen that contains the HIV antibody does not apply if the semen is used according to safer conception practices endorsed by the federal Centers for Disease Control and Prevention or other generally accepted medical experts. Revises the definition of "health care provider". Provides that a patient is considered to have consented to: (1) testing for the presence of a dangerous communicable disease of a type that has been epidemiologically demonstrated to be transmittable by an exposure of the kind experienced by the affected health care provider; and (2) the release of testing results to a medical director or an affected physician in the event of an exposure; if the patient is unable to consent to testing or the release of test results due to physical or mental incapacity. Allows a health care provider or a health care provider's employer to petition a court for an order requiring a patient to provide a blood or bodily fluid specimen in certain instances. Allows a health care provider, a health care provider's employer, or the state department of health to request certain test results when a patient is a witness, bystander, or victim of alleged criminal activity in certain instances. Provides that a health care provider may request a notification concerning exposure to certain communicable diseases in certain instances. Allows a health care provider to designate a physician to receive certain test results following a possible exposure to certain communicable diseases. Requires a health care provider to be notified of an exposure to certain communicable diseases not later than 48 hours after certain notifications have been issued. Requires a health care provider to be provided with: (1) medically necessary treatment; and (2) counseling; following an exposure to certain communicable diseases. Requires a suicide and overdose fatality review team (SOFR team) to review certain suicide and overdose fatalities. Allows a SOFR team to make recommendations concerning the prevention of suicide and overdose fatalities. Specifies membership, record keeping, and data entry requirements for SOFR teams. Renumbers the article concerning suicide and overdose fatality teams for purposes of conflict resolution. Requires a syringe exchange program to: (1) provide testing for communicable diseases and provide services or a referral for services if the individual tests positive; and (2) establish a referral process for program participants in need of information or education concerning communicable diseases or health care. Requires the state department of health to include certain information concerning syringe exchange programs in the report to the general assembly before November 1, 2020. Extends the expiration date for certain syringe exchange programs from July 1, 2021, to July 1, 2022. Defines certain terms. Makes conforming amendments and technical corrections. **3/18/2020 - SIGNED BY GOVERNOR**

XIV. Criminal Justice

HB1120 COMMUNITY CORRECTIONS AND CREDIT TIME (STUEERWALD G) Amends guidelines related to educational credit time for a person incarcerated in the department of correction. Provides that, before May 1, 2023, the department of correction shall submit

a report to the legislative council concerning the implementation of the individualized case management plan. Permits a prosecuting attorney to file for revocation of a community corrections placement. Provides that credit time earned by a person on pretrial home detention does not include accrued time. **3/18/2020 - SIGNED BY GOVERNOR**

HB1346 JAIL OVERCROWDING (FRYE R) Repeals all provisions concerning the county jail overcrowding task force. Adds additional members to the justice reinvestment advisory council ("advisory council"), including members of the Indiana evidence based decision making initiative (which is a partnership between state and local criminal justice stakeholders). Specifies the purpose and certain duties of the advisory council, including: (1) to conduct a state level review and evaluation of jail overcrowding to identify a range of possible solutions; and (2) to develop incarceration alternatives and recidivism reduction programs at the county and community level by promoting the development of the incorporation of evidence based decision making into decisions concerning jail overcrowding. Provides that the advisory council may make a recommendation to the county sheriffs concerning strategies to address jail overcrowding and implementing evidence based practices for reducing recidivism for individuals in county jails. Requires the criminal justice institute to coordinate with state and local criminal justice agencies for the collection and transfer of data from sheriffs concerning jail: (1) populations; and (2) statistics; for the purpose of providing jail data to the management performance hub. **3/14/2020 - SIGNED BY GOVERNOR**

SB209 SEARCH WARRANTS (CRIDER M) Provides that a warrant authorizing a search, testing, or other analysis of an item is deemed executed when the item is seized. Provides that a warrant return is sufficient if the return contains a statement indicating that the item was seized by a law enforcement officer. **3/18/2020 - SIGNED BY GOVERNOR**

SB302 INDIGENCY DETERMINATIONS (TALLIAN K) Establishes a procedure for a criminal court to use in determining if a defendant is indigent. Provides that, if a court has ordered a defendant to pay part of the cost of representation, the court shall inquire at sentencing whether the defendant has paid the required amount. Specifies that a court may prorate fines, fees, and court costs based on the person's reasonable ability to pay. (The introduced version of this bill was prepared by the interim study committee on corrections and criminal code.) **3/18/2020 - Sent to Governor for Signature**