

Indiana Coalition Against Domestic Violence
First Bill Report from the Indiana General Assembly
January 15, 2022

Domestic Violence

HB1081 HUMAN TRAFFICKING (MCNAMARA W) Modifies the definition of "protected person" for purposes of the admission of a statement or videotape of an individual who is less than 14 years of age at the time of the offense but less than 18 years of age at the time of trial. Removes the requirement that money paid for a human trafficking victim or for an act performed by a human trafficking victim be paid to a third party. Increases the penalty if the human trafficking victim is less than 18 years of age. Specifies that: (1) consent by the human trafficking victim; or (2) a belief that the human trafficking victim was at least 18 years of age; is not a defense to a prosecution. Requires law enforcement agencies to report human trafficking investigations to the attorney general within 30 days after an investigation begins. 1/18/2022 - House Bills on Second Reading
1/12/2022 - House Committee recommends passage, as amended Yeas: 10; Nays: 0;

HB1091 SEX OFFENSES AND HUMAN TRAFFICKING HOTLINE NOTICE (OLTHOFF J, Engleman) Requires certain businesses to post a notice with human trafficking hotline information in each public restroom of the business and in a conspicuous place near the public entrance or in another conspicuous location of the business in clear view of the public and employees where similar notices are customarily posted. Provides that a business owner who fails to comply with the human trafficking hotline notice requirement commits a Class C misdemeanor. Requires the Indiana criminal justice institute to administer the human trafficking hotline notice requirement. Requires every governmental entity, on the home page of its web site, to provide an identified hyperlink to the model human trafficking hotline notice that is on the Indiana criminal justice institute's web site. Provides that when a person seeking treatment as a victim arrives at an examination facility, the provider shall comply with certain requirements prior to commencing a forensic medical examination. 1/4/2022 - Referred to House Courts and Criminal Code

HB1137 PROTECTIVE ORDERS (COOK A, Schaibley) Provides that an order for protection issued ex parte or upon notice and a hearing, or a modification of an order for protection issued ex parte or upon notice and a hearing, is effective: (1) for two years after the date of issuance; or (2) indefinitely after the date of issuance if the respondent is required to register as a lifetime sex or violent offender; unless another date is ordered by the court.

1/18/2022 - House Bills on Second Reading
1/13/2022 - Committee Report do pass, adopted

HB1213 VICTIM ADVOCATE (TESHKA J) Allows certain agents or employees of a law enforcement agency to serve as a victim advocate.

1/12/2022 - House Courts and Criminal Code, (Bill Scheduled for Hearing); Time & Location: 10:30 AM, Rm. 156-C.
Author withdrew the bill from the agenda and is not proceeding with this legislation

HB1264 SURRENDER OF FIREARMS FOR DOMESTIC VIOLENCE CRIMES (SMITH V) Provides that a person who: (1) has been convicted of a crime of domestic violence; and (2) knowingly or intentionally possesses a firearm; commits a Class A misdemeanor. Specifies certain defenses. Requires a court to issue an order, upon entry of a judgment of conviction for domestic battery or a crime of domestic violence, that: (1) prohibits ownership or possession of a firearm; (2) requires the defendant to surrender: (A) any firearm owned or possessed by the defendant; and (B) any license or permit to carry a handgun (license); and (3) requires confiscation, within 72 hours, of any firearm or license owned or possessed by the defendant. Provides that a domestic batterer who knowingly or intentionally fails to surrender a certain firearm or license commits a Class A misdemeanor, enhanced to a Level 6 felony in specific instances. Provides certain defenses. Specifies how a confiscated firearm or license shall be returned or disposed of if a defendant's right to possess a firearm is restored. Defines certain terms. 1/10/2022 - Referred to House Courts and Criminal Code

HB1292 COMPENSATION FOR VICTIMS OF VIOLENT CRIMES (NEGELE S) Changes, for purposes of the law concerning compensation to victims of violent crime, the definition of "claimant" to include certain family members of a victim. Expands the list of expenses eligible for compensation to include crime scene cleanup and replacement windows or door locks. Allows the victim services division of the Indiana criminal justice institute to accept proof that evidence was collected during a forensic exam as a claimant's cooperation with law enforcement.

1/18/2022 - House Courts and Criminal Code, (Bill Scheduled for Hearing); Time & Location: 1:30 PM, House Chamber

HB1366 DOMESTIC VIOLENCE REPORTS (HATCHER R) Removes language concerning an affidavit from provisions concerning probable cause for battery and domestic battery. Requires a law enforcement officer to provide a victim who requests a protection order with the required forms and appropriate assistance in completing and filing the forms.

1/11/2022 - Referred to House Courts and Criminal Code

HB1370 DOMESTIC VIOLENCE REGISTRY (HATCHER R) Establishes a domestic violence registry that contains a record of individuals convicted of a crime of domestic violence and individuals who are the subject of a protective order.

1/11/2022 - Referred to House Courts and Criminal Code

HB1413 DOMESTIC VIOLENCE (HATCHER R) Permits a court to issue or modify an order of protection ex parte if harassment has occurred.

1/13/2022 - Referred to House Courts and Criminal Code

SB23 PROTECTIVE ORDERS AND EMPLOYMENT (RANDOLPH L) Provides that an employer may not discriminate against an employee with respect to compensation and benefits from the employer or terms and conditions of employment based on: (1) the employee's filing of a petition for a protective order, whether or not the protective order has been issued; or (2) the actions of an individual against whom the employee has filed a protective order.

1/4/2022 - Referred to Senate Pensions and Labor

SB70 OBSTRUCTION OF JUSTICE (CRIDER M, Houchin) Provides that a person commits obstruction of justice if the person persuades a witness in a legal proceeding to: (1) withhold or delay producing evidence that the witness is legally required to produce; (2) avoid a subpoena or court order; (3) not appear at a proceeding to which the witness has been summoned; or (4) give a false or materially misleading statement. Establishes a uniform definition of "communicates" for the criminal code. Makes other changes and conforming amendments.

1/18/2022 - Senate Bills on Third Reading

SB155 HUMAN TRAFFICKING (CRIDER M, Houchin, Ford) Modifies the definition of "protected person" for purposes of the admission of a statement or videotape of an individual who is less than 14 years of age at the time of the offense but less than 18 years of age at the time of trial. Removes the requirement that money paid for a human trafficking victim or for an act performed by a human trafficking victim be paid to a third party. Increases the penalty for human trafficking to a Level 4 felony. Specifies that consent by the human trafficking victim is not a defense to a prosecution. Requires law enforcement agencies to report human trafficking investigations to the attorney general within 30 days after an investigation begins.

1/18/2022 - Senate Corrections and Criminal Law, (Bill Scheduled for Hearing); Time & Location: 9:00 AM, Rm. 130

SB344 TASK FORCE FOR THE REDUCTION OF VIOLENT CRIME (QADDOURA F, JD Ford) Establishes the task force for the reduction of violent crime (task force). Requires the task force to study potential statutory changes to reduce violent crime and submit a report for distribution to the general assembly.

1/11/2022 - Referred to Senate Corrections and Criminal Law

SB345 BEHAVIORAL HEALTH TRAINING GRANTS (QADDOURA F) Establishes a first responder crisis intervention account (account) within the statewide 9-8-8 trust fund for the purpose of awarding grants to public safety agencies that provide first responder emergency services to be used by the agencies for specified crisis intervention programs, data collection, and training purposes. Provides that the division of mental health and addiction shall administer the account. Caps the grant amount to a public safety agency at \$50,000 per state fiscal year. Requires the auditor of state to transfer to the account \$2,000,000 of the \$50,000,000 of federal stimulus funds that were appropriated to the family and social services administration for mental health grants in the current state budget bill.

1/11/2022 - Referred to Senate Homeland Security and Transportation

Sexual assault

HB1047 SEXUAL HEALTH EDUCATION (ERRINGTON S, Pfaff) Prohibits the state board of education from distributing human immunodeficiency virus literature to students without the consent of the governing body of the school corporation the students attend. Requires instruction in state accredited schools on human sexuality or sexually transmitted diseases to be based on information that is medically and scientifically accurate and age appropriate. Lists the criteria that instruction on human sexuality and sexually transmitted diseases must meet.

1/4/2022 - Referred to House Education

HB1079 ELEMENTS OF RAPE (NEGELE S, Errington, and Schaibley) Provides that a person commits rape if: (1) the person engages in sexual activity with another person and the other person submits to the sexual activity under the belief that the person committing the act is someone the victim knows, other than the person committing the act, and such belief is intentionally induced by any artifice, pretense, or concealment practiced by the person; or (2) the person engages in sexual activity with another person and the other person has expressed a lack of consent, through words or conduct, to sexual intercourse or other sexual conduct.

1/18/2022 - House Bills on Second Reading

1/12/2022 - House Committee recommends passage Yeas: 9; Nays: 1;

HB1156 PENALTIES FOR SEX OFFENSES (JACOB J, Borders) Provides that a person who commits certain sex offenses in which the victim of an offense is less than 18 years of age shall be sentenced to: (1) a nonsuspendible sentence; or (2) life imprisonment without parole. Increases the penalty range for the offense of child sexual trafficking.

1/6/2022 - Referred to House Courts and Criminal Code

HB1191 CHILD EXPLOITATION AND CHILD PORNOGRAPHY (KARICKHOFF M, Steuerwald and VanNatter) Provides that a person who knowingly or intentionally produces, disseminates, or possesses with intent to disseminate an image that depicts or describes sexual conduct: (1) by a child who the person knows is less than 18 years of age; (2) by a child who appears to be less than 18 years of age and the representation of the image is obscene; or (3) that is a representation of a child who appears to be less than 18 years of age and the representation of the image is obscene; commits the offense of child exploitation. Provides that a person who knowingly or intentionally receives, possesses, or accesses with intent to view an image that depicts or describes sexual conduct: (1) by a child who the person knows is less than 18 years of age; (2) by a child who appears to be less than 18 years of age and the representation of the image is obscene; or (3) that is a representation of a child who appears to be less than 18 years of age and the representation of the image is obscene; commits the offense of possession of child pornography. Specifies that it is not a required element of the offense of child exploitation or possession of child pornography that the child depicted actually exists under certain circumstances. Defines "image". Makes conforming changes. 1/18/2022 - House Bills on Second Reading
1/12/2022 - House Committee recommends passage Yeas: 9; Nays: 0

HB1227 SEX OFFENDER EMPLOYMENT RESTRICTIONS (LINDAUER S) Provides that an offender against children who knowingly or intentionally: (1) obtains employment within 1,000 feet of school property, not including property of an institution providing postsecondary education, a youth program center, a public park, or a licensed day care center; (2) obtains employment within one mile of the residence of the victim of the offender's sex offense; or (3) obtains employment where a child care provider provides child care services; commits a Level 6 felony. Defines "employment". Makes conforming changes.
1/6/2022 - Referred to House Courts and Criminal Code

HB1292 COMPENSATION FOR VICTIMS OF VIOLENT CRIMES (NEGELE S, Engleman and Schaibley) Changes, for purposes of the law concerning compensation to victims of violent crime, the definition of "claimant" to include certain family members of a victim. Expands the list of expenses eligible for compensation to include crime scene cleanup and replacement windows or door locks. Allows the victim services division of the Indiana criminal justice institute to accept proof that evidence was collected during a forensic exam as a claimant's cooperation with law enforcement.
1/18/2022 - House Courts and Criminal Code, (Bill Scheduled for Hearing); Time & Location: 1:30 PM, House Chamber

HB1340 NOTICE OF SEX OFFENDER RESIDENCY (GORE M) Requires the owner of a residential building in which five or more registered sex offenders reside to place a warning sign at each principal entrance to the building. Makes a violation a Class C infraction, and increases the penalty for repeated violations.
1/11/2022 - Referred to House Courts and Criminal Code

SB87 COMPENSATION FOR VICTIMS OF VIOLENT CRIME (CRIDER M) Changes, for purposes of the law concerning compensation to victims of violent crime, the definition of "claimant" to include certain family members of a victim. Expands the list of expenses eligible for compensation to include crime scene cleanup and replacement windows or door locks.
1/4/2022 - Withdrawn

Family Law

HB1104 ASSISTED REPRODUCTION AND GESTATIONAL SURROGACY (EBERHART S) Amends provisions regarding testing of donated human sperm and eggs. Repeals current Indiana law regarding surrogacy agreements. Enacts the gestational surrogacy act, which establishes: (1) presumptions regarding parentage; (2) prerequisites for individuals who wish to enter into a gestational surrogacy agreement; (3) procedural requirements for gestational surrogacy; (4) requirements for gestational surrogacy agreements; (5) support obligations with regard to a child born as the result of gestational surrogacy; (6) remedies for breach of a gestational surrogacy agreement; and (7) provisions for determination of jurisdiction over litigation regarding a gestational surrogacy agreement. Enacts the gamete donation act, which establishes: (1) presumptions regarding parentage of a child born as the result of gamete donation; (2) prerequisites for individuals who wish to enter into a gamete donation agreement; (3) procedural requirements for gamete donation; (4) requirements for gamete donation agreements; (5) provisions regarding parentage of a child born posthumously to a gamete donor; (6) remedies for breach of a gamete donation agreement; and (7) provisions for determination of jurisdiction over litigation regarding a gamete donation agreement. Provides certain criteria for the payment of compensation to an ovum donor. Provides that a gestational surrogacy agreement may not limit the right of the gestational surrogate to make any decision concerning the gestational surrogate's right to terminate or continue a pregnancy. Provides that any term or condition in a gestational surrogacy agreement that contradicts or seeks to abrogate a surrogate's right to continue or terminate a pregnancy is void. Provides that consent from the spouse of a gestational surrogate is not required in the execution of a gestational surrogacy agreement and defines the legal relationship between the spouse of a gestational surrogate and a resulting child. Provides that certain conditions must be met prior to the issuance of a prebirth court order by a court. Requires all reproductive endocrinologists and mental health professionals engaging in gestational surrogacy matters to remain informed of

recommended guidelines published by the American Society for Reproductive Medicine and the American College of Obstetricians and Gynecologists. Provides that court orders concerning gestational surrogacy do not provide a court with jurisdiction over the matters of child custody or child support if jurisdiction over the matters is not otherwise authorized. Provides that a court order concerning the establishment of parentage shall be given full faith and credit in another state if an Indiana establishment of parentage court order constitutes a signed record and otherwise complies with the laws of the other state. Exempts donor compensation for gamete donation from certain prohibitions concerning the sale of a human ovum, zygote, embryo, or fetus under certain circumstances. Allows the retrieval of gametes from a person who is: (1) deceased; (2) brain dead; (3) comatose; or (4) in a persistent vegetative state; in certain instances. Specifies that: (1) maternity; and (2) paternity; must be established not later than four years after the death of a parent in instances involving children born through use of assisted reproduction. Specifies factors for a court to consider when deciding upon the disposition of cryopreserved embryos: (1) during a divorce or separation; and (2) in the absence of an agreement concerning the ultimate disposition of cryopreserved embryos. Defines certain terms. Makes conforming amendments. 1/4/2022 - Referred to House Judiciary

HB1146 ADOPTION TAX CREDIT STUDY AND EVALUATION (DAVISSON J) Requires the commission on improving the status of children in Indiana to study and evaluate issues regarding the adoption tax credit, make findings and recommendations regarding the tax credit, including whether the credit amount needs to be increased, and submit a report with its findings and recommendations to the general assembly by November 1, 2022. 1/6/2022 - Referred to Committee on Ways and Means

HB1208 VARIOUS PROBATE AND TRUST MATTERS (YOUNG J) In one instance in the law on health care advance directives, changes the word "testator" to "declarant". Amends several provisions relating to the filing of notices to make those provisions consistent with Rules of Trial Procedure 86 and 87 concerning electronic filing. Resolves inconsistencies in two sections of the chapter on dispensing with administration so that those sections authorize a fiduciary to distribute and disburse the estate assets before filing a closing statement. Authorizes the appointment of a special administrator under certain circumstances and establishes a procedure for the appointment of a special administrator for the purpose of pursuing a claim for a decedent's wrongful death. In a section concerning the filing of an electronic will, replaces an incorrect reference with a reference to the Rules on Access to Court Records. Provides that a video or audio recording of a principal who executes a power of attorney may be admissible as evidence of matters relevant to the validity or enforceability of the power of attorney. Provides that any objection to a final account and petition for distribution of a decedent's estate must be filed at least 14 days before the hearing date. Eliminates references to a trustee "docketing" a trust and identifies permissible methods for the filing of a copy of a trust instrument with a court. Amends two definitions of "electronic power of attorney" to provide that an electronic power of attorney may be signed in the presence of witnesses instead of being notarized. Makes technical corrections. (The introduced version of this bill was prepared by the probate code study commission.) 1/18/2022 - House Bills on Second Reading

HB1329 PHYSICAL CUSTODY AND PARENTING TIME (VANNATTER H) Adds a rebuttable presumption in child custody proceedings that: (1) joint physical custody is in the best interests of the child; and (2) equal parenting time is in the best interests of the child. Provides that a court, in determining custody of a child, shall consider evidence that relocation of the child to an area outside the jurisdiction of the court is not in the child's best interests, unless written consent to the relocation is provided to the court by: (1) both parents of the child; and (2) the child's de facto custodian, if the court finds that the child has been cared for by a de facto custodian. Provides that the default joint physical custody or parenting time schedule is to alternate weekly physical custody of the child, unless the parents submit an alternative schedule that is approved by the court. Provides that a noncustodial parent is entitled to reasonable parenting time rights unless the court finds by clear and convincing evidence that parenting time might: (1) endanger the child's physical health and well-being; or (2) significantly impair the child's emotional development. Provides that if a court finds that granting parenting time to a noncustodial parent is not in the child's best interests, the court shall document the court's findings of fact and conclusions in writing and provide the written findings and conclusions to: (1) both parents of the child; and (2) the de facto custodian of the child, if the court finds that the child has been cared for by a de facto custodian. Provides that a court shall not restrict a parent's parenting time rights unless the court finds by clear and convincing evidence that the parenting time might endanger the child's physical health or significantly impair the child's emotional development. Provides that a court shall (rather than may, under current law) provide in a parenting time order or modification of a parenting time order for a security, bond, or other guarantee to secure enforcement of the parenting time order. Provides that a noncustodial parent may make up parenting time missed as the result of: (1) the noncustodial parent's: (A) active deployment in the armed forces of the United States; (B) active service in a state, county, or local law enforcement agency; (C) active service in a fire department; or (D) employment related trips or training; or (2) other factors the court considers to have directly impeded participation of the parent in parenting time. Provides that a noncustodial parent who is barred by a custodial parent from exercising parenting time rights granted to the noncustodial parent by a court may file for an injunction against the custodial parent in a court that has jurisdiction over a child custody proceeding with regard to the child. Provides that if a court: (1) issues an injunction or temporary restraining order with regard to a custodial parent's denial of court ordered parenting time to the child's noncustodial parent; and (2) finds that the custodial parent has, without justifiable cause, violated the injunction or temporary restraining order; the court may modify custody of the child.

Current Status: 1/11/2022 - Referred to House Judiciary

HB1355 PATERNITY AND CHILD CUSTODY ACTIONS (DEVON D) Amends the circumstances under which the department of child services (DCS), or a prosecuting attorney on behalf of DCS, may file a paternity action as next friend of a child. Provides that a child who is the subject of: (1) a petition alleging that the child is a child in need of services (CHINS); or (2) a proceeding to terminate parental rights; may initiate a paternity action on the child's own behalf through the child's next friend. Specifies the basis for survival of orders of a court in a CHINS or delinquency action when a separate court has reciprocal jurisdiction over the child in a concurrent paternity action. 1/11/2022 - Referred to House Judiciary

HB1404 ABUSIVE LITIGANTS (AUSTIN T) Establishes a procedure for a court to determine that an individual is an abusive litigant, and prohibits an abusive litigant from filing or continuing a civil action or civil appeal without permission of the court. 1/13/2022 - Referred to House Judiciary

SB67 SMALL ESTATES (LANANE T) Increases the value of estates that may be distributed via affidavit from \$50,000 to \$100,000. Increases the threshold for summary procedures for unsupervised estates from \$50,000 to \$100,000. (The introduced version of this bill was prepared by the probate code study commission.) 1/18/2022 - Senate Bills on Second Reading

SB193 PROBATE CODE STUDY COMMISSION (SANDLIN J) Provides that the chief justice of the supreme court, or the chief justice's designee, is a nonvoting member of the probate code study commission (commission). Provides that eight affirmative votes are required for the commission to take final action.

1/19/2022 - Senate Judiciary, (Bill Scheduled for Hearing); Time & Location: 1:30 PM, Rm. 130

SB270 CHILD CUSTODY AND PARENTING TIME (DONATO S) Adds stalking to the definition of "domestic or family violence" for purposes of family and juvenile law. Amends as follows the factors a court must consider in determining child custody: (1) Provides that more consideration must be given to the wishes of the child if the child expresses fear of a parent, or of a family or household member of a parent, based on past conduct of the parent or family or household member that is contrary to the child's best interests. (2) Provides that the court shall consider the degree to which the custody determination will allow continuity of the child's relationship with the child's parent or parents, the child's siblings, and any other person who may significantly affect the child's best interests. (3) Provides that the court shall consider the degree to which the custody determination will ensure the mental and physical health and safety of the child. (4) Provides that if the court finds evidence of a pattern of domestic or family violence committed by either parent, or by a family or household member of either parent, the court shall consider the degree to which the custody determination will safeguard the child, or a parent of the child, from the domestic or family violence. (5) Provides that the court shall consider whether either parent, or a family or household member of either parent, is the subject of a protective order with respect to which: (A) the child or the other parent is a protected party; and (B) the issuing court found that the subject of the protective order committed domestic or family violence against the protected party. (6) Provides that the court shall not weigh a parent's housing instability against the parent for purposes of determining custody if the court finds that the parent's housing instability: (A) is the result of domestic or family violence committed against the parent; and (B) has persisted for not more than six months since the most recent incidence of domestic or family violence. Provides that if the court in a child custody action finds evidence of a pattern of domestic or family violence committed by either parent, or by a family or household member of either parent, or finds that the child or a parent of the child is at risk of domestic or family violence by a parent or by a family or household member of a parent, the court shall: (1) include in the court's custody order any condition or restriction the court considers reasonably necessary to safeguard the child, or a parent of the child, from the domestic or family violence; and (2) annually review the custody order to determine whether the condition or restriction continues to be in the child's best interests. Provides for the imposition of conditions, restrictions, or supervision requirements in a parenting time order if the court finds that a noncustodial parent, or a family or household member of the noncustodial parent, has been convicted of a crime involving domestic or family violence or has demonstrated a pattern of child abuse or neglect or a pattern of domestic or family violence, and requires the court to annually review the parenting time order to determine whether continuation of the condition, restriction, or supervision requirement continues to be in the child's best interests. Provides that for purposes of making a determination regarding parenting time, a court may consider an unsubstantiated or substantiated report of child abuse or neglect as evidence of a pattern of child abuse or neglect only on the basis of the court's de novo review of the report. Provides that a court shall not award attorney's fees, court costs, or other litigation expenses to the prevailing party in a parenting time action on the basis of the action having been brought frivolously or vexatiously if the court finds that the party that brought the action: (1) brought the action in good faith; and (2) reasonably believed the action was necessary to protect the child. Requires a court that appoints a guardian ad litem in a child custody or parenting time action to, if practicable, appoint a guardian ad litem who has received training concerning child abuse, domestic abuse, and the effect of child abuse and domestic abuse on a child. Allows the office of judicial administration to establish a continuing education program for judges and court personnel regarding child abuse and neglect.

1/10/2022 - Referred to Senate Judiciary

SB410 TERMINATION OF PARENT-CHILD RELATIONSHIP (BOHACEK M) Allows a kinship caregiver of a child to intervene as a party in proceedings to terminate the parent-child relationship concerning the child. Provides that a kinship caregiver who intervenes as a party in proceedings to terminate the parent-child relationship is entitled to counsel for purposes of the proceedings, and that the court shall appoint counsel for the kinship caregiver if the court finds that the kinship caregiver is indigent. Provides that a judge who presided over child in need of services or delinquency proceedings with respect to a child may not be the judge who presides over proceedings to terminate the parent-child relationship with respect to the child. 1/12/2022 - Referred to Senate Judiciary

Criminal Justice

HB1004 DEPARTMENT OF CORRECTION (FRYE R) Amends and updates certain terms involving direct placement in a community corrections program. Updates the definition of "community corrections program". Specifies that a court may suspend any portion of a sentence and order a person to be placed in a community corrections program for the part of the sentence which must be executed. Provides that a person placed on a level of supervision as part of a community corrections program: (1) is entitled to earned good time credit; (2) may not earn educational credit; and (3) may be deprived of earned good time credit. Provides that when a person completes a placement program, the court may place the person on probation. Provides that a court may commit a person convicted of a Level 6 felony to the department of correction (department). (Current law provides that, under certain circumstances, a person convicted of a Level 6 felony may not be committed to the department.) Makes conforming changes.

Current Status: 1/12/2022 - Referred to Senate

All Bill Status: 1/11/2022 - Senate sponsors: Senators Koch and Freeman

1/11/2022 - added as coauthors Representatives Lehman, May, Negele, Heaton, Teshka J, Speedy, Baird, Schaibley, Clere, Zent, Ziemke, Gutwein, Abbott D, Miller, O'Brien T, Leonard, Cook, Karickhoff, Young J, Rowray E, Manning, Linda

1/11/2022 - Third reading passed; Roll Call 7: yeas 90, nays 3

HB1156 PENALTIES FOR SEX OFFENSES (JACOB J) Provides that a person who commits certain sex offenses in which the victim of an offense is less than 18 years of age shall be sentenced to: (1) a nonsuspendible sentence; or (2) life imprisonment without parole. Increases the penalty range for the offense of child sexual trafficking. 1/6/2022 - Referred to House Courts and Criminal Code

HB1294 RESTRAINT OF PREGNANT INMATES (FLEMING R) Provides that a correctional facility shall: (1) use the least restrictive restraints necessary on a pregnant inmate when the pregnant inmate is in the second or third trimester of pregnancy; or (2) use no restraints on a pregnant inmate who is in labor, delivering a baby, recuperating from a delivery, or dealing with a medical emergency related to the pregnancy, with certain exceptions. Provides that a correctional facility and a county jail shall provide specific care, treatment, and education for pregnant inmates and inmates who have recently given birth. Requires that, not later than June 30 of each year, the commissioner of correction shall: (1) compile a report that includes an account of every instance when a pregnant inmate has been restrained in a correctional facility; and (2) submit the report to the governor, the chief justice, and the legislative council. Repeals the current statute concerning prenatal and postnatal care and treatment and incorporates it into a new chapter concerning medical care and treatment for pregnant inmates. Defines "pregnant inmate" and "restraints".

1/18/2022 - House Courts and Criminal Code, (Bill Scheduled for Hearing); Time & Location: 1:30 PM, House Chamber

HB1300 BAIL (MAYFIELD P) Allows a charitable organization to pay bail on behalf of a defendant if the organization: (1) is certified by the commissioner of the department of insurance; (2) pays cash bail in the amount of \$2,000 or less on behalf of a defendant charged only with a misdemeanor; (3) only pays bail for a defendant who is indigent; (4) is represented by a bail agent; and (5) meets certain other requirements. Exempts from the certification requirement a charitable organization that pays bail for not more than two individuals in any 180 day period. Provides that if money or bonds have been set, bail by surety may be substituted for the money or bonds at any time before a breach. Provides that a case management system developed and operated by the office of judicial administration must include a searchable field for certain information of the person or entity that pays bail for an individual. 1/11/2022 - Referred to House Financial Institutions and Insurance

HB1341 INDUCING SUICIDE (GORE M) Defines "individual with suicidal ideation" and "undue influence". Provides that a person who, with the intent to cause an individual to commit suicide, persuades, encourages, or induces the individual to commit suicide, commits inducing suicide, a Level 5 felony, if: (1) the person knows that the individual is an individual with suicidal ideation; (2) the person has undue influence over the individual; and (3) the individual commits or attempts to commit suicide. Makes conforming amendments. 1/11/2022 - Referred to House Courts and Criminal Code

HB1414 BAIL (HATCHER R) Prohibits a court from requiring an arrestee to pay bail as a condition of pretrial release, unless: (1) the court finds by clear and convincing evidence that the arrestee is a flight risk or danger to the community; (2) the arrestee is charged with murder or treason; (3) the arrestee is on pretrial release not related to the incident that is the basis for the present arrest; or (4) the arrestee is on probation, parole, or other community supervision. Requires that the amount of bail be the lowest amount

required, based on the defendant's financial circumstances, to assure the arrestee's appearance at trial and to protect the community. 1/13/2022 - Referred to House Courts and Criminal Code

SB6 BAIL FOR VIOLENT ARRESTEES (YOUNG M) Defines "violent arrestee" and "minimum bail amount", and requires: (1) a court to review the probable cause affidavit or arrest warrant before releasing a violent arrestee on bail; (2) bail to be set following a hearing in open court; and (3) a violent arrestee released on bail to pay 100% of the minimum bail amount by cash deposit. Prohibits a third party who is not a close relative of the violent arrestee from posting bail for the violent arrestee.

1/18/2022 - Senate Corrections and Criminal Law, (Bill Scheduled for Hearing); Time & Location: 9:00 AM, Rm. 130

SB7 MARION COUNTY CRIME REDUCTION PILOT (SANDLIN J) Establishes the Marion County crime reduction board (board) as part of the Marion County crime reduction pilot project. Allows the board to approve interoperability agreements between law enforcement agencies to expand the jurisdiction, duties, and responsibilities of law enforcement agencies operating in downtown Indianapolis. 1/18/2022 - Senate Corrections and Criminal Law, (Bill Scheduled for Hearing); Time & Location: 9:00 AM, Rm. 130

SB8 NONPROFIT BAIL FUNDING (FREEMAN A) Allows a charitable organization to pay bail on behalf of a defendant if the organization meets certain criteria. Exempts from the certification requirement a charitable organization that pays bail for not more than two individuals in any 180 day period. Provides that if money or bonds have been set, bail by surety may be substituted for the money or bonds at any time before a breach. Prohibits the state and a political subdivision from: (1) posting bail for any person; or (2) providing a grant to any entity that provides funding for any person. Requires a court to apply the bail to certain court costs. Prohibits an entity that has received a grant from the state or a political subdivision from posting bail for any person or providing a grant, directly or indirectly, to an entity that posts bail for any person.

Current Status: 1/18/2022 - Senate Corrections and Criminal Law, (Bill Scheduled for Hearing); Time & Location: 9:00 AM, Rm. 130

SB9 ELECTRONIC MONITORING STANDARDS (WALKER K) Establishes standards, including staffing minimums and notification time frames, for persons and entities responsible for monitoring individuals required to wear a monitoring device as a condition of probation, parole, pretrial release, or community corrections. Makes conforming amendments. Provides that a defendant commits escape if the defendant disables or interferes with the operation of an electronic monitoring device. (Under current law, the defendant commits the offense by removing an electronic monitoring device.) Requires a court to revoke the bail of a defendant who commits escape.

Current Status: 1/18/2022 - Senate Corrections and Criminal Law, (Bill Scheduled for Hearing); Time & Location: 9:00 AM, Rm. 130

SB10 MARION COUNTY VIOLENT CRIME REDUCTION PILOT (CRIDER M) Establishes the: (1) Marion County violent crime reduction pilot project; and (2) Marion County violent crime reduction pilot project fund; to identify violent crime reduction districts in Marion County and to provide grants for overtime and additional law enforcement services in the violent crime reduction districts. Defines "violent crime reduction district". 1/18/2022 - Senate Corrections and Criminal Law, (Bill Scheduled for Hearing); Time & Location: 9:00 AM, Rm. 130

SB94 SENTENCE MODIFICATION (BOHACEK M) Establishes a procedure to allow certain inmates in the department of correction (department) an additional opportunity to request sentence modification from the sentencing court if the department has recommended sentence modification. Requires that an inmate who receives sentence modification be placed under supervision of: (1) a community transition program; (2) a court; (3) community corrections program; or (4) a supervised reentry program.

1/11/2022 - House sponsor: Representative Clere, Negele
1/11/2022 - Third reading passed; Roll Call 10: yeas 34, nays 12

SB188 PAROLE (GLICK S) Specifies that a person placed on parole following a term of imprisonment that includes a sentence for a crime of violence may be released on parole for not more than 24 months. Provides that time served while confined to a prison or jail does not count toward time served on parole. 1/6/2022 - Referred to Senate Corrections and Criminal Law

Guns

HB1077 FIREARMS MATTERS (SMALTZ B) Repeals the law that requires a person to obtain a license to carry a handgun in Indiana. Specifies that certain persons who are not otherwise prohibited from carrying or possessing a handgun are not required to obtain or possess a license or permit from the state to carry a handgun in Indiana. Prohibits certain individuals from knowingly or intentionally carrying a handgun. Creates the crime of "unlawful carrying of a handgun" and specifies the penalties for committing this crime. Allows particular individuals who do not meet the requirements to receive a handgun license and are not otherwise prohibited to carry a handgun in limited places. Allows a resident of Indiana to obtain in certain circumstances a license to carry a handgun in

Indiana. Makes theft of a firearm a Level 5 felony. Defines certain terms. Makes conforming amendments and repeals obsolete provisions. 1/11/2022 - Senate sponsors: Senators Koch, Tomes, Houchin, Messmer
1/11/2022 - Third reading passed; Roll Call 8: yeas 64, nays 29

HB1114 SELF-DEFENSE (LUCAS J) Specifies that "reasonable force" includes the pointing of a loaded or unloaded firearm for purposes of arrest or to prevent an escape, or for self-defense. 1/4/2022 - Referred to House Courts and Criminal Code

HB1127 CONSTITUTIONAL CARRY (JACOB J) Repeals the law that requires a person to obtain a license to carry a handgun in Indiana. Provides that a nonresident of Indiana may carry a handgun in Indiana without possessing a license or permit to carry a handgun from the person's state of residence. Allows a member of the: (1) general assembly; (2) general assembly's professional staff; or (3) lobby registration commission; to possess a handgun on the Indiana government center campus if the person is otherwise permitted to possess a handgun. Allows a person who wishes to carry a handgun in another state under a reciprocity agreement entered into by Indiana and the other state to obtain a license to carry a handgun. Beginning July 1, 2022, permits a person not otherwise prohibited from possessing a firearm under state or federal law to possess a firearm on any property that is: (1) affiliated with; (2) operated or managed by; (3) owned by; or (4) leased by; the department of natural resources. Defines certain terms. Makes conforming amendments. 1/4/2022 - Referred to House Public Policy

HB1132 FIREARMS MATTERS (LUCAS J) Allows a person to possess or carry a handgun without a license unless the person: (1) has been convicted of certain crimes or delinquent offenses; (2) has been prohibited by a court from possessing a handgun or has been found by a court to be dangerous; or (3) has been found by a court to be mentally incompetent, has been involuntarily committed, or has been the subject of a 90 day or regular commitment. Repeals the current offense of carrying a handgun without a license and makes it a Class A misdemeanor for certain persons to possess or carry a handgun. Increases the penalty to a Level 5 felony in some instances. Makes conforming amendments and repeals obsolete provisions. 1/4/2022 - Referred to House Public Policy

HB1233 POSSESSION OF FIREARMS (PAYNE Z) Repeals provisions concerning the: (1) confiscation and retention of firearms from a dangerous person; (2) compilation and publication of statistics related to the confiscation and retention of firearms from a dangerous person; and (3) making of a false report that a person is dangerous. Modifies a provision concerning a petition to find that an individual is no longer dangerous. 1/6/2022 - Referred to House Public Policy

HB1264 SURRENDER OF FIREARMS FOR DOMESTIC VIOLENCE CRIMES (SMITH V) Provides that a person who: (1) has been convicted of a crime of domestic violence; and (2) knowingly or intentionally possesses a firearm; commits a Class A misdemeanor. Specifies certain defenses. Requires a court to issue an order, upon entry of a judgment of conviction for domestic battery or a crime of domestic violence, that: (1) prohibits ownership or possession of a firearm; (2) requires the defendant to surrender: (A) any firearm owned or possessed by the defendant; and (B) any license or permit to carry a handgun (license); and (3) requires confiscation, within 72 hours, of any firearm or license owned or possessed by the defendant. Provides that a domestic batterer who knowingly or intentionally fails to surrender a certain firearm or license commits a Class A misdemeanor, enhanced to a Level 6 felony in specific instances. Provides certain defenses. Specifies how a confiscated firearm or license shall be returned or disposed of if a defendant's right to possess a firearm is restored. Defines certain terms. 1/10/2022 - Referred to House Courts and Criminal Code

HB1312 ENFORCEMENT OF FEDERAL FIREARMS LAWS (ELLINGTON J) Prohibits certain law enforcement officers from enforcing particular federal firearms laws that are more restrictive than Indiana law. Permits the filing of an action by a person injured by an officer's enforcement of those laws. Specifies exceptions and defines certain terms. 1/11/2022 - Referred to House Public Policy

SB14 FIREARMS MATTERS (TOMES J) Makes the current offense of carrying a handgun without a license applicable only to persons who are at least 18 years of age but less than 21 years of age. Allows certain persons who are at least 21 years of age to possess or carry a handgun without a license unless the person fits into one of several categories, including a person who: (1) has been convicted of, or arrested for, specified crimes or delinquent offenses; (2) has been prohibited by a court from possessing a handgun or has been found by a court to be dangerous; or (3) has been found by a court to be mentally incompetent, has been involuntarily committed, or has been the subject of a 90 day or regular commitment. Allows certain persons who: (1) do not meet the requirements to receive a license to carry a handgun; and (2) are not otherwise barred from carrying or possessing a handgun by state law; to carry a handgun in specified instances. Makes it a Class A misdemeanor for particular persons to possess or carry a handgun. Increases the penalty to a Level 5 felony in some instances. Defines certain terms. Makes conforming amendments and repeals obsolete provisions. 1/19/2022 - Senate Judiciary, (Bill Scheduled for Hearing); Time & Location: 1:30 PM, Rm. 130

SB15 GOVERNMENT ACQUISITION AND DISPOSITION OF FIREARMS (TOMES J, Kruse) Specifies that a law enforcement agency having possession of a firearm may not destroy the firearm unless the serial number of the firearm was obliterated at the time the law enforcement agency took custody of it. Prohibits a local unit of government, including a law enforcement agency, from conducting a firearm buyback program. 1/4/2022 - Referred to Senate Judiciary

SB19 SENTENCE ENHANCEMENT FOR USE OF FIREARM (GASKILL M) Adds an investigator for the inspector general to the definition of "police officer" for purposes of the statute providing a sentence enhancement for individuals who point or discharge a firearm at a police officer while committing certain crimes.

1/18/2022 - Senate Bills on Second Reading

1/12/2022 - Senate Judiciary, (Bill Scheduled for Hearing); Time & Location: 2:00 PM, Rm. 130

SB28 PROHIBITION OF FIREARMS AT POLLING PLACES (RANDOLPH L) Prohibits a person from carrying a firearm in, on, or near: (1) a chute; (2) polls; (3) areas where voters congregate or are likely to congregate; or (4) any room where ballots are being counted. Provides that the offense is a Class C misdemeanor. Enhances the offense to a: (1) Class A misdemeanor if the person has a prior unrelated conviction for the offense; or (2) Level 6 felony if the person points the firearm at another person. Specifies: (1) a defense; and (2) certain notice requirements. Prohibits certain other defenses. Defines certain terms. Makes conforming amendments.

1/4/2022 - Referred to Senate Corrections and Criminal Law

SB33 POSSESSION OF FIREARMS BY RETIRED LAW ENFORCEMENT OFFICERS (SANDLIN J) Provides that a retired law enforcement officer may possess a firearm on school property under certain conditions. 1/4/2022 - Referred to Senate Judiciary

SB228 ACQUISITION AND STORAGE OF FIREARMS (QADDOURA F, JD Ford) Prohibits a person from keeping or storing an unsecured firearm on any premises controlled by the person under certain circumstances. Makes the failure to secure a firearm a Level 6 felony if the offense results in injury or death, enhances the offense to a Level 5 felony if the person has a prior unrelated conviction, and provides a defense. Requires a person wishing to transfer a firearm to another person to transact the transfer through a firearms dealer (dealer), subject to certain exceptions, and specifies the procedure to be used by the dealer to effect the transfer. Grants a dealer who completes a transfer civil immunity. Provides that a person who makes a false statement to a dealer for the purpose of completing a third party transfer commits firearm transfer fraud, a Level 6 felony, and enhances the penalty if the person has a prior unrelated conviction. Specifies that a dealer or other person who transfers a firearm in violation of certain requirements commits unlawful transfer of a firearm, a Level 6 felony, and enhances the offense to a Level 5 felony if the dealer or person has a prior unrelated conviction. Makes conforming amendments. 1/6/2022 - Referred to Senate Corrections and Criminal Law

SB311 FIREARMS MATTERS (HOUCHIN E) Repeals the law that requires a person to obtain a license to carry a handgun in Indiana. Specifies that certain persons who are not otherwise prohibited from carrying or possessing a handgun are not required to obtain or possess a license or permit from the state to carry a handgun in Indiana. Prohibits certain individuals from knowingly or intentionally carrying a handgun. Creates the crime of "unlawful carrying of a handgun" and specifies the penalties for committing this crime. Allows particular individuals who do not meet the requirements to receive a handgun license and are not otherwise prohibited to carry a handgun in limited places. Allows a resident of Indiana to obtain in certain circumstances a license to carry a handgun in Indiana. Makes theft of a firearm a Level 5 felony. Defines certain terms. Makes conforming amendments and repeals obsolete provisions. 1/11/2022 - Referred to Senate Judiciary

SB397 DISCRIMINATION AGAINST FIREARM ENTITIES (TOMES J, Kruse) Defines a "firearm entity" as any of the following: (1) A manufacturer, wholesaler, distributor, supplier, or retailer of firearms, firearms accessories, or ammunition. (2) An entity that operates an area for target or other recreational shooting. (3) A firearm trade association. Prohibits a governmental entity from entering into a contract with a company for the purchase of goods or services unless the contract includes a written attestation by the company that: (1) the company does not have a practice, policy, guidance, or directive that discriminates against a firearm entity based solely on the entity's status as a firearm entity; and (2) during the term of the contract, the company will not discriminate against a firearm entity based solely on the entity's status as a firearm entity. Provides that, with certain exceptions, the bill's provisions apply to a contract that: (1) has a value of at least \$100,000; (2) is to be paid partly or wholly from public funds; (3) is between a governmental entity and a company with at least 10 full-time employees; and (4) is entered into after June 30, 2022. Specifies actions that constitute discrimination against a firearm entity for purposes of these provisions.

1/12/2022 - Referred to Senate Judiciary

Homelessness and Housing

HB1012 RENTER'S TAX DEDUCTION FOR DISABLED VETERANS (AYLESWORTH M) Allows a disabled veteran who rents a dwelling as a principal place of residence to claim an additional renter's deduction of up to \$3,000 from the disabled veteran's adjusted gross income. 1/4/2022 - Referred to House Ways and Means

HB1014 ADDITIONAL RENTER'S DEDUCTION FOR DISABLED VETERAN (TORR J) Allows a disabled veteran who rents a dwelling for use as the disabled veteran's principal place of residence to claim an additional renter's deduction from the disabled veteran's adjusted gross income. Provides that the additional deduction may not exceed \$3,000.

1/4/2022 - Referred to House Ways and Means

HB1028 STUDENT HUNGER AND HOMELESSNESS (HARRIS JR. E) Establishes the student hunger and homelessness study committee (committee) for the purposes of: (1) studying the prevalence of homelessness, housing insecurity, and food insecurity among students at Indiana colleges and universities during the 2022 academic year; and (2) providing suggestions for eliminating these issues. Provides that the committee must determine, as accurately as practicable, the number of Indiana college and university students who are homeless, housing insecure, or food insecure. Provides that the committee consists of: (1) an employee of the family and social services administration; (2) an employee of the department of child services; (3) an employee of the department of education; (4) an employee of the commission for higher education; (5) an employee of the Indiana housing and community development authority; (6) a member of the commission on improving the status of children in Indiana; and (7) an employee of each state educational institution. Provides that the committee may solicit assistance from private groups, colleges, and universities in performing the study. Requires the committee to report the results of the study to the governor and the legislative council not later than July 31, 2023. 1/4/2022 - Referred to House Rules and Legislative Procedures

HB1064 ASSOCIATIONAL STANDING FOR JUDICIAL REVIEW (ENGLEMAN K) Provides that an association or representative organization that meets certain requirements has standing to: (1) bring a declaratory judgment action as to an ordinance adopted under the planning and development law; and (2) obtain judicial review of a zoning decision.

1/12/2022 - House Judiciary, (Bill Scheduled for Hearing); Time & Location: 1:30 PM, Rm. 156-B

HB1214 RESIDENTIAL EVICTION ACTIONS (MANNING E) Defines an "eviction action information provider" as a person that compiles, furnishes, or publishes information that: (1) concerns an eviction action that is filed in a court in Indiana; and (2) is available in records kept by a clerk of a court in Indiana with jurisdiction over the eviction action (eviction action information). Prohibits an eviction action information provider from knowingly compiling, furnishing, or publishing eviction action information if: (1) a court has issued an order under the bill's provisions prohibiting disclosure of any records in the eviction action; (2) the record of the eviction action has otherwise been restricted by: (A) a court order; or (B) court rules; and is marked as restricted from public disclosure or is removed from public access; or (3) the eviction action information provider knows that the eviction action information is inaccurate. Prohibits an eviction action information provider from knowingly compiling, furnishing, or publishing eviction action information if the eviction action information fails to reflect material changes to the official record occurring at least 60 days before the date the eviction action information is compiled, furnished, or published. Provides that a violation of these provisions is a deceptive act that is actionable under the deceptive consumer sales act. Requires the plaintiff in a residential eviction action to file a motion to dismiss the action if the case is resolved between the parties at any time before final adjudication, unless the plaintiff is seeking damages. Provides that if, at any time after an eviction action is filed, no action has been taken by the plaintiff to further prosecute the case for a period of at least 180 days, the court shall provide to the parties written notice: (1) stating the date of the most recent action taken by the plaintiff in the case; and (2) directing the plaintiff to take action to either: (A) further prosecute the case; or (B) dismiss the case; not later than 10 business days after the date of the notice. Provides that if the plaintiff fails to take any action within the prescribed time: (1) the defendant may petition the court to dismiss the case; or (2) the court on its own motion may dismiss the case. Provides that a residential eviction diversion program may not be offered or operated on a statewide or local basis unless: (1) participation in the program is voluntary for all parties; and (2) a local, state, or federal rental assistance program is operational, and funding is available to the parties. Requires the court in which an eviction action is filed to order the clerk of the court and the operator of any state, regional, or local case management system not to disclose or permit disclosure of any records in the case, subject to certain exceptions, if any of the following occur: (1) The action is dismissed. (2) A judgment in favor of the tenant is entered. (3) A judgment against the tenant is later overturned or vacated on appeal. (4) After a judgment is entered against the tenant, the tenant pays all amounts owed to the landlord, resulting in the dismissal of a damages hearing. Provides that if: (1) an eviction action, regardless of when it was filed, results in one of the specified outcomes allowing for the nondisclosure of records in the action; and (2) the court does not issue an order prohibiting the disclosure of any records in the action; the tenant in the action may petition the court in which the eviction action was filed to issue an order prohibiting the disclosure of any records in the action in accordance with the bill's provisions. Provides that the court may: (1) issue an order prohibiting the disclosure of any records in the action; or (2) set the matter for a hearing. Provides that the petitioner bears the burden of proof in any hearing set by the court. Requires the clerk of court or other court administrator to: (1) track all eviction actions with respect to which a nondisclosure order is issued by the court; and (2) on an annual basis: (A) compile, as aggregate data that is subject to public inspection, the information tracked; and (B) include the compiled data in the statutorily required statistical data provided to the office of judicial administration (office) on a periodic basis. Requires the office to include the data provided by the courts in the Indiana Judicial Report. 1/6/2022 - Referred to House Judiciary – Likely hearing on 1/19/22 at 10:30 a.m.

HB1277 REQUESTS FOR LAW ENFORCEMENT AT RENTAL PROPERTIES (MOED J) Repeals a provision in the law governing landlord-tenant relations that does the following: (1) Prohibits a political subdivision from imposing certain penalties against a tenant, an owner, or a landlord for a contact made to request law enforcement or other emergency assistance for one or more rental units if:

(A) the contact is made by or on behalf of: (i) a victim or potential victim of abuse; (ii) a victim or potential victim of a crime; or (iii) an individual in an emergency; and (B) certain conditions apply. (2) Provides that if: (A) a political subdivision imposes penalties for other types of contacts made to request law enforcement or other emergency assistance for rental units; and (B) a request for law enforcement or emergency assistance is made by a tenant; the penalty imposed must be assessed against the tenant and may not exceed \$250. 1/10/2022 - Referred to House Local Government

HB1306 HOUSING TASK FORCE (MILLER D) Establishes the housing task force (task force) to review issues related to housing and housing shortages in Indiana. Sets forth membership, and requires the task force to issue a report to the general assembly and the governor not later than November 1, 2022. 1/11/2022 - Referred to House Government and Regulatory Reform

HB1367 LAND BANKS (ERRINGTON S) Makes various changes to the statutes governing land banks that concern certain land bank powers, objectives, and duties. Provides (except in a county containing a consolidated city) that only a majority of directors appointed to the board of a land bank must be residents of the county, second class city, or third class city. Provides, in the case of a land bank created by an interlocal agreement, that only a majority of the members of the board of the land bank must be residents of the applicable eligible units that establish the land bank. Provides that a land bank may establish advisory committees composed of specified community members to consult with and advise the land bank on: (1) properties within the territory of the land bank that are imposing the greatest harm on residents and neighborhoods; (2) resident and neighborhood priorities for new uses of land bank properties; and (3) options for potential transferees of land bank properties. Provides, subject to certain limitations, that a land bank may use an interlocal agreement to establish processes to improve the quality of title and marketability of property the land bank owns to extinguish any liens that exist on the property. Provides that, if a land bank enters into an interlocal agreement, any employees of an eligible unit who may be contracted to provide staffing services to the land bank pursuant to the interlocal agreement retain their status as public employees of the eligible unit. Requires a county executive to provide a land bank in the county with a list of tracts located in the territory of the land bank that: (1) are delinquent on property taxes; and (2) have been offered for public sale at least two times and remain unsold; on an annual basis. Requires the county executive to transfer its interest in a tract on the list to a land bank if requested by the land bank not later than 90 days after it receives the list. 1/11/2022 - Referred to House Local Government

HB1400 REGULATION OF RENTAL PROPERTIES (MOED J) Limits the application of a provision prohibiting a political subdivision from adopting or enforcing any ordinance, rule, or regulation that imposes a penalty, or allows for the imposition of a penalty for a contact made to request law enforcement assistance or other emergency assistance to tenants. Specifies that the statute does not prohibit a political subdivision from adopting or enforcing an ordinance, a rule, or a regulation that imposes a penalty upon an owner or a landlord for certain law enforcement contacts. Removes a provision specifying that certain penalties must be imposed upon a tenant and may not be imposed upon a landlord or an owner of a rental unit. 1/13/2022 - Referred to House Local Government

HB1415 LAND BANKS (BAUER M) Allows a county fiscal body in a county in which there is at least one land bank (except in a county containing a consolidated city) to adopt an ordinance requiring every person who wishes to participate in a tax sale as a bidder to pay a neighborhood investment fee of not more than \$150. Provides that, if a county fiscal body adopts an ordinance authorizing the imposition of a neighborhood investment fee, the county treasurer shall establish the neighborhood investment fee fund (fund) and specifies the manner in which neighborhood investment fees collected are to be distributed from the fund to land banks. Allows a county fiscal body in a county in which there is at least one land bank (except in a county containing a consolidated city) to adopt an ordinance to impose, in addition to the 5% penalty for delinquent real property taxes, an additional penalty of not more than 3% for a total penalty that may not exceed 8% of the amount of delinquent real property taxes (additional penalty ordinance). Provides that delinquent tax payments attributable to real property used as a principal place of residence and receiving the homestead standard deduction for the most recent assessment date are exempt from an additional penalty ordinance. Specifies the manner in which the amounts collected attributable to an additional penalty imposed on delinquent real property taxes are to be distributed to land banks. 1/13/2022 - Referred to House Local Government

SB25 HOUSING AUTHORITY COMMISSIONER COMPENSATION (RANDOLPH L) Increases the per diem paid to a commissioner of a housing authority from \$25 to \$100. 1/4/2022 - Referred to Senate Local Government

SB72 ADDITIONAL RENTER'S DEDUCTION FOR DISABLED VETERAN (FORD J) Allows a disabled veteran who rents a dwelling for use as the disabled veteran's principal place of residence to claim an additional renter's deduction from the disabled veteran's adjusted gross income. Provides that the additional deduction may not exceed \$3,000. 1/4/2022 - Referred to Senate Tax and Fiscal Policy

SB139 MANUFACTURED HOUSING (DORIOT B) Prohibits a governmental body from regulating or restricting the installation of a mobile home, manufactured home, or industrialized residential structure based on the age or size of the mobile home, manufactured home, or industrialized residential structure, regardless of whether: (1) the mobile home, manufactured home, or industrialized residential structure; or (2) the lot on which, or the mobile home community in which, it is or will be located or installed; constitutes a conforming structure or use, or a legal, nonconforming structure or use. Provides that after March 14, 2022: (1) a unit may not adopt, impose, amend, or enforce a regulation, or a provision in a regulation, that violates this prohibition, regardless of when the regulation or provision was originally adopted or imposed; and (2) any provision that: (A) is included in a regulation adopted or imposed by a unit; and (B) violates this prohibition; is void and unenforceable regardless of when the regulation or provision was originally adopted or imposed. Prohibits a unit from adopting, imposing, or enforcing a regulation that mandates size requirements for, or that is based on the age of, a mobile home, a manufactured home, or an industrialized residential structure that will be installed in a mobile home community, regardless of whether the mobile home community, or any part of the mobile home community, constitutes: (1) a conforming structure or use; or (2) a legal, nonconforming structure or use. Provides that after March 14, 2022: (1) a unit may not adopt, impose, amend, or enforce a regulation, or a provision in a regulation, that violates this prohibition, regardless of when the regulation or provision was originally adopted or imposed; and (2) any provision that: (A) is included in a regulation adopted or imposed by a unit; and (B) violates this prohibition; is void and unenforceable regardless of when the regulation or provision was originally adopted or imposed. Amends the statute concerning the reconstruction of nonconforming structures to provide that whenever a legal, nonconforming structure, including: (1) a mobile home; (2) a manufactured home; or (3) an industrialized residential structure; on a parcel of real property used for residential purposes is removed, the owner of the parcel shall be permitted to replace the structure without losing the status of the structure or parcel as a legal, nonconforming structure or use if the replacement meets the existing statutory requirements. Provides that these provisions concerning the continuing status of the structure or parcel as a legal, nonconforming structure or use apply after March 14, 2022, regardless of whether: (1) the structure or parcel is conferred status as a legal, nonconforming structure or use; or (2) the legal nonconforming structure is: (A) damaged, destroyed, or removed; or (B) reconstructed, renovated, repaired, or replaced; before or after March 15, 2022.

1/20/2022 - Senate Local Government, (Bill Scheduled for Hearing); Time & Location: 10:00 AM, Rm. 233

SB184 RESIDENTIAL HOUSING DEVELOPMENT PROGRAM (HOLDMAN T) Removes the requirement that the governing body of a school corporation affected by a residential housing development program (program) approve the program by resolution before the program may take effect. 1/13/2022 - Senate Local Government, (Bill Scheduled for Hearing); Time & Location: 10:00 AM, Rm. 233

SB230 ENFORCEMENT OF HABITABILITY STANDARDS (QADDOURA F) Allows a city, county, or town to bring a nuisance action against a tenant or other person responsible for a nuisance. Defines "essential services" as certain utility services needed for the safe and habitable occupation by a tenant of the tenant's rental unit. Defines "essential systems" as certain systems used to deliver essential services to a rental unit. Requires a landlord to repair or replace an essential system not later than 24 hours after being notified by a tenant that the tenant's rental unit is without essential services under certain circumstances. Provides that a tenant may enforce a statutory obligation of a landlord by providing notice of the landlord's noncompliance and allows for certain remedies to the tenant for the landlord's noncompliance. Provides that, during the pendency of a court action brought by a tenant to enforce a statutory obligation of a landlord, the court may order the tenant to make the regular rental payments otherwise due under the rental agreement to the clerk of the court or an attorney trust account, to be held in trust for disbursement to the prevailing party, as ordered by the court. 1/6/2022 - Referred to Senate Local Government

SB233 DISCLOSURE OF EVICTION INFORMATION (TAYLOR G) Prohibits a court or the operator of a case management system from disclosing information relating to an eviction action: (1) if the case is dismissed or if the tenant prevails in the action or upon appeal; or (2) upon order of the court after a petition to prohibit disclosure is made by the tenant: (A) not earlier than seven years after a judgment of eviction against the tenant becomes final; or (B) at least one year after the case was filed if the case remains pending with no judgment. 1/6/2022 - Referred to Senate Judiciary

SB246 MOTOR VEHICLE INSURANCE FOR FOSTER CHILDREN (WALKER K) Establishes the insuring foster youth trust fund. Provides that an individual may receive the foster care tax credit for making a qualified monetary contribution to the insuring foster youth trust fund. Establishes the insuring foster youth trust license plate. Provides that an agreement among insurers through which automobile insurance is provided to motorists unable to obtain the insurance through ordinary methods must also make insurance available to a foster youth who: (1) is certified or acknowledged by the department of child services or by a designee of the department to be receiving foster care; and (2) is at least 16 years of age and not more than 23 years of age. Provides that a state or local government agency, a foster parent, or an entity providing services shall not be liable for any damages resulting from a foster youth's operation of an automobile owned and insured by the foster youth. Makes conforming changes.

1/20/2022 - Senate Appropriations, (Bill Scheduled for Hearing); Time & Location: 9:00 AM, Rm. 431

SB262 HOUSING TAX CREDITS (HOLDMAN T) Provides an affordable and workforce housing state tax credit against state tax liability to a taxpayer for each taxable year in the state tax credit period of a qualified project in an aggregate amount that does not exceed the product of a percentage between 40% and 100% and the amount of the taxpayer's aggregate federal tax credit for the qualified project. Provides that an eligible applicant must apply to the Indiana housing and community development authority for an award of an affordable and workforce housing state tax credit. Provides that a holder of an affordable and workforce housing state tax credit may transfer, sell, or assign all or part of the holder's right to claim the state tax credit for a taxable year.

1/18/2022 - Senate Tax and Fiscal Policy, (Bill Scheduled for Hearing); Time & Location: 9:30 AM, Rm. 431

SB292 LAND BANKS (LANANE T) Requires a county executive to provide a land bank in the county with a list of tracts located in the territory of the land bank that: (1) are delinquent on property taxes; and (2) have been offered for public sale at least two times and remain unsold; on an annual basis. Requires the county executive to transfer its interest in a tract on the list to a land bank if requested by the land bank not later than 90 days after it receives the list. 1/10/2022 - Referred to Senate Local Government

SB293 MANUFACTURED HOME DEALERS (CRIDER M) Amends the definition of "major component parts" to include a catalytic converter. Provides certain requirements for an automotive salvage recycler who is purchasing catalytic converters. Defines "manufactured home dealer" (dealer). Creates a new chapter concerning the licensing of dealers. Provides that a dealer may hold an offsite sale under certain conditions. Requires certain entities to obtain liability insurance coverage in certain amounts. Provides that it is an unfair practice to sell, exchange, or transfer a salvage vehicle without written disclosure. Provides that a dealer is exempt from certain mailing address requirements. Requires that a dealer must remain in good standing with the state department of health while holding a license. 1/18/2022 - Senate Homeland Security and Transportation, (Bill Scheduled for Hearing); Time & Location: 9:00 AM, Rm. 233

SB385 EVICTION ACTION INFORMATION AND TENANT SCREENING (YODER S) Prohibits a court or the operator of a case management system from disclosing information relating to an eviction action: (1) if the case is dismissed or if the tenant prevails in the action or upon appeal; or (2) upon order of the court after a petition to prohibit disclosure is made by the tenant: (A) not earlier than three years after a judgment of eviction against the tenant becomes final; or (B) at least one year after the case was filed if the case remains pending with no judgment. Defines a "tenant screening report" as a report that: (1) is prepared from files compiled and maintained with respect to an applicant for the rental of a rental unit; and (2) describes the applicant's credit characteristics, rental history, or criminal history. Requires a landlord that denies an applicant's application for the rental of a rental unit based on information in a tenant screening report to mail a copy of the tenant screening report to the applicant. Provides requirements for the application process for an applicant who intends to use a housing choice voucher for the rental of a rental unit. Provides that if a landlord fails to mail an applicant a copy of the tenant screening report, as required under these provisions, an applicant may bring a cause of action in a court with jurisdiction. 1/11/2022 - Referred to Senate Judiciary

SB386 LAND BANKS (LANANE T) Makes various changes to the statutes governing land banks that concern certain land bank powers, objectives, and duties. Provides (except in a county containing a consolidated city) that only a majority of directors appointed to the board of a land bank must be residents of the county, second class city, or third class city. Provides, in the case of a land bank created by an interlocal agreement, that only a majority of the members of the board of the land bank must be residents of the applicable eligible units that establish the land bank. Provides that a land bank may establish advisory committees composed of specified community members to consult with and advise the land bank on: (1) properties within the territory of the land bank that are imposing the greatest harm on residents and neighborhoods; (2) resident and neighborhood priorities for new uses of land bank properties; and (3) options for potential transferees of land bank properties. Provides, subject to certain limitations, that a land bank may use an interlocal agreement to establish processes to improve the quality of title and marketability of property the land bank owns to extinguish any liens that exist on the property. Provides that, if a land bank enters into an interlocal agreement, any employees of an eligible unit who may be contracted to provide staffing services to the land bank pursuant to the interlocal agreement retain their status as public employees of the eligible unit. Allows a county fiscal body in a county in which there is at least one land bank (except in a county containing a consolidated city) to adopt an ordinance requiring every person who wishes to participate in a tax sale as a bidder to pay a neighborhood investment fee of not more than \$150. Provides that, if a county fiscal body adopts an ordinance authorizing the imposition of a neighborhood investment fee, the county treasurer shall establish the neighborhood investment fee fund (fund) and specifies the manner in which neighborhood investment fees collected are to be distributed from the fund to land banks. Allows a county fiscal body in a county in which there is at least one land bank (except in a county containing a consolidated city) to adopt an ordinance to impose, in addition to the 5% penalty for delinquent real property taxes, an additional penalty of not more than 3% for a total penalty that may not exceed 8% of the amount of delinquent real property taxes (additional penalty ordinance). Provides that delinquent tax payments attributable to real property used as a principal place of residence and receiving the homestead standard deduction for the most recent assessment date are exempt from an additional penalty ordinance. Specifies the manner in which the amounts collected attributable to an additional penalty imposed on delinquent real property taxes are to be distributed to land banks. 1/11/2022 - Referred to Senate Local Government

Lending

HB1159 SMALL LOAN FINANCE CHARGES (HAMILTON C) Changes the current incremental finance charge limits that apply to a small loan to a maximum annual rate. Prohibits certain acts with respect to financing of a small loan and makes a violation a deceptive act and subject to penalties. 1/6/2022 - Referred to House Financial Institutions and Insurance

HB1326 DISCRIMINATORY LENDING AND APPRAISAL PRACTICES (PRYOR C) Adds the following to the duties of the homeowner protection unit (unit) of the office of the attorney general: (1) Cooperating with federal, state, and local law enforcement agencies in investigating violations of the federal Fair Housing Act. (2) Investigating and enforcing: (A) existing law prohibiting improperly influencing the preparation of a real estate appraisal; and (B) the bill's provisions prohibiting discriminatory lending and appraisal practices in connection with residential real estate related transactions. Prohibits a person whose business includes engaging in residential real estate related transactions from doing any of the following: (1) Discriminating against any person in: (A) making available a residential real estate transaction; or (B) establishing the terms and conditions of a residential real estate transaction; on the basis of race, color, religion, sex, disability, familial status, or national origin. (2) Denying a creditworthy applicant a mortgage loan on the basis of any of these characteristics of: (A) the applicant; or (B) residents of the neighborhood in which the real estate is located; if the applicant is otherwise eligible for the mortgage loan. (3) Making an excessively low appraisal of the value of the real estate that is the subject of a mortgage loan (as compared to the purchase price) on the basis of any of these characteristics of: (A) the applicant; or (B) residents of the neighborhood in which the real estate is located. Specifies that these prohibitions do not prohibit a person whose business includes engaging in residential real estate related transactions from: (1) either: (A) denying a mortgage loan; or (B) granting a mortgage loan on more stringent terms and conditions; based on the applicant's creditworthiness or other economic factors, and without regard to any of the characteristics set forth in the bill; or (2) taking into consideration factors other than the characteristics set forth in the bill in preparing a real estate appraisal. Establishes the fair housing practices fund (fund), to be administered by the Indiana housing and community development authority (authority), for the purpose of: (1) providing down payment assistance, financial assistance for closing costs, and restitution for individuals determined to have been injured by a violation the bill's provisions prohibiting discriminatory lending and appraisal practices; and (2) providing grants for: (A) community education and outreach efforts; and (B) community reinvestment initiatives; for neighborhoods or communities determined to have been targeted or adversely impacted by a violation of the bill's provisions prohibiting discriminatory lending and appraisal practices. Provides that the fund consists of: (1) civil penalties collected for violations of the bill's provisions prohibiting discriminatory lending and appraisal practices; (2) any amounts deposited in the fund as a result of a settlement agreement or final judgment in an action brought for a violation of these provisions; (3) gifts and grants to the fund; and (4) appropriations from the general assembly. Requires the authority to adopt rules to develop certain criteria and procedures necessary to: (1) administer the fund; and (2) provide assistance from the fund. Requires the unit to: (1) amend the form that creditors are required to provide to mortgage loan applicants to include information about how prospective borrowers can report suspected violations of the bill's provisions prohibiting discriminatory lending and appraisal practices; and (2) accept through the unit's established: (A) electronic mail address; and (B) toll free telephone number; complaints concerning these suspected violations. Provides that a person that knowingly or intentionally violates the bill's provisions prohibiting discriminatory lending and appraisal practices: (1) commits an act that is actionable by an aggrieved individual and the attorney general under the deceptive consumer sales act; and (2) is liable for a civil penalty of \$200 per violation. Provides that any civil penalty collected shall be deposited in the fund. Requires the real estate appraiser licensure and certification board (board) to, not later than January 1, 2023, submit recommendations to the Indiana real estate commission (commission) concerning the following: (1) Rules requiring as a condition of initial licensure or certification at least one hour of instruction in cultural competency training, and at least one hour of instruction in implicit bias training. (2) Rules requiring as a condition of renewal for licensure and certification at least one hour of continuing education instruction in cultural competency training, and at least one hour of continuing education instruction in implicit bias training. (3) Policies to foster diversity in the real estate appraisal profession. Requires the commission to adopt the recommended rules not later than July 1, 2023. Provides that the office of the attorney general and the professional licensing agency (agency) may use an existing investigative fund to investigate and enforce: (1) existing law prohibiting improperly influencing the preparation of a real estate appraisal; and (2) the bill's provisions prohibiting discriminatory lending and appraisal practices. Requires the board to submit, on at least a quarterly basis, a request to the attorney general for certain information concerning complaints filed against real estate appraisers. Requires the agency, on behalf of the board, to publish and update on the board's web page, on at least a quarterly basis: (1) the aggregate complaint data received by the board in the most recent quarterly report from the attorney general; and (2) to the extent not confidential, the names and business locations of all real estate appraisers who have had complaints filed and prosecuted against them. Beginning in 2024, requires the agency, on behalf of the board, to submit an annual report to the legislative council concerning: (1) the cultural competency and implicit bias training educational requirements adopted by the commission; and (2) the policies to foster diversity in the real estate appraisal profession implemented by the commission, including the board's assessment of the effectiveness of the policies. 1/11/2022 - Referred to House Financial Institutions and Insurance

SB253 SMALL LOAN FINANCE CHARGES (ALTING R) Changes the current incremental finance charge limits that apply to a small loan to a maximum annual rate. Prohibits making, or taking other actions with respect to, a small loan with a greater rate or amount of interest, or other fees and charges, than allowed under the statute governing small loans. Prohibits a credit services organization from providing certain functions with respect to a small loan and makes a violation a deceptive act.

1/10/2022 - Referred to Senate Insurance and Financial Institutions

SB352 SUPERVISED CONSUMER LOANS (ZAY A) Amends the Uniform Consumer Credit Code to provide that the authorized loan finance charge for a consumer loan, other than a supervised loan, that is entered into after June 30, 2022, may not exceed 36% (versus 25% for a consumer loan that is entered into before July 1, 2022) per year on the unpaid balances of the principal. Amends the definition of "supervised loan" to mean a consumer loan that: (1) is entered into before July 1, 2022, and with respect to which the rate of the loan finance charge exceeds the authorized 25% annual rate for consumer loans under current law; or (2) is entered into after June 30, 2022, and is made in accordance with the requirements for supervised loans set forth in the bill. Sets forth requirements and limitations with respect to the following for supervised loans made after June 30, 2022: (1) Authorized fees and charges. (2) The maximum principal amount. (3) The minimum and maximum lengths of the loan term. (4) Information and disclosures to be included in the loan contract. (5) A borrower's right to rescind a supervised loan transaction. Provides that when a borrower enters into a supervised loan, the lender shall provide the borrower with a pamphlet approved by the department of financial institutions (department) that describes: (1) the availability of debt management and credit counseling services; (2) the borrower's rights and responsibilities; and (3) the availability of the 211 telephone dialing code for human services information and referrals. Sets forth prohibited acts and practices in connection with a supervised loan. Provides that a lender may not take a security interest in real or personal property in connection with a supervised loan, other than a security interest in a personal check of the borrower. Specifies the applicability of the bill's provisions to supervised loans made by persons exempt from: (1) the bill's finance charge limitations; and (2) licensure by the department. Requires a lender that makes at least one supervised loan in Indiana during a calendar year to remit to the department: (1) an annual fee of \$250; and (2) an additional fee of \$250 per Indiana branch location (after the first location). Establishes the consumer financial education fund (fund), and provides that the annual fees collected from lenders making supervised loans are to be deposited in the fund. Provides that the fund is to be: (1) administered by the department; and (2) used by the department for paying expenses relating to consumer financial education. Requires a person that enters into at least one supervised loan transaction in Indiana in any calendar year to file with the department a report concerning the person's business and operations with respect to that calendar year. Requires the director of the department to prescribe: (1) the time and manner for filing the report; and (2) the information to be included in the report. Requires the department to publish and make available to the public, at least annually, an analysis of the information provided in the reports filed with the department. Sets forth the information that must be included in the department's analysis. Makes conforming amendments to existing references to supervised loans throughout the Indiana Code.

1/19/2022 - Senate Insurance and Financial Institutions, (Bill Scheduled for Hearing); Time & Location: 9:00 AM, Rm. 130

SB383 FINANCIAL INSTITUTIONS AND CONSUMER CREDIT (BASSLER E) Provides that a reference to federal law in: (1) the first lien mortgage lending act; (2) the Uniform Consumer Credit Code (UCCC); or (3) the Indiana Code title governing financial institutions; is a reference to the law as in effect December 31, 2021 (versus December 31, 2020, under current law). Amends the provisions governing a change of control of the following entities regulated by the department of financial institutions (department) to require that the regulated entity provide to the department the required application for the proposed change in control at least 120 days before the anticipated date of closing of the acquisition: (1) First lien mortgage lenders. (2) Creditors licensed under the UCCC to make consumer loans. (3) Civil proceeding advance payment providers. (4) Debt management companies. (5) Pawnbrokers. (6) Money transmitters. (7) Check cashers. Authorizes the department to: (1) revoke or suspend the regulated entity's license; or (2) direct the acquiring entity to apply for a new license under applicable law; if either party fails to comply with the requirements for a change in control of the licensed entity. Amends the provisions in the UCCC governing authorized finance charges for consumer loans (other than supervised loans) and for supervised loans to specify that: (1) the entire section governing finance charges for consumer loans (other than supervised loans) does not apply to supervised loans; and (2) the loan finance charge for a supervised loan must be: (A) contracted for between the lender and the debtor; and (B) calculated by applying a rate not exceeding the authorized rate to unpaid balances of the principal. Amends provisions in the UCCC concerning permitted additional charges for guaranteed asset protection (GAP) agreements for: (1) consumer credit sales; and (2) consumer loans; to specify that the average retail value for a used motor vehicle that is the subject of a GAP agreement is to be determined by using a third party valuation service provider customarily relied upon in the used motor vehicle commercial market (versus by using the National Automobile Dealers Association average retail value, under current law). Amends the statute concerning rental purchase agreements to authorize a lessor to charge an expedited payment service fee of \$3 for accepting an expedited payment from a lessee (versus a telephone payment fee of \$3 under current law) if certain conditions are met. Amends the Indiana Code section concerning the department's duties of confidentiality with respect to certain information concerning financial institutions to specify that those duties apply to all regulated entities licensed or registered with the department. Specifies that the required fidelity coverage for credit unions: (1) applies to those directors, officers, and employees of the credit union who have access to money or bonds of the

credit union; and (2) must be approved annually by the credit union's board of directors as to the amount and form. Amends the statute governing money transmitters to: (1) provide that a "payment instrument" does not include a "stored value account"; and (2) remove the definition of "stored value account". Changes references to a "federal savings and loan association" to a "federal savings association" for purposes of the statute concerning mergers, consolidations, and conversions involving federal savings associations and savings associations chartered in Indiana, to specify that a federal savings association may convert into a savings association chartered in Indiana.

1/19/2022 - Senate Insurance and Financial Institutions, (Bill Scheduled for Hearing); Time & Location: 9:00 AM, Rm. 130