

Indiana Coalition Against Domestic Violence

Half-Time report

March 3, 2023

The first half of the 2023 legislative session is completed. The second half of session begins on March 6, after which the House will consider Senate bills that have passed over from the Senate, and the Senate will take up House bills that have passed over to them. The session must be finished by no later than April 29.

Below are summarized bills relating to many areas in which ICADV members may be interested. To see more details about any bill, go to <https://beta.iga.in.gov/legislative/2023/bills>, and click on the bill of interest.

I. Domestic Violence

HB 1001. Budget. Contains a \$3 million per year increase in the DVPT, and specifically allows funding to be used for shelter repairs, as follows:

DOMESTIC VIOLENCE PREVENTION AND TREATMENT

Total Operating Expense 8,000,000 8,000,000

Domestic Violence Prevention and Treatment Fund (IC 5-2-6.7-4)

Total Operating Expense 1,226,800 1,226,800

Augmentation allowed from the domestic violence prevention and treatment fund.

The above appropriations may not be used to construct a new domestic violence shelter but may be used to repair existing shelters.

Referred to Senate Appropriations Committee.

HB1195 Duties of victim services division of ICJI. McNamara. Reassigns duties to the victim services division (division) of the Indiana criminal justice institute (ICJI) from the domestic violence prevention and treatment council (council) within the division.

• **Third reading: passed; Roll Call 89: yeas 92, nays 0**

• **Senate sponsor: Senator Messmer**

Set for hearing 3.7.23 at 10 a.m. in Rm. 130.

SB0158 Domestic violence. Crider. Provides that a person arrested for certain crimes may not be released on bail for 24 hours. Provides that a charge of invasion of privacy is elevated to a Level 6 felony if the person has a prior unrelated criminal stalking conviction. Provides that certain crimes are considered a serious violent felony for the purposes of unlawful possession of a firearm by a serious violent felon.

• **House sponsor: Representative McNamara Cosponsor: Representative Steuerwald, Rowray**

• **Third reading: passed; Roll Call 101: yeas 47, nays 2**

• **Senators Becker, Sandlin, Bohacek, Freeman, Koch, Glick, Baldwin, Garten added as second author**

02/28/2023 Referred to Committee on Courts and Criminal Code

SB0161 Stalking through use of tracking device. Crider, Charbonneau, Becker, Provides that a person who, with the intent to track an individual, and without the individual's knowledge, places a tracking device on an individual or the individual's property commits remote criminal tracking, a Class C misdemeanor. Provides certain exceptions. Increases the penalty to a Class A misdemeanor if the person is the subject of a protective order issued on behalf of the individual. Establishes a sentence enhancement if a person uses a tracking device to commit or facilitate the commission of a felony.

02/28/2023 Third reading: passed; Roll Call 186: yeas 49, nays 0

House sponsor McNamara

Related bill not heard: SB0083 Unlawful tracking of another individual. L. Brown , Crider.

SB0205 Task force for the reduction of violent crime. Qaddoura. 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.

• **House sponsors: Representative Steuerwald, Gore**

• **Third reading: passed; Roll Call 103: yeas 47, nays 0**

• **Senators Hunley, Bohacek, Glick, Freeman, JD Ford, Breaux added as coauthors**

02/28/2023 Referred to Committee on Courts and Criminal Code

SB0314 Address confidentiality. Gaskill, Rogers. Replaces a "victim of domestic violence" with an individual who is an address confidentiality "program participant" in the definition of "covered person" for purposes of the statutes concerning restricted addresses. Urges the legislative council to assign to the appropriate interim study committee the topic of studying certain topics regarding address confidentiality protections. Makes a conforming change.

- House sponsor: Representative Engleman
- Third reading: passed; Roll Call 55: yeas 49, nays 0

02/28/2023 Referred to Committee on Local Government

HB1578 Covered persons for restricted addresses. O'Brien. Provides that a regular, paid firefighter and a volunteer firefighter are "covered persons" under the statute that requires local government units that operate a public data base website containing the names and addresses of property owners to restrict disclosure to the general public of the covered person's home address. Removes an obsolete date reference.

- Third reading: passed; Roll Call 109: yeas 99, nays 0
- Senate sponsors: Senators Alexander and Sandlin

02/27/2023 Referred to Committee on Local Government

SJR0001 Limitation on right to bail. Provides that a person who poses a substantial risk to the public is not entitled to release on bail. **Third reading passed; Roll Call 27: yeas 34, nays 15**

Sponsored by: Jeter, Steuerwald, McNamara, Torr.

02/07/2023 Referred to Committee on Courts and Criminal Code

HB1196 CDL training regarding human trafficking. McNamara. Provides that the bureau of motor vehicles (bureau) is required to provide, as part of the curriculum for a commercial driver's license, a commercial learner's permit, and any related endorsements and restrictions, industry specific training on how to recognize, prevent, and report human trafficking. Requires the bureau to work in coordination with organizations that specialize in recognizing, preventing, and reporting human trafficking, and to review and update the required training at least one time each year.

- Third reading: passed; Roll Call 20: yeas 98, nays 0
- Senate sponsor: Senator Crider

02/23/2023 Referred to Committee on Homeland Security and Transportation

SB0179 Home detention. Koch. Provides that a court may not order a person convicted of a: (1) Level 1 felony; or (2) crime subject to certain enhancements; to a community corrections program. Allows a court to place a person in a community corrections program as an alternative to commitment to the county jail or department of correction. Repeals a requirement that a court suspend the sentence for a person placed in a community corrections program. Specifies that a person sentenced to work release in a community corrections program receives one day of accrued time for each day the person is confined on work release. (Current law only specifies that a person on home detention earns accrued time.) Provides that the violation of a home detention placement term constitutes the crime of escape under certain circumstances. Makes technical changes.

- Referred to Committee on Courts and Criminal Code
- House sponsor: Representative Meltzer, Cosponsors: Representatives McNamara and Steuerwald
- Third reading: passed; Roll Call 28: yeas 48, nays 0

SB0445 Electronic monitoring standards. K. Walker. Permits the justice reinvestment advisory council to develop electronic monitoring standards and to submit an annual report as to the standards. Permits the justice reinvestment advisory council to conduct a workload study of electronic monitoring and home detention, make certain findings, and submit a report to the legislative council not later than July 1, 2025. Provides that a contract employee of a supervising agency is required to notify the supervising agency of certain actions with respect to a tracked individual not later than 12 hours after the action occurs. Requires this notification to be sent within 15 minutes if the tracked individual is serving a sentence for a crime of violence or a crime of domestic or sexual violence, and additionally requires the supervising agency to notify a vulnerable victim and request law enforcement to perform a welfare check, if there is a vulnerable victim. Specifies that a supervising agency must include in a quarterly report the number of tracked individuals who are on parole supervision and the number of false location alerts, device malfunctions, or both. Provides that a local supervising agency shall report directly to the local justice reinvestment advisory council each quarter, and that the division of parole services shall report to the statewide justice reinvestment advisory council each quarter. Requires the statewide justice reinvestment advisory council to transmit an annual electronic report to the legislative council and to the judicial conference of Indiana not later than March 15 of each year.

House sponsor: Representative McNamara, Representative Steuerwald

• Third reading: passed; Roll Call 109: yeas 48, nays 0

Hearing Wednesday, March 8, at 11 a.m., Rm. 156-C in Criminal and Corrections

II. Sexual Assault

SB0048 Child sex offenses. Crider. Provides that a criminal prosecution of a sex offense committed against a child that is otherwise barred by the statute of limitations may nevertheless be commenced within five years from the date on which: (1) the state discovers DNA evidence; (2) the state learns of a recording that provides evidence sufficient to charge the offender; or (3) a person confesses to the offense. Specifies that a person commits human trafficking if the person pays money to a human trafficking victim. (Current law provides that the person commits the offense by paying money for a human trafficking victim.)

In House Courts and Criminal Code Committee

• House sponsor: Representative McNamara

• Third reading: passed; Roll Call 16: yeas 50, nays 0

Hearing Wednesday, March 8, at 11 a.m., Rm. 156-C

SB0301 Sex offenses. Brown, Bohacek, Crider. Makes the acts requiring a person convicted of child molesting to be sentenced in accordance with the alternative Level 1 sentencing range an element of the crime of child molesting. Provides that the definition of "credit restricted felon" includes a person who has been convicted of rape.

Third reading: passed; Roll Call 54: yeas 49, nays 0

House sponsor: Representative Negele

Referred to Committee on Courts and Criminal Code

III. Family Law

HB1009 Court ordered pregnancy and child birth expenses. Rowray. Specifies what a court shall order a father to pay for pregnancy and childbirth expenses.

• Senate sponsors: Senators Brown L and Alexander

• Third reading: passed; Roll Call 113: yeas 94, nays 1

• Authored by Representative Rowray, Jeter, King and McNamara

Hearing Wednesday, March 8 at 1:30 p.m., in Room 130

HB1172 Paternity actions. Clere. Allows a child to commence a child custody proceeding under certain circumstances. Provides that a court having jurisdiction over a child who is the subject of a child in need of services proceeding or juvenile delinquency proceeding has concurrent jurisdiction with a court having jurisdiction over a paternity proceeding for the purpose of establishing or modifying paternity, custody, parenting time, or child support of the child.

Third reading: passed; Roll Call 239: yeas 95, nays 0

Senate sponsors: Senators Walker G, Ford Jon, Pol

Referred to Committee on Judiciary

HB1560 Adoptions. Rowray, McGuire. Allows a consent to adoption to be executed or acknowledged in court, in person or by video conferencing. Provides that a consent to adoption may be withdrawn not later than 15 days after the consent to adoption is signed. (Current law allows 30 days to withdraw.) Requires a court to expedite certain adoption proceedings.

Referred to Committee on Judiciary

Third reading: passed; Roll Call 192: yeas 89, nays 1

Senate sponsors: Senators Brown L and Alexande

Hearing: Mar 8 @ 1:30 pm in Room 130

IV. General anti-poverty, SNAP

SB0265 – TANF eligibility Authored by Sen. Jon Ford, Sen. Greg Walker, Sen. Vaneta Becker, Sen. J.D. Ford, Sen. Jean Breaux, Sen. Eric Bassler, Sen. Stacey Donato. -. Sets the income eligibility requirements for the Temporary Assistance for Needy Families (TANF) program at a specified percentage of the federal income poverty level. Requires the division of family resources (division) to amend the state TANF plan or take any other action necessary to implement the income requirements. Increases certain payment amounts under the TANF program. Requires the payments to be annually adjusted using the Social Security cost of living adjustment rate, but provides that the total adjustment in a year must be reduced to the extent the adjustment would result in the transfer to the Child Care and Development Fund grant program being less than the maximum allowable transfer under federal law. Authorizes emergency rulemaking concerning the payments. Repeals provisions: (1) regarding TANF eligibility of a child born more than 10 months after the child's family qualifies for TANF assistance; (2) encouraging a family that receives TANF assistance to receive family

planning counseling; and (3) requiring the division to apply a percentage reduction to the total needs of TANF applicants and recipients in computing TANF benefits.

1.30.23 – Passed Senate 45-0

Sponsors: Clere and Pfaff

Referred to Committee on Family, Children and Human Affairs

(HB 1160 was the House counterpart of SB 265 until amended in Ways and Means to be as follows:)

HB1160 Workforce training pilot program. Requires the commission for higher education to establish an education and career support services pilot program. Establishes certain requirements for the education and career support services pilot program. Requires the office of the secretary of family and social services (FSSA), in consultation with Erskine Green Training Institute (Erskine) and the department of workforce development, to establish a workforce training pilot program (pilot program) to provide training and other services to: (1) unemployed or underemployed individuals who are eligible to receive assistance under the Temporary Assistance for Needy Families (TANF) program; and (2) individuals with intellectual and other developmental disabilities. Requires Erskine to administer the pilot program. Requires the FSSA to contract with Erskine to cover the costs of the administration of the pilot program and any subsidized wages associated with the pilot program. Requires Erskine to submit an annual report to the FSSA and the legislative council.

• Third reading: passed; Roll Call 146: yeas 92, nays 0

• Senate sponsors: Senators Ford Jon, Garten, Yoder

• Representatives DeVon, Goodrich, Jackson added as coauthors

Referred to Committee on Family and Children Services

HB1132 Land use task force. Creates the land use task force to study and make recommendations concerning: (1) areas where food insecurity exists; (2) development growth trends in rural, suburban, and urban communities across Indiana; and (3) other community growth issues.

• Third reading: passed; Roll Call 118: yeas 96, nays 0

• Senate sponsors: Senators Buck, Buchanan, Deery

Referred to Committee on Commerce and Technology

HB1290 Earned income tax credit. Recouples the state earned income tax credit qualifications with the federal earned income tax credit qualifications under the Internal Revenue Code as in effect January 1, 2023. Increases the state earned income tax credit to an amount equal to 12% (instead of 10%) of the federal earned income tax credit that an individual claimed for a taxable year.

• Third reading: passed; Roll Call 75: yeas 97, nays 0

• Senate sponsors: Senators Walker G, Rogers, Holdman

Referred to Committee on Tax and Fiscal Policy

SB0182 Township mergers. Allows a township that does not have a township trustee or township board to merge with another township, if identical resolutions approving the merger are adopted by the following: (1) The township trustee and legislative body of the other township. (2) The county executive.

• House sponsor: Representative May

• Third reading: passed; Roll Call 35: yeas 44, nays 0

Referred to Committee on Local Government

HB1355 Township merger pilot program. Establishes a pilot program that provides for: (1) the merger of townships into a single township government in Blackford County and Switzerland County; and (2) the merger of townships into not more than two township governments in Crawford County.

Third reading: 80-15

Sponsor: Niemeyer

Referred to Committee on Local Government

SB0334 Simplified application for SNAP benefits. Yoder, G. Walker. Requires the division of family resources of the family and social services administration (division) to develop and implement simplified requirements by which an individual who: (1) is 60 years of age or older or a person with a disability; and (2) resides in a household every resident of which is 60 years of age or older or a person with a disability (eligible individual); may certify or recertify the individual's eligibility for supplemental nutrition assistance program (SNAP) benefits. Provides that the simplified requirements must allow an eligible individual who certifies or recertifies the individual's eligibility to receive SNAP benefits under the simplified requirements to remain eligible for SNAP benefits for 36 months after the certification or recertification. Requires the division to use data matching to provide SNAP eligibility information to eligible individuals who are receiving Medicaid benefits and are eligible for SNAP benefits.

House sponsor: Representative Clere, Cosponsors: Representatives Vermilion A, Olthoff, Jackson

Third reading: passed; Roll Call 107: yeas 48, nays 0
Referred to Committee on Family, Children and Human Affairs

SB0238 Child and dependent care tax credit. Provides a refundable child and dependent care tax credit to taxpayers whose adjusted gross income for the taxable year is not more than 250% of the federal poverty level. Provides that the credit is equal to the lesser of: (1) an amount ranging from \$200 to \$1,000, depending on the extent to which the taxpayer's adjusted gross income exceeds the federal poverty level; or (2) 20% of the taxpayer's employment related expenses. In Senate Tax and Fiscal Policy Committee

SB0255 Child and dependent care tax credit. Provides a refundable child and dependent care tax credit to taxpayers whose adjusted gross income for the taxable year is not more than 250% of the federal poverty level. Provides that the credit is equal to the lesser of: (1) an amount ranging from \$200 to \$1,000, depending on the extent to which the taxpayer's adjusted gross income exceeds the federal poverty level; or (2) 20% of the taxpayer's employment related expenses. In Senate Tax and Fiscal Policy Committee

Neither were heard, but in the House budget: Increases the dependent child exemption to \$3,000 for the first year a child is claimed as a dependent

V. Immigration

SB0376 Lawfully residing immigrants and eligibility. Provides Medicaid eligibility for certain individuals who have immigrated and are lawfully residing in the United States and meet other Medicaid eligibility requirements. Specifies eligibility for the children's health insurance program (CHIP) for lawfully residing individuals who are less than 19 years of age. Provides that an agency or political subdivision is not required to verify citizenship or immigration status of an individual for purposes of the individual's eligibility for benefits under the Richard B. Russell National School Lunch Act or the Child Nutrition Act of 1966, including the special supplemental food program for women, infants, and children.

02/28/2023 Third reading: passed; Roll Call 198: yeas 39, nays 9

• House sponsor: Representative DeVon, Bauer

SB0178 Citizenship and immigration status. Provides that, if the attorney general determines probable cause exists, the attorney general, rather than any person lawfully domiciled in Indiana, may bring an action to compel a governmental body or postsecondary educational institution to comply with statutes requiring cooperation with federal immigration officials. Requires a court to apply a preponderance of the evidence standard to enjoin the violation of those statutes.

• House sponsor: Representative Steuerwald

• Third reading: passed; Roll Call 178: yeas 40, nays 9

VI. Housing

SB0392 University housing for single mothers. Gaskill, Garten, Bassler, Brown, Rogers, Charbonneau, Busch, Crider, Raatz Qaddoura and Niezgodski. Provides that the commission for higher education may administer a program to support JobSource, Inc., for the management of the Heartland/Anderson Scholar House. Provides that the purposes of the program include: (1) the expansion of program participant services; (2) residential and other support facility improvements and a one time debt reduction of \$250,000; (3) outreach to impoverished single mothers in minority communities; and (4) the provision of a scholarship gap fund for graduates staying in Indiana. Provides that administration costs incurred in the management of the Heartland/Anderson Scholar House may not exceed two percent 2% of the total program costs

• House sponsors: Representative Davis, DeVon, Pierce K, Rowray E

• Third reading: passed; Roll Call 56: yeas 48, nays 1

Referred to Committee on Ways and Means

HB1265 Housing issues. Moed, Hamilton. Makes appropriations to the Indiana housing and community development authority and the office of the secretary of family and social services to fund programs for housing and other supportive services for individuals experiencing homelessness. **\$5 million in budget for one year. Bill not moved, but it was put into the budget as follows:**

A one time \$ 5 million homeless grant under IHCD (p. 37 of the House passed budget)

HOMELESSNESS PREVENTION GRANTS

Total Operating Expense

5,000,000 in year 1/ 0 in year 2

The above appropriation shall be used to support programs that seek to prevent homelessness among vulnerable populations, including but not limited to foster youth and expectant mothers.

HB1005 Housing. D. Miller, O'Brien and Hall. Establishes the residential housing infrastructure assistance program (program) and residential housing infrastructure assistance revolving fund (fund). Provides that the Indiana finance authority (authority) shall administer the fund and program. Provides that political subdivisions may apply to the fund for loans for certain infrastructure

projects related to the development of residential housing. Provides that money in the fund may not be used for: (1) debt repayment; (2) maintenance and repair projects; (3) upgrading utility poles; or (4) consulting or engineering fees for studies, reports, designs, or analyses. Provides that loans from the fund must be allocated as follows: (1) 70% of the money in the fund must be used for housing infrastructure in municipalities with a population of less than 50,000. (2) 30% of the money in the fund must be used for housing infrastructure in all other political subdivisions. Requires the authority to establish a project prioritization system for the purpose of awarding loans from the fund, and specifies the criteria that must be included in the project prioritization system. Allows the authority to establish a leveraged loan program to or for the benefit of program participants. Requires the public finance director to prepare an annual report of the fund's activities for the legislative council and the budget committee. Makes a continuing appropriation.

- **Third reading: passed; Roll Call 82: yeas 91, nays 6**

- **Senate sponsors: Senators Rogers and Garten**

- **First reading: referred to Committee on Appropriations**

HB 1001, budget, contains \$75 million over the biennium to fund this bill.

HB1157. Residential housing development program. Moed. Makes the following changes regarding Marion County redevelopment: (1) Revises allocation area requirements for the redevelopment commission (commission) to establish a housing program. (2) Allows the commission to establish a residential housing development program (residential housing program) and a tax increment funding allocation area for the residential housing program, if the construction of new houses fails to reach a benchmark. Requires the department of local government finance, in cooperation with the city of Indianapolis, to determine eligibility for the residential housing program. Specifies the rights, powers, privileges, and immunities of the commission in implementing a residential housing program.

- **Third reading: passed; Roll Call 120: yeas 91, nays 0**

- **Senate sponsors: Senators Walker K, Hunley, Qaddoura**

- **Referred to Committee on Local Government**

HB1315 Zoning and home warranties. Miller, Teshka. Allows a builder to disclaim implied warranties for a new home that is first occupied by a person renting the home as a residence from the initial home buyer. Allows a builder to disclaim implied warranties on a model home in the same manner as a home that is first occupied as a residence. Prohibits a county, city, or town from exercising its planning and zoning authority in a way that differentiates between fraternity and sorority houses based upon whether the fraternity or sorority is officially approved or recognized by the college or university.

- **Third reading: passed; Roll Call 56: yeas 97, nays 0**

- **Senate sponsor: Senator Baldwin**

- **Referred to Committee on Local Government**

HB1499. Property tax matters. Thompson. Provides that the circuit-breaker credit is equal to the amount by which a person's property tax liability attributable to the person's homestead exceeds, for property taxes first due and payable: (1) in 2024, 0.95%; and (2) in 2025, 0.975%; of the gross assessed value of the property that is the basis for determination of the property taxes. Increases the amount of the supplemental homestead deduction for property taxes first due and payable in 2024 and 2025. Provides that if a taxpayer presents an appraisal to the county property tax assessment board of appeals (county board) that meets specified requirements, the appraisal is presumed to be correct. Provides that if the county board disagrees with the taxpayer's appraisal, the county board may seek review of the appraisal or obtain an independent appraisal. Provides that after the assignment of value, the parties shall retain their rights to appeal the assessment or assessments to the Indiana board of tax review. Provides that, notwithstanding any increase in assessed value of property from the previous assessment date, the total amount of operating referendum tax that may be levied by a school corporation for taxes first due and payable in 2024 may not increase by more than 3% over the maximum operating referendum tax that could be levied by the school corporation in the previous year. **Increases the renter's state income tax deduction to \$4,000. Increases the residential property state income tax deduction to \$3,500. Authorizes a county fiscal body to adopt an ordinance to provide property tax relief for property tax liability attributable to homesteads for qualified individuals.** Modifies the threshold amounts used for determining whether a political subdivision's project is a controlled project and whether the petition and remonstrance process or the referendum process applies based on the political subdivision's total debt service tax rate. Provides a calculation to be used in determining the maximum levy growth quotient in 2024 and 2025.

- **Third reading: passed; Roll Call 187: yeas 94, nays 1**

- **Sponsor: Holdman**

- **Referred to Tax and Fiscal Policy**

HB 1575. Residential building commission. O'Brien, Miller, Bartels. Establishes the residential building commission (building commission) within the department of homeland security. Provides that the building commission has exclusive jurisdiction for the review and adoption of building codes and standards that regulate the construction of dwellings.

- Referred to Committee on Local Government
- Third reading: passed; Roll Call 168: yeas 72, nays 25
- Senate sponsors: Senators Rogers and Garten

HB1621 Self-service storage facilities. Payne, Clere, K. Pierce, Morris. Specifies that the term "personal property" includes trailers. Changes the time at which a self-service storage facility owner (owner) may: (1) begin enforcement of the owner's lien on a renter's stored personal property; and (2) sell or otherwise dispose of the renter's stored personal property. Provides that as an alternative to conducting a sale of a renter's stored personal property after the renter's default, an owner may cause the renter's personal property to be towed or removed from the self-service storage facility if the renter's stored personal property is a trailer. (Current law provides this alternative if the renter's stored personal property is a motor vehicle or watercraft.) Specifies that an owner may deny the renter access to the self-service storage facility, including the rented space, when enforcing a lien. Allows a renter to designate an alternative contact in a rental agreement to receive required notices.

- Third reading: passed; Roll Call 137: yeas 62, nays 27
 - Senate sponsors: Senators Byrne and Zay
- Referred to Committee on Judiciary

HB1627 Sale of tax sale properties to nonprofits. Bauer, Moed. Provides that tax sale statute concerning the sale of real property to eligible nonprofit entities for low or moderate income housing applies to St. Joseph County and a city containing a consolidated city. (Current law provides that the provision only applies to a county having a consolidated city.)

- Senate sponsors: Senators Rogers, Niezgodski, Young M
 - Third reading: passed; Roll Call 157: yeas 96, nays 1
- Referred to Committee on Local Government

SB0015 Housing authority commissioner compensation. Randolph. Increases the per diem paid to a commissioner of a housing authority from \$25 to \$100.

- House sponsor: Representative Soliday Jackson, Slager, Harris
 - Third reading: passed; Roll Call 148: yeas 44, nays 0
- Referred to Local Government

SB0156 Tax sales. Niemeyer. Provides that a person who acquires a certificate of sale (certificate) may not assign the certificate to a person who was not eligible under the tax sale laws to bid on or purchase real property at a tax sale until the person satisfies the eligibility requirements as determined by the county auditor. Requires a person to acknowledge that the person will not assign a certificate for any real property purchased to a person who is prohibited from bidding on or purchasing real property at a tax sale. Requires the county auditor to determine that an assignee of a certificate is eligible to receive the assignment for an assignment to be valid. Provides that assignments of a certificate must be included on the county auditor's tax sale record. Requires the county auditor to list certain information concerning tax sales on the county website or a link to the website of the county's contractor for 10 years.

- House sponsor: Representative Slager, Engleman
 - Third reading: passed; Roll Call 100: yeas 49, nays 0
- Referred to Judiciary

SB 202 Study committee. Randolph, Baldwin, Qaddoura, G. Walker. Urges the legislative council to assign the topic of various housing matters (rent escrow) to the appropriate interim study committee.

- House sponsor: Representative Miller D, Clere, Errington, Pryor.
 - Third reading: passed; Roll Call 139: yeas 37, nays 9
- Referred to Committee on Judiciary

SB0300 Residential tax increment financing. Rogers. Removes the threshold conditions for establishing a residential housing development program and a tax increment allocation area for the program, including the condition that the governing body of each school corporation affected by the program pass a resolution approving the program before the program may go into effect. Provides that the fiscal body of a county may adopt an ordinance to designate an economic development target area.

- House sponsor: Representative Miller D, Heine, O'Brien
 - Third reading: passed; Roll Call 59: yeas 28, nays 19
- Referred to Ways and Means.

SB0325 Homestead standard deduction. Specifies the scope of residential property improvements that constitute a dwelling for purposes of the homestead standard deduction. Amends the statute of limitations for an appeal of a property tax assessment that is

based on a change in statutory or administrative law, or a judicial interpretation that changes existing law, and which takes effect after February 22, 2022, to require the appeal be filed within a specified time similar to the time required for an error related to assessed value.

- **House sponsor: Representative Thompson**
- **Third reading: passed; Roll Call 194: yeas 41, nays 8**

SB0339 Attainable homeownership tax credit. Rogers. Establishes a tax credit (credit) for a contribution to an affordable housing organization (organization). Requires the Indiana economic development corporation to approve each organization applicant as an organization for which a taxpayer is eligible to claim a credit for a contribution. Provides that the amount of the credit is equal to 50% of the amount of the contribution that is not more than \$20,000 made to the organization. Provides that the credit may be carried forward for five years following the unused credit year. Provides (subject to certain conditions) that the total amount of tax credits awarded may not exceed \$100,000 in each state fiscal year. Requires the department of state revenue (department) to post certain information about the credit on a website used by the department to provide information to the public. Allows the department to adopt rules to implement the credit.

- **House sponsor: Representative Miller D, Bauer M, O'Brien T, DeVon**
- **Third reading: passed; Roll Call 141: yeas 46, nays 0**
- **Referred to Committee on Ways and Means**

SB0461 Short term rentals. M. Young. Permits a unit to charge a \$25 annual short term rental inspection fee.

- **House sponsor: Representative Davis, DeVon, Pierce K, Rowray E**
- **Third reading: passed; Roll Call 56: yeas 48, nays 1**

VII. LGBTQ related bills

HB1407 Parental rights. DeVon. Provides that the state of Indiana, a political subdivision or other governmental entity of the state of Indiana, a government official, or any other person acting under the color of law shall not infringe on the fundamental right of a parent to direct the upbringing, education, health care, and mental health of the parent's child without demonstrating that the infringement: (1) is required by a compelling governmental interest of the highest order as long recognized in the history and traditions of the state of Indiana; and (2) as applied to the child, is narrowly tailored and not otherwise served by a less restrictive means. Creates a right of action for violation of a parent's rights with respect to the upbringing, education, and health care of the parent's child. Provides that a child is not a child in need of services due to the child's parent, guardian, or custodian: (1) referring to and raising the child consistent with the child's biological sex; or (2) declining to consent to the child receiving: (A) specified medication; (B) a medical procedure the purpose of which is to alter the apparent gender or sex of the child or affirm the child's perception of the child's gender or sex in a manner inconsistent with the child's biological sex; or (C) counseling or other mental health services the purpose of which is to affirm the child's perception of the child's gender or sex if the child's perception is inconsistent with the child's biological sex. Provides that if the juvenile court finds that a child is a child in need of services because the child substantially endangers the child's own or another's health, the court shall release the child to the child's parent, guardian, or custodian and may not enter a dispositional decree ordering removal of the child, unless: (1) the court also finds that the child is a child in need of services for another reason; or (2) the parent, guardian, or custodian consents to the child being removed from the child's home. Specifies that the parental rights and responsibilities do not: (1) authorize a parent to: (A) abuse or neglect a child; or (B) make the decision to end the child's life; or (2) prohibit a court from issuing an order that is otherwise permitted by law.

- **Senate sponsors: Senators Freeman, Donato, Raatz**
- **Third reading: passed; Roll Call 199: yeas 58, nays 33**

HB1569. Restrictions on DOC provision of gender therapy. Provides that the department of correction may not authorize the payment of any money, the use of any state resources, or the payment of any federal money administered by the state to provide or facilitate the provision of sexual reassignment surgery to an offender patient.

- **Senate sponsor: Senator Donato**
- **Third reading: passed; Roll Call 134: yeas 68, nays 24**
- **Referred to Committee on Corrections and Criminal Law**

HB1608. Human sexuality instruction. Provides that a school, an employee or staff member of a school, or a third party vendor used by a school to provide instruction may not provide any instruction to a student in kindergarten through grade 3 on human sexuality. Provides that a school employee or a school staff member is not prohibited from responding to a question from a student regarding certain topics. Provides that an employee or staff member of a school may only use a name, pronoun, title, or other word to identify a student that is inconsistent with the student's sex if the student, who is an adult or an emancipated minor, or the parent of an unemancipated minor requests in writing the use of a specific name, pronoun, title, or other word to identify the student. Provides

that a request must be submitted at the beginning of a school year. Requires a school to notify the parent of a certain student of a request made by the student to change the student's name, pronoun, title, or other word to identify the student that is inconsistent with the student's sex. Provides that a school may not discipline an employee or staff member of the school for using a name, pronoun, title, or other word to identify a student that is consistent with the student's legal name.

- Senate sponsors: Senators Donato, Raatz, Byrne
- Third reading: passed; Roll Call 220: yeas 65, nays 29
- Referred to Committee on Education and Career Development

SB0012 Material harmful to minors. Establishes a procedure: (1) to allow a parent or guardian of a child enrolled in a school to submit a complaint that a book in the school library is inappropriate; and (2) for the school to respond to the complaint. Establishes an appeal procedure. Provides that a school library may not make a book available that contains obscene matter or matters harmful to children. Removes schools from the list of entities eligible for a specified defense to criminal prosecutions alleging: (1) the dissemination of material harmful to minors; or (2) a performance harmful to minors. Adds colleges and universities to the list of entities eligible for a specified defense to criminal prosecutions alleging: (1) the dissemination of material harmful to minors; or (2) a performance harmful to minors.

- House sponsor: Representative Cash Teshka J, McGuire J, Speedy
- Third reading: passed; Roll Call 181: yeas 37, nays 12

SB0480. Gender transition procedures for minors. Prohibits a physician or other practitioner from: (1) knowingly providing gender transition procedures to an individual who is less than 18 years of age (minor); and (2) aiding or abetting another physician or practitioner in the provision of gender transition procedures to a minor. Specifies certain medical exceptions. Establishes civil enforcement actions.

- 02/28/2023 Third reading: passed; Roll Call 207: yeas 36, nays 12
- House sponsors: Representative King, Davis

VIII. Guns

HB1150. Hunting season for disabled veterans. Provides that the director of the department of natural resources shall designate four days a year as free hunting days for critically disabled veterans and youth hunters. Defines "critically disabled veteran".

- First reading: referred to Committee on Natural Resources
- Third reading: passed; Roll Call 119: yeas 96, nays 0
- Senate sponsor: Senator Tomes

HB 1177. Handgun training for teachers. Creates a specialized firearms safety, education, and training curriculum (curriculum) for teachers, school staff, and school employees. Specifies curriculum requirements. Authorizes funds from the: (1) Indiana safe schools fund; (2) Indiana secured schools fund; and (3) school corporation and charter school safety advance program; to be used for the purpose of providing specialized firearms instruction to certain teachers, school staff, and school employees, and for providing counseling services to students, teachers, school staff, and school employees in the event of a school shooting. Requires a charter school, nonpublic school, or school corporation to ensure that a teacher, school staff member, or school employee who receives a grant from the Indiana safe schools fund for the purpose of receiving specialized firearms instruction complies with certain requirements. Provides that the identity of any person who: (1) enrolls in; (2) participates in; or (3) completes; the curriculum is confidential. Provides that a public school or an accredited nonpublic school may not conduct a training or drill for an employee of the school that includes, as any part of the training or drill, the expelling of any type of projectile at the employee unless: (1) the school informs the employee of the use of projectiles in the training or drill; and (2) the employee consents, in writing, to the use of projectiles during the training or drill. Provides that a public school or an accredited nonpublic school may not conduct or approve a training or drill for a student of the school that includes, as any part of the training or drill, the expelling of any type of projectile. Authorizes a qualified retired law enforcement officer to carry or possess a firearm on school property. Makes conforming and technical amendments.

- 02/14/2023 Third reading: passed; Roll Call 123: yeas 71, nays 24
- 2/14/2023 Senate sponsors: Senators Holdman, Garten, Baldwin
- 02/27/2023: Referred to Committee on Education and Career Development

HB1308. Indiana crime guns task force. Provides that the Indiana crime guns task force area may include Allen County.

- Referred to Committee on Corrections and Criminal Law
- Third reading: passed; Roll Call 230: yeas 94, nays 0
- Senate sponsor: Senator Busch

HB1323. Information privacy relating to firearms. Specifies the circumstances under which information concerning a person who applies for or holds a license to carry a handgun may be released to a federal government entity.

- Referred to Committee on Corrections and Criminal Law
 - Senate sponsors: Senators Freeman and Tomes
 - Third reading: passed; Roll Call 91: yeas 81, nays 13
- Hearing: Mar 7 @ 10:00 am in Room 130

HB1348. Disposal of firearms by trade for new equipment. Permits a law enforcement agency to dispose of certain confiscated firearms by trade with a licensed firearms dealer, a licensed firearm manufacturer, or another law enforcement agency in exchange for new firearms and other law enforcement equipment. Sets forth the recording and reporting requirements for the trade of firearms by a law enforcement agency.

- Referred to Committee on Commerce and Technology
- Third reading: passed; Roll Call 228: yeas 95, nays 0
- Senate sponsors: Senators Koch and Baldwin

HB1365 Machine guns. Revises, for purposes of an enhancement and certain criminal offenses, a definition of "machine gun". Provides that particular criminal offenses concerning machine guns shall not be construed to apply to persons possessing machine guns or other items not required to be registered in the National Firearms Registration and Transfer Record maintained by the federal Bureau of Alcohol, Tobacco, Firearms and Explosives. Makes a conforming amendment.

- Referred to Committee on Corrections and Criminal Law
- Senate sponsors: Senators Freeman and Pol
 - Third reading: passed; Roll Call 179: yeas 68, nays 24

SB0136. Conviction data. Defines "prohibited person" as a person prohibited from possessing a firearm or carrying a handgun. Provides that the office of judicial administration may establish a system to transmit certain data to assist in determining whether a person is a prohibited person.

- House sponsor: Representative Bartels, Jeter
- Third reading: passed; Roll Call 184: yeas 49, nays 0

IX. Payday, Lending and Financial Literacy

HB1281. Financial literacy. Provides that, beginning with the cohort of students who are expected to graduate from a public school or a charter school in 2027, an individual must successfully complete a personal financial responsibility course (course) before the individual may graduate. Creates requirements for content that must be covered in a course. Provides that a public school or charter school may offer instruction on a course as a separate subject or as units incorporated into appropriate subjects. Provides that a course may qualify as a mathematics credit for an alternative diploma under if offered as a separate subject.

To Senate Education and Career Development Committee

SB0035. Financial literacy. Provides that, beginning with the cohort of students who are expected to graduate from a public school, a charter school, or a state accredited nonpublic school in 2028, an individual must successfully complete a personal financial responsibility course before the individual may graduate. Creates requirements for content that must be covered in a personal financial responsibility course.

To House Education Committee

X. Medicaid

HB 1091. Continuous eligibility under Medicaid and CHIP. Vermillion. Changes the requirements for submitting eligibility information for an individual who is: (1) less than 19 years of age; and (2) a recipient of either the Medicaid program or the children's health insurance program (CHIP) (programs). (Current law concerning the submission of eligibility information in the programs applies to individuals less than three years of age.)

- Referred to Committee on Health and Provider Services
- Senate sponsor: Senator Brown L
- Third reading: passed; Roll Call 50: yeas 97, nays 0

HB1213 Community Integration and habilitation waiver (OLTHOFF J) Establishes the special service review team to review denied applications for the community integration and habilitation waiver. Limits the geographical area of review. Establishes reporting requirements. Provides that the review team expires December 31, 2024. Removes the emergency placement priority for individuals under a Medicaid waiver in which there is a death of the primary caregiver and an alternate placement in a supervised group living setting is not available or is determined to be an inappropriate option. Removes the requirement in emergency placements that an alternate placement in a supervised group living setting is not available or is determined to be an inappropriate option. Adds

emergency placement the primary caregiver has serious health concerns that would limit the primary caregiver's ability to care for the individual.

2/23/2023 - Senate sponsor: Senator Brown L

03/06/2023: Referred to Committee on Health and Provider Services

HB1313. Medicaid reimbursement for children's hospitals. Extends the expiration date of language specifying Medicaid reimbursement of certain out of state children's hospitals.

• **Referred to Committee on Health and Provider Services**

• **Senate sponsors: Senators Niemeyer, Bohacek, Dernulc**

• **Third reading: passed; Roll Call 106: yeas 99, nays 0**

HB1342. Direct support professionals. Requires the division of disability and rehabilitative services (division) to establish and maintain a direct support professional registry and to make the registry available to authorized division personnel and authorized service providers. Requires a direct support professional to register with the division in order to provide direct support services. Requires the division to adopt rules to implement the registry, including establishing definitions and levels for substantiated abuse, neglect, and exploitation, the highest of which is the minimum the division must report to the registry. Requires the division to consult with stakeholders and establish a tiered training certification program for direct support professionals. Requires the division to issue a request for proposals before January 1, 2024, to operate the training program. Requires the division to contract with a vendor for the training program not later than January 1, 2025. Requires the division to first use any funds available from the federal American Rescue Plan Act in developing the registry before using other available funds. Allows the division to use any federal dollars available for the registry and training. Requires the division to apply to the federal government for approval of Medicaid reimbursement for services provided by a direct support professional.

• **Referred to Committee on Health and Provider Services**

• **Third reading: passed; Roll Call 242: yeas 94, nays 0**

• **Senate sponsor: Senator Donato**

HB1433. Reimbursement for prosthetic and orthotic devices. Provides that orthotic devices are provided under Medicaid. Requires the office of Medicaid policy and planning to apply for any state plan amendment or waiver necessary to include prosthetic and orthotic devices under Medicaid. Specifies that a minor may receive a prosthetic or orthotic device for the recipient's medical needs and a device for recreational activities. Requires reimbursement for the replacement of an orthotic device or a prosthetic device for a minor for certain reasons.

• **Referred to Committee on Health and Provider Services**

• **Third reading: passed; Roll Call 225: yeas 91, nays 0**

• **Senate sponsors: Senators Busch and Niemeyer**

HB1513. FSSA matters. Changes the name of the bureau of developmental disabilities services to the bureau of disabilities services. Removes certain members from the 211 advisory committee. Repeals Medicaid copayment provisions that: (1) require the office of the secretary of family and social services (office) to apply a copayment for certain Medicaid services; (2) require a recipient to make a copayment upon the receipt of services and for a provider not to voluntarily waive a copayment; (3) set forth exemptions from copayment requirements; and (4) require the provider to charge the maximum allowable copayment. Allows for an enrollment fee, a premium, a copayment, or a similar charge to be imposed as a condition of an individual's eligibility for the healthy Indiana plan and the children's health insurance program. Removes a prohibition on the office from: (1) requiring certain providers to submit non-Medicaid revenue information in the provider's annual historical financial report; and (2) only requesting balance sheets from certain providers that apply directly to the provider's facility. Allows the office to implement an end of therapy reclassification methodology in a successor of the RUG-IV, 48-Group model for payment of nursing facility services.

• **Referred to Committee on Health and Provider Services**

• **Third reading: passed; Roll Call 149: yeas 91, nays 0**

• **Senate sponsor: Senator Charbonneau**

SB318 Audit of Medicaid program prescription drug costs. (ZAY A) Provides that the office of the attorney general, or an independent auditor with experience auditing expenses related to prescription drugs that is hired through a request for proposal process by the attorney general, shall conduct an audit concerning prescription drug costs for the Medicaid program. Requires the auditor to examine cost sharing, spread pricing, patient steering, proper brand and generic definitions, effective rate clawbacks, medical loss ratio inflation, formulary compliance, discriminatory pricing, and any other metric determined by the attorney general. Provides that the audit look back period for the initial audit must be the previous five state fiscal years. Provides that the audit look back period for every audit conducted thereafter must be the previous three state fiscal years. Provides that the results of an audit must be provided to the legislative council.

02/28/2023 Third reading: passed; Roll Call 193: yeas 49, nays 0

02/28/2023 House sponsor: Representative Lehman

XI. Mental Health and Addictions

HB1006. Mental health programs. Specifies the circumstances under which a person may be involuntarily committed to a facility for mental health services and specifies that these services are medically necessary. Establishes a local mental health referral program to provide mental health treatment for certain persons who have been arrested. Repeals obsolete provisions.

- Referred to Committee on Corrections and Criminal Law

- Third reading: passed; Roll Call 49: yeas 99, nays 0

- Senate sponsors: Senators Freeman, Crider, Koch, Becker

HB1208 Opioid settlement. (KARICKHOFF M) Specifies that the distribution of funds from an opioid litigation settlement is subject to a bankruptcy court order or bankruptcy settlement. Provides that an annual distribution of less than \$5,000 payable to a city or town pursuant to an opioid litigation settlement agreement must be paid instead to the county. (Under current law, the threshold is \$1,000.) Specifies that amounts owed by the state for attorney's fees and costs incurred in connection with opioid litigation must be deducted from the opioid settlement distribution payable to the state. Permits a city, county, or town that receives an opioid litigation settlement payment to transfer all or part of the payment to another city, county, or town to be used for the benefit of both communities. Permits a city, county, or town that receives an opioid litigation distribution to sell the right to receive the distribution. Excludes from the agency settlement fund any amount owed for outside counsel attorney's fees, costs, or expenses.

2/27/2023 - Referred to Senate Appropriations

HB1286. Toxicology screening for xylazine. Provides that, if the coroner reasonably suspects the cause of the person's death to be accidental or intentional overdose of an opioid or if the person was administered an overdose intervention drug prior to death and was unresponsive to the overdose intervention drug, the coroner shall test certain bodily fluids to determine whether the bodily fluid contained any amount, including a trace amount, of xylazine at the time of the person's death.

- Referred to Committee on Local Government

- Third reading: passed; Roll Call 154: yeas 96, nays 0

- Senate sponsors: Senators Johnson and Leising

HB1462. Health matters. Amends the requirements for a physician to provide office based opioid treatment. Requires an emergency department to annually submit to the Indiana department of health (department) a plan to initiate interventions with patients who have a substance use related emergency department visit. Sets forth the requirements of a substance use disorder treatment plan. Provides that the services provided to a patient under a substance use disorder treatment plan provided to the department are considered to be medically necessary. Provides that the office of the secretary of family and social services shall require managed care organizations to consider services provided to an individual under a substance use disorder treatment plan as medically necessary in both an inpatient facility of a hospital and an emergency department. Removes the expiration of the laws concerning maternal mortality review. Provides that a practitioner is not required to obtain information about a patient from the Indiana scheduled prescription electronic collection and tracking program (INSPECT) data base or through the patient's integrated health record before prescribing certain medications if the patient is enrolled in a hospice program.

- Referred to Committee on Health and Provider Services

- Senate sponsors: Senators Crider and Johnson and Busch

- Third reading: passed; Roll Call 222: yeas 94, nays 0

SB0001 Behavioral health matters. Crider. Provides that, subject to certain procedures and requirements, the office of the secretary of family and social services may apply to the United States Department of Health and Human Services: (1) for a Medicaid state plan amendment, a waiver, or an amendment to an existing waiver to require reimbursement for eligible certified community behavioral health clinic services; or (2) to participate in the expansion of a community mental health services demonstration program. Requires the division of mental health and addiction to establish and maintain a help line: (1) to provide confidential emotional support and referrals to certain resources to individuals who call the help line; and (2) that is accessible by calling a toll free telephone number. Establishes the Indiana behavioral health commission (commission) and sets forth the commission's membership. Changes the name of the "9-8-8 crisis hotline center" to "9-8-8 crisis response center". Makes conforming changes.

2/13/2023 Third reading: passed; Roll Call 98: yeas 49, nays 0

Representative Vermillion, Clere added as sponsors.

Referred to Committee on Public Health

SB214 Standing order for overdose intervention drugs. (K. Walker) Provides that a statewide standing order for the dispensing of an overdose intervention drug must allow for choice in the: (1) purchasing; (2) dispensing; and (3) distributing; of any formulation or dosage of a naloxone product that is approved by the federal Food and Drug Administration.

2/7/2023 - Referred to House Public Health

XII. Children/Juveniles

HB 1138. Preschool and child care facility drinking water. Jackson. Requires the owner or operator having authority over a child care facility or preschool to test the drinking water in the child care facility or preschool before January 1, 2025, to determine whether lead is present in the drinking water. Identifies exceptions to testing before January 1, 2025. Requires action to reduce lead concentration that equals or exceeds the action level for lead. Requires the environmental rules board to adopt rules, including emergency rules, that conform with the forthcoming Lead and Copper Rule Improvements being promulgated by the EPA.

Senate sponsors: Senators Niemeyer, Randolph Lonnie M, Yoder

Referred to Committee on Environmental Affairs

HB1169. Sibling groups in family reunification plans. Requires a court, in determining whether reunification of a child with a parent, guardian, or custodian from whom the child has been removed is in the child's best interest, to consider whether reunifying the child with the parent, guardian, or custodian will result in separation of the child from a sibling of the child, and if so, whether separating the child from the child's sibling is in the child's best interest.

• Referred to Committee on Family and Children Services

• Third reading: passed; Roll Call 87: yeas 93, nays 0

• Senate sponsor: Senator Walker K, G Walker

HB1340 Department of child services. Defines "Indian child" for purposes of family and juvenile law provisions. Provides that certain records relating to foster care children may be maintained in electronic format. Provides that certain individuals may request a child's Social Security number for income tax purposes. Requires the department of child services (department) to: (1) develop forms for use by individuals to request a child's Social Security number; and (2) approve or deny a request not later than 10 business days after receiving the request. Requires the department to approve a request if: (1) the child lived with the individual making the request in the 18 months preceding the request; and (2) the child lived with the individual making the request for: (A) at least six months in any one calendar year; or (B) more than 1/2 of the days the child lived in the calendar year if the child was born or died in the calendar year. Requires the department to deny a request if: (1) the child does not have a Social Security number; (2) the department does not have a record of the child's Social Security number; or (3) certain conditions related to the foster care time frame are not met. Provides that certain information, documents, reports, pictures, videos, images, or recordings related to department matters are confidential. Requires that otherwise confidential information must be made available to: (1) a tribal representative, agency, or organization authorized by the Indian child's tribe to care for, diagnose, treat, review, evaluate, or monitor active efforts regarding an Indian child, and the Indian child's parent, guardian, or custodian; and (2) the United States Department of State and foreign governments to comply with federal law and treaties. Allows the department to notify a child care worker's employer of a substantiated report against the child care worker. Requires the department to notify a child care worker's employer in certain circumstances.

• Third reading: passed; Roll Call 60: yeas 98, nays 0

• Senate sponsors: Senators Walker G and Donato

Referred to Committee on Family and Children Services

HB1483. Prohibiting bullying in schools. V. Smith. Requires the governing body of a school corporation to: (1) require a school corporation to prioritize the safety of a victim of an act of bullying; (2) require a school corporation to report an act of bullying to the parents of the victim within three business days and the parents of an alleged perpetrator within five business days after the incident is reported; (3) require a school corporation to determine the severity of an incident of bullying and whether the incident may warrant transfer of the victim or the alleged perpetrator to another school in the school corporation; (4) require a school corporation to approve the transfer of a victim or the alleged perpetrator of an act of bullying to another school in the school corporation under certain circumstances; and (5) allow certain parents to review audiovisual materials that contain graphic sexual or violent content used in a bullying prevention or suicide prevention program.

• First reading: referred to Committee on Education and Career Development

• Third reading: passed; Roll Call 244: yeas 92, nays 1

• Senate sponsors: Senators Raatz, Ford J.D., Melton

HB1492 School safety. McNamara. Makes changes to the permissible uses of the Indiana secured school fund. Moves provisions in the Indiana Code pertaining to the appointment of a school safety specialist, school safety specialist programs, and school safety plans. Makes changes to the Indiana secured school fund application procedures. Provides that a local law enforcement agency may

apply for a grant from the Indiana secured school fund in cooperation with a school corporation, charter school, or accredited nonpublic school, if the school corporation, charter school, or accredited nonpublic school has not applied for a grant for the same period. Makes changes to the Indiana secured school fund reporting requirements. Makes various changes to provisions regulating the appointment of a school safety specialist, school safety specialist program, and school safety plans. Requires before December 31, 2023, that each county shall establish a county school safety commission. (Current law provides that a county may establish a county school safety commission.) Requires each school corporation and charter school to establish a safe school committee. Requires the division of school building physical security and safety of the department of education to establish and maintain guidelines, in consultation with the department of homeland security and institute for criminal justice, for developing and maintaining school safety plans and assist the secured school safety board in conducting the review and submitting certain reports. Provides that the governing body of a school corporation or charter school organizer shall: (1) approve or disapprove all school safety specialists chosen by the superintendent of the school corporation or leadership of the charter school; and (2) review and adopt for a specified period of time a school safety plan. Makes changes to the duties of a school resource officer. Makes changes to information reported by a school corporation or charter school pertaining to a school resource officer that is reported to the department of homeland security. Requires the secured schools safety board to include certain aggregate information relating to the number of school resource officers employed by schools. Provides that an organizer of a charter school shall require each charter school under the authority of the organizer to conduct annual emergency preparedness drills. Makes changes to distribution amounts from the state user fee fund. Makes conforming amendments. Repeals provisions establishing the Indiana safe schools fund, school safe haven programs, and existing provisions relating to the establishment of school safety specialists, county school safety commissions, school safety specialist training and safe school programs. Defines various terms. Provides that a school corporation, charter school, or accredited nonpublic school may receive a matching grant from the Indiana secured school fund to purchase student safety management technology. Makes a technical correction.

• **Senate sponsor: Senator Crider**

• **Third reading: passed; Roll Call 186: yeas 95, nays 0**

Referred to Committee on Education and Career Development

HB1493. Elimination of costs and fees in juvenile court. Provides that a parent is presumed indigent for purposes of parental payment or reimbursement for services provided by the department of child services to a child adjudicated delinquent or a child in need of services. Further provides that, when the department of correction is awarded wardship of a child, the juvenile court may not order a parent to pay or reimburse the department unless the juvenile court makes a specific finding that the parent is able to pay. Removes fees and costs associated with a child alleged to be a delinquent child from the supplemental public defender services fund and the public defense administration fee. Allows the alternative dispute resolution fund (fund) to be used for guardian ad litem services. Requires the court to determine whether, when a party is charged or convicted with a crime against the person, participation in services provided by the fund poses an unreasonable risk of harm.

Third reading: passed; Roll Call 132: yeas 94, nays 0

Senate sponsor: Senator Crider

Referred to Committee on Family and Children Services

HB1570. Family and juvenile law matters. Provides that: (1) a foster parent is immune from civil and criminal liability for releasing or disclosing confidential information to a duly elected state government official for whom the information is relevant to the official's responsibility under the law to protect children from child abuse and neglect (elected official); (2) a confidentiality agreement entered into between a foster parent and the department of child services (department) may not prohibit the foster parent from releasing or disclosing information to an elected official; and (3) an individual's release or disclosure of information to an elected official is not a breach of the individual's duty under any agreement entered into by the individual in connection with the individual's role as a foster parent. Provides that the department may not: (1) take adverse action against a foster parent's license; or (2) remove a foster child from the home of a foster parent; solely on the basis of the foster parent having spoken to an elected official. Requires the department to provide a licensed foster parent with: (1) an information packet describing the foster parent's rights and the grievance filing process; and (2) a complete copy of the department's policy manual. Provides that the department may not remove a foster child from the home of a foster parent, unlicensed caregiver, or de facto custodian solely on the basis of the foster parent, unlicensed caregiver, or de facto custodian having filed a petition to adopt the child. Allows a child's adoptive parent to request that the department allow the child visitation with the child's sibling. Requires the department to provide notice of the department's decision regarding a request for sibling visitation not later than seven business days after the department receives the request. Provides that if: (1) a child is the subject of a petition alleging that the child is a child in need of services; and (2) a parent of the child has been convicted of committing one or more specified offenses against the child; there is a rebuttable presumption that it is in the child's best interests to prohibit the parent from having in-person contact with the child until a dispositional decree is entered or the petition is dismissed. Provides that if a hearing regarding a petition to terminate the parent-child relationship is not held before the statutorily required deadline, the court shall dismiss the petition without prejudice: (1) upon filing of a motion with the court by a party to the proceeding; and (2) absent good cause shown for the failure to hold the hearing before the statutorily required deadline.

Referred to Committee on Family and Children Services

• Senate sponsor: Senator Walker K

• Third reading: passed; Roll Call 193: yeas 90, nays 0

SB0151. Foster Families. K. Walker. Extends the expiration date of the foster care support tax credit (tax credit) from July 1, 2025, to July 1, 2028, and provides that the amount of tax credits allowed may not exceed \$2,000,000 in each calendar year through July 1, 2028. Requires the department of state revenue (department) to post certain information regarding the: (1) application for the tax credit; (2) timeline for receiving the tax credit; and (3) total amount of tax credits awarded during the current calendar year; on the department's website. Makes various changes to the process to apply for the tax credit. Provides that money in the insuring foster youth trust fund (fund) at the end of a state fiscal year does not revert to the state general fund. Provides that the fund's administrative expenses may not exceed 10% of the amounts deposited into the fund. Provides, in addition to inpatients of state or federally owned or operated hospitals or institutions and their supervisors, that the department of natural resources (DNR) may not charge an admission fee to foster families who reside together in the same licensed foster family home for the use of any property owned or managed by the DNR for purposes of the statutes concerning state parks and recreation areas. (Current law refers to state parks, playgrounds, recreational areas, or day facilities under the control of the DNR.) 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 is: (1) certified or acknowledged by the department of child services or by a designee of the department of child services to be a foster youth (as defined by IC 31-26-4.5-2); and (2) 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.

• House sponsor: Representative Schaibley

• Third reading: passed; Roll Call 44: yeas 49, nays 0

SB0415. Admissibility of statement by juvenile in custody. Pol. Provides that a statement made by a juvenile during a custodial interrogation of the juvenile regarding an act allegedly committed when the juvenile was less than 18 years of age is inadmissible for purposes of specified criminal or juvenile proceedings if a law enforcement officer or school resource officer knowingly communicates to the juvenile: (1) false information regarding evidence relating to the act; or (2) false statements regarding penalties for the act or leniency in the imposition of penalties for the act; during the custodial interrogation. Requires that a law enforcement officer who arrests or takes into custody a child on school property or at a school-sponsored activity must make a reasonable attempt to notify: (1) the child's parent, guardian, or custodian; or (2) the emergency contact listed on the child's school record; before the child can be moved to a different location.

• House sponsor: Representative Steuerwald

• Third reading: passed; Roll Call 202: yeas 48, nays 0

SB438 Home health services. (QADDOURA F) Requires the office of the secretary of family and social services to: (1) perform a comprehensive review of existing home health services for children with complex medical needs; (2) assess the home health services and policies for a person-centered approach; and (3) engage stakeholders in the assessment to solicit feedback on issues securing and maintaining home health services.

02/23/2023 Third reading: passed; Roll Call 154: yeas 48, nays 0

02/23/2023 House sponsor: Representative Vermillion

02/28/2023 First reading: referred to Committee on Public Health

SB0464. Adult court jurisdiction over delinquent acts. Provides that the juvenile court does not have jurisdiction over an individual for certain offenses if the individual: (1) was at least 12 years of age and less than 18 years of age at the time of the alleged violation; and (2) is over 21 years of age when charged with the offense. Provides that a child commits a delinquent act if, before becoming 18 years of age, the child commits an act: (1) that would be a misdemeanor or felony; and (2) over which the juvenile court has jurisdiction. Specifies that if the juvenile court lacks jurisdiction, a child who commits a delinquent act is subject to a court having criminal jurisdiction. Provides for the modification and suspension of certain sentences imposed on a person who committed an offense as a child. Makes conforming changes.

• House sponsor: Representative Davis

• Third reading: passed; Roll Call 147: yeas 31, nays 13

Referred to Committee on Courts and Criminal Code

XIII. Pregnancy/Infant/Maternal Mortality/Infants/Contraception

HB1568. Prescription for hormonal contraceptives. Rowray, Negel, Vermillion, Fleming. Allows pharmacists who meet certain requirements to prescribe and dispense hormonal contraceptive patches and self-administered hormonal contraceptives (contraceptives). Establishes requirements for pharmacists who elect to prescribe and dispense contraceptives. Provides that a

pharmacist is not required to prescribe a contraceptive to a woman if the pharmacist believes the contraceptive is contraindicated or objects on ethical, moral, or religious grounds. Provides that an individual who is a pharmacy technician, pharmacy technician in training, pharmacist student, or pharmacist intern is not required to dispense a contraceptive to a woman if the individual objects on ethical, moral, or religious grounds. Requires the Indiana board of pharmacy (board) to revoke the license of a pharmacist who knowingly or intentionally prescribes a drug that is intended to cause an abortion. Establishes penalties for a pharmacist who prescribes a drug that is intended to cause an abortion. Requires the state health commissioner or the commissioner's designated public health authority to issue a standing order that allows a pharmacist to prescribe and dispense contraceptives until the board adopts rules that adopt the standing order. Establishes requirements for the standing order. Requires the office of the secretary of family and social services to reimburse a pharmacist for services and prescriptions for contraceptives provided to an eligible Medicaid recipient.

• **Third reading: passed; Roll Call 167: yeas 86, nays 12**

• **Senate sponsors: Senators Glick, Leising, Becker, Alexander**

SB0252. Long acting reversible contraceptives. Yoder, Becker. Allows a long acting reversible contraceptive that is prescribed to and obtained for a Medicaid recipient to be transferred to another Medicaid recipient if certain requirements are met.

• **House sponsors: Representative Negele, Vermilion A, Barrett, Shackelford**

• **Third reading: passed; Roll Call 81: yeas 49, nays 0**

SB0266. Long acting reversible contraceptives. Breaux, Becker. Requires a hospital that operates a maternity unit to ensure that a woman giving birth in the hospital has the option, if medically appropriate, of having a long acting reversible contraceptive placed after delivery and before the woman is discharged. Allows a hospital to be exempt from the requirement if the hospital has a faith based objection. Specifies that a hospital is not responsible for the costs of the contraceptive.

Third reading: passed; Roll Call 169: yeas 26, nays 23

House sponsor: Representative Vermilion

SB0345. Termination of parental rights. Holdman. Defines "safe haven infant". Allows the emergency medical services provider to notify either the department of child services (department) or a licensed child placing agency to take custody of a safe haven infant. Requires the department and a licensed child placing agency to contact certain agencies to determine if the safe haven infant has been reported missing. Establishes procedures for termination of parent-child relationship involving a safe haven infant. Requires the department's attorney or a licensed child placing agency to file a petition to terminate the parent-child relationship not later than 15 days after taking custody of the safe haven infant. Requires a licensed child placing agency to place the safe haven infant with a preapproved foster care provider. Provides that both parents' consent to termination of the parent-child relationship is irrevocably implied without further court action if, after at least 28 days, neither parent petitioned the court for custody. Requires that a putative parent notice be published and provides specific language for the notice. Prohibits the court from inquiring about the reason for the parents' absence. Provides that a prospective adoptive family may only be charged certain costs by the licensed child placement agency.

• **House sponsor: Representative King, Carbaugh and Heine**

• **Third reading: passed; Roll Call 142: yeas 46, nays 0**

SB0425. Pregnancy accommodation. Pol. Bohacek. *Requires an employer to grant an employee's request for a reasonable accommodation for a known limitation related to the employee's pregnancy absent undue hardship on the employer's business. Provides that an employer may not require an employee to take leave under a leave law or policy adopted by the employer if another reasonable accommodation can be provided for known limitations arising from pregnancy, childbirth, or related medical conditions. Establishes a civil action for a violation of these provisions.*

***Note: this right has now been established by federal legislation covering workplaces with 15 employees or more, so**

XIV. Non-profits

HB1075 Nonprofit organizations. (JETER C) Provides that the contents of an investigative demand issued by the attorney general are confidential. Expands the definition of "public benefit corporation" to include a domestic corporation that is supported by public funds or authorized to spend public funds in furtherance of its mission or that is a not-for-profit corporation that aims to serve a public benefit. Provides that a court may dissolve a nonprofit corporation under certain circumstances and provides exceptions to the types of corporations that may be dissolved under this procedure. Specifies procedural requirements that the attorney general must take before petitioning the court for dissolution for certain reasons. Permits a court to appoint a receiver to manage a nonprofit corporation even if an action to dissolve the corporation has not been filed. Provides additional remedies that the attorney general may seek for violations. Requires a nonprofit corporation to maintain certain records for three years. Provides that attorney general may not access records of specified entities. Prevents a state agency from imposing certain filing or reporting requirements that are more burdensome than what is required by state law and provides certain exceptions.

Third reading: passed; Roll Call 39: yeas 77, nays 19

Senate sponsor: Senator Freeman

- Referred to Senate Judiciary

SB278 Nonprofit corporations. (FREEMAN A) Provides that the contents of an investigative demand issued by the attorney general are to be kept confidential. Defines charitable organization. Expands the definition of "public benefit corporation" to include a domestic corporation that serves a public benefit with an operating budget that is supported by public funds or authorized to spend public funds in furtherance of its mission. Provides that a court may dissolve a corporation under certain circumstances. Specifies procedural requirements that the attorney general must take before petitioning the court for dissolution of a corporation for certain reasons. Provides exceptions. Allows the attorney general to petition a court for additional remedies against a corporation, in addition to or as an alternative dissolution, for certain violations. Provides that upon a showing of reasonable cause, a court may appoint a receiver to manage a corporation under certain circumstances. Requires a corporation to keep certain records for at least three years. Allows the attorney general to inspect records of certain corporations. Prohibits a state agency from imposing a filing or reporting requirement on a charitable organization that is more burdensome than Indiana law allows. Provides exceptions. Allows the attorney general to take certain actions if the attorney general finds that a corporation has failed to comply with certain record requirements.

Third reading: passed; Roll Call 190: yeas 49, nays 0

House sponsor: Representative Jeter

- Referred to House