

My Bills Assigned to Reports
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Ability Indiana

SB307 VETERAN PREFERENCE FOR EMPLOYMENT AND TRAINING (HERSHMAN B) Requires the department of workforce development (department) to give a veteran or the spouse of a veteran priority for placement in any federal or state employment or training program administered by the department if the veteran or the veteran's spouse: (1) submits documentation satisfactory to the department establishing the veteran's honorable discharge from service; and (2) meets the eligibility requirements for the program.

Current Status: 4/21/2017 - Signed by the Governor

Agenda

HB1001 STATE BIENNIAL BUDGET (BROWN T) Appropriates money for capital expenditures, the operation of the state, K-12 and higher education, the delivery of Medicaid and other services, and various other distributions and purposes. Provides for bonding authority for capital projects for higher education institutions. Terminates the legislative evaluation and oversight program. Replaces the statutory appropriation from the counter cyclical and revenue stabilization fund to the state general fund based on the budget report with a limited discretionary transfer determined by the budget director and approved by the governor. Requires the attorney general to include certain language concerning settlement funds in proposed court order language. Establishes the agency settlement fund for purposes of receiving certain funds paid to the state as part of a settlement or similar agreement. Permits money held in a trust fund for other post-employment benefits (other than pension) to be invested in the same manner as money may be invested by the public employees' retirement fund or any other public pension or employee retirement fund administered by the board of trustees of the Indiana public retirement system. Establishes the teachers' defined contribution plan (plan) as an account within the Indiana state teachers' retirement fund (fund). Provides that an individual who begins employment with a school corporation in a covered position that would otherwise be eligible for membership in the fund may elect to become a member of the plan. Provides that an individual who does not elect to become a member of the plan becomes a member of the fund. Requires the board of trustees of the Indiana public retirement system (board) to establish, subject to any approval from the Internal Revenue Service that the board considers necessary or desirable, alternative investment programs within the annuity savings account as the initial alternative investment programs for the plan. Provides that, if the board considers it necessary or appropriate, the board may establish different or additional alternative investment programs for the plan, except that the board shall maintain the stable value fund. Provides that each member's contribution to the plan is 3% of the member's compensation and requires the employer to pay the member's contribution on behalf of the member. Allows a member to make additional contributions to the plan up to 10% of the member's compensation. Provides that the employer's contribution rate for the plan is equal to the employer's contribution rate for the fund as determined by the board, although the amount credited from the employer's contribution rate to the member's account may not be greater than the normal cost of the fund, and any amount not credited to the member's account is applied to the unfunded accrued liability of the fund. Provides that an employer's minimum contribution to the plan is 3% of the compensation of all members of the plan. Provides that member contributions and net earnings on the member contributions belong to the member at all times and do not belong to the employer. Provides that a member vests in the employer contribution subaccount at 20% per year with full vesting after five years of participation. Provides that, if a member separates from service with an employer before the member is fully vested in the employer contribution subaccount, the amount in the subaccount that is not vested is: (1) transferred to the member's new employer, if the new employer participates in the plan; or (2) held in the member's employer contribution subaccount until

forfeited. Provides that a member who: (1) terminates service in a covered position; and (2) does not perform any service in a covered position for at least 30 days after the date on which the member terminates service; is entitled to withdraw vested amounts in the member's account. Provides that a member may elect to have withdrawals paid as: (1) a lump sum; (2) a direct rollover to another eligible retirement plan; or (3) if the member is at least 62 years of age with at least five years of participation in the plan, a monthly annuity in accordance with the rules of the board. Provides that, on the plan's effective date, school corporations become participants in the plan. Provides that the board shall provide education to employers and members regarding retirement benefit options of all applicable pension and retirement funds that the board administers. Establishes the next level Indiana trust and trust fund. Provides that the trust proceeds of the next generation trust shall be transferred to the next level Indiana trust and trust fund and that the next generation trust shall cease upon completion of the transfer. Provides that the proceeds transferred to the next level Indiana trust fund shall be used exclusively for the provision of highways, roads, and bridges. Requires the board of trustees (board) of the Indiana public employees' retirement system, after December 31, 2017, to establish and maintain the next level Indiana innovation and entrepreneurial fund (fund) as an annuity savings account investment option for members of the public employees' retirement fund (PERF) and the Indiana state teachers' retirement fund (TRF). Requires the deferred compensation committee (committee), after December 31, 2017, to establish and maintain the fund as an investment option in the state employees' deferred compensation plan. Requires the board and the committee to consult with the board of trustees of the next level Indiana trust fund to establish the fund's investment objectives and policies. Limits initial transfers into the fund to 20% of the balance in a fund member's or state employee's account. Limits annual contributions to the fund to 20% of a member's or an employee's total contributions for that year. Provides that, if a member or employee contributes not less than the amount the member or employee initially designated to the fund for at least 36 consecutive months and maintains in the fund the amounts transferred and contributed during that period, the state shall contribute on the member's or employee's behalf to the fund as a match 10% of the total amount contributed by the member or employee or on the member's or employee's behalf to the fund during that 36 month period. Provides that for each additional 12 consecutive months that a member or an employee contributes not less than the member or employee initially designated to the fund and maintains in the fund the amounts transferred and contributed that period, the state shall contribute on the member's or employee's behalf to the fund as a match 10% of the total amount contributed by the member or employee or on the member's or employee's behalf to the fund during that 12 month period. Provides that, for purposes of determining the amount of the state's match, the total amount contributed by the member or employee or on the member's or employee's behalf excludes the amount of any state match. Provides that, in the case of a group insurance plan established by the state police department, conservation officers of the department of natural resources, and the state excise police (state law enforcement agencies), any proposed modification to change the benefits under the plan may not be made unless the modification is approved by the budget agency. Provides that, on or before July 1 of each year, state law enforcement agencies must submit to the budget agency the current plan.

Current Status: 4/22/2017 - Conference Committee Report Adopted (S) Report 1: adopted by the Senate; Roll Call 540: yeas 42, nays 8; Rules Suspended

HB1006MENTAL HEALTH MATTERS (KIRCHHOFER C) Requires the secretary of family and social services to provide that residences for residential care and supported housing for chronic addiction that receive reimbursement when used as a recovery residence to be certified and meet standards determined by the division of mental health addiction through administrative rules. Adds, subject to the approval of the Indiana commission to combat drug abuse (commission), an individual who is: (1) less than 18 years of age; and (2) a defendant whose case is either waived from juvenile court to adult court or directly filed in adult court; to the individuals who may be eligible for mental health and addiction forensic treatment services.

Provides that a child welfare program may be established for the purpose of providing child welfare substance abuse treatment services for families and children who have an open child welfare or delinquency case with the juvenile court. Requires that information and training concerning child welfare substance abuse treatment services be provided to certain judges, department of child services employees, and public defenders. Includes neonatal abstinence syndrome as a factor for a child to be determined a child in need of services. Urges the legislative council to assign to the interim study committee on corrections and criminal code the topic of extending mental health and addiction forensic treatment services to individuals in the criminal justice system: (1) who: (A) are charged with a misdemeanor offense; or (B) have a prior misdemeanor conviction; and (2) who have been placed in or are eligible for placement in a pretrial services program, a community corrections program, a prosecuting attorney's diversion program, or jail. (The introduced version of this bill was prepared by the interim study committee on public health, behavioral health, and human services).

Current Status: 4/21/2017 - Conference Committee Report Adopted (H) Report 1: adopted by the House; Roll Call 533: yeas 97, nays 0; Rules Suspended

HB1102TASK FORCE TO ASSESS SERVICES (CLERE E) Establishes a task force for assessment of services and supports for people with intellectual and other developmental disabilities. Specifies the composition, duties, and governance structure of the task force.

Current Status: 4/20/2017 - Signed by the Governor

HB1439FSSA MATTERS (KIRCHHOFER C) Allows a Medicaid recipient who is incarcerated to have the recipient's Medicaid suspended for up to two years instead of one year before terminating the recipient's Medicaid eligibility. Defines "comprehensive risk contract" and "managed care organization" for purposes of Medicaid. Specifies that if a provision of Indiana insurance law conflicts with the administration of a law applying to a managed care organization with respect to the managed care organization's Medicaid responsibilities, the law applying to the managed care organization with respect to the Medicaid responsibilities is controlling. Changes language in the Medicaid law to reflect the existence of more than one risk based managed care program. Removes obsolete references to "primary care case management". Removes references to "insurer", "insurance", and "health maintenance organization" in the law concerning the healthy Indiana plan (plan) to reflect the sole use of managed care organizations to provide coverage under the plan. Allows the secretary of the office of family and social services (office) to determine the amount, based on the individual's annual household income per year, that an individual must continue to contribute to the individual's health care account in order to participate in the plan. Provides that the amount determined by the office based on an individual's annual income must be budget neutral to the state as determined by the state budget agency. Requires that the federal government approve the contribution amount determined by the secretary. Makes conforming amendments. Makes a technical correction to a federal Code citation.

Current Status: 4/20/2017 - Signed by the President Pro Tempore

HB1493LONG TERM CARE AND HOME HEALTH AGENCIES (BROWN T) Requires a home and community based services program for individuals who are aged or disabled to include reimbursement for assisted living services in the Medicaid program. Requires the division of aging to report to the general assembly a plan to expand the scope and availability of home and community based services for individuals who are aged or disabled and requires the division to implement the plan. Prohibits the office of Medicaid policy and planning (office) from including certain individuals who receive nursing facility services in a Medicaid risk based managed care program or a capitated managed care program through December 31, 2019. Specifies the model to be used for Medicaid nursing facility service payments. Requires the office to do the following: (1) Provide public notice of at least one year before reducing nursing facility service reimbursements. (2) Review currently offered home health programs, develop additional

programs, and report on the programs to the general assembly. Requires the state department of health to amend rules concerning residential care facilities to comply with federal law concerning the provision of home and community based services. Requires the office to report by October 1, 2017, to the legislative council concerning Medicaid recipient eligibility for health facility services. Requires home health agencies to drug test job applicants and employees who come into direct contact with patients. Exempts from drug testing certain licensed home health employees. Requires random drug testing of at least 50% of certain employees to occur at least annually. Allows for random drug testing upon reasonable suspicion of illegal controlled substance use and sets forth parameters of the random drug testing. Requires verification of a positive drug test, and requires the employee to pay for the verification test. Specifies that, unless an employee has a valid prescription for the substance for which the employee tests positive on a drug test, a home health agency shall either discharge an employee or suspend an employee from direct contact with patients for at least six months if the drug test is positive. Specifies that a home health agency that discharges or suspends an employee or refuses to hire a job applicant because of a positive drug test is considered to have discharged, suspended, or refused to hire for just cause. Provides that a home health agency, when acting in good faith and in compliance with state law, is immune from civil liability for conducting employee drug testing or taking an employee disciplinary action or discharging an employee as the result of employee drug testing. Provides that immunity does not apply to actions that constitute gross negligence or wanton misconduct.

Current Status: 4/21/2017 - Signed by the President Pro Tempore

SB390 EMPLOYMENT OF INDIVIDUALS WITH DISABILITIES (STOOPS M) Increases the number of members and changes the membership of the commission on rehabilitation services (commission). Makes changes in the terms of service of commission members and requires the governor to specify each member's term of service to ensure that terms expire on a staggered basis. Adds the following to the commission's duties: (1) Establish baseline data regarding the number of individuals with disabilities in competitive integrated employment and set annual goals for increasing the percentage of individuals with disabilities in competitive integrated employment. (2) Identify and resolve barriers to employment for individuals with disabilities. (3) Analyze federal, state, and local agency policies concerning the provision of services to individuals with disabilities, including the impact of those policies on opportunities for competitive integrated employment, and recommend changes to state policies. (4) Assist state agencies in the implementation of the policy concerning employment opportunities for individuals with disabilities. (5) Provide an annual report to the governor and the rehabilitation services administration commissioner concerning the employment of individuals with disabilities. Provides that the policy (policy) of the state is to promote competitive integrated employment, including self-employment, as the first and preferred option when providing services to individuals with disabilities who are of working age. Provides that the policy applies to programs and agencies that provide services and support to help obtain employment for individuals with disabilities. Requires state agencies to implement the policy in a manner that is consistent with an individual's right to make an informed choice about employment options that meet an individual's needs and preferences. Provides that the primary objective and preferred outcome of transition services provided as part of a special education program or related services to a child with a disability who is at least 14 years of age is to assist the child in obtaining competitive integrated employment.

Current Status: 4/13/2017 - Signed by the Governor

SJR7 BALANCED BUDGET AMENDMENT (HERSHMAN B) Provides that the total amount of expense appropriations enacted by the general assembly for a biennial budget may not exceed the estimated revenue of the state in the biennial budget period. Defines "revenue" as all income received by the state general fund and all other state funds, excluding the proceeds of bonds or other loans. Defines "expense" as the ordinary operating costs of state government, including

any debt service payments made during the biennial budget period. Provides that a state budget enacted by the general assembly must appropriate money for the state's prefunded pension funds in the amount necessary to actuarially fund the accrued liability of all such pension funds during the budget period. Provides that if expenses exceed actual revenue when reconciled at the close of a biennial budget period, the subsequent biennial budget must subtract any shortfall from the projected revenue available for that subsequent biennial budget. Allows these requirements to be suspended if at least two-thirds of the members of the house of representatives and at least two-thirds of the members of the senate vote to suspend the requirements. Provides that a court that orders a remedy pursuant to any case or controversy arising under these provisions may not order any remedies other than a declaratory judgment or such other remedies that are specifically authorized by the general assembly.

Current Status: 4/19/2017 - Signed by the Speaker

BILLS TO BREAK DOWN

HB1439FSSA MATTERS (KIRCHHOFFER C) Allows a Medicaid recipient who is incarcerated to have the recipient's Medicaid suspended for up to two years instead of one year before terminating the recipient's Medicaid eligibility. Defines "comprehensive risk contract" and "managed care organization" for purposes of Medicaid. Specifies that if a provision of Indiana insurance law conflicts with the administration of a law applying to a managed care organization with respect to the managed care organization's Medicaid responsibilities, the law applying to the managed care organization with respect to the Medicaid responsibilities is controlling. Changes language in the Medicaid law to reflect the existence of more than one risk based managed care program. Removes obsolete references to "primary care case management". Removes references to "insurer", "insurance", and "health maintenance organization" in the law concerning the healthy Indiana plan (plan) to reflect the sole use of managed care organizations to provide coverage under the plan. Allows the secretary of the office of family and social services (office) to determine the amount, based on the individual's annual household income per year, that an individual must continue to contribute to the individual's health care account in order to participate in the plan. Provides that the amount determined by the office based on an individual's annual income must be budget neutral to the state as determined by the state budget agency. Requires that the federal government approve the contribution amount determined by the secretary. Makes conforming amendments. Makes a technical correction to a federal Code citation.

Current Status: 4/20/2017 - Signed by the President Pro Tempore

Business - General

HB1157SMALL BUSINESS DUPLICATIVE REPORTING (MILLER D) Requires the Indiana economic development corporation to: (1) develop a means for small business reporting of duplicative state reporting requirements through an Internet web page maintained on the corporation's web site; and (2) annually report the received information to the house of representatives' standing committee responsible for government reduction.

Current Status: 4/20/2017 - Signed by the President Pro Tempore

SB43 FIREARMS MATTERS (TOMES J) Removes penal facilities from the list of locations where employer ordinances, resolutions, policies, or rules prohibiting the keeping of firearms on employer property may be enforced. Provides that a penal facility shall require an employee to: (1) secure the employee's firearm or ammunition, or both, in a locked case; and (2) store the firearm or ammunition in the trunk or glove compartment or out of plain sight in the employee's locked vehicle. Permits certain employees of the general assembly and members of the Indiana lobby registration commission to carry a handgun within the state capitol building and on the property of the state capitol complex if the employee or member: (1) possesses a valid Indiana license to carry a handgun; and (2) is otherwise permitted to possess a handgun.

Current Status: 4/10/2017 - Signed by the Speaker

SB253 STUDY OF VOLUNTARY PAID FAMILY AND MEDICAL LEAVE (TALLIAN K) Urges the legislative council to assign the topic of establishing a voluntary paid family and medical leave program to the interim study committee on employment and labor or another appropriate study committee.

Current Status: 4/13/2017 - Signed by the Governor

SB312 USE OF CRIMINAL HISTORY INFORMATION IN HIRING (BOOTS P) Provides that a political subdivision may not prohibit an employer from obtaining or using criminal history information during the hiring process to the extent allowed by federal or state law, rules, or regulations. Provides that a political subdivision may not prohibit an employer, at the time an individual makes an initial application for employment, from making an inquiry regarding the individual's criminal history information or requiring the individual to disclose criminal history information. Provides that criminal history information concerning an employee or former employee may not be introduced against an employer, an employer's agents, or an employer's employees in a civil action based on the employee's or the former employee's conduct if: (1) the criminal history information does not bear a direct relationship to the facts underlying the civil action; (2) the records of the criminal case have been sealed; (3) the criminal conviction has been reversed, vacated, or expunged; (4) the employee or former employer has received a pardon for the criminal conviction; or (5) the arrest or charge did not result in a criminal conviction. Provides that this provision does not supersede any federal or state law requirement to conduct a criminal history information background investigation or consider criminal history information in hiring for particular types of employment.

Current Status: 4/10/2017 - Signed by the Speaker

Education

SB61 COMMISSION ON SECLUSION AND RESTRAINT (HEAD R) Requires the commission on seclusion and restraint in schools (commission) to adopt rules concerning reporting requirements for the use of seclusion and restraint by school resource officers. Requires that the commission include a member of the Indiana School Resource Officers Association. Provides that a school corporation, accredited nonpublic school, or charter school must report incidents of seclusion and restraint involving a school resource officer. Provides that the commission may adopt emergency rules. Voids a rule adopted by the commission that excludes school resource officers from the reporting requirements. Makes changes to the duties of the commission. Provides that if the department of education (department) has been advised of a discrepancy in a report, the department shall require the school to provide a written explanation of the discrepancy to the department. Provides that the department has the authority to require schools to submit seclusion and restraint plans. Provides that the department shall review incident rules and submit summary findings to the commission in compliance with the federal Family Educational Rights and Privacy Act. Provides that the commission shall review summary findings submitted by the department and may make nonbinding recommendations to the department or other entities. Provides that if the department receives a recommendation from the commission, the department shall send a response with regard to recommendations made by the commission.

Current Status: 4/21/2017 - Signed by the Speaker

SB475 DEVELOPMENTAL DELAY (MELTON E) Requires the state board of education to amend its rule establishing developmental delay as a disability category to provide that, beginning July 1, 2018, developmental delay is a disability category solely for students who are at least three years of age and less than nine years of age. (Currently, developmental delay is a disability category solely for students who are at least three years of age and not more than five years of age.) Adds developmental delay as a category for mild and moderate disabilities for purposes of determining special education grant amounts.

Current Status: 4/13/2017 - Signed by the Governor

Employment

HB1189CRIME REPORTING REQUIREMENTS (OBER D) Requires local law enforcement agencies to provide criminal justice data to the Indiana state police. Requires local law enforcement agencies to participate in a statewide uniform crime report program with the National Incident Based Reporting System (NIBRS). Requires the criminal justice data division of the state police department to report crime statistics to the governor semiannually (rather than annually, as required under current law).

Current Status: 3/29/2017 - Signed by the Governor

HB1391SOCIAL WORKER LICENSES (FRIZZELL D) Creates a bachelor's degree social worker license. Provides an exception from the social work and clinical social work license requirements for providers who are contracted by the department of child services and meet certain requirements. Provides that individuals who pursue a social work license with a bachelor's degree may apply under existing requirements and use clinical social work experience hours until July 1, 2019. Allows individuals who: (1) have at least two years of experience; (2) meet certain requirements; and (3) apply before July 1, 2018; to be granted a bachelor's degree social worker license without taking an examination. Provides that any supervised clinical social work experience hours that an applicant for licensure as a clinical social worker accumulates do not expire and may be used by the applicant to satisfy the supervised clinical social work experience requirements. Requires the behavioral health and human services licensing board to issue a license to a bachelor's degree social worker, social worker, or clinical social worker who: (1) has a valid license or certificate to practice from another state or jurisdiction; (2) has passed an examination substantially equivalent to the license examination; (3) does not have a pending disciplinary proceeding in another state; and (4) pays a fee.

Current Status: 4/21/2017 - Signed by the President Pro Tempore

HB1394WAIVER OF LOCAL OCCUPATIONAL LICENSE FEES (FRIZZELL D) Requires a unit (county, city, town, or township) to waive as applicable all or part of the occupational and professional license fees and taxes imposed by the unit for the initial issuance and reinstatement of an occupational or professional license for applicants who are veterans, on active duty with the military or national guard, or indigent.

Current Status: 4/21/2017 - Signed by the President Pro Tempore

SB253 STUDY OF VOLUNTARY PAID FAMILY AND MEDICAL LEAVE (TALLIAN K) Urges the legislative council to assign the topic of establishing a voluntary paid family and medical leave program to the interim study committee on employment and labor or another appropriate study committee.

Current Status: 4/13/2017 - Signed by the Governor

SB312 USE OF CRIMINAL HISTORY INFORMATION IN HIRING (BOOTS P) Provides that a political subdivision may not prohibit an employer from obtaining or using criminal history information during the hiring process to the extent allowed by federal or state law, rules, or regulations. Provides that a political subdivision may not prohibit an employer, at the time an individual makes an initial application for employment, from making an inquiry regarding the individual's criminal history information or requiring the individual to disclose criminal history information. Provides that criminal history information concerning an employee or former employee may not be introduced against an employer, an employer's agents, or an employer's employees in a civil action based on the employee's or the former employee's conduct if: (1) the criminal history information does not bear a direct relationship to the facts underlying the civil action; (2) the records of the criminal case have been sealed; (3) the criminal conviction has been reversed, vacated, or expunged; (4) the employee or former employer has received a pardon for the criminal conviction; or (5) the arrest or charge did not result in a criminal

conviction. Provides that this provision does not supersede any federal or state law requirement to conduct a criminal history information background investigation or consider criminal history information in hiring for particular types of employment.

Current Status: 4/10/2017 - Signed by the Speaker

SB390 EMPLOYMENT OF INDIVIDUALS WITH DISABILITIES (STOOPS M) Increases the number of members and changes the membership of the commission on rehabilitation services (commission). Makes changes in the terms of service of commission members and requires the governor to specify each member's term of service to ensure that terms expire on a staggered basis. Adds the following to the commission's duties: (1) Establish baseline data regarding the number of individuals with disabilities in competitive integrated employment and set annual goals for increasing the percentage of individuals with disabilities in competitive integrated employment. (2) Identify and resolve barriers to employment for individuals with disabilities. (3) Analyze federal, state, and local agency policies concerning the provision of services to individuals with disabilities, including the impact of those policies on opportunities for competitive integrated employment, and recommend changes to state policies. (4) Assist state agencies in the implementation of the policy concerning employment opportunities for individuals with disabilities. (5) Provide an annual report to the governor and the rehabilitation services administration commissioner concerning the employment of individuals with disabilities. Provides that the policy (policy) of the state is to promote competitive integrated employment, including self-employment, as the first and preferred option when providing services to individuals with disabilities who are of working age. Provides that the policy applies to programs and agencies that provide services and support to help obtain employment for individuals with disabilities. Requires state agencies to implement the policy in a manner that is consistent with an individual's right to make an informed choice about employment options that meet an individual's needs and preferences. Provides that the primary objective and preferred outcome of transition services provided as part of a special education program or related services to a child with a disability who is at least 14 years of age is to assist the child in obtaining competitive integrated employment.

Current Status: 4/13/2017 - Signed by the Governor

Guardianship & Adoption

HB1048 ADOPTION CRIMINAL HISTORY CHECK (AYLESWORTH M) Removes a requirement that a criminal history check in an adoption or guardianship proceeding must include a request for information from a national registry of substantiated child abuse and neglect reports.

Current Status: 4/12/2017 - Signed by the Governor

SB332 ADOPTION MATTERS (ZAKAS J) Amends provisions regarding adoption notices. Provides that a consent to an adoption is not required from the biological father of a child born out of wedlock who was conceived as a result of a crime in any jurisdiction in which the elements of the crime are substantially similar to certain crimes under Indiana law. Amends provisions regarding: (1) when a putative father is not entitled to establish paternity; and (2) postadoption contact privileges. Prohibits any person from challenging an adoption decree after the expiration period. Makes the following changes to the crime of profiting from an adoption: (1) Provides that the crime does not apply if the birth mother is not a resident of Indiana and the adoption takes place outside of Indiana. (2) Increases, from \$3,000 to \$4,000, the allowable payments for certain costs and expenses. Prohibits the state department of health from processing a birth certificate with respect to a record for adoption unless certain fees have been paid and the report summarizing the available medical, psychological, and educational records concerning the birth parents has been submitted to the state department of health. Increases the penalty for adoption deception from a Class A misdemeanor to a Level 6 felony. Increases the penalty for unauthorized adoption advertising from a Class A misdemeanor to a Level 6 felony. Exempts the

Indiana department of child services and federal agencies from the criminal statute pertaining to unauthorized adoption advertising.

Current Status: 4/21/2017 - Signed by the Governor

SB516 POWER OF GUARDIAN TO REQUEST HEALTH RECORDS (BREAUX J) Provides that, even though a guardianship terminates upon the death of the protected person, a guardian is authorized to request the health records of the protected person within 60 days after the protected person's death if the protected person was an incapacitated person. Provides, however, that a guardian may not request the health records of the protected person after the protected person's death if a personal representative of the estate of the protected person is appointed.

Current Status: 4/21/2017 - Signed by the President Pro Tempore

SR44 URGING THE STUDY OF THE SUPPORTED DECISION AS AN ALTERNATIVE OPTION TO ADULT GUARDIANSHIP IN PROBATE COURTS (KOCH E) A SENATE RESOLUTION urging the legislative council to assign to the appropriate study committee the topic of supported decision making as an alternative option to adult guardianship in probate courts.

Current Status: 4/18/2017 - Senator Randolph added as coauthor

Health

HB1336 DEPARTMENT OF HEALTH MATTERS (KIRCHHOFER C) Repeals the expiration provision for the office of minority health and the birth problems registry. Specifies various ways in which a hospital board may be named. Extends eligibility for the hearing aid assistance program (program) to a child who is at least three years of age and less than seven years of age. Removes: (1) a requirement for the program that reimbursement is unavailable from specific third sources in order to be eligible for the program; and (2) the state department of health's ability to use internal and external resources to administer the program and registration by external entities. Raises the maximum amount that can be reimbursed for a hearing aid under the program from \$1,500 to \$2,000. Provides that in cases in which food is believed to be adulterated or so misbranded as to be dangerous or fraudulent, the commissioner or the commissioner's agent may mark food to give notice that the food has been detained or embargoed for not more than 15 days. (Current law allows the food to be detained or embargoed for five days.) Provides that if an individual files a complaint under certain food safety laws concerning an issue related to food safety or a food borne illness, certain personal information of the individual is confidential.

Current Status: 4/20/2017 - Signed by the President Pro Tempore

Housing

HB1287 CHOICE PROGRAM (CLERE E) Defines "countable asset" and amends the definition of "case management" and "eligible individual" for purposes of the community and home options to institutional care for the elderly and disabled program (CHOICE program). Provides that under the CHOICE program, the division of aging (division): (1) must establish a cost participation schedule for each eligible individual; and (2) may not require a family member or other person to provide services as a condition of eligibility. Requires a case manager from an area agency on aging to perform initial verification and reverification of an individual's income and assets for the CHOICE program. Requires the division to convene collaborative work groups with area agencies on aging to develop policies that establish: (1) a person-centered planning process, supported by a needs-based assessment tools, to be used; and (2) the percentage of program dollars adequate to provide case management services; (3) training necessary; (4) data collection standards; (5) program performance measures; and (6) a cost participation schedule; for the CHOICE program.

Current Status: 4/20/2017 - Signed by the Governor

SB242 INDIANA HOUSING FIRST PROGRAM (MERRITT J) Establishes the Indiana housing first program (program) to provide housing and support services for eligible persons that have: (1) a serious and persistent mental illness; (2) a chronic chemical addiction; or (3) serious and persistent mental illness with a co-occurring chronic chemical addiction. Requires the housing and community development authority (authority) to administer the program. Requires the authority to establish, not later than January 1, 2018, policies and procedures to implement and administer the program. Provides that the policies and procedures must ensure the program does the following along with other requirements: (1) Includes partnerships with private and public entities to provide support services and a continuum of care for program participants. (2) Provide for program rental assistance for use in dedicated supportive housing units and in existing market units in the community. (3) Include a plan for the: (A) initial leasing of; and (B) management of rental assistance for; supportive housing developed under the program. Provides that in establishing the required policies and procedures, the authority may collaborate with or seek guidance from: (1) other appropriate state agencies; (2) officials in other states or municipalities that have implemented housing first programs; and (3) other specified public or private entities. Establishes the Indiana housing first account within the state general fund to provide funds to provide housing and support services to eligible persons under the program. Allows the authority to adopt rules to establish the policies and procedures to implement and administer the program. Provides that the Indiana commission to combat drug abuse may award grants to the authority for the purposes of the program.

Current Status: 4/21/2017 - Signed by the Governor

SB558 LEASES AND SALES OF REAL PROPERTY (HOLDMAN T) Amends the statute concerning landlord and tenant relations to provide that a unit may not regulate rental rates for privately owned real property, through a zoning ordinance or otherwise, unless the regulation is authorized by an act of the general assembly. (Current law provides that regulation of rental rates for such property must be authorized by an act of the general assembly.) 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: (1) the contact is made by or on behalf of: (A) a victim or potential victim of abuse; (B) a victim or potential victim of a crime; or (C) an individual in an emergency; and (2) certain conditions apply. Specifies that a political subdivision is not prohibited from adopting an ordinance, a rule, or a regulation to impose a penalty for a request for law enforcement or other emergency assistance if the request is not made by or on behalf of: (1) a victim or potential victim of abuse; (2) a victim or potential victim of a crime; or (3) an individual in an emergency. Provides that if a political subdivision: (1) imposes a penalty under any such authorized ordinance, rule, or regulation; and (2) the prohibited request for law enforcement is made by a tenant in a rental unit; the penalty imposed must be assessed against the tenant and not against the landlord or owner of the rental unit. Provides that any such penalty may not exceed \$250. Provides that a housing authority retains the ability to enforce rights and remedies established by contract or federal law. Provides that a city, county, or town attorney retains the ability to bring a nuisance action against a landlord or the owner of a rental unit in certain instances. Provides that a county or municipality may not adopt or enforce any land use or planning ordinance or regulation that has the effect of: (1) controlling rental or purchase price; or (2) requiring real property to be reserved for lease or sale to certain owners. Provides that a county or municipality may not require the owner of privately owned real property to agree to: (1) any requirement that would have the effect of controlling rental or purchase price; or (2) the payment of a fee, in lieu of a requirement that would have the effect of controlling rental or purchase price, as a prerequisite to consideration or approval of: (A) certain permits; or (B) any primary, secondary, or revised plats. Provides that a county or municipality retains the right to: (1) manage and control the development of a commercial or residential property in which the county or municipality has an ownership interest; and (2) enact, enforce, or maintain any general land use or zoning regulation that does not have the effect of: (A) controlling rental or

purchase price; or (B) requiring real property to be reserved for sale or lease to certain owners. Allows an owner of privately owned real property to voluntarily enter into an agreement with a county or municipality that: (1) controls rental or purchase price; or (2) requires real property to be reserved for sale or lease to certain owners; in exchange for incentives or grants.

Current Status: 4/19/2017 - Signed by the Speaker

Monitor

HB1080 COMMISSION ON IMPROVING THE STATUS OF CHILDREN (FRIZZELL D) Provides that the commission on improving the status of children (commission) may appoint an executive director. Provides that an executive director shall perform duties as assigned by the commission. Provides that the office of judicial administration shall pay the salary of the executive director. Removes obsolete provisions related to commission duties.

Current Status: 3/29/2017 - Signed by the Governor

HB1308 VARIOUS PROFESSIONAL LICENSING MATTERS (ZENT D) Eliminates the certificate of registration for professional corporations requirement. Eliminates student hearing aid certifications. Allows all boards under the authority of the professional licensing agency (agency) to impose sanctions on a licensee as a result of an administrative complaint filed by the attorney general after renewal or reinstatement of a license. Makes certain provisions concerning midwifery certification effective July 1, 2018. Allows immunizations to be administered under the direct supervision of a veterinarian. Requires the boards under the authority of the agency to expedite the issuance or renewal of licenses, certificates, registrations, or permits to military spouses. (Current law requires the boards to adopt rules to expedite the issuance or renewal of licenses, certificates, registrations, or permits to military spouses.) Adds the state epidemiologist to the approved entities able to receive confidential Indiana Scheduled Prescription Electronic Collection and Tracking (INSPECT) program data. Removes from the boards under the authority of the agency the requirements to establish prescribing norms and dispensing guidelines. Removes geographic restrictions relating to board of veterinary medical examiners member appointments. Removes obsolete temporary medical permit language. Makes technical corrections.

Current Status: 4/13/2017 - Signed by the Governor

SB43 FIREARMS MATTERS (TOMES J) Removes penal facilities from the list of locations where employer ordinances, resolutions, policies, or rules prohibiting the keeping of firearms on employer property may be enforced. Provides that a penal facility shall require an employee to: (1) secure the employee's firearm or ammunition, or both, in a locked case; and (2) store the firearm or ammunition in the trunk or glove compartment or out of plain sight in the employee's locked vehicle. Permits certain employees of the general assembly and members of the Indiana lobby registration commission to carry a handgun within the state capitol building and on the property of the state capitol complex if the employee or member: (1) possesses a valid Indiana license to carry a handgun; and (2) is otherwise permitted to possess a handgun.

Current Status: 4/10/2017 - Signed by the Speaker

SB114 PROFESSIONAL LICENSING (KRUSE D) Eliminates the jobs creation committee (committee). Transfers duties of the committee to the Indiana professional licensing agency. Makes conforming changes.

Current Status: 4/13/2017 - Signed by the Governor

SB293 ANIMALS (LEISING J) Provides that a military animal rather than a service animal may be buried with a deceased owner. Urges the legislative council to assign to the interim study committee on agriculture and natural resources or another appropriate interim study committee the topics of: (1) federal and state law concerning service and assistance animals; and (2) the

permissible uses of service and assistance animals, including emotional support animals and therapy animals, in public accommodations.

Current Status: 4/21/2017 - Signed by the Governor

SB402 RECOVERY RESIDENCES AND COUNTY HOMES (MERRITT J) Requires the secretary of family and social services to provide that the standards provided by recovery residences for residential care and supported housing for chronic addiction, when used as a recovery residence, to be certified and to meet standards established by the division of mental health and addiction (division) through administrative rules. Requires the division to ensure that providers of services of residential care and supported housing for chronic addiction, when used as a recovery residence, acquire and maintain required certification. Allows the board of commissioners of a county to: (1) delegate the performance of the board's duties concerning a county home; and (2) contract for the services reasonably required to operate and maintain the county home, including the management of the county home; on terms and conditions the board finds reasonable and in the best interests of the county.

Current Status: 4/21/2017 - Signed by the Speaker

SB515 VARIOUS TAX MATTERS (HERSHMAN B) Provides and modifies sales and use tax exemptions. Provides an income tax deduction for certain amounts a taxpayer included as an item of income in a prior tax year. Specifies that, in determining an Indiana net operating loss deduction, certain modifications to adjusted gross income are not to be applied. Provides that certain professional sports team members or race team members are subject to the local income tax, and that in Marion County this local income tax revenue: (1) must be deposited in a dedicated fund established by its capital improvement board; and (2) is not captured by the Marion County professional sports development area. (Under current law, a county's local income tax applies only to residents of the county and to nonresidents who have their principal place of business or employment in the county.) Adds exemptions to certain taxes in connection with an NBA All-Star game and NBA related events when held in Indiana. Provides that a return under the financial institutions tax is due one month after the taxpayer's federal tax return is due. Creates a three month window during which an owner of an aircraft that is located in another state may register in Indiana without paying the difference in the sales tax paid to that state at its rate and the Indiana use tax rate. Provides that the department of state revenue may collect debts of a local unit of government through a tax refund set off program. Requires the legislative services agency to conduct a study concerning the correlation between employment growth and the statutory tax relief realized by C corporations during the period 2011 through 2016. Makes technical corrections.

Current Status: 4/21/2017 - Senate Conference Committees Eligible for Action

Public Safety

HB1023PUBLIC SAFETY MATTERS (FRYE R) Adds a new national firefighting training standard to current standards eligible for emergency rulemaking. Exempts government facilities from being assessed emergency and hazardous chemical inventory form fees.

Current Status: 3/29/2017 - Signed by the Governor

SB185 LAW ENFORCEMENT TRAINING (CRIDER M) Requires the following to complete a refresher course if inactive for a specified time: (1) Reserve police officers. (2) Law enforcement officers who paid their own tuition for law enforcement training. (3) Board certified law enforcement training instructors. Eliminates a provision regarding refresher courses for law enforcement officers in policy making positions. Allows the law enforcement training board to make certain modifications to in-service training without adopting administrative rules.

Current Status: 3/29/2017 - Signed by the Governor

SB231 CRISIS INTERVENTION TEAMS (CRIDER M) Provides that in conjunction with the Indiana commission (commission) to combat drug abuse and the division of mental health and addiction, the law enforcement training board may establish the technical assistance center. Provides that the commission may make grants to the law enforcement training board to carry out the purposes of the technical assistance center. Transfers the administration of the technical assistance center for crisis intervention teams from the Indiana criminal justice institute to the Indiana law enforcement training board. Makes a technical correction.
Current Status: 4/21/2017 - Signed by the Governor

Services

HB1287CHOICE PROGRAM (CLERE E) Defines "countable asset" and amends the definition of "case management" and "eligible individual" for purposes of the community and home options to institutional care for the elderly and disabled program (CHOICE program). Provides that under the CHOICE program, the division of aging (division): (1) must establish a cost participation schedule for each eligible individual; and (2) may not require a family member or other person to provide services as a condition of eligibility. Requires a case manager from an area agency on aging to perform initial verification and reverification of an individual's income and assets for the CHOICE program. Requires the division to convene collaborative work groups with area agencies on aging to develop policies that establish: (1) a person-centered planning process, supported by a needs-based assessment tools, to be used; and (2) the percentage of program dollars adequate to provide case management services; (3) training necessary; (4) data collection standards; (5) program performance measures; and (6) a cost participation schedule; for the CHOICE program.
Current Status: 4/20/2017 - Signed by the Governor

HB1337TELEMEDICINE MATTERS (KIRCHHOFER C) Requires the office of Medicaid policy and planning (office) to reimburse a Medicaid provider, determined by the office to be eligible, for covered telemedicine services. Prohibits the office from setting any distance restrictions under Medicaid on telehealth services and telemedicine services. Adds podiatrist to the definition of "prescriber" for purposes of telemedicine services. Requires a telemedicine services prescriber to contact the patient's primary care provider if the telemedicine services prescriber has provided care to the patient at least two consecutive times through the use of telemedicine services. Removes a limitation on prescribing controlled substances except for opioids through the use of telemedicine if: (1) the prescriber maintains a controlled substance registration; (2) the prescriber meets federal requirements concerning the prescribing of the controlled substance; (3) the patient has been examined in person by a licensed Indiana health care provider that has established a treatment plan to assist the prescriber in the diagnosis of the patient; (4) the prescriber has reviewed and approved the treatment plan and is prescribing for the patient pursuant to the treatment plan; and (5) the prescriber complies with the requirements of the INSPECT program. Allows for the prescribing of an opioid using telemedicine services if the opioid being prescribed is a partial agonist being prescribed to treat or manage an opioid dependence.
Current Status: 4/20/2017 - Signed by the President Pro Tempore

HB1493LONG TERM CARE AND HOME HEALTH AGENCIES (BROWN T) Requires a home and community based services program for individuals who are aged or disabled to include reimbursement for assisted living services in the Medicaid program. Requires the division of aging to report to the general assembly a plan to expand the scope and availability of home and community based services for individuals who are aged or disabled and requires the division to implement the plan. Prohibits the office of Medicaid policy and planning (office) from including certain individuals who receive nursing facility services in a Medicaid risk based managed care program or a capitated managed care program through December 31, 2019. Specifies the model to be used for Medicaid nursing facility service payments. Requires the office to do the

following: (1) Provide public notice of at least one year before reducing nursing facility service reimbursements. (2) Review currently offered home health programs, develop additional programs, and report on the programs to the general assembly. Requires the state department of health to amend rules concerning residential care facilities to comply with federal law concerning the provision of home and community based services. Requires the office to report by October 1, 2017, to the legislative council concerning Medicaid recipient eligibility for health facility services. Requires home health agencies to drug test job applicants and employees who come into direct contact with patients. Exempts from drug testing certain licensed home health employees. Requires random drug testing of at least 50% of certain employees to occur at least annually. Allows for random drug testing upon reasonable suspicion of illegal controlled substance use and sets forth parameters of the random drug testing. Requires verification of a positive drug test, and requires the employee to pay for the verification test. Specifies that, unless an employee has a valid prescription for the substance for which the employee tests positive on a drug test, a home health agency shall either discharge an employee or suspend an employee from direct contact with patients for at least six months if the drug test is positive. Specifies that a home health agency that discharges or suspends an employee or refuses to hire a job applicant because of a positive drug test is considered to have discharged, suspended, or refused to hire for just cause. Provides that a home health agency, when acting in good faith and in compliance with state law, is immune from civil liability for conducting employee drug testing or taking an employee disciplinary action or discharging an employee as the result of employee drug testing. Provides that immunity does not apply to actions that constitute gross negligence or wanton misconduct.

Current Status: 4/21/2017 - Signed by the President Pro Tempore

HB1644 STUDY OF APPLIED BEHAVIOR ANALYSIS ISSUES (SUMMERS V) Urges the legislative council to assign to the appropriate study committee issues concerning: (1) the need to license individuals who practice applied behavior analysis; (2) independent centers that provide applied behavior analysis and the oversight that they receive to ensure their practices are current and fall under best practices and guidelines; and (3) the appropriate training and curriculum for teachers of students who attend kindergarten through grade 12 and receive special education services.

Current Status: 4/12/2017 - Signed by the Governor

SB51 IMMUNIZATIONS (GROOMS R) Allows the state health commissioner or a designated public health authority who is a licensed prescriber to issue a statewide standing order, prescription, or protocol that allows a pharmacist to administer or dispense certain immunizations. Allows immunization data to be released to an entity for outreach and education purposes to increase immunization rates if certain conditions are met. Requires that the standing order, prescription, or protocol be posted on the Internet web site of the board of pharmacy. Adds the following immunizations to the list of immunizations that pharmacists may administer if certain conditions are met: (1) Measles, mumps, and rubella. (2) Varicella. (3) Hepatitis A. (4) Hepatitis B. (5) Haemophilus influenzae type b (Hib). Allows a pharmacist to immunize an individual who is at least 50 years of age for pneumonia under a physician's protocol. Requires a pharmacist to comply with the public health emergency consent requirements for immunizations administered during a public health emergency. Authorizes a pharmacist to administer immunizations under a standing order, prescription, or protocol of the state health commissioner.

Current Status: 4/21/2017 - Signed by the Governor

SB59 PROFESSIONAL LICENSING (HEAD R) Requires the behavioral health and human services licensing board to issue a license to a social worker, clinical social worker, marriage and family therapist, mental health counselor, licensed addiction counselor, licensed clinical addiction counselor, addiction counselor associate, or clinical addiction counselor associate who: (1) has a valid license or certificate to practice from another state or jurisdiction; (2) has passed an

examination substantially equivalent to the level for which licensure is being requested; (3) does not have a pending disciplinary proceeding in another state; and (4) pays a fee. Establishes requirements to obtain a license as an addiction counselor associate or clinical addiction counselor associate. Allows for an out-of-state individual seeking reciprocity for licensing in Indiana for psychology to receive a temporary license.

Current Status: 4/21/2017 - Signed by the President Pro Tempore

SB293 ANIMALS (LEISING J) Provides that a military animal rather than a service animal may be buried with a deceased owner. Urges the legislative council to assign to the interim study committee on agriculture and natural resources or another appropriate interim study committee the topics of: (1) federal and state law concerning service and assistance animals; and (2) the permissible uses of service and assistance animals, including emotional support animals and therapy animals, in public accommodations.

Current Status: 4/21/2017 - Signed by the Governor

SSI and Benefits

SB154 ASSET LIMITATION FOR SNAP ELIGIBILITY (MERRITT J) Requires the division of family resources to: (1) beginning January 1, 2018, implement within the federal Supplemental Nutritional Assistance Program (SNAP) an expanded eligibility category and specifies a countable asset limitation for resources of \$5,000 in determining an individual's SNAP eligibility; and (2) notify the United States Department of Agriculture of the implementation of expanded categorical eligibility under SNAP. Specifies certain resources that may not be counted as an asset for purposes of SNAP eligibility. Requires the division of family resources to submit a report to the legislative council concerning the projected total amounts that individuals receiving SNAP benefits would be required to repay over the period beginning January 1, 2018, and ending December 31, 2019, due to positive errors.

Current Status: 4/21/2017 - Signed by the Speaker

Transportation

HB1002TRANSPORTATION INFRASTRUCTURE FUNDING (SOLIDAY E) Eliminates the sales tax on the sale of special fuel. Establishes the special transportation flexibility fund. Provides the following for gasoline use tax collections for state fiscal year 2020 and each state fiscal year thereafter: (1) 14.286% of the collections shall be deposited in the motor vehicle highway account. (2) 21.429% of the collections shall be deposited in the local road and bridge matching grant fund. (3) A percentage of the gasoline use tax collections shall be deposited in the state general fund in each state fiscal year before state fiscal year 2025. (4) In state fiscal year 2020 through state fiscal year 2023, a percentage of the gasoline use tax collections shall be deposited in the special transportation flexibility fund. (5) In state fiscal year 2020 and thereafter, a percentage of the gasoline use tax collections shall be deposited in the state highway fund. Changes the deadline for the adoption and notification of county and municipal vehicle excise and wheel tax ordinances. Provides for a one-time fuel tax rate increase using a multiyear index factor based on the last time the particular fuel tax rate was increased and the current fuel tax rate per gallon. (Gasoline tax is currently \$0.18, special fuel tax is currently \$0.16, and motor carrier surcharge tax is currently \$0.11.) Limits the one-time increase to \$0.10 per gallon. Provides for an annual rate increase in fuel tax rates based on an annual index factor. Limits the annual rate increase based on the annual index factor to \$0.01 per gallon. Provides that the last index factor adjustment to the fuel tax rates is July 1, 2024. Increases the aviation fuel excise tax by \$0.10 per gallon and transfers the increased revenue to the airport development grant fund for airport capital improvement matching grants. Increases alternative fuel decal fees by 50%. Specifies that the motor carrier fuel surcharge tax must be paid on special fuel that is not an alternative fuel at the time of purchase (the same time the special fuel tax is paid), instead of being entirely paid using a quarterly return. Provides that the surcharge tax also applies to purchases of special fuel by persons other than carriers. Imposes a motor

carrier fuel surcharge inventory tax on motor fuel held in storage and offered for sale to motor carriers on the date the surcharge tax rate changes. Eliminates from the distribution of the gasoline and special fuel taxes: (1) the \$0.01 going to the state highway fund; (2) the \$0.01 going to counties, cities, and towns; and (3) the \$25,000,000 special distribution allocation distributions. Establishes a \$15 transportation infrastructure improvement fee that applies to the registration of all motor vehicles except trailers, semitrailers, non-motive recreational vehicles, special machinery, vehicles registered as military vehicles, vehicles registered as collector vehicles, motor driven cycles, trucks, tractors used with a semitrailer, and for-hire buses with a declared gross weight greater than 26,000 pounds. Increases annual registration fees for certain motor vehicles with a declared gross weight that equals or exceeds 26,000 pounds. Requires a person who registers an electric vehicle to pay a supplemental registration fee of \$150 with an increase every five years based on an index factor. Requires a person who registers a hybrid vehicle to pay a supplemental registration fee of \$50 with an increase every five years based on an index factor. Provides that the percentage of the amounts distributed to the state and to the local units from the motor vehicle highway account changes incrementally from 53% for the state and 47% for the local units under current law to 60% for the state and 40% for the local units after June 30, 2022. Eliminates the authority for cities and towns to use distributions from the motor vehicle highway account for: (1) the painting of structures and objects; and (2) law enforcement. Requires counties, cities, and towns to use at least 50% of the distributions from the motor vehicle highway account for the construction, reconstruction, and maintenance of highways. Repeals restrictions on when a tolling project can be undertaken. Provides that before the governor, the Indiana department of transportation (INDOT), the Indiana Finance Authority (IFA), or an operator may enter into an agreement for the financing, construction, maintenance, or operation of a toll road project, the budget committee must first review the proposed agreement. Provides that neither the IFA nor INDOT may issue a request for proposals for a public-private agreement that would authorize an operator to impose tolls unless the budget committee has reviewed the request for proposals. Requires INDOT to seek a Federal Highway Administration waiver to toll interstate highways. Limits the first toll lanes under the waiver to certain interstate highways. Provides for a public comment period and requires replies to the public comments for a toll road project by INDOT or a tollway project carried out using a public private partnership. Imposes other duties on INDOT. Amends the assessment procedures for motor carrier civil penalties. Establishes the weigh-in-motion pilot program. Makes various changes to the local road and bridge matching grant program. Allows INDOT to approve certain railroad crossing projects, and authorizes the IFA to finance an approved project subject to a maximum annual debt service limit of \$10,000,000. Authorizes the IFA to take certain actions in the event a public-private agreement is terminated. Annually appropriates \$250,000 to INDOT for the local technical assistance program to develop and maintain a centralized electronic statewide asset management data base. Provides that the owner of a semitrailer permanently registered in Indiana does not pay an annual registration renewal fee. Makes various changes to the transportation funding exchange program between the state and counties and municipalities. Adds various study requirements.

Current Status: 4/22/2017 - Conference Committee Report Adopted (S) Report 1: adopted by the Senate; Roll Call 539: yeas 37, nays 12; Rules Suspended

Waiver Funding

HB1001STATE BIENNIAL BUDGET (BROWN T) Appropriates money for capital expenditures, the operation of the state, K-12 and higher education, the delivery of Medicaid and other services, and various other distributions and purposes. Provides for bonding authority for capital projects for higher education institutions. Terminates the legislative evaluation and oversight program. Replaces the statutory appropriation from the counter cyclical and revenue stabilization fund to the state general fund based on the budget report with a limited discretionary transfer determined by the budget director and approved by the governor. Requires the attorney general to include certain language concerning settlement funds in proposed court order language.

Establishes the agency settlement fund for purposes of receiving certain funds paid to the state as part of a settlement or similar agreement. Permits money held in a trust fund for other post-employment benefits (other than pension) to be invested in the same manner as money may be invested by the public employees' retirement fund or any other public pension or employee retirement fund administered by the board of trustees of the Indiana public retirement system. Establishes the teachers' defined contribution plan (plan) as an account within the Indiana state teachers' retirement fund (fund). Provides that an individual who begins employment with a school corporation in a covered position that would otherwise be eligible for membership in the fund may elect to become a member of the plan. Provides that an individual who does not elect to become a member of the plan becomes a member of the fund. Requires the board of trustees of the Indiana public retirement system (board) to establish, subject to any approval from the Internal Revenue Service that the board considers necessary or desirable, alternative investment programs within the annuity savings account as the initial alternative investment programs for the plan. Provides that, if the board considers it necessary or appropriate, the board may establish different or additional alternative investment programs for the plan, except that the board shall maintain the stable value fund. Provides that each member's contribution to the plan is 3% of the member's compensation and requires the employer to pay the member's contribution on behalf of the member. Allows a member to make additional contributions to the plan up to 10% of the member's compensation. Provides that the employer's contribution rate for the plan is equal to the employer's contribution rate for the fund as determined by the board, although the amount credited from the employer's contribution rate to the member's account may not be greater than the normal cost of the fund, and any amount not credited to the member's account is applied to the unfunded accrued liability of the fund. Provides that an employer's minimum contribution to the plan is 3% of the compensation of all members of the plan. Provides that member contributions and net earnings on the member contributions belong to the member at all times and do not belong to the employer. Provides that a member vests in the employer contribution subaccount at 20% per year with full vesting after five years of participation. Provides that, if a member separates from service with an employer before the member is fully vested in the employer contribution subaccount, the amount in the subaccount that is not vested is: (1) transferred to the member's new employer, if the new employer participates in the plan; or (2) held in the member's employer contribution subaccount until forfeited. Provides that a member who: (1) terminates service in a covered position; and (2) does not perform any service in a covered position for at least 30 days after the date on which the member terminates service; is entitled to withdraw vested amounts in the member's account. Provides that a member may elect to have withdrawals paid as: (1) a lump sum; (2) a direct rollover to another eligible retirement plan; or (3) if the member is at least 62 years of age with at least five years of participation in the plan, a monthly annuity in accordance with the rules of the board. Provides that, on the plan's effective date, school corporations become participants in the plan. Provides that the board shall provide education to employers and members regarding retirement benefit options of all applicable pension and retirement funds that the board administers. Establishes the next level Indiana trust and trust fund. Provides that the trust proceeds of the next generation trust shall be transferred to the next level Indiana trust and trust fund and that the next generation trust shall cease upon completion of the transfer. Provides that the proceeds transferred to the next level Indiana trust fund shall be used exclusively for the provision of highways, roads, and bridges. Requires the board of trustees (board) of the Indiana public employees' retirement system, after December 31, 2017, to establish and maintain the next level Indiana innovation and entrepreneurial fund (fund) as an annuity savings account investment option for members of the public employees' retirement fund (PERF) and the Indiana state teachers' retirement fund (TRF). Requires the deferred compensation committee (committee), after December 31, 2017, to establish and maintain the fund as an investment option in the state employees' deferred compensation plan. Requires the board and the committee to consult with the board of trustees of the next level Indiana trust fund to establish the fund's investment objectives and policies. Limits initial transfers into the

fund to 20% of the balance in a fund member's or state employee's account. Limits annual contributions to the fund to 20% of a member's or an employee's total contributions for that year. Provides that, if a member or employee contributes not less than the amount the member or employee initially designated to the fund for at least 36 consecutive months and maintains in the fund the amounts transferred and contributed during that period, the state shall contribute on the member's or employee's behalf to the fund as a match 10% of the total amount contributed by the member or employee or on the member's or employee's behalf to the fund during that 36 month period. Provides that for each additional 12 consecutive months that a member or an employee contributes not less than the member or employee initially designated to the fund and maintains in the fund the amounts transferred and contributed that period, the state shall contribute on the member's or employee's behalf to the fund as a match 10% of the total amount contributed by the member or employee or on the member's or employee's behalf to the fund during that 12 month period. Provides that, for purposes of determining the amount of the state's match, the total amount contributed by the member or employee or on the member's or employee's behalf excludes the amount of any state match. Provides that, in the case of a group insurance plan established by the state police department, conservation officers of the department of natural resources, and the state excise police (state law enforcement agencies), any proposed modification to change the benefits under the plan may not be made unless the modification is approved by the budget agency. Provides that, on or before July 1 of each year, state law enforcement agencies must submit to the budget agency the current plan.

Current Status: 4/22/2017 - Conference Committee Report Adopted (S) Report 1: adopted by the Senate; Roll Call 540: yeas 42, nays 8; Rules Suspended

HB1493LONG TERM CARE AND HOME HEALTH AGENCIES (BROWN T) Requires a home and community based services program for individuals who are aged or disabled to include reimbursement for assisted living services in the Medicaid program. Requires the division of aging to report to the general assembly a plan to expand the scope and availability of home and community based services for individuals who are aged or disabled and requires the division to implement the plan. Prohibits the office of Medicaid policy and planning (office) from including certain individuals who receive nursing facility services in a Medicaid risk based managed care program or a capitated managed care program through December 31, 2019. Specifies the model to be used for Medicaid nursing facility service payments. Requires the office to do the following: (1) Provide public notice of at least one year before reducing nursing facility service reimbursements. (2) Review currently offered home health programs, develop additional programs, and report on the programs to the general assembly. Requires the state department of health to amend rules concerning residential care facilities to comply with federal law concerning the provision of home and community based services. Requires the office to report by October 1, 2017, to the legislative council concerning Medicaid recipient eligibility for health facility services. Requires home health agencies to drug test job applicants and employees who come into direct contact with patients. Exempts from drug testing certain licensed home health employees. Requires random drug testing of at least 50% of certain employees to occur at least annually. Allows for random drug testing upon reasonable suspicion of illegal controlled substance use and sets forth parameters of the random drug testing. Requires verification of a positive drug test, and requires the employee to pay for the verification test. Specifies that, unless an employee has a valid prescription for the substance for which the employee tests positive on a drug test, a home health agency shall either discharge an employee or suspend an employee from direct contact with patients for at least six months if the drug test is positive. Specifies that a home health agency that discharges or suspends an employee or refuses to hire a job applicant because of a positive drug test is considered to have discharged, suspended, or refused to hire for just cause. Provides that a home health agency, when acting in good faith and in compliance with state law, is immune from civil liability for conducting employee drug testing or taking an employee disciplinary action or discharging an employee as the result of

employee drug testing. Provides that immunity does not apply to actions that constitute gross negligence or wanton misconduct.

Current Status: 4/21/2017 - Signed by the President Pro Tempore

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