

aim Accelerate
Indiana
Municipalities

A large, classical-style building with a central dome and multiple windows, likely the Indiana Statehouse. The image is faded and serves as a background for the text.

2024 STATEHOUSE REPORT

Session Overview

The 2024 legislative session was a short, non-budget session. Governor Eric Holcomb, Speaker Todd Huston and Senate President Pro Tempore Rod Bray each outlined agendas that were meant to be targeted to a handful of areas, including efforts to improve reading proficiency and provide better access to childcare. Several bills and amendments impacting cities and towns were introduced or discussed, but no sweeping changes ultimately passed. Many of these topics, including property taxes, income taxes, tax increment financing and annexation are likely to be brought back during the 2025 legislative session.

Property tax reform continues to be an area of interest for fiscal leadership at the Statehouse. At various points during session, language was considered that capped the maximum levy growth quotient into 2026, made it harder to qualify for an excess levy appeal, and adjusted the agricultural property tax assessment. No major changes passed but all of these issues and more will be discussed by the State and Local Tax Review Taskforce and could be changed significantly in the coming years.

The security and orderliness of public meetings was also an issue lawmakers sought to address. HEA 1338 outlines optional procedures for a governing body, including city and town councils, to adopt for the conducting of meetings. It codified the ability for governing bodies to set reasonable restrictions on the time allotted for attendees to speak, to set reasonable steps to maintain order during a meeting and set procedures for the presiding member to issue warnings to attendees who are disrupting a meeting. Language in the bill also clarifies trespass. This is intended to address situations where individuals are entering restricted areas of government buildings without permission. However, language was amended into the bill that requires Indiana's public access counselor to only consider the strict construction of Indiana law and applicable court cases when issuing guidance. Another amendment made changes to the Open Door Law. Altogether, HEA 1338 made some significant changes to public access laws and will certainly generate conversations going forward.

Road funding was also a topic of conversation this session, but no major changes were introduced in a bill during the 2024 session. However, the Funding Indiana's Roads for a Stronger, Safer Tomorrow (FIRSST) taskforce was extended for another year. This taskforce is taking a comprehensive look at state and local road funding needs and the impact of electric vehicles on the road funding formula. Questions about the distribution of the funds and the Community Crossings Matching Grant Program may also be discussed during the taskforce. Aim has an appointment to the taskforce and will continue to work with legislators heading into the 2025 session.

Aim worked with legislators on operational initiatives that help city and town officials operate more efficiently. Progress was made in many areas, including mobile integrated health, public notice, and the regulation of mobile or manufactured homes.

Helping people improve their health communities has been a top priority for Indiana cities and towns and was a priority for Aim this session. HEA 1385 establishes a framework for a new grant program to support local units that want to create or expand mobile integrated health programs. These programs allow emergency medical services professionals to engage further in the public health system. According to the Indiana Department of Homeland Security: "MIH is a patient-centered model of care delivered in a patient's home or in a mobile environment. EMS professionals assist with health screenings, vaccinations, treatments and follow-ups. Programs can also be used to provide resources for substance abuse, mental health and chronic disease management. to provide non-emergency services to members of the community. These programs can be very effective but long-term, sustainable funding is needed. Aim will continue to work with stakeholders and members of the General Assembly to support efforts to bolster mobile integrated health programs in the future.

A long-standing priority for Aim has been modernizing public notice requirements. Since several cities and towns do not have a regular newspaper and many constituents turn to the internet for information, Aim supports additional flexibility to allow these notices to be published online. HEA 1328, HEA 1204, and SEA 232 passed during the 2024 session and each provide additional flexibility, including expanding the type of notices that can be done electronically through a unit or newspaper’s website.

A law from the 2023 session created some confusion with respect to the zoning and regulation of mobile and manufactured homes. HEA 1320 sought to clarify some of this confusion by ensuring mobile homes are subject to the unsafe building law. The bill also clarifies that cities and towns can regulate the use of mobile and manufactures homes and can be subject to certain design standards. Aim hopes to continue to work with stakeholders to ensure local units of government can use local planning and zoning for mobile and manufactured homes.

In this Statehouse Report, you will find the collection of new laws that have municipal importance or impact. Most of the laws go into effect on July 1, 2024. However, some laws have various effective dates, including retroactivity and upon passage. To view the legislation showing the effective dates, click on the link with the bill number and title. This will take you to information for that bill on the Indiana General Assembly’s website, www.iga.in.gov.

We hope you will find the 2024 Statehouse Report to be a useful tool in learning about the multitude of new laws that were adopted this year. As always, if you have questions about any piece of legislation or current law, contact a member of the Aim legislative team or Aim legal counsel for assistance.

We appreciate your input throughout the session and thank you for keeping your legislators informed about municipal matters that are important to you and your community!

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Administrative

2024
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REPORT

HEA 1026, P.L. 42 – COMMISSION, COMMITTEE, AND BOARD ADMINISTRATION

Author: Engleman (R-Georgetown)

Sponsor: Freeman (R-Indianapolis)

Summary of Provisions

- Specifies certain duties and responsibilities relating to the operations of various task forces, committees, boards, and councils (statutory entities).
- Renames the Indiana code revision commission, probate code study commission, and other statutory entities.
- Specifies that certain statutory entities are subject to the general law governing legislative committees rather than to the law governing the statutory list of interim study committees.
- Authorizes a designee of the revisor of statutes to serve as a member of the uniform law commission (ULC).
- Repeals statutes governing the Medicaid oversight committee and relocates them to the law governing interim study committees.
- Identifies certain state employees serving on statutory entities by their specific job titles.
- Provides for the reimbursement of expenses of state employees, lay persons, and members of the general assembly serving on statutory entities.
- Specifies the expiration dates of the terms of members of certain statutory entities. (The introduced version of this bill was prepared by the code revision commission.)

HEA 1027, P.L. 43 – FIRE DEPARTMENT WORK SCHEDULE

Author: Hostettler (R-Patoka)

Sponsor: Tomes (R-Wadesville)

Summary of Provisions

- Provides that a fire department may deviate from the required maximum work hours for members of the fire department only if authorized by a collective bargaining agreement, memorandum of understanding, or other similar written mutual agreement with an exclusive recognized representative of employees of the fire department.

HEA 1084, P.L. 132 – PRIVACY OF FIREARMS FINANCIAL TRANSACTIONS

Author: Teshka (R-South Bend)

Sponsor: Baldwin (R-Noblesville)

Summary of Provisions

- Amends the statute establishing the right of a member of:
 - (1) The general assembly;
 - (2) The professional staff of the general assembly; or
 - (3) The Indiana lobby registration commission;
- To carry a handgun within the state capitol building and on the property of the state capitol complex by specifying that the right applies to any such member who is not prohibited under state or federal law from possessing a handgun. (Current law provides that the right applies to a member who:
 - (1) Possesses a valid Indiana license to carry a handgun; and
 - (2) Is otherwise permitted to possess a handgun.)
- Adds a new chapter to the Indiana Code article governing state officers to provide that any of the following state officers who is not prohibited from possessing a handgun under state or federal law has the right to carry a handgun within the state capitol building and on the property of the state capitol complex:
 - (1) The attorney general.
 - (2) The secretary of state.
 - (3) The state comptroller.
 - (4) The treasurer of state.

- Prohibits a governmental entity or any other person from knowingly or willfully keeping any list, record, or registry of:
 - (1) Privately owned firearms; or
 - (2) The owners of firearms; with respect to Indiana consumers.
- Defines a “firearms code” as a merchant category code approved by the International Organization for Standardization specifically for firearms retailers.
- Provides that in a payment card transaction, a merchant acquirer or a payment card network may not:
 - (1) Assign; or
 - (2) Require the assignment of; a firearms code in a way that distinguishes a firearms retailer with at least one physical location in Indiana from general merchandise retailers or sporting goods retailers.
- Prohibits a financial services provider from declining or otherwise refusing to process a lawful payment card transaction based solely on the assignment or non-assignment of a firearms code to the payment card transaction.
- Prohibits a financial services provider from disclosing a financial record that:
 - (1) Is related to a payment card transaction; and
 - (2) Includes protected financial information, including a firearms code used, collected, or assigned in violation of the bill’s provisions.
- Specifies that the bill’s provisions apply only to a payment card transaction that is initiated after September 30, 2024, at a firearms retailer that is physically located in Indiana.
- Provides that the applicable primary financial regulator with jurisdiction over a financial services provider subject to the bill’s provisions is responsible for enforcing the financial services provider’s compliance with those provisions.
- Provides that, with respect to any person that is not a financial services provider subject to regulation by a financial regulator, the attorney general is responsible for enforcing the bill’s prohibition against knowingly or willfully keeping any list, record, or registry of:
 - (1) Privately owned firearms; or
 - (2) The owners of firearms.
- Provides that upon receiving notice of an alleged violation of this prohibition, the attorney general shall investigate the alleged violation in accordance with the attorney general’s investigative demand procedures, subject to the statutory confidentiality provisions that apply to such procedures.

HEA 1093, P.L. 133 – EMPLOYMENT OF MINORS

Author: Culp (R-Rensselaer)

Sponsor: Buchanan (R-Lebanon)

Summary of Provisions

- Provides certain exemptions from the employment of minors law.
- Repeals a provision concerning conditions for the employment of a minor as a performer.
- Provides exemptions from certain hour and time restrictions for the employment of a minor who is at least 14 years of age and less than 16 years of age.
- Removes language providing that a minor who is at least 14 years of age and less than 16 years of age may only work until 7 p.m. on a day that precedes a school day from June 1 through Labor Day.
- Repeals provisions concerning hour and time restrictions for the employment of a minor who is at least 16 years of age and less than 18 years of age.
- Specifies that the prohibition on a minor from working in a hazardous occupation does not apply to a minor who is at least 16 years of age and less than 18 years of age who is employed in agriculture.
- Repeals a provision concerning restrictions on an employer who employs a minor to work after 10 p.m. and before 6 a.m.
- Makes corresponding changes.

HEA 1120, P.L. 136 – STATE AND LOCAL ADMINISTRATION

Author: Thompson (R-Lizton)

Sponsor: Holdman (R-Markle)

Aim Comments

Throughout session, HEA 1120 included a variety of provisions that would have reduced property tax levies for local units. There was a proposal to reduce the number of units that would qualify for an excess levy growth appeal by changing the qualification threshold. Under current law, if a unit has assessed value growth over the last 3 years that is 2% greater than the statewide assessed value growth, they can qualify to increase their levy above the MLGQ. This proposal would have changed the threshold to 4%, cutting the number of eligible units roughly in half.

Another proposal would have extended the 4% cap on the MLGQ through 2026. Legislation passed during the 2023 session that capped the MLGQ at 4% for 2024 and 2025. Current estimates show that without this cap, the MLGQ would be above 5%. This change would have further limited the ability of property tax levies to grow for local units to meet cost growth and inflation and would impact all future levies since the MLGQ is based on a rolling average.

Neither of these provisions moved forward but both will be studied in the State and Local Tax Review (SALTR) taskforce over the 2024 interim. The study will also include a discussion of when it is appropriate to move parcels from one allocation area to another. This issue was also discussed during this session but ultimately did not turn into language that moved forward.

The final bill did extend for an additional year the provision that ties a project's qualification as a controlled project to the total debt service rate of the unit through 2025. It also creates a new process for property owners to challenge a controlled project on the basis that the scope of the project changed after going through the petition and remonstrance process. A petition can send the project to a public hearing, but the fiscal body has the final decision on whether or not the scope of the project has really changed.

Most of the concerning language that was proposed in this bill did not move forward. However, all of these issues will be discussed over the summer and will be part of a lively discussion on local fiscal policy during the 2025 session.

Summary of Provisions

- Increases the assessed value limit for the disabled veteran property tax deduction from \$200,000 to \$240,000.
- Allows that, for purposes of various property tax deductions, an individual has until January 15 of a calendar year in which property taxes are first due and payable to complete, date, and file the required certified statement with the county auditor.
- Extends through 2025 the expiration of 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.
- Specifies that a political subdivision's total debt service tax rate does not include a tax rate approved by voters for a referendum debt service tax levy.
- Extends the current cap on operating referendum tax that may be levied by a school corporation to taxes due and payable in 2025, and provides a formula to determine the cap for that year.
- Reestablishes, and enumerates requirements and procedures for, a petition and remonstrance and a referendum for controlled projects funded by debt service if the project scope changes from the purpose initially advertised to taxpayers.
- Adds trailer provisions pertaining to SEA 228-2024 regarding alcoholic beverage taxes on liquor, wine, and hard cider.
- Requires the state fair commission to approve future dates of the state fair and the state fair board to advise the commission on future dates of the state fair.
- Provides that a state employee may affirmatively elect to enroll in the deferred compensation plan prior to the auto enroll date on day 31 of the state employee's employment.
- Requires, effective July 1, 2025, the trustee of the state police pension trust to maintain a supplemental allowance reserve account for the purpose of paying post-retirement benefit adjustments.
- Requires certain political subdivisions to present to the interim study committee on pension management

- oversight concerning a delinquent employee retirement plan offered by the political subdivision.
- Increases the maximum date that a member or participant of certain retirement funds can participate in the deferred retirement option plan from 36 to 60 months.
- Removes a reference in current law to outstanding bonds for which a fee replacement appropriation was made in a provision prohibiting a state educational institution from issuing bonds for refunding or advance refunding of outstanding bonds without approval of the budget agency and the board of trustees of the issuing state educational institution making certain findings.
- Provides that grant awards authorized in the 2023 budget bill and awarded after December 31, 2024, for regional mental health facility grants to counties for use in constructing new facilities or renovating existing facilities to provide mental health services for certain incarcerated individuals may not exceed \$5,000,000 per county (instead of \$2,500,000 per county).
- Prohibits a unit from entering into a sister city or cooperative agreement with a city, town, province, county, school, college, or university located in a foreign adversary.
- Provides parameters for the northwestern Indiana regional planning commission, beginning with calendar year 2025 and for each year thereafter through calendar year 2029, to annually adjust each participating county's portion of the budget.
- Authorizes the office of the secretary of family and social services (office of the secretary) to implement a risk based managed care program for certain Medicaid recipients.
- Requires the office of Medicaid policy and planning to convene a workgroup and, with managed care organizations, to conduct a claims submission testing period before the risk based managed care program is established.
- Authorizes the establishment of home health agency cooperative agreements and provides for the expiration of those provisions on June 30, 2027. (A similar law enacted in 2022 expired on July 1, 2023.)
- Specifies that a home health agency may contract directly or indirectly through a network of home health agencies.
- Provides that distributions for curricular materials may not be considered for purposes of determining whether a school corporation met the requirement to expend a minimum amount of state tuition support for teacher compensation.
- Repeals the requirement that each school be maintained by a school corporation and each charter school establish a curricular materials account.
- Requires a public school to deposit distributions for curricular materials in:
 - (1) The education fund of the school corporation that maintains the school; or
 - (2) The fund in which a charter school receives state tuition support.
- Adds a provision to allow a redevelopment commission to expend revenues from its allocation fund that are allocated for police and fire services on both capital expenditures and operating expenses as authorized in the 2023 session in HB 1454.
- Provides that, if a township transitions from a single township firefighting and emergency services fund to two separate funds as authorized under current law, the township legislative body must approve a transfer of the remaining cash balance from the single fund to the two new separate funds and determine the amounts attributable to each fund.
- Requires the office of the secretary to present to the Medicaid oversight committee a detailed plan for monitoring expenses of the complete Medicaid program.
- Requires the office of the secretary to present to the budget committee a policy to set a required minimum percentage of the reimbursement for personal care services under the home and community-based services waivers that must be paid to the individual providing the direct service.
- Provides that, if the county fiscal body of Howard County makes certain findings, the Howard County fiscal body may adopt an ordinance that would impose the innkeeper's tax on a person engaged in the business of renting or furnishing rooms, lodgings, or accommodations located within an inn, a hotel, or a motel for a period of more than 30 days. (Current law limits the imposition of the innkeeper's tax to renting or furnishing rooms, lodgings, or accommodations for periods of less than 30 days.)
- Provides that an ordinance would not apply to existing rooms, lodgings, or accommodations that were not subject to the 30-day threshold prior to January 1, 2024.
- Provides that an ordinance may not become effective until after April 30, 2024, and must expire before July 1, 2025.

- Requires the county fiscal body, if an ordinance is adopted, to reduce the tax for any person subject to the innkeeper’s tax from 8% (current law) to 6% until the ordinance expires.
- Allows the county fiscal body to return the tax rate to 8% after the ordinance expires. Reinstates a provision that was repealed in SEA 325-2023 (P.L.182-2023) that includes as a “homestead” property that is an individual’s principal place of residence, is located in Indiana, and is owned by an entity, if the individual is a shareholder, partner, or member of the entity that owns the property.
- Amends a redevelopment commission provision defining “residential property” to apply to allocation areas established after June 30, 2025 (rather than June 30, 2024).
- Amends certain language in provisions in HEA 1199-2024.
- Makes amending changes to the Grant County local income tax special purpose rate added in HEA 1121-2024.
- Requires the state and local tax review task force to study several additional topics during the 2024 legislative interim.
- Makes technical corrections.
- Makes conforming changes.

HEA 1121, P.L. 137 – LOCAL INCOME TAXES

Author: Thompson (R-Lizton)

Sponsor: Holdman (R-Markle)

Aim Comments

HEA 1121 creates a new local income tax expenditure rate for acute care county hospitals that comes off the top of the LIT distributions directly to the county. This continues a troubling trend of more and more county services getting their own LIT expenditure rate carveouts without distributing to the underlying units.

It also allows a newly merged taxing unit to receive LIT certified shares’ distributions equivalent to the units’ distributions prior to the merger in response to a recent fire district merger.

Two new food and beverage taxes for Hammond and Cicero were also approved in this bill showing that the legislature is still very receptive to new proposals for food and beverage taxes provided they are tied to specific tourism or economic development projects and have a statutory sunset provision.

Summary of Provisions

- Extends the expiration of provisions concerning a county with a single voting bloc and the allocation of votes for a local income tax council.
- Specifies the amount of revenue from a local income tax rate imposed for correctional facilities and rehabilitation facilities in a county that may be used for operating expenses of those facilities.
- Allows a county fiscal body to adopt a local income tax rate for an acute care hospital located in the county to be used only for the operating expenses of the acute care hospital.
- Provides that, for the purpose of distributing the local income tax (LIT), if two or more school corporations or civil taxing units merge or consolidate to form a single school corporation or civil taxing unit, the school corporation or civil taxing unit is entitled to the combined pro rata distribution of the LIT revenue allocated to each applicable school corporation or civil taxing unit in existence on January 1 of the immediately preceding calendar year prior to the merger or consolidation.
- Provides that the department of local government finance shall make certain adjustments pertaining to the distribution of LIT for Floyd County in 2025, which provide that the Highlander Fire Protection District (district) shall receive an amount equal to the combined distribution that would have been distributed to the Greenville Fire Protection District (FPD) and the Lafayette Fire Protection District (FPD) in 2024, but for their elimination resulting from the merger to establish the district.
- Requires corresponding adjustments in 2025 to reduce the distribution for each applicable civil taxing unit and school corporation in Floyd County, excluding the district, by an amount that equals the proportionate share of the amount of LIT received in 2024 of the combined distribution that would have been distributed to the Greenville FPD and the Lafayette FPD in 2024, but for their elimination.
- Provides that funds accumulated from a Perry County special purpose tax rate to construct or improve

the county jail after the redemption of bonds issued or final payment of lease rentals due under a lease shall be transferred to a county capital project fund to be used to finance capital projects within Perry County. (Current law specifies that such remaining funds are to be transferred to the county jail operations fund to be used for financing the maintenance and operations of the Perry County detention center.)

- Allows Grant County, under specified circumstances, to adopt an ordinance to impose a special purpose local income tax rate to fund and finance the construction of a county jail.
- Provides, for purposes of calculating distributions of the financial institutions tax to local taxing units, how to calculate distributions for a taxing unit that did not receive distributions in 2012 because the unit was subsequently established from the merger or consolidation of two or more taxing units that received distributions from the financial institutions tax fund in 2012.
- Provides, for purposes of calculating qualified distributions of the commercial motor vehicle excise tax to local taxing units, how to calculate base revenue distributions for a taxing unit that did not receive a base revenue distribution in 2001 because the taxing unit was subsequently established from the merger or consolidation of two or more taxing units that received base revenue distributions in 2001.
- Provides that, for purposes of determining the apportionment or distribution of the motor vehicle excise tax, that the county auditor may make adjustments to reflect the merger or consolidation of two or more taxing units.
- Authorizes Knox County to impose its innkeeper's tax at a rate of 8% (instead of 6% under current law).
- Provides that, if the tax rate is increased to more than 6%, the portion of the tax rate that exceeds 6% expires on December 31, 2045.
- Authorizes the city of Hammond to impose a food and beverage tax.
- Authorizes the town of Cicero to impose a food and beverage tax.

HEA 1142, P.L. 55 – HOOSIER FIRST RESPONDER MEDAL OF HONOR

Author: Lucas (R-Seymour)

Sponsor: Goode (R-Terre Haute)

Summary of Provisions

- Establishes the Hoosier first responder medal of honor (medal).
- Provides that the department of homeland security (department) may determine an Indiana first responder is eligible for the Hoosier first responder medal of honor if the Indiana first responder distinguishes themselves conspicuously by gallantry and intrepidity at the risk of the Indiana first responder's life above and beyond the call of duty while engaged in an act of public service.
- Provides that, upon approval of a nomination by the department, the department shall notify the entity employing the Indiana first responder or for which the Indiana first responder volunteers of the nomination.
- Provides that the entity shall notify a member of the general assembly who represents the district in which the entity is located of the Indiana first responder's nomination.
- Provides that the member of the general assembly shall recommend the Indiana first responder for the medal to the governor.
- Provides that, if the department determines that an Indiana first responder nominated to the department does not meet the eligibility requirements to receive the medal, the department may make recommendations to the entity that employs the Indiana first responder or for which the Indiana first responder volunteers of other forms of recognition for the Indiana first responder.
- Provides that the governor may award the medal to the Indiana first responder or the Indiana first responder's next of kin at a public ceremony.

HEA 1158, P.L. 139 – COUNTY CONTRACTS

Author: Lehman (R-Berne)

Sponsor: Holdman (R-Markle)

Summary of Provisions

- Provides that for counties other than Marion County, contracts entered into by the county (including

- contracts executed by county elected officers) must meet certain requirements.
- Allows the county executive to adopt an ordinance that delegates authority to other county elected officers and employees to approve contracts.
- Requires county elected officers to have certain contracts:
 - (1) executed by the county executive; or
 - (2) submitted for review by the county attorney and county executive.
- Provides that if the county attorney advises the county executive that a contract of a county elected officer does not comply with state law or the public purchasing or bidding laws, the county executive may disapprove the contract.
- Allows the county executive to void a contract if a county officer fails to comply with the review process.

HEA 1160, P.L. 140 – CIVIL PROCEEDING ADVANCE PAYMENT CONTRACTS AND COMMERCIAL LITIGATION FINANCING

Author: Lehman (R-Berne)

Sponsor: Brown (R-Fort Wayne)

Summary of Provisions

- Prevents a CPAP provider from making any decision, having any influence, or directing the consumer claimant or the consumer claimant’s attorney with respect to the conduct of the underlying civil proceeding.
- Provides that a commercial litigation financier may not provide funding to a commercial litigation financing agreement that is financed by a foreign entity of concern.
- Prevents a party from sharing information subject to a court order to seal or protect that is received in the course of the civil proceeding with a commercial litigation financier.
- Provides that a commercial litigation financier may not make any decision, have any influence, or direct the plaintiff with respect to the underlying civil proceeding.
- Specifies that a commercial litigation financing agreement is subject to discovery.
- Requires the plaintiff or the plaintiff’s attorney to provide written notice of a commercial litigation financing agreement if the agreement is directly or indirectly financed by a foreign person.

HEA 1163, P.L. 57 – CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY

Author: Hall (R-Norman)

Sponsor: Koch (R-Bedford)

Summary of Provisions

- Provides that:
 - (1) a rural electric membership corporation (REMC);
 - (2) a nonprofit corporation that is an electric cooperative and that has at least one member that is an REMC; and
 - (3) certain corporations resulting from a merger or consolidation of an REMC and a telephone cooperative corporation;
 are exempt from the requirement that a public utility obtain a certificate of public convenience and necessity before beginning the construction, purchase, or lease of certain facilities to be used for furnishing public utility service.

HEA 1197, P.L. 145 – ALCOHOL AND TOBACCO COMMISSION

Author: Manning (R-Logansport)

Sponsor: Alting (R-Lafayette)

Aim Comments

HEA 1197 includes several provisions, including two specific provisions that grant additional flexibility to cities and towns. The bill allows a county, city, town, or township to permit the retail sale of alcoholic beverages upon the premises of a park or public recreation area with a permanent event or entertainment space if the governing body of the facility first applies for a permit from the Alcohol and Tobacco Commission. HEA 1197

also adjusts the definition of a designated permittee for the purpose of establishing a Designated Outdoor Refreshment Area (DORA). The permittee can hold either a retailer or craft manufacturer permit. This is meant to allow breweries to be a designated permittee within a DORA.

Summary of Provisions

- Allows the alcohol and tobacco commission (commission) to provide notices electronically.
- Allows the commission to issue ten new three-way permits to the city of Noblesville, allowing the issuance of:
 - (1) Three new three-way permits in 2024;
 - (2) Three new three-way permits in 2025; and
 - (3) Four new three-way permits in 2026; with any permits not issued in a year allowed to be issued in a subsequent year.
- Allows the commission to issue two new three-way permits to the city of Delphi.
- Amends certain provisions regarding the sale of alcoholic beverages from a bar of a restaurant for on-premises consumption.
- Allows a designated smoking area on the outside patio or terrace of a hotel if:
 - (1) The designated smoking area is delineated from the rest of the outside patio or terrace by a barrier that is at least 18 inches in height;
 - (2) The designated smoking area is located at least 20 feet from any entrance to the hotel; and
 - (3) Individuals less than 21 years of age are not allowed in the designated smoking area.
- Repeals provisions related to beer gardens and patio alcohol service for certain premises.
- Exempts a food hall that:
 - (1) Contains not less than 10 distinct nonaffiliated food and beverage vendors; and
 - (2) Is located within a mixed use development or redevelopment project with a total investment of at least \$100,000,000; from certain requirements that apply to the issuance of a food hall master permit.
- Repeals a provision concerning residency requirements for beer wholesalers.
- Removes the requirement that a property tax clearance form provided to the alcohol and tobacco commission include an embossed seal from the county treasurer.
- Includes a craft manufacturer in the definition of a host permittee for purposes of a temporary craft manufacturer hospitality permit.
- Modifies the definition of “designated permittee” in relation to a designated refreshment area.
- Replaces references to the federal bureau of alcohol, tobacco, and explosives with the federal Alcohol and Tobacco Tax and Trade Bureau or its successor agency.

[HEA 1204, P.L. 146 – PUBLICATION OF PUBLIC NOTICES](#)

Author: Meltzer (R-Shelbyville)

Sponsor: Brown (R-Fort Wayne)

Aim Comments

During the 2024 session, three bills passed that impact public notice requirements. Aim supported these three bills because they are a step in the right direction toward modernizing how public notice is given.

Specifically, HEA 1204 allows a political subdivision to publish notice in the print or electronic edition of a newspaper or locality newspaper if they issue a print edition not more than 3 times per week. If a newspaper or locality newspaper publishes a print edition not more than 2 times a week and does not publish an electronic edition, a notice may be published in either the print edition or on the website of the newspaper or locality newspaper. But if they do not maintain a website, the notice may be published in the print edition or on the political subdivision’s official website. Notice regarding the sale of certain tracts of real property by a political subdivision may be published solely on the official website of the political subdivision.

Effective January 1, 2026, HEA 1328 (Department of Local Government Finance) requires a political subdivision to publish notices for proposed additional appropriations on Gateway instead of in the newspaper (details can

be found page 21 of the legislation). And SEA 252 (Public Notices) changes the qualifications for a newspaper or locality newspaper to be an eligible paper for a political subdivision to publish public notices in.

Aim will continue to work with lawmakers to modernize how notices are published and will continue to support options that give local units of government more flexibility while still being transparent.

Summary of Provisions

- Allows a political subdivision to publish notice in the print or electronic edition of a newspaper or locality newspaper that issues a print edition not more than three times a week.
- Allows, if a newspaper or locality newspaper issues a print edition not more than two times a week, a political subdivision to publish notice:
 - (1) In the print edition or on the newspaper or locality newspaper's website; or
 - (2) If the newspaper or locality newspaper does not have a website, in the print edition or the political subdivision's official website.
- Allows a notice regarding the sale of certain tracts of real property by a political subdivision to be published solely on the official website of the political subdivision.
- Provides that if the assessed value of a tract is less than \$10,000, based on the most recent assessment of the tract or of the tract of which it was a part before it was acquired, the disposing agent or redevelopment commission is not required to have the tract appraised.

HEA 1206, P.L. 60 – VOTING BY SMALL WATER AND WASTEWATER UTILITIES

Author: Meltzer (R-Shelbyville)

Sponsor: Koch (R-Bedford)

Summary of Provisions

- Amends as follows the statute setting forth the procedures by which certain small water or wastewater utilities may withdraw from and return to the jurisdiction of the Indiana utility regulatory commission (IURC):
 - (1) Specifies that a sewage disposal company that is subject to the jurisdiction of the IURC for having been issued more than one enforcement order from the department of environmental management (department) may not seek to withdraw from the IURC's jurisdiction during the rate regulation period prescribed in the statute setting forth various requirements with respect to wastewater utilities that have been issued one or more enforcement orders by the department.
 - (2) Authorizes a member or shareholder of the utility to cast a vote by secret absentee ballot on the question of the IURC's jurisdiction over the utility.
 - (3) Provides that notice of the meeting on the question of the IURC's jurisdiction over the utility must be sent not less than 45 days (instead of 30 days, under current law) before the meeting and must include:
 - (A) Instructions regarding how a member or shareholder who wishes to cast a vote by absentee ballot may request an absentee ballot;
 - (B) A statement that a request for an absentee ballot precludes a member or shareholder from voting in person at the meeting held on the question of withdrawal from the IURC's jurisdiction;
 - (C) Instructions for returning or delivering an absentee ballot; and
 - (D) The deadline for returning an absentee ballot, which must be:
 - (i) Not earlier than 10 calendar days; and
 - (ii) Not later than five calendar days; before the meeting on the question, along with information as to when an absentee ballot will be considered received by the board.
 - (4) Provides that the 5% quorum required for members or shareholders to transact business and to take official action regarding the question of the IURC's jurisdiction over the utility includes votes cast by absentee ballot.
 - (5) Provides that if:
 - (A) A utility successfully withdraws from the IURC's jurisdiction;
 - (B) After the withdrawal, a referendum is held on the question of the utility returning to the IURC's jurisdiction; and

- (C) Less than a majority of the votes cast are in favor of returning to the IURC's jurisdiction; another referendum on the question of returning to the IURC's jurisdiction may not be conducted for two years (instead of four years, under current law) following the date of the meeting at which the vote is conducted.
- (6) Makes conforming changes.

HEA 1235, P.L. 170 – PROHIBITED CAUSES OF ACTION CONCERNING FIREARMS

Author: Jeter (R-Fishers)

Sponsor: Freeman (R-Indianapolis)

Summary of Provisions

- Provides that only the state of Indiana may bring or maintain an action by or on behalf of a political subdivision against a firearm or ammunition manufacturer, trade association, seller, or dealer, concerning certain matters.
- Prohibits a political subdivision from otherwise independently bringing or maintaining such an action.
- Specifies exceptions.

HEA 1265, P.L. 153 – VARIOUS ELECTIONS MATTERS

Author: Wesco (R-Osceola)

Sponsor: Gaskill (R-Pendleton)

Summary of Provisions

- Defines "candidate" for the purpose of provisions concerning early and late candidate vacancies.
- Modifies the definition of "chute".
- Defines "scantron" and provides that a scantron complies with certain absentee ballot endorsement requirements if it is endorsed with the initials of certain individuals.
- Allows a circuit court clerk, voter registration official, or county election board to make certain filings by fax or electronic mail. Extends the:
 - (1) expiration date of a provision concerning local redistricting; and
 - (2) deadline for a redistricting authority to take specified actions.
- Requires the county election board of a county that is not designated as a vote center county to establish a plan that specifies the method and timing of providing absentee reports to persons who are entitled to receive the reports.
- Specifies that a nondiscriminatory uniform policy concerning certain voter registration information must apply to all records maintained in the computerized list, including election administration records and absentee activity reports.
- Requires the NVRA official to conduct, at least once each calendar year, a review and identification of particular voter registration records.
- Specifies that a provision concerning the delivery, retention, confidentiality, and disposal of election materials does not prohibit county election officials from performing a duty under statutes concerning provisional voting.
- Exempts a political party office on a primary ballot from the ballot arrangement requirement that all candidates for the same office appear on the same page or screen.
- Permits certain persons credentialed by the Indiana protection and advocacy services commission to be in the polls during an election.
- Allows a county election board that adopted a resolution for a primary election allowing absentee voting at satellite offices to amend the resolution, by unanimous vote, to modify, for the subsequent general or municipal election, the locations and hours of the satellite offices.
- Requires each member of an absentee voter board to sign and print the member's name on a voter's affidavit after the voter has signed and dated the affidavit.
- Allows a vote center plan amendment to be filed with the election division by fax or electronic mail.
- Modifies provisions applicable to the notice that must be sent to a voter when a signature mismatch has occurred.
- Allows a voter to deliver a signature verification affidavit signed by the voter to an absentee voter board

- at a circuit court clerk's office or satellite location during the period of early voting.
- Provides that the county election board or board of elections and registration shall not reject an absentee ballot with a missing security envelope signature in certain circumstances if the voter delivers an affidavit of unsigned ballot that is signed by the voter to an absentee voter board at a circuit court clerk's office or satellite location during the period of early voting.
- Specifies certain employment provisions that apply when a county election board appoints a member of an absentee voter board, absentee ballot counter team, or courier team.
- Specifies the deadline that applies to fill certain candidate vacancies when the vacancy is due to the successful challenge of a candidate in a judicial proceeding.
- Prohibits the appointment of a particular person to fill a vacancy by a political party that differs from the party with which the person affiliated when the person was defeated in a primary election or a town or state convention.
- Specifies the circumstances that create a late candidate vacancy.
- Extends certain early candidate vacancy provisions to apply to late candidate vacancies.
- Requires that action to fill a late candidate vacancy be taken not later than 6 a.m. on election day.
- Modifies a provision concerning the delivery and retention of affidavits.
- Permits the bureau of motor vehicles to disclose certain identifying information for voter registration and election purposes under certain laws.
- Prescribes the ballot language for the proposed constitutional amendment that would remove the state superintendent of public instruction from the line of succession to the governor.
- Makes conforming amendments.

HEA 1276, P.L. 66 – NOTICE OF A PUBLIC HEARING OR MEETING

Author: Soliday (R-Valparaiso)

Sponsor: Koch (R-Bedford)

Summary of Provisions

- Provides that the commissioner of the department of environmental management (department) may, not later than 10 days after the last day of a public comment period, decide to hold a public hearing or meeting before the issuance or denial of a permit.
- Requires the department to provide notice if a public hearing or meeting will be held.

HEA 1277, P.L. 86 – STATE ADMINISTRATION OF FEDERAL BEAD PROGRAM

Author: Soliday (R-Valparaiso)

Sponsor: Koch (R-Bedford)

Summary of Provisions

- Specifies that the existing Indiana statute concerning the awarding of grants by the office of community and rural affairs for certain eligible broadband projects does not apply to subgrants awarded by the Indiana broadband office (office) under the federal Broadband Equity, Access, and Deployment (BEAD) Program (program).
- Establishes a new Indiana Code chapter governing the administration of the program by the office.
- Requires the office to administer the program in Indiana in compliance with all mandatory provisions set forth in:
 - (1) The federal Infrastructure Investment and Jobs Act (Act); and
 - (2) The BEAD Notice of Funding Opportunity (BEAD NOFO); with respect to the program.
- Provides that before awarding a subgrant to an eligible broadband service provider during any round of funding under the program, the office shall submit to the budget committee for review the proposed amount and terms of the subgrant.
- Provides that in awarding subgrants for the deployment of a broadband network using program funds, the office may not exclude cooperatives, nonprofit organizations, public-private partnerships, private companies, public or private utilities, public utility districts, or local governments from eligibility for those funds, as set forth in the Act.
- Provides that the final proposal submitted by the office to the National Telecommunications Information

Administration (NTIA) with respect to the program must include the specifications for the required low cost broadband service option that are set forth in the office's initial proposal, as submitted to and approved by NTIA.

HEA 1306, P.L. 68 – LIVE TRANSMISSION AND ARCHIVING OF IURC MEETINGS

Author: Smaltz (R-Auburn)

Sponsor: Koch (R-Bedford)

Summary of Provisions

- Exempts the Indiana utility regulatory commission (IURC) from providing a live transmission of hearings regarding which a stenographic record is required to be made and kept by statute.
- Adds language to the chapter in the Indiana Code governing the IURC to require the IURC to provide on a publicly accessible platform a live transmission of any IURC proceeding that will include:
 - (1) An examination of witnesses;
 - (2) A nonprocedural discussion between one or more parties to the proceeding;
 - (3) Questions from one or more of the commissioners regarding the substance of the case; or
 - (4) A contested procedural matter.
- Requires the IURC to issue a general administrative order to implement a policy that governs the live transmission of IURC proceedings and that includes processes:
 - (1) By which members of the public may request and access the live transmission of an IURC proceeding; and
 - (2) For archiving the live transmission of an IURC proceeding.

HEA 1320, P.L. 155 – BUILDING REGULATION

Author: Zimmerman (R-North Vernon)

Sponsor: Doriot (R-Goshen)

Aim Comments

Language was added to HEA 1315 during the second half of the 2023 legislative session that limits the ability of cities and towns to regulate the construction or siting of mobile homes on private property including on lots that already contain other home. Aim opposes those changes. HEA 1320 from this session helps address some issues stemming from mobile and manufactured homes by doing the following:

- Adds “manufactured home” and “mobile home” to the definition of building or structure under the Unsafe Building code
- Allows local units to regulate non-residential use of mobile or manufactured homes. Any mobile home, manufactured home, or industrialized residential structure on private property, which constitutes a legal, nonconforming use, may not be replaced with a mobile home, manufactured home, or industrialized residential structure that is older or smaller than the legal, nonconforming structure being replaced.

Aim hopes to continue working with lawmakers to give local units the ability to address safety concerns within mobile home communities and to allow local units to regulate them through local planning and zoning.

Summary of Provisions

- Defines, for purposes of the unsafe building law, a “building or structure”.
- Increases from \$10,000 to \$25,000 the estimated cost of work required by an order of a unit's enforcement authority which the unit's enforcement authority may perform using its own workers and equipment.
- Provides, with certain exceptions, that a governmental body may not regulate or restrict, by regulation or otherwise, the continued residential use of a mobile home, a manufactured home, or an industrialized residential within a mobile home community based on certain characteristics of the structure.
- Provides that a mobile home, manufactured home, or industrialized residential structure on private property constituting a legal, nonconforming use, may not be replaced with a mobile home, manufactured home, or industrialized residential structure that is older or smaller than the legal, nonconforming structure being replaced.

- Makes certain changes to local planning and zoning standards and requirements relating to manufactured homes.

HEA 1328, P.L. 156 – DEPARTMENT OF LOCAL GOVERNMENT FINANCE

Author: Snow (R-Warsaw)

Sponsor: Bassler (R-Washington)

Aim Comments

HEA 1328 is the Department of Local Government’s annual agency bill. Typically, it becomes a home for a variety of provisions impacting local units of government. This session, language was included in this bill that requires all fire and EMS contracts entered into by the local unit, regardless of the size of the contract, to be uploaded to Gateway within 60 days of executing the contract. The unit must attest that they uploaded all applicable contracts at budget time in order to have the budget certified.

This bill also allows additional appropriations to be advertised through Gateway instead of using the public notice process starting in 2026. It also prevents public safety raises from a previous budget without a new budget being certified.

A provision in last year’s DLGF bill changed how local cost modifiers apply to apartment assessments. HEA 1328 attempts to clarify that local cost modifiers approved by DLGF can be used when assessing apartments.

Summary of Provisions

- Provides that a county fiscal body may provide a stipend, not to exceed \$2,500, to a circuit court clerk that serves as a voter registration officer each year in which a general election is held.
- Requires a political subdivision to upload to the Indiana transparency website any contract:
 - (1) Related to the provision of fire services or emergency medical services; or
 - (2) Entered into with another unit or entity that provides fire services or emergency medical services.
- Requires a political subdivision to annually attest that the political subdivision uploaded any contract related to the provision of fire services or emergency medical services as a part of the political subdivision budgeting process and specifies the consequence for failure to satisfy the attestation requirement.
- Provides that for purposes of public purchasing, the term “public funds” does not include proceeds of bonds payable exclusively by, or used by, a private entity.
- Provides a 15% procurement price preference to a business offering to provide supplies or services under a contract awarded by a state agency to a business that provides “specialized employee services” to its employees.
- Extends the duration of an entrepreneur and enterprise district (district) to the later of:
 - (1) December 31, 2029 (rather than December 31, 2024); or
 - (2) Five years after the date the district is designated.
- Amends provisions of a statute pertaining to the assessment of rental property.
- Requires the department of local government finance (department) to notify the county assessor of the department’s tentative assessment, or information related to tentative valuation changes, of a utility company’s distributable property not later than June 1.
- Reinstates a provision that was repealed in SEA 325-2023 (P.L.182-2023) that includes as a “homestead” property that is an individual’s principal place of residence, is located in Indiana, and is owned by an entity, if the individual is a shareholder, partner, or member of the entity that owns the property.
- Requires a county auditor to submit an amended certified statement of the assessed value for the ensuing year to the department by the later of:
 - (1) September 1; or
 - (2) 15 days after the certified statement is submitted to the department.
- Requires the proper officers of a political subdivision that desire to appropriate more money for a particular year than the amount prescribed in the budget for that year as finally determined to hold a public hearing after submitting information regarding the proposed additional appropriation to the department’s computer gateway.
- Provides for a maximum property tax levy increase for Knox Township in Jay County.

- Prohibits certain civil taxing units that determine they cannot carry out their governmental functions for an ensuing calendar year under various levy limitations from submitting an appeal unless the civil taxing unit receives approval from the appropriate fiscal body to submit the appeal.
- Similarly prohibits a participating unit of a fire protection territory from submitting an appeal unless each participating unit of the fire protection territory has adopted a resolution approving submission of the appeal.
- Requires the department, regarding the referendum process for bonds or leases for certain projects, to certify its approval or recommendations to the county auditor and the county election board not more than 10 days after both the required certification of the county auditor and the language of the public question are submitted to the department for review.
- Provides for the staggering of terms for property tax assessment board of appeals members.
- Provides that if the department determines that certified computer software or a certified provider is not in compliance with certain specifications or standards or the rules of the department, the department may request that the provider develop a corrective action plan.
- Provides that a contract with a computer provider under a corrective action plan is not void unless the department:
 - (1) Determines that the provider has failed to substantially correct the noncompliance; and
 - (2) Revokes the provider's certification.
- Establishes corrective action plan provisions for noncompliant computer providers.
- Provides the amount of the additional penalty added to taxes payable if a person fails to file a personal property return within 30 days after the due date.
- Amends a provision regarding the local income tax rate for local costs of the state judicial system in the county.
- Requires the department to approve a lower levy freeze tax rate if it finds that the lower rate, in addition to:
 - (1) The supplemental distribution as determined in an adopted resolution; and
 - (2) The amount in certain repealed stabilization funds, as applicable; would fund the levy freeze dollar amount.
- Provides that certain acute care hospitals may apply to the division of mental health and addiction for certification as a community mental health center.
- Requires the division of mental health and addiction to review applications for certification as a community mental health center:
 - (1) To ensure an applicant meets certain standards; and
 - (2) Without consideration for previously established exclusive geographic primary service restrictions.
- Requires the department to send its decision regarding referendum language to the governing body of a school corporation not more than 10 days after:
 - (1) The certification of the county auditor; and
 - (2) The resolution is submitted to the department.
- Provides that, for purposes of the transportation levy component of an operations fund property tax levy, a school corporation, whose budget for the upcoming year is subject to review by a fiscal body, may not submit an appeal to the department unless the school corporation receives approval from the fiscal body.
- Provides that a county fiscal body may establish a salary schedule that includes a stipend, not to exceed \$2,500 in a year, to be paid to the county auditor for duties when warranted as determined by the county fiscal body.
- Requires a county recorder to provide the owner of a farm with:
 - (1) A copy of the recorded document that contains the name of the owner's farm; and
 - (2) Documentation of a description of the land to which the name of the farm applies.
- Provides that for a county having a United States government military base that is scheduled for closing, the expiration date of the allocation area may be extended for the purposes of paying certain expenses.
- Repeals a provision that prohibits a local unit from amending the boundaries of an economic improvement district (EID).
- Instead, allows a local unit to amend the boundaries of an EID only if an owner of real property wishes to include the owner's real property in the EID and voluntarily enters into a written agreement with the

legislative body of the local unit in which the owner requests and consents to increasing the boundaries of the EID to include the owner's real property.

- Specifies that, for real property subject to such a written agreement that is subsequently sold to a new owner, the new owner of that real property may opt out of the prior owner's agreement.
- Provides that no ordinance or safety board action to fix compensation may provide for any increase in the compensation of any member of a police department or fire department, or any other appointee, from the prior budget year if the city has not fixed a budget, tax rate, and tax levy for the ensuing budget year.

HEA 1329, P.L. 157 – LOCAL GOVERNMENT MATTERS

Author: Pressel (R-Rolling Prairie)

Sponsor: Baldwin (R-Noblesville)

Aim Comments

HEA 1329 includes a variety of topics, including multiple that could impact cities and towns. One provision prevents a governmental entity, including counties, cities and towns from mandating inspection of a "residential onsite sewage system" or septic tank as a condition of a sale or transfer of title of a class 2 structure, which can include a single dwelling unit, duplex, garage, barn, etc. Language was amended in during the second half of session to help address specific concerns in Saint Joseph County.

The bill also impacts "license bonds." Local units of government may require contractors to obtain a license bond before doing work in their community. Legislation passed in a previous session that makes it so a contractor is only required to obtain one bond per county. HEA 1329 from this session creates a new legal cause of action for contractors against local units if the bonds are not accepted. The bill also makes it easier for contractors to get multiple activities bonded at once if the work within the project is similar in nature. Aim worked with the bill author to ensure none of these changes impact performance bonds.

Summary of Provisions

- Reduces the membership of the board of directors of the Indiana stadium and convention building authority (board) from seven members to three members.
- Provides that the director of the budget agency or the director's designee serves as chair of the board.
- Authorizes the solid waste management district of Vanderburgh County to make grants and loans for certain purposes.
- Provides that with certain exceptions a governmental entity is prohibited from requiring that a Class 2 structure or a residential onsite sewage system be inspected when a property is sold or transferred.
- Allows a governmental entity to require certain inspections of properties located in that part of St. Joseph County containing a designated sole source aquifer only if it has been more than 15 years since:
 - (1) The property was last sold or transferred; or
 - (2) The Class 2 structure or system was constructed or installed.
- Provides, for purposes of posting a license bond, that a political subdivision may not impose any requirement for the political subdivision to be identified as an obligee on the license bond other than the requirement in statute.
- Provides that certain obligors may initiate a civil action against a political subdivision that does not recognize or does not allow an obligor to post a license bond that satisfies certain requirements.
- Provides that, if the obligor prevails in the action, the obligor shall be awarded an amount equal to:
 - (1) 300% of the cost of obtaining the license bond;
 - (2) Compensatory damages; and
 - (3) Reasonable attorney's fees.
- Provides that if a contractor:
 - (1) Has posted a license bond to obtain one license from a political subdivision; and
 - (2) Is required to obtain another license from the political subdivision to perform work that the contractor intends to perform; the contractor may not be required to post a second license bond as a condition of obtaining the second license if the type of work that the first license authorizes the contractor to perform is so closely related to the type of work that the second license will authorize

the contractor to perform that both types of work are typically involved in a single residential construction project.

- Provides that a city, town, or county that requires a building permit for the construction of a Class 2 structure may provide for the inspection to be conducted by:
 - (1) An individual employed by the city, town, or county, or by another city, town, or county, as a building inspector;
 - (2) A registered architect;
 - (3) A registered professional engineer;
 - (4) A certified building official; or
 - (5) A licensed home inspector.

HEA 1337, P.L. 159 – HOA REGULATION OF BEEKEEPING

Author: Engleman (R-Georgetown)

Sponsor: Baldwin (R-Noblesville)

Summary of Provisions

- Provides that a homeowners association may regulate the number and location of beehives on properties. Provides that a homeowners association may not:
 - (1) regulate the number and location of beehives that are located on a property before the regulations are adopted; and
 - (2) prohibit beekeeping on property that complies with state law, if the beehives are actively maintained for pollination or production of honey.
- Provides when a homeowners association may prohibit beekeeping within 100 feet of a property.

HEA 1338, P.L. 171 – SECURITY OF PROPERTY AND MEETING DECORUM

Author: Prescott (R-Union City)

Sponsor: Baldwin (R-Noblesville)

Aim Comments

As introduced, HEA 1338 outlined optional procedures for a governing body, including city and town councils, to adopt for the conducting of meetings. It codified the ability for governing bodies to set reasonable restrictions on the time allotted for attendees to speak, to set reasonable steps to maintain order during a meeting and set procedures for the presiding member to issue warnings to attendees who are disrupting a meeting. Language in the bill also clarifies the trespass statute to apply to an individual who knowingly or intentionally enters a locked area without permission or refuses to leave an area of a property that is otherwise not accessible to the public after being asked to leave the area of a property by a law enforcement officer or an employee or agent of the owner or operator of the property. This is intended to address situations where individuals are entering restricted areas of government buildings without permission. These provisions remain in the bill, but multiple amendments were added.

During the second half of session, the bill was amended in a Senate committee to include language impacting the Public Access Counselor. Under current law, the Public Access Counselor serves a four-year term. HEA 1338 removes the four-year term requirement and states the Public Access Counselor now serves at the pleasure of the Governor. It also includes a provision that says when issuing an advisory opinion, the public access counselor shall consider only the public access laws, as plainly written and valid opinions of Indiana courts. Finally, a provision was added on second reading during the second half of session that amends the Open Door Law. It states that a committee appointed directly by the governing body or a governing body's designee does not constitute a governing body that is subject to the Open Door Law if the committee is appointed for the sole purpose of receiving information, deliberating, or making recommendations to the governing body and has not more than one member of the governing body as a member.

Summary of Provisions

- Allows the governing bodies of certain local government agencies (local agencies) to adopt rules or policies governing the conduct of meetings.

- Provides that a rule or policy may provide that the presiding member of the governing body of the local agency may:
 - (1) Issue warnings to disruptive attendees and direct them to leave the meeting on the third warning; and
 - (2) Direct a law enforcement officer to remove disruptive attendees.
- Provides that the rules and policies must be posted at the meeting entrance or announced before taking public testimony.
- Specifies that a provision of the tort claims law providing immunity to a government entity or employee in adopting and enforcing a law or rule applies.
- Provides that a person commits criminal trespass by knowingly or intentionally:
 - (1) Entering a locked area without permission; or
 - (2) Refusing to leave an area not publicly accessible after being asked to leave by a law enforcement officer or agent of the property owner or operator.
- Specifies that:
 - (1) The public access counselor serves at the pleasure of the governor; and
 - (2) When issuing an advisory opinion, the public access counselor may consider only the plain text of the public access laws and valid Indiana court opinions.
- Provides that a committee appointed directly by the governing body or a governing body's designee does not constitute a governing body that is subject to the open door law if the committee:
 - (1) Is appointed for the sole purpose of receiving information, deliberating, or making recommendations to the governing body; and
 - (2) Has not more than one member of the governing body as a member.

HEA 1387, P.L. 90 – HOUSING DEVELOPMENT

Author: Miller (R-Elkhart)

Sponsor: Rogers (R-Granger)

Summary of Provisions

- Makes various changes to the residential housing infrastructure assistance program.
- Expands the definition of “economic development facilities” applicable to the economic development and pollution control statutes to include facilities for housing for purposes of redevelopment commission programs outside Indianapolis for age-restricted housing or residential housing development.
- Makes a technical correction.

HEA 1412, P.L. 4 – CANINE STANDARD OF CARE

Author: Baird (R-Greencastle)

Sponsor: Doriot (R-Goshen)

Summary of Provisions

- Sets forth regulations concerning the retail sale of dogs.
- Requires retail pet stores, animal care facilities, and animal rescue operations to register with the board of animal health.
- Establishes mandatory disclosures and warranties for a retail pet store selling dogs.
- Establishes a random inspection program for commercial dog breeders, commercial dog brokers, and retail pet stores beginning July 1, 2025.
- Voids local ordinances prohibiting the sale of dogs at retail pet stores.

SEA 29, P.L. 74 – TOWN PARTY CONVENTIONS

Author: Donato (R-Logansport)

Sponsor: Smaltz (R-Auburn)

Summary of Provisions

- Specifies the manner of nomination applicable to a candidate for town office in a small town, based on the year in which the election occurs.

- Modifies the deadlines for:
 - (1) Filing a copy of an ordinance establishing a primary election for nomination of major political party candidates; and
 - (2) Holding a town convention.

SEA 35, P.L. 9 – TECHNICAL CORRECTIONS

Author: Freeman (R-Indianapolis)

Sponsor: Engleman (R-Georgetown)

Summary of Provisions

- Addresses technical issues in the Indiana Code, including those related to spelling, tabulation, formatting, grammar, and cross-references.
- Repeals an empty chapter.
- Relocates, without change, provisions enacted at an incorrect citation or at conflicting citations.
- Resolves technical conflicts from the 2023 legislative session.
- Changes references from the auditor of state to the state comptroller and provides directions for publication of affected provisions.
- Makes conforming amendments. (The introduced version of this bill was prepared by the code revision commission.)

SEA 36, P.L. 10 – INTERFERENCE WITH BOUNDARY MARKER

Author: Doriot (R-Goshen)

Sponsor: King (R-Middlebury)

Summary of Provisions

- Creates a civil penalty for a person who knowingly or intentionally disturbs or removes a boundary marker, and permits a court to order a person who disturbs or removes a boundary marker to pay for the cost of reestablishing the boundary marker.

SEA 37, P.L. 102 – OVERSIGHT OF CONVENTION AND VISITOR BUREAU

Author: Niemeyer (R-Lowell)

Sponsor: Slager (R-Griffith)

Summary of Provisions

- Provides that, in making appointments to the convention and visitor bureau, the appointing authority shall give sole consideration to individuals who are employed as executives or managers in certain businesses (instead of either knowledgeable about or employed as executives or managers).
- Provides that Before December 20 of each year, the convention and visitor bureau (“bureau”) shall prepare a budget for expenditures during the following year, taking into consideration the recommendations made by a qualified corporation and submit the budget to the county council for its review and approval.
- Provides that an expenditure may not be made unless it is in accordance with an appropriation made by the county council in the manner provided by law.
- Provides that a budget prepared by the bureau and approved by the county council must be published on the department of state revenue’s interactive and searchable website.
- Provides that the bureau may expend money from the alternate revenue fund to promote and encourage conventions, trade shows, visitors, special events, sporting events, and exhibitions in the county.
- Delays the date by which a proposal for the development, operation, and an ownership share in a Lake County convention and event center is considered timely.

SEA 80, P.L. 104 – CODE PUBLICATION AMENDMENTS

Author: Freeman (R-Indianapolis)

Sponsor: Engleman (R-Georgetown)

Summary of Provisions

- Makes Indiana Code publication amendments.
- Repeals and relocates a specific Indiana Code definitions chapter for organization of the defined terms by alphabetical order and to provide for future expansion of the chapter.
- Makes conforming cross-reference updates.
- Resolves technical conflicts between various enrolled acts passed during the 2024 legislative session.

SEA 135, P.L. 18 – REDISTRICTING DEADLINE

Author: Gaskill (R-Pendleton)

Sponsor: Wesco (R-Osceola)

Aim Comments

SEA 135 extends the deadline for a municipality to redistrict or recertify existing districts if they have not done so since the 2020 decennial census. Using the 2020 census data, the redistricting authority must redistrict or recertify districts between January 1, 2025, and before June 30, 2025, if the office is on the 2024 general election ballot or before June 30, 2025, if the office is not on the 2024 general election ballot. If the redistricting authority fails to redistrict or recertify districts before June 30, 2025, the members of the redistricting authority shall not receive payment of any salary or fees. According to a study, as many as 90 cities and towns did not redistrict or recertify despite being required to do so under current law.

Summary of Provisions

- Requires certain redistricting authorities to redistrict or recertify election districts before June 30, 2025, if the election district does not have an office on the ballot during the 2024 general election.
- Requires certain redistricting authorities to redistrict or recertify election districts after January 1, 2025, and before June 30, 2025, if the election district does have an office on the ballot during the 2024 general election.
- Assesses a penalty if a redistricting authority fails to redistrict or recertify election districts.
- Makes conforming changes.

SEA 140, P.L. 105 – NATURAL RESOURCES

Author: Leising (R-Oldenburg)

Sponsor: Baird (R-Greencastle)

Summary of Provisions

- Provides that a person may perform certain activities without obtaining a permit from the department of natural resources (department).
- Provides certain guidelines for cutting, relocating, or removing logs that are crossways in a channel.
- Provides that a person who removes a logjam from a river or stream:
 - (1) Is not required to cut a log or separate a tree from its root system if, in the opinion of the person, the cutting would create an unreasonable risk of bodily harm to the person; and
 - (2) Need not remove the dislodged logs from the floodplain if the logs are dried and burned so completely as to eliminate the potential for a new logjam.
- Permits a person to remove a logjam or mass of wood debris from a river or stream with mechanical equipment appropriate to the task of removing logjam or debris.
- Authorizes a person to remove debris from a stream under certain conditions without needing a permit from the department.
- Exempts the state and a county, city, or town from submitting various documents when applying for certain floodway permits.
- Requires the Indiana state department of agriculture to oversee and take all actions necessary to prepare and publish an updated version of the Indiana Drainage Handbook.

SEA 150, P.L. 108 – ARTIFICIAL INTELLIGENCE AND CYBERSECURITY

Author: Brown (R-Fort Wayne)

Sponsor: Lehman (R-Berne)

Summary of Provisions

- Creates the artificial intelligence task force (task force) to study and assess use of artificial intelligence technology by state agencies.
- Provides that political subdivisions, state agencies, school corporations, and state educational institutions (public entities) may adopt a:
 - (1) Technology resources policy; and
 - (2) Cybersecurity policy; subject to specified guidelines.
- Specifies requirements for:
 - (1) Public entities; and
 - (2) Entities other than public entities; that connect to the state technology infrastructure of Indiana.
- Provides, with regard to a licensing contract entered into by a state agency for use of a software application designed to run on generally available desktop or server hardware, that the contract may not restrict the hardware on which the state agency installs or runs the software.
- Provides that if a state agency enters into a contract with a person under which the state agency runs software on hardware owned or operated by the person, the office of technology shall ensure that the state agency fully complies with the licensing terms of all software run on the person's hardware.
- Provides that an executive or legislative state agency may submit to the office of technology and the task force an inventory of all artificial intelligence technologies in use or being developed or considered by the state agency for use, by the state agency.
- Provides that, subject to specified exceptions:
 - (1) Title to any record of state government is held by the state; and
 - (2) Title to any record of a local government is held by that local government.

SEA 170, P.L. 110 – CRIMES AND ELECTION WORKERS

Author: Walker, G (R-Columbus)

Sponsor: Meltzer (R-Shelbyville)

Summary of Provisions

- Defines "election worker" and makes it a Level 6 felony under certain circumstances to:
 - (1) Threaten an election worker; or
 - (2) To obstruct, interfere with, or injure an election worker.

SEA 182, P.L. 22 – REGULATION OF DRONES NEAR CORRECTIONAL FACILITIES

Author: Koch (R-Bedford)

Sponsor: Steuerwald (R-Avon)

Summary of Provisions

- Provides that the crime of trafficking with an inmate includes the use of an unmanned aerial vehicle (drone) to deliver contraband, and that the crime of public safety remote aerial interference includes operation of a drone to intentionally obstruct or interfere with the duties of a correctional officer, including a county jail officer.

SEA 190, P.L. 112 – STATE DISASTER RELIEF FUND

Author: Carrasco (R-Indianapolis)

Sponsor: Davis (R-Whiteland)

Summary of Provisions

- Makes changes to the permissible uses for the state disaster relief fund (fund).
- Makes changes to the requirements for an eligible entity to receive financial assistance from the fund.
- Makes changes to the calculations used to determine the amount of financial assistance an eligible entity may receive from the fund.
- Increases, from \$10,000 to \$25,000, the amount of loss that may be compensated for damages to an individual's property.

- Repeals provisions that:
 - (1) Provide a definition of “public facility”;
 - (2) Provide limitations for an entity suffering multiple disaster emergencies; and
 - (3) Provide requirements for an application of an eligible entity that is an individual to obtain financial assistance from the fund.

SEA 221, P.L. 78 – STATE BOARD OF ACCOUNTS

Author: Bassler (R-Washington)

Sponsor: Lehman (R-Berne)

Aim Comments

SEA 221 is the State Board of Accounts annual agency bill. A provision was added to the bill that clarifies which municipal officials must meet the training requirements established during the 2023 legislative session. Clerk-treasurers and controllers must complete five hours of approved training courses before the individual first takes office. Clerk-treasurers must also attend the State Board of Accounts training institute once every two years. SEA 221 clarifies that these requirements do not apply to city clerks since they are not responsible for the municipality’s fiscal matters.

Summary of Provisions

- Limits the authority of the director of the special investigations department to investigations involving public monies that are the subject of financial examinations undertaken by the state board.
- Provides that an internal audit or risk assessment conducted by or on behalf of the state shall remain confidential, and that the state and other individuals may not divulge information related to an internal audit or risk assessment unless required to do so in accordance with a judicial order.
- Provides an exception allowing the state and other individuals to divulge information related to an internal audit or risk assessment to:
 - (1) The state examiner;
 - (2) The director of the office of management and budget;
 - (3) An external auditor, in accordance with professional auditing standards; or
 - (4) Any other individual for any reason that constitutes good cause as determined by the state examiner and approved by the director of the office of management and budget.
- Provides that if a majority of a governing body is present during an exit conference, or any conference initiated by the state examiner to discuss an examination status, the governing body shall be considered in an executive session.
- Removes a mandatory requirement that city clerks attend the annual training institute conducted by the state board of accounts.
- Limits the requirement that certain newly elected or appointed local officers complete five hours of approved training courses before the individual first takes office to only individuals first elected or appointed to the office of clerk-treasurer or city controller (and excluding city clerk).
- Requires an individual elected to the office of county auditor to annually certify completion of the individual’s training requirements and file the certification with the state board.

SEA 228, P.L. 118 – VARIOUS TAX MATTERS

Author: Holdman (R-Markle)

Sponsor: Thompson (R-Lizton)

Summary of Provisions

- Amends the economic threshold for sales tax nexus to remove the number of sales transactions in the state as one of the two current triggers that require retail merchants to collect and remit sales tax.
- Allows a retail merchant that receives 75% or more of its receipts from the sale of prepared food to elect to claim a sales tax exemption on transactions involving electricity equal to 50% of the tax imposed on the transactions.
- Makes certain changes to statutes of limitations provisions.
- Requires sheriffs to transfer funds collected through executions of tax warrants twice a month

- electronically through the department of state revenue (department) payment portal.
- Specifies that the service of process fee for post judgment service can only be assessed one time per case.
- Authorizes the department to disclose a taxpayer’s name and other personal identification information with a tax preparer or tax preparation software provider in cases where the department suspects that a fraudulent return has been filed on behalf of a taxpayer and that the system of a taxpayer’s previous year tax preparer or tax preparation software provider has been breached.
- Specifies the pass-through entity tax liability for pass through entities in certain circumstances.
- Repeals an outdated provision that requires an owner of a truck stop to obtain a license from the department.
- Reorganizes certain retail merchant certificate provisions.
- Makes clarifying and technical changes.

SEA 232, P.L. 119 – STATEWIDE 911 SYSTEM

Author: Walker, K (R-Lawrence)

Sponsor: Barrett (R-Richmond)

Summary of Provisions

- Removes references to “enhanced 911 service”.
- Increases the penalty for false informing if the false report is that a person is dangerous and certain other circumstances exist.
- Changes references from the “enhanced prepaid wireless charge” to the “911 service prepaid wireless charge”.
- Provides that information relating to security measures or precautions used to secure the statewide 911 system may be excepted from public disclosure at the discretion of the statewide 911 board.
- Makes changes to or repeals certain definitions relating to the state 911 system.
- Provides that all originating service providers that provide 911 service for their customers:
 - (1) Shall connect to the state 911 system using an industry standard or functional equivalent; and
 - (2) Must establish and maintain the connection in accordance with all applicable regulatory requirements requiring service continuity and ensure access to public safety assistance.
- Provides that an emergency communications center included in the definition of PSAP may not be construed to create an additional PSAP.
- Makes a technical correction.
- Makes conforming amendments.

SEA 234, P.L. 120 – DISASTER EMERGENCY

Author: Garten (R-Charlestown)

Sponsor: Lehman (R-Berne)

Summary of Provisions

- Provides that a state of disaster emergency declared by the governor:
 - (1) That applies to the entire state may not continue for more than 60 days unless a renewal is authorized by the general assembly; and
 - (2) That only applies to part of the state may not continue for more than 30 days unless renewed by the governor.
- Provides that the renewal of a statewide disaster emergency authorized by the general assembly may continue for not more than 60 days.
- Specifies that if a state of disaster emergency that applies to the entire state has ended, the governor may not call a new state of disaster emergency that applies to the entire state unless the new disaster is wholly unrelated to the earlier disaster.
- Defines “wholly unrelated”.

SEA 252, P.L. 122 – NOTICE PUBLICATION

Author: Buck (R-Kokomo)

Sponsor: Miller (R-Elkhart)

Summary of Provisions

- Changes the qualifications required for a newspaper to publish legal notices as follows:
 - (1) A newspaper must have been published for 12 consecutive months (instead of three years).
 - (2) A newspaper must have had an average paid circulation during the preceding year of at least 500 (instead of 200) that may include the number of website page views reported by a website's host provider. (Current law only includes the average requested or paid circulation as reported in the United States Postal Service Statement of Ownership.)
- Requires a locality newspaper to have been published for 12 consecutive months (instead of three years) to be eligible to publish legal notices. Requires a paid circulation threshold for a newspaper published in a county of 2% of the county population.
- Makes technical corrections.

SEA 253, P.L. 35 – LAKE MICHIGAN RESCUE EQUIPMENT

Author: Pol (D-Chesterton)

Sponsor: Pressel (R-Rolling Prairie)

Summary of Provisions

- Requires the owner of a pier or public access site on Lake Michigan to install public rescue equipment, including at least one ring life buoy, on the pier or public access site.
- Establishes requirements concerning ring life buoys installed on piers and public access sites.
- Provides that the end of the buoy line must not be secured to the shore.
- Requires a unit of local government that owns one or more piers or public access sites on Lake Michigan, at least twice per year, to publish on the unit's website a report on lakefront drownings that occur within 50 feet of the unit's piers or public access sites.
- Provides that if more than one fatal drowning occurs not more than 50 feet from a particular pier or public access site in a span of five years, the owner of the pier or public access site shall:
 - (1) Disseminate in the area of the pier or public access site a water safety plan pertaining to the pier or public access site; and
 - (2) Upgrade the public rescue equipment installed on the pier or public access site, such as by installing equipment that automatically contacts the local 911 service in an emergency.

SEA 256, P.L. 123 – FISCAL MATTERS

Author: Mishler (R-Mishawaka)

Sponsor: Thompson (R-Lizton)

Aim Comments

SEA 256 amends the state's Innovation Development District (IDD) statute that allows the IEDC to create taxing districts like TIFs that also capture income and sales taxes to support large economic development projects. The current statute did not allow these districts to overlap existing TIF allocation areas. The new language allows IDD's to overlap existing allocation areas only if the executive of the local unit approves. The existing allocation area continues to exist and collect incremental assessed value until its natural expiration date. After it expires, the area becomes part of the IDD. The local unit cannot extend or reestablish an allocation area inside of an IDD.

SEA 256 also extends the FIRSST taskforce to discuss the road funding formulas and distributions for an additional year. Aim continues to have an appointment on this taskforce and will continue to be involved in the discussion.

Summary of Provisions

- Provides that money in the attorney general contingency fee fund is continuously appropriated and is not subject to allotment.
- Reinstates provisions concerning meetings of the budget committee.
- Provides that money in the high tech crimes unit fund is continuously appropriated for purposes of the fund.
- Allows the Indiana economic development corporation (IEDC) to designate territory located in an existing allocation area as an innovation development district if certain conditions are met.
- Removes the sunset provision for when the IEDC may designate an innovation development district.
- Provides that if an existing allocation area is located in territory subsequently designated as an innovation development district, property tax increment revenue continues to be allocated to the existing allocation area and provides that the allocation area may not be renewed or extended until the term of the innovation development district expires.
- Extends the funding Indiana's roads for a stronger, safer tomorrow task force for one additional year.
- Provides that transfers may not be made by the budget agency, the state board of finance, or any entity from any source to the Indiana gaming commission without prior budget committee review.
- Provides that certain appropriations from the state gaming fund in the most recent biennial budget act may not be augmented.
- Amends certain language in the Medicaid oversight committee provisions in House Enrolled Act 1026.

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2024
STATEHOUSE
REPORT

HEA 1102, P.L. 134 – CHILD CARE

Author: Heine (R-Fort Wayne)

Sponsor: Walker, G (R-Columbus)

Summary of Provisions

- Revises the definition of “child care home”.
- Limits the number of children under twelve months of age that may be provided care in a child care home.
- Provides that certain child care programs are exempt from licensure.
- Amends certain licensing requirements for a class II child care home and a child care center.
- Provides that certain child care providers are eligible for voucher payments.
- Allows certain child care programs at schools to provide services to business employees’ children when the business enters into a contract with the school and certain conditions are met.

HEA 1106, P.L. 80 – REGULATED AMUSEMENT DEVICES

Author: Culp (R-Rensselaer)

Sponsor: Byrne (R-Byrneville)

Summary of Provisions

- Provides that the department of homeland security (department) shall not inspect, and operating permits are not required for, certain regulated amusement devices.
- Provides that the department may perform an inspection of an exempted regulated amusement device only if a valid complaint or incident is reported to the department concerning the regulated amusement device.

HEA 1197, P.L. 145 – ALCOHOL AND TOBACCO COMMISSION

Author: Manning (R-Logansport)

Sponsor: Altling (R-Lafayette)

Aim Comments

HEA 1197 includes several provisions, including two specific provisions that grant additional flexibility to cities and towns. The bill allows a county, city, town, or township to permit the retail sale of alcoholic beverages upon the premises of a park or public recreation area with a permanent event or entertainment space if the governing body of the facility first applies for a permit from the Alcohol and Tobacco Commission. HEA 1197 also adjusts the definition of a designated permittee for the purpose of establishing a Designated Outdoor Refreshment Area (DORA). The permittee can hold either a retailer or craft manufacturer permit. This is meant to allow breweries to be a designated permittee within a DORA.

Summary of Provisions

- Allows the alcohol and tobacco commission (commission) to provide notices electronically.
- Allows the commission to issue 10 new three-way permits to the city of Noblesville, allowing the issuance of:
 - (1) Three new three-way permits in 2024;
 - (2) Three new three-way permits in 2025; and
 - (3) Four new three-way permits in 2026; with any permits not issued in a year allowed to be issued in a subsequent year.
- Allows the commission to issue two new three-way permits to the city of Delphi.
- Amends certain provisions regarding the sale of alcoholic beverages from a bar of a restaurant for on-premises consumption.
- Allows a designated smoking area on the outside patio or terrace of a hotel if:
 - (1) The designated smoking area is delineated from the rest of the outside patio or terrace by a barrier that is at least 18 inches in height;
 - (2) The designated smoking area is located at least 20 feet from any entrance to the hotel; and
 - (3) Individuals less than 21 years of age are not allowed in the designated smoking area.

- Repeals provisions related to beer gardens and patio alcohol service for certain premises.
- Exempts a food hall that:
 - (1) Contains not less than 10 distinct nonaffiliated food and beverage vendors; and
 - (2) Is located within a mixed use development or redevelopment project with a total investment of at least \$100,000,000; from certain requirements that apply to the issuance of a food hall master permit.
- Repeals a provision concerning residency requirements for beer wholesalers.
- Removes the requirement that a property tax clearance form provided to the alcohol and tobacco commission include an embossed seal from the county treasurer.
- Includes a craft manufacturer in the definition of a host permittee for purposes of a temporary craft manufacturer hospitality permit.
- Modifies the definition of “designated permittee” in relation to a designated refreshment area.
- Replaces references to the federal bureau of alcohol, tobacco, and explosives with the federal Alcohol and Tobacco Tax and Trade Bureau or its successor agency.

HEA 1199, P.L. 169 – ECONOMIC ENHANCEMENT DISTRICT

Author: Thompson (R-Lizton)

Sponsor: Baldwin (R-Noblesville)

Summary of Provisions

- Requires the legislative body to provide notice and conduct a public hearing before a proposed economic enhancement district may be established.
- Amends the definition of “economic enhancement project”.
- Amends the required contents of an ordinance to establish an economic enhancement district.
- Increases the number of members of an economic enhancement board from eight to nine and amends the composition of the board.
- Requires an economic enhancement district to expire not later than 10 years from the date of the adoption of an ordinance.
- Repeals a provision that allows an economic enhancement district to be extended.
- Requires that an ordinance establishing an economic enhancement district must be adopted on or before December 31, 2024.
- Provides that if the legislative body of a city has adopted an ordinance to establish an economic enhancement district before the effective date of this bill, that ordinance shall be void, but may be revised and reenacted by the legislative body by the adoption of a new ordinance, which must comply with the provisions added in the bill.
- Makes a technical correction.

HEA 1222, P.L. 62 – RESIDENTIAL REAL ESTATE SERVICE AGREEMENTS

Author: Haggard (R-Mooresville)

Sponsor: Alexander (R-Muncie)

Summary of Provisions

- Defines a “residential real estate service agreement” as an agreement:
 - (1) Under which a service provider agrees to provide one or more services: (A) in connection with the maintenance, purchase, or sale of residential real estate; and (B) that are not to be performed in their entirety within one year after the agreement is entered into; and
 - (2) That:
 - (A) Purports to run with the land or to be binding on future owners;
 - (B) Allows for the assignment of the right to provide one or more of the services under the agreement without the consent of the owner of the residential real estate; or
 - (C) Purports to create a lien or an encumbrance on, or a security interest in, the residential real estate.
- Provides that a residential real estate service agreement that is entered into after March 14, 2024, is void and unenforceable.

- Prohibits a person from recording after March 14, 2024, a residential real estate service agreement in Indiana, regardless of when the residential real estate service agreement is entered into.
- Provides that a county recorder, or an employee of a county recorder, who records a residential real estate service agreement that is presented to the county recorder’s office for recording is not civilly liable under the bill’s provisions, regardless of when the recording occurs.
- Provides that if a residential real estate service agreement (agreement) is recorded in Indiana after March 14, 2024, any person with an interest in the residential real estate that is the subject of the agreement may:
 - (1) Apply to a court in the county in which the agreement is recorded for a declaratory judgment declaring the agreement unenforceable; and
 - (2) Recover the person’s actual damages against any service provider that:
 - (A) Is a party to the agreement; and
 - (B) Recorded, or caused to be recorded, the agreement.
- Provides that a service provider that:
 - (1) Enters into a residential real estate service agreement with any person; or
 - (2) Records, or causes to be recorded, a residential real estate service agreement in Indiana; after March 14, 2024, commits a deceptive act that is subject to the remedies and penalties under the deceptive consumer sales act (act), including an action by the attorney general under the act.
- Provides that the bill’s provisions do not apply to:
 - (1) A residential real estate service agreement entered into before March 15, 2024 (except as otherwise provided in the bill); or
 - (2) Certain specified products, contracts, rights, agreements, services, or liens.

HEA 1258, P.L. 151 – FOOD REGULATION

Author: King (R-Middlebury)

Sponsor: Alexander (R-Muncie)

Summary of Provisions

- For provisions governing home based food products, repeals the term “potentially hazardous food product” and defines “time temperature control for safety food”.
- Requires a local health department to:
 - (1) Issue a mobile retail food establishment permit and inspect a mobile retail food establishment in accordance with administrative rules adopted by the Indiana department of health (state department); and
 - (2) Establish an annual permit fee not to exceed \$200.
- Requires a local health department, not later than January 1, 2025, to begin:
 - (1) Receiving applications for mobile retail food establishments;
 - (2) Collecting annual permit fees;
 - (3) Issuing mobile retail food establishment permits; and
 - (4) Conducting inspections of mobile retail food establishments.
- Prohibits, beginning January 1, 2025, a person from operating a mobile retail food establishment without a mobile retail food establishment permit from the local health department.
- Provides that a local health department may not adopt standards concerning mobile retail food establishments that are more stringent than the rules adopted by the state department.

HEA 1277, P.L. 86 – STATE ADMINISTRATION OF FEDERAL BEAD PROGRAM

Author: Soliday (R-Valparaiso)

Sponsor: Koch (R-Bedford)

Summary of Provisions

- Specifies that the existing Indiana statute concerning the awarding of grants by the office of community and rural affairs for certain eligible broadband projects does not apply to subgrants awarded by the Indiana broadband office (office) under the federal Broadband Equity, Access, and Deployment (BEAD) Program (program).

- Establishes a new Indiana Code chapter governing the administration of the program by the office.
- Requires the office to administer the program in Indiana in compliance with all mandatory provisions set forth in:
 - (1) The federal Infrastructure Investment and Jobs Act (Act); and
 - (2) The BEAD Notice of Funding Opportunity (BEAD NOFO); with respect to the program.
- Provides that before awarding a subgrant to an eligible broadband service provider during any round of funding under the program, the office shall submit to the budget committee for review the proposed amount and terms of the subgrant.
- Provides that in awarding subgrants for the deployment of a broadband network using program funds, the office may not exclude cooperatives, nonprofit organizations, public-private partnerships, private companies, public or private utilities, public utility districts, or local governments from eligibility for those funds, as set forth in the Act.
- Provides that the final proposal submitted by the office to the National Telecommunications Information Administration (NTIA) with respect to the program must include the specifications for the required low cost broadband service option that are set forth in the office’s initial proposal, as submitted to and approved by NTIA.

HEA 1320, P.L. 155 – BUILDING REGULATION

Author: Zimmerman (R-North Vernon)

Sponsor: Doriot (R-Goshen)

Aim Comments

Language was added to HEA 1315 during the second half of the 2023 legislative session that limits the ability of cities and towns to regulate the construction or siting of mobile homes on private property including on lots that already contain other home. Aim opposes those changes. HEA 1320 from this session helps address some issues stemming from mobile and manufactured homes by doing the following:

- Adds “manufactured home” and “mobile home” to the definition of building or structure under the Unsafe Building code; and
- Allows local units to regulate non-residential use of mobile or manufactured homes. Any mobile home, manufactured home, or industrialized residential structure on private property, which constitutes a legal, nonconforming use, may not be replaced with a mobile home, manufactured home, or industrialized residential structure that is older or smaller than the legal, nonconforming structure being replaced.

Aim hopes to continue working with lawmakers to give local units the ability to address safety concerns within mobile home communities and to allow local units to regulate them through local planning and zoning.

Summary of Provisions

- Defines, for purposes of the unsafe building law, a “building or structure”.
- Increases from \$10,000 to \$25,000 the estimated cost of work required by an order of a unit’s enforcement authority which the unit’s enforcement authority may perform using its own workers and equipment.
- Provides, with certain exceptions, that a governmental body may not regulate or restrict, by regulation or otherwise, the continued residential use of a mobile home, a manufactured home, or an industrialized residential within a mobile home community based on certain characteristics of the structure.
- Provides that a mobile home, manufactured home, or industrialized residential structure on private property constituting a legal, nonconforming use, may not be replaced with a mobile home, manufactured home, or industrialized residential structure that is older or smaller than the legal, nonconforming structure being replaced.
- Makes certain changes to local planning and zoning standards and requirements relating to manufactured homes.

HEA 1329, P.L. 157 – LOCAL GOVERNMENT MATTERS

Author: Pressel (R-Rolling Prairie)

Sponsor: Baldwin (R-Noblesville)

Aim Comments

HEA 1329 includes a variety of topics, including multiple that could impact cities and towns. One provision prevents a governmental entity, including counties, cities and towns from mandating inspection of a “residential onsite sewage system” or septic tank as a condition of a sale or transfer of title of a class 2 structure, which can include a single dwelling unit, duplex, garage, barn, etc. Language was amended in during the second half of session to help address specific concerns in Saint Joseph County.

The bill also impacts “license bonds.” Local units of government may require contractors to obtain a license bond before doing work in their community. Legislation passed in a previous session that makes it so a contractor is only required to obtain one bond per county. HEA 1329 from this session creates a new legal cause of action for contractors against local units if the bonds are not accepted. The bill also makes it easier for contractors to get multiple activities bonded at once if the work within the project is similar in nature. Aim worked with the bill author to ensure none of these changes impact performance bonds.

Summary of Provisions

- Reduces the membership of the board of directors of the Indiana stadium and convention building authority (board) from seven members to three members.
- Provides that the director of the budget agency or the director’s designee serves as chair of the board.
- Authorizes the solid waste management district of Vanderburgh County to make grants and loans for certain purposes.
- Provides that with certain exceptions a governmental entity is prohibited from requiring that a Class 2 structure or a residential onsite sewage system be inspected when a property is sold or transferred.
- Allows a governmental entity to require certain inspections of properties located in that part of St. Joseph County containing a designated sole source aquifer only if it has been more than 15 years since:
 - (1) The property was last sold or transferred; or
 - (2) The class 2 structure or system was constructed or installed.
- Provides, for purposes of posting a license bond, that a political subdivision may not impose any requirement for the political subdivision to be identified as an obligee on the license bond other than the requirement in statute.
- Provides that certain obligors may initiate a civil action against a political subdivision that does not recognize or does not allow an obligor to post a license bond that satisfies certain requirements.
- Provides that, if the obligor prevails in the action, the obligor shall be awarded an amount equal to:
 - (1) 300% of the cost of obtaining the license bond;
 - (2) Compensatory damages; and
 - (3) Reasonable attorney’s fees.
- Provides that if a contractor:
 - (1) Has posted a license bond to obtain one license from a political subdivision; and
 - (2) Is required to obtain another license from the political subdivision to perform work that the contractor intends to perform; the contractor may not be required to post a second license bond as a condition of obtaining the second license if the type of work that the first license authorizes the contractor to perform is so closely related to the type of work that the second license will authorize the contractor to perform that both types of work are typically involved in a single residential construction project.
- Provides that a city, town, or county that requires a building permit for the construction of a class 2 structure may provide for the inspection to be conducted by:
 - (1) An individual employed by the city, town, or county, or by another city, town, or county, as a building inspector;
 - (2) A registered architect;
 - (3) A registered professional engineer;
 - (4) A certified building official; or
 - (5) A licensed home inspector.

HEA 1337, P.L. 159 – HOA REGULATION OF BEEKEEPING

Author: Engleman (R-Georgetown)

Sponsor: Baldwin (R-Noblesville)

Summary of Provisions

- Provides that a homeowners association may regulate the number and location of beehives on properties. Provides that a homeowners association may not:
 - (1) Regulate the number and location of beehives that are located on a property before the regulations are adopted; and
 - (2) Prohibit beekeeping on property that complies with state law, if the beehives are actively maintained for pollination or production of honey.
- Provides when a homeowners association may prohibit beekeeping within 100 feet of a property.

HEA 1387, P.L. 90 – HOUSING DEVELOPMENT

Author: Miller (R-Elkhart)

Sponsor: Rogers (R-Granger)

Summary of Provisions

- Makes various changes to the residential housing infrastructure assistance program.
- Expands the definition of “economic development facilities” applicable to the economic development and pollution control statutes to include facilities for housing for purposes of redevelopment commission programs outside Indianapolis for age-restricted housing or residential housing development.
- Makes a technical correction.

HEA 1412, P.L. 4 – CANINE STANDARD OF CARE

Author: Baird (R-Greencastle)

Sponsor: Doriot (R-Goshen)

Summary of Provisions

- Sets forth regulations concerning the retail sale of dogs.
- Requires retail pet stores, animal care facilities, and animal rescue operations to register with the board of animal health.
- Establishes mandatory disclosures and warranties for a retail pet store selling dogs.
- Establishes a random inspection program for commercial dog breeders, commercial dog brokers, and retail pet stores beginning July 1, 2025.
- Voids local ordinances prohibiting the sale of dogs at retail pet stores.

SEA 20, P.L. 73 – MUNICIPAL RIVERFRONT DEVELOPMENT DISTRICT PERMITS

Author: Holdman (R-Markle)

Sponsor: Lehman (R-Berne)

Aim Comments

SEA 20 grants towns the ability to establish a riverfront district with the approval of the Alcohol and Tobacco Commission (ATC). Prior to the passage of this bill, the law only referenced cities. Aim supports this legislation because it grants towns the opportunity to create a riverfront district if approved by the ATC.

Summary of Provisions

- Specifies that the alcohol and tobacco commission may issue restaurant permits for a municipal riverfront development district established by a town.

SEA 182, P.L. 22 – REGULATION OF DRONES NEAR CORRECTIONAL FACILITIES

Author: Koch (R-Bedford)

Sponsor: Steuerwald (R-Avon)

Summary of Provisions

- Provides that the crime of trafficking with an inmate includes the use of an unmanned aerial vehicle (drone) to deliver contraband, and that the crime of public safety remote aerial interference includes operation of a drone to intentionally obstruct or interfere with the duties of a correctional officer, including a county jail officer.

SEA 190, P.L. 112 – STATE DISASTER RELIEF FUND

Author: Carrasco (R-Indianapolis)

Sponsor: Davis (R-Whiteland)

Summary of Provisions

- Makes changes to the permissible uses for the state disaster relief fund (fund).
- Makes changes to the requirements for an eligible entity to receive financial assistance from the fund.
- Makes changes to the calculations used to determine the amount of financial assistance an eligible entity may receive from the fund.
- Increases, from \$10,000 to \$25,000, the amount of loss that may be compensated for damages to an individual's property.
- Repeals provisions that:
 - (1) Provide a definition of "public facility";
 - (2) Provide limitations for an entity suffering multiple disaster emergencies; and
 - (3) Provide requirements for an application of an eligible entity that is an individual to obtain financial assistance from the fund.

SEA 238, P.L. 121 – INNKEEPER'S TAX

Author: Maxwell (R-Guilford)

Sponsor: Zimmerman (R-North Vernon)

Summary of Provisions

- Authorizes Jefferson County to impose its innkeeper's tax at a rate of 8% (instead of 5% under current law).
- Provides that, if the tax rate is increased to more than 5%, the portion of the tax rate that exceeds 5% expires on December 31, 2045.
- Authorizes Elkhart County to impose its innkeeper's tax at a rate of 8% (instead of 5% under current law).
- Provides that, if the tax rate is increased to more than 5%, the portion of the tax rate that exceeds 5% expires on December 31, 2045.
- Authorizes Knox County to impose its innkeeper's tax at a rate of 8% (instead of 6% under current law).
- Provides that, if the tax rate is increased to more than 6%, the portion of the tax rate that exceeds 6% expires on December 31, 2045.

SEA 260, P.L. 124 – NEIGHBORHOOD AND INDIVIDUAL DEVELOPMENT INCENTIVES

Author: Becker (R-Evansville)

Sponsor: Manning (R-Logansport)

Summary of Provisions

- Defines a "community based organization" as a private, nonprofit corporation whose board of directors is comprised of business, civic, and community leaders, and whose principal purpose includes the provision of low income housing. (Current law limits administration, through a financial institution, of an account to community development corporations.)
- Provides that:
 - (1) The first \$1,500 (rather than \$800) is eligible for a state deposit in an individual's account;
 - (2) The allocation, for each account that has been established, for not more than five years, is \$3 for each \$1 of the first \$1,500 (rather than the first \$400) an individual deposited into the individual's account; and

- (3) The amount of the allocation may not exceed \$4,500 (rather than \$2,400) for each account.
- Makes various changes to the administration of and procedure for claiming the neighborhood assistance tax credit and the individual development account tax credit.
 - Removes a reference to an obsolete tax.

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HEA 1003, P.L. 128 – ADMINISTRATIVE LAW

Author: Steuerwald (R-Avon)

Sponsor: Carrasco (R-Indianapolis)

Summary of Provisions

- Makes the office of administrative law proceedings the ultimate authority in any administrative proceeding under its jurisdiction.
- Provides certain exceptions.
- Provides that the bill applies to certain proceedings filed after June 30, 2024.
- Specifies when a state agency may be required to pay reasonable attorney's fees for judicial review proceedings.
- Outlines procedures for the ultimate authority regarding nonfinal orders and procedures to file objections to final orders.
- Permits a final order to be corrected by means of a motion to correct error.
- Provides that the court shall decide all questions of law, including any interpretation of a federal or state constitutional provision, state statute, or agency rule, without deference to any previous interpretation made by the state agency.
- Provides that a court is not bound by a finding of fact made by the ultimate authority if the finding of fact is not supported by the record.
- Requires the state agency to transmit the agency record to the court for judicial review.
- Eliminates the office of environmental adjudication and transfers proceedings to the office of administrative law proceedings.
- Creates requirements for administrative law judges that are assigned to certain environmental matters.
- Provides that until the office of administrative law proceedings adopts or amends rules related to environmental matters, it must continue to follow and implement rules under 315 IAC.
- Requires the office of administrative law proceedings to continue to index and make publicly available, in a substantially similar online searchable format, the final orders of contested appeals currently maintained by the office.
- Makes conforming changes.

HEA 1235, P.L. 170 – PROHIBITED CAUSES OF ACTION CONCERNING FIREARMS

Author: Jeter (R-Fishers)

Sponsor: Freeman (R-Indianapolis)

Summary of Provisions

- Provides that only the state of Indiana may bring or maintain an action by or on behalf of a political subdivision against a firearm or ammunition manufacturer, trade association, seller, or dealer, concerning certain matters.
- Prohibits a political subdivision from otherwise independently bringing or maintaining such an action.
- Specifies exceptions.

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HEA 1182, P.L. 84 – REGULATION OF CONTROLLED SUBSTANCES

Author: McNamara (R-Evansville)

Sponsor: Glick (R-LaGrange)

Summary of Provisions

- Relocates requirements that the board of pharmacy must comply with when adopting interim rules declaring a substance a synthetic drug from the professional licensing law to the statutes governing administrative rulemaking.
- Makes certain changes to the lists of controlled substances.

HEA 1231, P.L. 63 – SERVICE OF SAFETY ORDERS AND PENALTY ASSESSMENTS

Author: Goodrich (R-Noblesville)

Sponsor: Rogers (R-Granger)

Summary of Provisions

- Permits the commissioner of labor or the commissioner's representative to serve safety orders or penalty assessments by electronic mail.
- Expands where the commissioner of labor or the commissioner's representative may serve physical copies of safety orders or penalty assessments.

HEA 1240, P.L. 148 – CRIMINAL LAW ISSUES

Author: Steuerwald (R-Avon)

Sponsor: Freeman (R-Indianapolis)

Summary of Provisions

- Makes numerous changes to the criminal law, including:
 - (1) Changing references from "county prosecuting attorney" to "prosecuting attorney";
 - (2) Specifying the membership of county school safety commissions;
 - (3) Removing and replacing the organized theft statute;
 - (4) Increasing the penalty for fraud and battery under certain circumstances; and
 - (5) Defining "abusive head trauma" and permitting it to be used as an aggravating circumstance.
- Makes unlawful carrying of a handgun by a child a waivable offense.
- Specifies that "telephone sales call" includes certain types of electronically transmitted information.
- Makes certain other changes for consistency.

SEA 17, P.L. 98 – AGE VERIFICATION FOR MATERIAL HARMFUL TO MINORS

Author: Bohacek (R-Michiana Shores)

Sponsor: King (R-Middlebury)

Summary of Provisions

- Requires an adult oriented website operator that displays material harmful to minors to use a reasonable age verification method to prevent a minor from accessing an adult oriented website.
- Creates a cause of action to permit:
 - (1) The parent or guardian of a child harmed by a violation of the age verification requirement to obtain monetary damages, injunctive relief, and reasonable attorney's fees; and
 - (2) Any other person to bring an action to obtain injunctive relief and reasonable attorney's fees.
- Prohibits a person that conducts age verification from retaining the identifying information of an individual seeking to access an adult oriented website that displays material harmful to minors, and permits an individual whose identifying information is retained to bring an action to obtain monetary damages, injunctive relief, and reasonable attorney's fees.
- Requires adult oriented website operators to use commercially reasonable methods to secure all information collected and transmitted.
- Provides that the attorney general may bring an action to obtain an injunction, a civil penalty of not more than \$250,000, or the attorney general's reasonable costs in investigating and maintaining the action.

- Provides that when the attorney general has reasonable cause to believe that any person has engaged in, is engaging in, or is about to engage in a violation, the attorney general is empowered to issue civil investigative demands under IC 4-6-3-3 to investigate the suspected violation.
- Requires verification information of minors to be kept confidential with certain exceptions.
- Adds verification information to the definition of “personal information”.
- Adds a violation of IC 24-4-23 as a deceptive act.

SEA 23, P.L. 100 – DAMAGE TO A PENAL FACILITY

Author: Becker (R-Evansville)

Sponsor: Gore (D-Indianapolis)

Summary of Provisions

- Provides that a person who recklessly, knowingly, or intentionally damages a component of an automatic building fire suppression system that is located in a penal facility commits criminal mischief, a Level 6 felony.

SEA 36, P.L. 10 – INTERFERENCE WITH BOUNDARY MARKER

Author: Doriot (R-Goshen)

Sponsor: King (R-Middlebury)

Summary of Provisions

- Creates a civil penalty for a person who knowingly or intentionally disturbs or removes a boundary marker and permits a court to order a person who disturbs or removes a boundary marker to pay for the cost of reestablishing the boundary marker.

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HEA 1122, P.L. 53 – UNDERGROUND FACILITY PROTECTION

Author: Devon (R-Granger)

Sponsor: Doriot (R-Goshen)

Summary of Provisions

- Amends the law governing demolitions and excavations in the area of underground facilities as follows:
 - (1) Provides that for purposes of required notifications regarding excavation or demolition:
 - (A) The time of receipt of a notice is the time as observed in Indianapolis (“prevailing time”); and
 - (B) A “working day” is the period of time beginning at 7 a.m. And ending at 6 p.m. Prevailing time.
 - (2) Defines the “tolerance zone” of a physical plant for purposes of the clearance that must be maintained between the physical plant and an excavation or demolition.
 - (3) Provides that the route or boundary of a proposed excavation or demolition may be marked by electronic means approved by the Indiana Underground Plant Protection Service (association).
 - (4) Requires documentation of required actions through submission of electronic positive responses to the association.
 - (5) Provides that:
 - (A) Notice of intent to conduct an excavation or demolition must be received by the association not more than 10 calendar days (rather than 20 calendar days, under current law) before the commencement of the work; and
 - (B) A notice is considered received by the association at the prevailing time the association receives the notice from the person responsible for the excavation or demolition.
 - (6) Provides that a notice of intent to conduct an excavation or demolition may specify a starting date and time of the excavation or demolition, which may not be later than 10 days after the time of the association’s receipt of the notice, and that required notifications, communication, and marking with regard to the excavation or demolition must be completed not later than:
 - (A) The starting date and time specified in the notice, if the notice specifies a starting date and time; or
 - (B) 7 a.m. Prevailing time on the next working day that follows the elapse of two full working days after the association’s receipt of the notice; whichever is later.
 - (7) Provides that a notice of intent to conduct an excavation or demolition expires at 11:59 p.m. Prevailing time 20 days after the date the notice is submitted to the association.
 - (8) Requires that the association develop and implement guidelines to provide notice to an operator regarding the association’s receipt of a notice of intent of:
 - (A) An excavation or demolition; or
 - (B) Preliminary engineering studies or construction planning activities; at the prevailing time the association receives the notice of intent.
 - (9) Requires a person responsible for an emergency excavation or demolition to provide notice to the association in the manner prescribed by the association. (Under current law, notice of an emergency excavation or demolition must be provided orally.)
- Makes technical corrections.

HEA 1276, P.L. 66 – NOTICE OF A PUBLIC HEARING OR MEETING

Author: Soliday (R-Valparaiso)

Sponsor: Koch (R-Bedford)

Summary of Provisions

- Provides that the commissioner of the department of environmental management (department) may, not later than 10 days after the last day of a public comment period, decide to hold a public hearing or meeting before the issuance or denial of a permit.
- Requires the department to provide notice if a public hearing or meeting will be held.

HEA 1277, P.L. 86 – STATE ADMINISTRATION OF FEDERAL BEAD PROGRAM

Author: Soliday (R-Valparaiso)

Sponsor: Koch (R-Bedford)

Summary of Provisions

- Specifies that the existing Indiana statute concerning the awarding of grants by the office of community and rural affairs for certain eligible broadband projects does not apply to subgrants awarded by the Indiana broadband office (office) under the federal Broadband Equity, Access, and Deployment (BEAD) Program (program).
- Establishes a new Indiana Code chapter governing the administration of the program by the office.
- Requires the office to administer the program in Indiana in compliance with all mandatory provisions set forth in:
 - (1) The federal Infrastructure Investment and Jobs Act (Act); and
 - (2) The BEAD Notice of Funding Opportunity (BEAD NOFO); with respect to the program.
- Provides that before awarding a subgrant to an eligible broadband service provider during any round of funding under the program, the office shall submit to the budget committee for review the proposed amount and terms of the subgrant.
- Provides that in awarding subgrants for the deployment of a broadband network using program funds, the office may not exclude cooperatives, nonprofit organizations, public-private partnerships, private companies, public or private utilities, public utility districts, or local governments from eligibility for those funds, as set forth in the Act.
- Provides that the final proposal submitted by the office to the National Telecommunications Information Administration (NTIA) with respect to the program must include the specifications for the required low cost broadband service option that are set forth in the office's initial proposal, as submitted to and approved by NTIA.

HEA 1278, P.L. 87 – IURC AND OFFICE OF ENERGY DEVELOPMENT MATTERS

Author: Soliday (R-Valparaiso)

Sponsor: Koch (R-Bedford)

Summary of Provisions

- Repeals the Indiana Code provisions concerning the following obsolete programs and funds administered by the Indiana office of energy development (office):
 - (1) The alternative fuel fueling station grant program.
 - (2) The alternative fuel vehicle grant program for local units.
 - (3) The Indiana coal research grant fund.
 - (4) The office of alternative energy incentives.
 - (5) The alternative energy incentive fund.
 - (6) The center for coal technology research.
- Makes conforming amendments to other sections of the Indiana Code that reference the repealed provisions.
- Repeals, in the Indiana Code chapter governing the Indiana recycling market development board (board), a provision that authorizes the office to establish and administer a revolving loan program to make low interest loans for energy efficiency or recycling market development projects.
- Relocates that provision to the Indiana Code chapter governing the office and removes from the provision language authorizing the office to consult with the board in establishing and administering the program.
- Provides that, notwithstanding the statutory requirements for a local unit to be certified as a commercial solar energy ready community or a wind energy ready community, the commercial solar and wind energy ready communities development center may make a reasonable determination to certify a unit as a commercial solar energy ready community or a wind energy ready community if the unit:
 - (1) Has adopted a commercial solar or wind power regulation and the unit's regulation does not:
 - (A) Materially differ from applicable industry or regulatory standards; or
 - (B) Otherwise materially affect the ability of a project owner to develop a commercial solar project or wind power project in the unit; or
 - (2) Has other clear standards for the construction, installation, siting, modification, operation, or decommissioning of commercial solar or wind power systems and the unit's clear standards meet specified requirements.

- Amends the Indiana Code section concerning a rate case in which a utility seeks an increase in revenues exceeding \$2,500,000, and with respect to which a public hearing is required, to provide that the Indiana utility regulatory commission (IURC) shall conduct at least one public hearing in one of the following, as determined by the IURC:
 - (1) The largest municipality located within the utility’s service area.
 - (2) The municipality containing the largest number of customers served by the utility.
 - (3) The county containing the largest number of customers served by the utility. (Current law requires the IURC to conduct the public hearing in the largest municipality located within the utility’s service area.)
- Makes a corresponding change to the statute concerning rural electric membership corporations.
- Repeals a provision in the statute concerning incentives for clean energy projects that requires eligible businesses under the statute to file with the lieutenant governor a monthly report concerning purchases of:
 - (1) Illinois Basin coal for energy production or generation; and
 - (2) Fuel or energy produced by a coal gasification facility or by a nuclear energy production or generating facility.

HEA 1329, P.L. 157 – LOCAL GOVERNMENT MATTERS

Author: Pressel (R-Rolling Prairie)

Sponsor: Baldwin (R-Noblesville)

Aim Comments

HEA 1329 includes a variety of topics, including multiple that could impact cities and towns. One provision prevents a governmental entity, including counties, cities and towns from mandating inspection of a “residential onsite sewage system” or septic tank as a condition of a sale or transfer of title of a class 2 structure, which can include a single dwelling unit, duplex, garage, barn, etc. Language was amended in during the second half of session to help address specific concerns in Saint Joseph County.

The bill also impacts “license bonds.” Local units of government may require contractors to obtain a license bond before doing work in their community. Legislation passed in a previous session that makes it so a contractor is only required to obtain one bond per county. HEA 1329 from this session creates a new legal cause of action for contractors against local units if the bonds are not accepted. The bill also makes it easier for contractors to get multiple activities bonded at once if the work within the project is similar in nature. Aim worked with the bill author to ensure none of these changes impact performance bonds.

Summary of Provisions

- Reduces the membership of the board of directors of the Indiana stadium and convention building authority (board) from seven members to three members.
- Provides that the director of the budget agency or the director’s designee serves as chair of the board.
- Authorizes the solid waste management district of Vanderburgh County to make grants and loans for certain purposes.
- Provides that with certain exceptions a governmental entity is prohibited from requiring that a Class 2 structure or a residential onsite sewage system be inspected when a property is sold or transferred.
- Allows a governmental entity to require certain inspections of properties located in that part of St. Joseph County containing a designated sole source aquifer only if it has been more than 15 years since:
 - (1) The property was last sold or transferred; or
 - (2) The Class 2 structure or system was constructed or installed.
- Provides, for purposes of posting a license bond, that a political subdivision may not impose any requirement for the political subdivision to be identified as an obligee on the license bond other than the requirement in statute.
- Provides that certain obligors may initiate a civil action against a political subdivision that does not recognize or does not allow an obligor to post a license bond that satisfies certain requirements.
- Provides that, if the obligor prevails in the action, the obligor shall be awarded an amount equal to:
 - (1) 300% of the cost of obtaining the license bond;

- (2) Compensatory damages; and
 - (3) Reasonable attorney's fees.
- Provides that if a contractor:
 - (1) Has posted a license bond to obtain one license from a political subdivision; and
 - (2) Is required to obtain another license from the political subdivision to perform work that the contractor intends to perform; the contractor may not be required to post a second license bond as a condition of obtaining the second license if the type of work that the first license authorizes the contractor to perform is so closely related to the type of work that the second license will authorize the contractor to perform that both types of work are typically involved in a single residential construction project.
- Provides that a city, town, or county that requires a building permit for the construction of a Class 2 structure may provide for the inspection to be conducted by:
 - (1) An individual employed by the city, town, or county, or by another city, town, or county, as a building inspector;
 - (2) A registered architect;
 - (3) A registered professional engineer;
 - (4) A certified building official; or
 - (5) A licensed home inspector.

HEA 1352, P.L. 160 – INSPECTION OF RESIDENTIAL ONSITE SEWAGE SYSTEMS

Author: Morris (R-Fort Wayne)

Sponsor: Byrne (R-Byrneville)

Summary of Provisions

- Establishes when certain officials may inspect a residential onsite sewage system or nonresidential onsite sewage system.
- Allows a nonresidential onsite sewage system to be installed in a lot if at least one site on the lot is determined to be suitable for the installation of the nonresidential onsite sewage system.
- Provides that a county onsite waste management district (district) or local health department may not assess a periodic permit or inspection fee that exceeds the actual cost of the inspection incurred by the district or local health department on an onsite sewage system or an onsite residential sewage discharging disposal system.

HEA 1383, P.L. 1 – WETLANDS

Author: Morrison (R-Brazil)

Sponsor: Niemeyer (R-Lowell)

Summary of Provisions

- Clarifies various wetland definitions.
- Eliminates certain wetland rulemaking requirements.
- Provides that certain wetland activity requires state authorization.
- Clarifies the compensatory mitigation that must be offered to offset certain wetland activity.
- Makes conforming changes and technical corrections.

HEA 1401, P.L. 164 – VARIOUS NATURAL RESOURCES MATTERS

Author: Lindauer (R-Jasper)

Sponsor: Glick (R-LaGrange)

Summary of Provisions

- Pauses all tax sales on mineral interests for one year. Increases the maximum dry weight for a "recreational off-highway vehicle".
- Provides that certain fees established by the natural resources commission (commission) do not constitute a rule.

- Adds language to youth hunting and trapping license provisions providing that the nonresident youth turkey licenses include all yearly stamps to hunt wild turkeys and that the resident and nonresident youth license remains valid for the remainder of the license period even after the license holder turns 18 years of age.
- Provides that certain licenses may still be used if the license holder moves out of state.
- Provides that a person may perform certain activities without obtaining a permit from the department of natural resources (department).
- Allows the commission to adopt rules regarding certain activities that are permitted without a license.
- Establishes requirements for constructing certain structures in a floodway.
- Requires the department to take certain steps before:
 - (1) Making a determination when the department is reviewing the department mapping data being applied to a parcel of real property; and
 - (2) Submitting department mapping data in preparation of the federal emergency management agency flood hazard map.
- Allows certain persons to request a review by the department of the department mapping data applying to the parcel of real property.
- Requires the department, in reviewing the department mapping data applying to a parcel of real property, to use a detailed hydrologic modeling method and perform a site investigation.
- Requires the department to notify certain persons within 90 days after determining that a parcel of real property:
 - (1) Is included in a flood plain or floodway; or
 - (2) Is no longer included in a flood plain or floodway. Establishes the stream act fund. Makes technical and conforming changes.
- Makes an appropriation.

SEA 5, P.L. 6 – LEAD WATER LINE REPLACEMENT AND LEAD REMEDIATION

Author: Koch (R-Bedford)

Sponsor: Soliday (R-Valparaiso)

Summary of Provisions

- Specifies that, for purposes of the statute concerning the replacement of customer owned lead service lines by water utilities, a municipally owned utility includes a utility company owned, operated, or held in trust by a consolidated city.
- Provides that the following apply with respect to the owner of a building, structure, or dwelling, other than a multi-family residential property that contains more than four dwelling units, that is served by a customer owned lead service line within or connected to a water utility's system:
 - (1) That upon request by the water utility, the owner shall replace, or cause to be replaced, the customer owned portion of the lead service line by:
 - (A) Enrolling in the water utility's lead service line replacement program; or
 - (B) Replacing the customer owned portion of the lead service line through the owner's own agents or contractors and at the owner's own expense.
 - (2) That if the owner:
 - (A) Does not enroll in the water utility's lead service line replacement program;
 - (B) Does not replace the customer owned portion of the lead service line; or
 - (C) Fails to communicate with the water utility regarding the replacement; the water utility or the water utility's agent may enter the property to replace the customer owned portion of the lead service line.
 - (3) That the:
 - (A) Water utility; and
 - (B) Occupant of the property, if the property is occupied by a person other than the owner; are not liable to the owner with respect to any replacement made under these provisions.
 - (4) That if a water utility attempts to avail itself of the remedies set forth in these provisions and is prevented from doing so by the owner of the property, the water utility may, in accordance with state law, disconnect water service to the owner's property.

- Provides that the following apply with respect to the owner of a multi-family residential property that contains more than four dwelling units:
 - (1) That the owner may elect to participate in the water utility's lead service line replacement program.
 - (2) That the owner must communicate to the water utility the owner's election to participate not later than 45 days after receiving the water utility's request.
 - (3) That if the owner does not communicate the owner's election to participate within this 45-day period, the owner, or any future owner of the property, is responsible for replacing the customer owned portion of the lead service line through the owner's own agents or contractors and at the owner's own expense.
- Provides that in the case of a:
 - (1) Building;
 - (2) Structure; or
 - (3) Dwelling; that a water utility has determined to be abandoned or unserviceable, the water utility may disconnect water service to the property and require the owner, or any future owner, of the property to install a new service line.
- Provides that these provisions may be incorporated, without the need for further approval by the Indiana utility regulatory commission (iurc), into a water utility's lead service line replacement plan that has been previously approved by the iurc.

SEA 140, P.L. 105 – NATURAL RESOURCES

Author: Leising (R-Oldenburg)

Sponsor: Baird (R-Greencastle)

Summary of Provisions

- Provides that a person may perform certain activities without obtaining a permit from the department of natural resources (department).
- Provides certain guidelines for cutting, relocating, or removing logs that are crossways in a channel.
- Provides that a person who removes a logjam from a river or stream:
 - (1) Is not required to cut a log or separate a tree from its root system if, in the opinion of the person, the cutting would create an unreasonable risk of bodily harm to the person; and
 - (2) Need not remove the dislodged logs from the floodplain if the logs are dried and burned so completely as to eliminate the potential for a new logjam.
- Permits a person to remove a logjam or mass of wood debris from a river or stream with mechanical equipment appropriate to the task of removing logjam or debris.
- Authorizes a person to remove debris from a stream under certain conditions without needing a permit from the department.
- Exempts the state and a county, city, or town from submitting various documents when applying for certain floodway permits.
- Requires the Indiana state department of agriculture to oversee and take all actions necessary to prepare and publish an updated version of the Indiana Drainage Handbook.

SEA 206, P.L. 27 – ENVIRONMENTAL MATTERS

Author: Niemeyer (R-Lowell)

Sponsor: Morrison (R-Brazil)

Summary of Provisions

- Authorizes the department of environmental management (department) to use electronic means to deliver mail communications, send or publish notices, accept notices and permit applications, provide access to documents for public comment, and store documents for future access.
- Authorizes the use of electronic communications in proceedings involving regional water, sewage, and solid waste districts.
- Requires the IDEM to make a determination concerning prior approval for the construction or expansion of a biomass anaerobic digestion facility or biomass gasification facility not more than 90 days after the date on which the department receives the completed application.

- Eliminates a provision of law stating that a person constructing or expanding a biomass anaerobic digestion facility or a biomass gasification facility is not required to obtain the prior approval of the department if air pollution control permit requirements apply to the facility.

SEA 216, P.L. 29 – AGRICULTURE AND PESTICIDES

Author: Walker, K (R-Lawrence)

Sponsor: Bartels (R-Eckerty)

Summary of Provisions

- Requires the dean of agriculture of Purdue University to submit certain annual reports to the legislative council and the budget committee as well as to the governor.
- Makes several changes in the laws concerning pesticides and pesticide use and application.
- Adds and revises definitions of terms used in those laws.
- Provides for the adoption of certain pesticide requirements and standards set forth in federal regulations as state requirements and standards.
- Makes changes concerning who may use certain pesticides and the circumstances under which the pesticides may be used.
- Authorizes the state chemist to enter a premises to access copies of records but allows the person holding records to defer the state chemist's access for up to ten days.
- Provides that the state chemist may enter public or private or property to investigate conditions possibly resulting from pesticide use only if the state chemist has reasonable suspicion of a violation.
- Requires the state chemist, in a proceeding involving multiple counts of repeated incidents of the same violation, to limit the imposition of a civil penalty to five counts.
- Provides that any findings related to a violation must be disclosed to the alleged violator before a penalty is assessed.
- Provides that, absent evidence of wrongdoing by the licensed pesticide business, any citation or civil penalty for a violation by an employee of a licensed pesticide business must be directed to the employee or the employee's supervisor instead of to the licensed pesticide business.
- Establishes requirements for individuals applying to become registered technicians.
- Establishes record keeping requirements for registered pesticide dealers, commercial applicators, and private applicators.
- Establishes restrictions and requirements concerning the application of pesticides on school property and pesticide use in a wellhead protection area.
- Sets forth acts for which the state chemist may impose a civil penalty or deny, suspend, or revoke a license, permit, or registration, including the application of a pesticide in a manner that allows it to drift from the target site, distributing a restricted use pesticide to a noncertified end user, and storing or disposing of a pesticide in violation of U.S. Environmental Protection Agency requirements.

SEA 246, P.L. 33 – ASSESSMENT OF WETLANDS CLASSIFIED AS WILDLANDS

Author: Glick (R-LaGrange)

Sponsor: Baird (R-Greencastle)

Summary of Provisions

- Provides that a parcel of land that:
 - (1) Is at least 1/2 of an acre in size; and
 - (2) Contains wetlands, as delineated by a person certified in wetland delineation; may be classified as wildlands for purposes of property tax assessment.

SEA 247, P.L. 34 – WATER AND WASTEWATER UTILITY INFRASTRUCTURE

Author: Koch (R-Bedford)

Sponsor: Soliday (R-Valparaiso)

Summary of Provisions

- Amends the statute concerning the acquisition by a utility company of a water or wastewater utility to

provide that if:

- (1) The appraised value of the utility property to be acquired does not exceed \$3,000,000; and
 - (2) The purchase price for the utility property is less than the appraised value of the utility property; the acquiring utility company may submit to the Indiana Utility Regulatory Agency (IURC) a filing under a procedure, based on the procedures set forth in the IURC's rules governing 30 day administrative filings, to include in the acquiring utility company's rate base specified costs associated with the acquisition.
- Sets forth certain information that must be included in an acquiring utility company's filing.
 - Provides that if the IURC approves an acquiring utility company's filing, the IURC:
 - (1) May only authorize that:
 - (A) The full purchase price; and
 - (B) Estimated:
 - (i) Incidental expenses; and
 - (ii) Other costs of acquisition; be recorded as the acquiring utility company's net original cost of acquisition; and
 - (2) Shall provide that any estimated:
 - (A) Incidental expenses; and
 - (B) Other costs of the acquisition; are subject to a reasonableness review as part of the acquiring utility company's next base rate case.
 - Adds language specifying that the Indiana code chapter that governs the transfer, acquisition, and improvement of utilities by municipalities applies to a municipally owned natural gas utility (in addition to a municipally owned electric, water, wastewater, or combined water and wastewater utility).

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HEA 1070, P.L. 48 – MENTAL HEALTH GRANTS

Author: Cash (R-Zionsville)

Sponsor: Crider (R-Greenfield)

Summary of Provisions

- Allows the division of mental health and addiction to award mental health grants to for-profit community mental health organizations if a nonprofit organization does not qualify for the grant.

HEA 1102, P.L. 134 – CHILD CARE

Author: Heine (R-Fort Wayne)

Sponsor: Walker, G (R-Columbus)

Summary of Provisions

- Revises the definition of “child care home”.
- Limits the number of children under twelve months of age that may be provided care in a child care home.
- Provides that certain child care programs are exempt from licensure.
- Amends certain licensing requirements for a class II child care home and a child care center.
- Provides that certain child care providers are eligible for voucher payments.
- Allows certain child care programs at schools to provide services to business employees’ children when the business enters into a contract with the school and certain conditions are met.

HEA 1205, P.L. 59 – MENTAL HEALTH STANDARDS AND REPORTING

Author: Meltzer (R-Shelbyville)

Sponsor: Baldwin (R-Noblesville)

Summary of Provisions

- Requires the secretary of family and social services to provide that the standards for services provided by recovery community organizations for behavioral health recovery, when used as a recovery community organization, be certified through a certain entity and meet other standards established by the division of mental health and addiction.
- Specifies information that must be reported by a community mental health center as part of the community mental health center’s annual report.

HEA 1352, P.L. 160 – INSPECTION OF RESIDENTIAL ONSITE SEWAGE SYSTEMS

Author: Morris (R-Fort Wayne)

Sponsor: Byrne (R-Byrneville)

Summary of Provisions

- Establishes when certain officials may inspect a residential onsite sewage system or nonresidential onsite sewage system.
- Allows a nonresidential onsite sewage system to be installed in a lot if at least one site on the lot is determined to be suitable for the installation of the nonresidential onsite sewage system.
- Provides that a county onsite waste management district (district) or local health department may not assess a periodic permit or inspection fee that exceeds the actual cost of the inspection incurred by the district or local health department on an onsite sewage system or an onsite residential sewage discharging disposal system.

HEA 1385, P.L. 163 – EMERGENCY MEDICAL SERVICES

Author: Barrett (R-Richmond)

Sponsor: Baldwin (R-Noblesville)

Aim Comments

The underlying bill deals with reimbursement for ambulance services, but language was also added to establish

the Community Cares Initiative Grant for mobile integrated health programs. The EMS language requires health plan operators to reimburse a nonparticipating ambulance service provider for ambulance services provided to a covered individual at a rate not to exceed the rates set or approved, by contract or ordinance, by the county or municipality in which the ambulance service originated. If there are no rates set or approved by the county or municipality of origin, the health plan operators will pay the lesser amount of either 400% of current Medicare rates or the amount billed by the nonparticipating ambulance provider.

The legislation also established the Community Cares Initiative Grant program under the Division of Mental Health and Addiction for the purpose of assisting in the cost of starting or expanding mobile integrated healthcare programs and mobile crisis teams in Indiana. Aim strongly supported this language as a step toward helping create sustainable funding for mobile integrated health programs and mobile crisis teams in cities and towns. Programs like these can help cities and towns address important health concerns of constituents.

Summary of Provisions

- Establishes the community cares initiative grant pilot program for the purpose of assisting in the costs of starting or expanding mobile integrated health care programs and mobile crisis teams in Indiana.
- Establishes the community cares initiative fund.
- Requires a health plan operator to provide payment to a nonparticipating ambulance service provider for ambulance service provided to a covered individual:
 - (1) At a rate not to exceed the rates set or approved, by contract or ordinance, by the county or municipality in which the ambulance service originated;
 - (2) At the rate of 400% of the published rate for ambulance services established under the Medicare law for the same ambulance service provided in the same geographic area; or
 - (3) According to the nonparticipating ambulance provider's billed charges; whichever is less.
- Provides that if a health plan operator makes payment to a nonparticipating ambulance service provider in compliance with these requirements:
 - (1) The payment shall be considered payment in full, except for any copayment, coinsurance, deductible, and other cost sharing amounts that the health plan requires the covered individual to pay; and
 - (2) The nonparticipating ambulance service provider is prohibited from billing the covered individual for any additional amount.
- Provides that the copayment, coinsurance, deductible, and other cost sharing amounts that a covered individual is required to pay in connection with ambulance service provided by a nonparticipating ambulance service provider shall not exceed the copayment, coinsurance, deductible, and other cost sharing amounts that the covered individual would be required to pay if the ambulance service had been provided by a participating ambulance service provider.
- Requires a health plan operator that receives a clean claim from a nonparticipating ambulance service provider to remit payment to the nonparticipating ambulance service provider not more than 30 days after receiving the clean claim.
- Provides that if a claim received by a health plan operator for ambulance service provided by a nonparticipating ambulance service provider is not a clean claim, the health plan operator, not more than 30 days after receiving the claim, shall:
 - (1) Remit payment; or
 - (2) Send a written notice that:
 - (A) Acknowledges the date of receipt of the claim; and
 - (B) Either explains why the health plan operator is declining to pay the claim or states that additional information is needed for a determination whether to pay the claim.
- Removes the requirement that a health plan operator negotiate rates and terms with any ambulance service provider willing to become a participating provider, but retains the requirement that the state negotiate rates and terms with any ambulance service provider willing to become a participating provider.

HEA 1412, P.L. 4 – CANINE STANDARD OF CARE

Author: Baird (R-Greencastle)

Sponsor: Doriot (R-Goshen)

Summary of Provisions

- Sets forth regulations concerning the retail sale of dogs.
- Requires retail pet stores, animal care facilities, and animal rescue operations to register with the board of animal health.
- Establishes mandatory disclosures and warranties for a retail pet store selling dogs.
- Establishes a random inspection program for commercial dog breeders, commercial dog brokers, and retail pet stores beginning July 1, 2025.
- Voids local ordinances prohibiting the sale of dogs at retail pet stores.

SEA 5, P.L. 6 – LEAD WATER LINE REPLACEMENT AND LEAD REMEDIATION

Author: Koch (R-Bedford)

Sponsor: Soliday (R-Valparaiso)

Summary of Provisions

- Specifies that, for purposes of the statute concerning the replacement of customer owned lead service lines by water utilities, a municipally owned utility includes a utility company owned, operated, or held in trust by a consolidated city.
- Provides that the following apply with respect to the owner of a building, structure, or dwelling, other than a multi-family residential property that contains more than four dwelling units, that is served by a customer owned lead service line within or connected to a water utility's system:
 - (1) That upon request by the water utility, the owner shall replace, or cause to be replaced, the customer owned portion of the lead service line by:
 - (A) enrolling in the water utility's lead service line replacement program; or
 - (B) replacing the customer owned portion of the lead service line through the owner's own agents or contractors and at the owner's own expense.
 - (2) That if the owner:
 - (A) Does not enroll in the water utility's lead service line replacement program;
 - (B) Does not replace the customer owned portion of the lead service line; or
 - (C) Fails to communicate with the water utility regarding the replacement; the water utility or the water utility's agent may enter the property to replace the customer owned portion of the lead service line.
 - (3) That the:
 - (A) Water utility; and
 - (B) Occupant of the property, if the property is occupied by a person other than the owner; are not liable to the owner with respect to any replacement made under these provisions.
 - (4) That if a water utility attempts to avail itself of the remedies set forth in these provisions and is prevented from doing so by the owner of the property, the water utility may, in accordance with state law, disconnect water service to the owner's property.
- Provides that the following apply with respect to the owner of a multi-family residential property that contains more than four dwelling units:
 - (1) That the owner may elect to participate in the water utility's lead service line replacement program.
 - (2) That the owner must communicate to the water utility the owner's election to participate not later than 45 days after receiving the water utility's request.
 - (3) That if the owner does not communicate the owner's election to participate within this 45 day period, the owner, or any future owner of the property, is responsible for replacing the customer owned portion of the lead service line through the owner's own agents or contractors and at the owner's own expense.
- Provides that in the case of a:
 - (1) Building;
 - (2) Structure; or
 - (3) Dwelling; that a water utility has determined to be abandoned or unserviceable, the water utility may disconnect water service to the property and require the owner, or any future owner, of the property to install a new service line.

- Provides that these provisions may be incorporated, without the need for further approval by the Indiana utility regulatory commission (IURC), into a water utility's lead service line replacement plan that has been previously approved by the IURC.

SEA 234, P.L. 120 – DISASTER EMERGENCY

Author: Garten (R-Charlestown)

Sponsor: Lehman (R-Berne)

Summary of Provisions

- Provides that a state of disaster emergency declared by the governor:
 - (1) That applies to the entire state may not continue for more than 60 days unless a renewal is authorized by the general assembly; and
 - (2) That only applies to part of the state may not continue for more than 30 days unless renewed by the governor.
- Provides that the renewal of a statewide disaster emergency authorized by the general assembly may continue for not more than 60 days.
- Specifies that if a state of disaster emergency that applies to the entire state has ended, the governor may not call a new state of disaster emergency that applies to the entire state unless the new disaster is wholly unrelated to the earlier disaster.
- Defines "wholly unrelated".

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HEA 1277, P.L. 86 – STATE ADMINISTRATION OF FEDERAL BEAD PROGRAM

Author: Soliday (R-Valparaiso)

Sponsor: Koch (R-Bedford)

Summary of Provisions

- Specifies that the existing Indiana statute concerning the awarding of grants by the office of community and rural affairs for certain eligible broadband projects does not apply to subgrants awarded by the Indiana broadband office (office) under the federal Broadband Equity, Access, and Deployment (BEAD) Program (program).
- Establishes a new Indiana Code chapter governing the administration of the program by the office.
- Requires the office to administer the program in Indiana in compliance with all mandatory provisions set forth in:
 - (1) The federal Infrastructure Investment and Jobs Act (Act); and
 - (2) The BEAD Notice of Funding Opportunity (BEAD NOFO); with respect to the program.
- Provides that before awarding a subgrant to an eligible broadband service provider during any round of funding under the program, the office shall submit to the budget committee for review the proposed amount and terms of the subgrant.
- Provides that in awarding subgrants for the deployment of a broadband network using program funds, the office may not exclude cooperatives, nonprofit organizations, public-private partnerships, private companies, public or private utilities, public utility districts, or local governments from eligibility for those funds, as set forth in the Act.
- Provides that the final proposal submitted by the office to the National Telecommunications Information Administration (NTIA) with respect to the program must include the specifications for the required low cost broadband service option that are set forth in the office's initial proposal, as submitted to and approved by NTIA.

HEA 1306, P.L. 68 – LIVE TRANSMISSION AND ARCHIVING OF IURC MEETINGS

Author: Smaltz (R-Auburn)

Sponsor: Koch (R-Bedford)

Summary of Provisions

- Exempts the Indiana utility regulatory commission (IURC) from providing a live transmission of hearings regarding which a stenographic record is required to be made and kept by statute.
- Adds language to the chapter in the Indiana Code governing the IURC to require the IURC to provide on a publicly accessible platform a live transmission of any IURC proceeding that will include:
 - (1) An examination of witnesses;
 - (2) A nonprocedural discussion between one or more parties to the proceeding;
 - (3) Questions from one or more of the commissioners regarding the substance of the case; or
 - (4) A contested procedural matter.
- Requires the IURC to issue a general administrative order to implement a policy that governs the live transmission of IURC proceedings and that includes processes:
 - (1) By which members of the public may request and access the live transmission of an IURC proceeding;
 - and
 - (2) For archiving the live transmission of an IURC proceeding.

SEA 150, P.L. 108 – ARTIFICIAL INTELLIGENCE AND CYBERSECURITY

Author: Brown (R-Fort Wayne)

Sponsor: Lehman (R-Berne)

Summary of Provisions

- Creates the artificial intelligence task force (task force) to study and assess use of artificial intelligence technology by state agencies.
- Provides that political subdivisions, state agencies, school corporations, and state educational institutions (public entities) may adopt a:

- (1) Technology resources policy; and
 - (2) Cybersecurity policy; subject to specified guidelines.
- Specifies requirements for:
 - (1) Public entities; and
 - (2) Entities other than public entities; that connect to the state technology infrastructure of Indiana.
- Provides, with regard to a licensing contract entered into by a state agency for use of a software application designed to run on generally available desktop or server hardware, that the contract may not restrict the hardware on which the state agency installs or runs the software.
- Provides that if a state agency enters into a contract with a person under which the state agency runs software on hardware owned or operated by the person, the office of technology shall ensure that the state agency fully complies with the licensing terms of all software run on the person's hardware.
- Provides that an executive or legislative state agency may submit to the office of technology and the task force an inventory of all artificial intelligence technologies in use, or being developed or considered by the state agency for use, by the state agency.
- Provides that, subject to specified exceptions:
 - (1) Title to any record of state government is held by the state; and
 - (2) Title to any record of a local government is held by that local government.

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HEA 1004, P.L. 129 – PENSION MATTERS

Author: Cherry (R-Greenfield)

Sponsor: Buchanan (R-Lebanon)

Aim Comments

HEA 1004 was a priority bill for House Republicans. The introduced version of the bill provides for a 13th check for state's retired employees. Language was added from a Senate bill that impacts local government pensions. Language in HEA 1004 and HEA 1120 increase the maximum date that a member can participate in the deferred retirement option plan (DROP) from 36 to 60 months. It requires the member or participant to notify their employer if the member or participant elects to enter or extend the DROP. In addition, the bill requires certain political subdivisions to present to the Interim Study Committee on Pension Management Oversight (PMOC) regarding a delinquent employee retirement plan offered by the political subdivision. A delinquent subdivision means a political subdivision offering an employee retirement plan that received less than the actuarially determined contribution for at least three out of 5 years immediately in the immediately preceding fiscal years OR a political subdivision who was less than 50% funded at anytime during the preceding fiscal year.

Summary of Provisions

- Provides that a state employee may affirmatively elect to enroll in the deferred compensation plan prior to the auto enroll date on day 31 of the state employee's employment.
- Removes a provision that sets a maximum employer surcharge for the legislators' defined benefit plan, state excise police, gaming agent, gaming control officer, and conservation enforcement officers' retirement plan, public employees' retirement fund, and Indiana state teachers' retirement fund (fund).
- Requires the board of trustees of the Indiana public retirement system (board) to develop the technological and administrative capabilities sufficient to categorize fund members into separate groups in which:
 - (1) Certain members receive a service based thirteenth check; and
 - (2) Certain members receive a cost of living adjustment.
- Requires the board to set the surcharge rates at a level to actuarially prefund:
 - (1) Annual indexed thirteenth checks for all current retired members and beneficiaries retired before July 1, 2025; and
 - (2) 1% annual cost of living adjustments to future in-payment members and beneficiaries retired on or after July 1, 2025.
- Provides that the board shall not reduce the surcharge rates from the prior year.
- Allows the board to increase the surcharge rates by not more than 0.1% of payroll from the prior year.
- Requires certain political subdivisions to present to the interim study committee on pension management oversight regarding a delinquent employee retirement plan offered by the political subdivision.
- Requires, effective July 1, 2025, the trustee of the state police pension trust to maintain two supplemental allowance reserve accounts for the purpose of paying postretirement benefit adjustments.
- Increases the maximum date that a member or participant of certain retirement funds can participate in the deferred retirement option plan from 36 to 60 months.
- Requires the member or participant to notify their employer if the member or participant elects to enter or extend the deferred retirement option plan.
- Provides for a thirteenth check in 2024 for certain members, participants, or beneficiaries of the:
 - (1) Indiana state teachers' retirement fund;
 - (2) Indiana public employees' retirement fund;
 - (3) State excise police, gaming agent, gaming control officer, and conservation enforcement officers' retirement plan;
 - (4) State police pre-1987 benefit system; and
 - (5) State police 1987 benefit system.

HEA 1120, P.L. 136 – STATE AND LOCAL ADMINISTRATION

Author: Thompson (R-Lizton)

Sponsor: Holdman (R-Markle)

Aim Comments

Throughout session, HEA 1120 included a variety of provisions that would have reduced property tax levies for local units. There was a proposal to reduce the number of units that would qualify for an excess levy growth appeal by changing the qualification threshold. Under current law, if a unit has assessed value growth over the last 3 years that is 2% greater than the statewide assessed value growth, they can qualify to increase their levy above the MLGQ. This proposal would have changed the threshold to 4%, cutting the number of eligible units roughly in half.

Another proposal would have extended the 4% cap on the MLGQ through 2026. Legislation passed during the 2023 session that capped the MLGQ at 4% for 2024 and 2025. Current estimates show that without this cap, the MLGQ would be above 5%. This change would have further limited the ability of property tax levies to grow for local units to meet cost growth and inflation and would impact all future levies since the MLGQ is based on a rolling average.

Neither of these provisions moved forward but both will be studied in the State and Local Tax Review (SALTR) taskforce over the 2024 interim. The study will also include a discussion of when it is appropriate to move parcels from one allocation area to another. This issue was also discussed during this session but ultimately did not turn into language that moved forward.

The final bill did extend for an additional year the provision that ties a project's qualification as a controlled project to the total debt service rate of the unit through 2025. It also creates a new process for property owners to challenge a controlled project on the basis that the scope of the project changed after going through the petition and remonstrance process. A petition can send the project to a public hearing but the fiscal body has the final decision on whether or not the scope of the project has really changed.

Most of the concerning language that was proposed in this bill did not move forward. However, all of these issues will be discussed over the summer and will be part of a lively discussion on local fiscal policy during the 2025 session.

Summary of Provisions

- Increases the assessed value limit for the disabled veteran property tax deduction from \$200,000 to \$240,000.
- Allows that, for purposes of various property tax deductions, an individual has until January 15 of a calendar year in which property taxes are first due and payable to complete, date, and file the required certified statement with the county auditor.
- Extends through 2025 the expiration of 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.
- Specifies that a political subdivision's total debt service tax rate does not include a tax rate approved by voters for a referendum debt service tax levy.
- Extends the current cap on operating referendum tax that may be levied by a school corporation to taxes due and payable in 2025, and provides a formula to determine the cap for that year.
- Reestablishes, and enumerates requirements and procedures for, a petition and remonstrance and a referendum for controlled projects funded by debt service if the project scope changes from the purpose initially advertised to taxpayers.
- Adds trailer provisions pertaining to SEA 228-2024 regarding alcoholic beverage taxes on liquor, wine, and hard cider.
- Requires the state fair commission to approve future dates of the state fair and the state fair board to advise the commission on future dates of the state fair.
- Provides that a state employee may affirmatively elect to enroll in the deferred compensation plan prior to the auto enroll date on day 31 of the state employee's employment.
- Requires, effective July 1, 2025, the trustee of the state police pension trust to maintain a supplemental allowance reserve account for the purpose of paying postretirement benefit adjustments.
- Requires certain political subdivisions to present to the interim study committee on pension management

- oversight concerning a delinquent employee retirement plan offered by the political subdivision.
- Increases the maximum date that a member or participant of certain retirement funds can participate in the deferred retirement option plan from 36 to 60 months.
- Removes a reference in current law to outstanding bonds for which a fee replacement appropriation was made in a provision prohibiting a state educational institution from issuing bonds for refunding or advance refunding of outstanding bonds without approval of the budget agency and the board of trustees of the issuing state educational institution making certain findings.
- Provides that grant awards authorized in the 2023 budget bill and awarded after December 31, 2024, for regional mental health facility grants to counties for use in constructing new facilities or renovating existing facilities to provide mental health services for certain incarcerated individuals may not exceed \$5,000,000 per county (instead of \$2,500,000 per county).
- Prohibits a unit from entering into a sister city or cooperative agreement with a city, town, province, county, school, college, or university located in a foreign adversary.
- Provides parameters for the northwestern Indiana regional planning commission, beginning with calendar year 2025 and for each year thereafter through calendar year 2029, to annually adjust each participating county's portion of the budget.
- Authorizes the office of the secretary of family and social services (office of the secretary) to implement a risk based managed care program for certain Medicaid recipients.
- Requires the office of Medicaid policy and planning to convene a workgroup and, with managed care organizations, to conduct a claims submission testing period before the risk based managed care program is established.
- Authorizes the establishment of home health agency cooperative agreements and provides for the expiration of those provisions on June 30, 2027. (A similar law enacted in 2022 expired on July 1, 2023.)
- Specifies that a home health agency may contract directly or indirectly through a network of home health agencies.
- Provides that distributions for curricular materials may not be considered for purposes of determining whether a school corporation met the requirement to expend a minimum amount of state tuition support for teacher compensation.
- Repeals the requirement that each school maintained by a school corporation and each charter school establish a curricular materials account.
- Requires a public school to deposit distributions for curricular materials in:
 - (1) the education fund of the school corporation that maintains the school; or
 - (2) the fund in which a charter school receives state tuition support.
- Adds a provision to allow a redevelopment commission to expend revenues from its allocation fund that are allocated for police and fire services on both capital expenditures and operating expenses as authorized in the 2023 session in HB 1454.
- Provides that, if a township transitions from a single township firefighting and emergency services fund to two separate funds as authorized under current law, the township legislative body must approve a transfer of the remaining cash balance from the single fund to the two new separate funds and determine the amounts attributable to each fund.
- Requires the office of the secretary to present to the Medicaid oversight committee a detailed plan for monitoring expenses of the complete Medicaid program.
- Requires the office of the secretary to present to the budget committee a policy to set a required minimum percentage of the reimbursement for personal care services under the home and community-based services waivers that must be paid to the individual providing the direct service.
- Provides that, if the county fiscal body of Howard County makes certain findings, the Howard County fiscal body may adopt an ordinance that would impose the innkeeper's tax on a person engaged in the business of renting or furnishing rooms, lodgings, or accommodations located within an inn, a hotel, or a motel for a period of more than 30 days. (Current law limits the imposition of the innkeeper's tax to renting or furnishing rooms, lodgings, or accommodations for periods of less than 30 days.)
- Provides that an ordinance would not apply to existing rooms, lodgings, or accommodations that were not subject to the 30-day threshold prior to January 1, 2024.
- Provides that an ordinance may not become effective until after April 30, 2024, and must expire before July 1, 2025.

- Requires the county fiscal body, if an ordinance is adopted, to reduce the tax for any person subject to the innkeeper’s tax from 8% (current law) to 6% until the ordinance expires.
- Allows the county fiscal body to return the tax rate to 8% after the ordinance expires. Reinstates a provision that was repealed in SEA 325-2023 (P.L.182-2023) that includes as a “homestead” property that is an individual’s principal place of residence, is located in Indiana, and is owned by an entity, if the individual is a shareholder, partner, or member of the entity that owns the property.
- Amends a redevelopment commission provision defining “residential property” to apply to allocation areas established after June 30, 2025 (rather than June 30, 2024).
- Amends certain language in provisions in HEA 1199-2024.
- Makes amending changes to the Grant County local income tax special purpose rate added in HEA 1121-2024.
- Requires the state and local tax review task force to study several additional topics during the 2024 legislative interim.
- Makes technical corrections.
- Makes conforming changes.

HEA 1121, P.L. 137 – LOCAL INCOME TAXES

Author: Thompson (R-Lizton)

Sponsor: Holdman (R-Markle)

Aim Comments

HEA 1121 creates a new local income tax expenditure rate for acute care county hospitals that comes off the top of the LIT distributions directly to the county. This continues a troubling trend of more and more county services getting their own LIT expenditure rate carveouts without distributing to the underlying units.

It also allows a newly merged taxing unit to receive LIT certified shares’ distributions equivalent to the units’ distributions prior to the merger in response to a recent fire district merger.

Two new food and beverage taxes for Hammond and Cicero were also approved in this bill showing that the legislature is still very receptive to new proposals for food and beverage taxes provided they are tied to specific tourism or economic development projects and have a statutory sunset provision.

Summary of Provisions

- Extends the expiration of provisions concerning a county with a single voting bloc and the allocation of votes for a local income tax council.
- Specifies the amount of revenue from a local income tax rate imposed for correctional facilities and rehabilitation facilities in a county that may be used for operating expenses of those facilities.
- Allows a county fiscal body to adopt a local income tax rate for an acute care hospital located in the county to be used only for the operating expenses of the acute care hospital.
- Provides that, for the purpose of distributing the local income tax (LIT), if two or more school corporations or civil taxing units merge or consolidate to form a single school corporation or civil taxing unit, the school corporation or civil taxing unit is entitled to the combined pro rata distribution of the LIT revenue allocated to each applicable school corporation or civil taxing unit in existence on January 1 of the immediately preceding calendar year prior to the merger or consolidation.
- Provides that the department of local government finance shall make certain adjustments pertaining to the distribution of LIT for Floyd County in 2025, which provide that the Highlander Fire Protection District (district) shall receive an amount equal to the combined distribution that would have been distributed to the Greenville Fire Protection District (FPD) and the Lafayette Fire Protection District (FPD) in 2024, but for their elimination resulting from the merger to establish the district.
- Requires corresponding adjustments in 2025 to reduce the distribution for each applicable civil taxing unit and school corporation in Floyd County, excluding the district, by an amount that equals the proportionate share of the amount of LIT received in 2024 of the combined distribution that would have been distributed to the Greenville FPD and the Lafayette FPD in 2024, but for their elimination.
- Provides that funds accumulated from a Perry County special purpose tax rate to construct or improve

the county jail after the redemption of bonds issued or final payment of lease rentals due under a lease shall be transferred to a county capital project fund to be used to finance capital projects within Perry County. (Current law specifies that such remaining funds are to be transferred to the county jail operations fund to be used for financing the maintenance and operations of the Perry County detention center.)

- Allows Grant County, under specified circumstances, to adopt an ordinance to impose a special purpose local income tax rate to fund and finance the construction of a county jail.
- Provides, for purposes of calculating distributions of the financial institutions tax to local taxing units, how to calculate distributions for a taxing unit that did not receive distributions in 2012 because the unit was subsequently established from the merger or consolidation of two or more taxing units that received distributions from the financial institutions tax fund in 2012.
- Provides, for purposes of calculating qualified distributions of the commercial motor vehicle excise tax to local taxing units, how to calculate base revenue distributions for a taxing unit that did not receive a base revenue distribution in 2001 because the taxing unit was subsequently established from the merger or consolidation of two or more taxing units that received base revenue distributions in 2001.
- Provides that, for purposes of determining the apportionment or distribution of the motor vehicle excise tax, that the county auditor may make adjustments to reflect the merger or consolidation of two or more taxing units.
- Authorizes Knox County to impose its innkeeper's tax at a rate of 8% (instead of 6% under current law).
- Provides that, if the tax rate is increased to more than 6%, the portion of the tax rate that exceeds 6% expires on December 31, 2045.
- Authorizes the city of Hammond to impose a food and beverage tax.
- Authorizes the town of Cicero to impose a food and beverage tax.

HEA 1158, P.L. 139 – COUNTY CONTRACTS

Author: Lehman (R-Berne)

Sponsor: Holdman (R-Markle)

Summary of Provisions

- Provides that for counties other than Marion County, contracts entered into by the county (including contracts executed by county elected officers) must meet certain requirements.
- Allows the county executive to adopt an ordinance that delegates authority to other county elected officers and employees to approve contracts.
- Requires county elected officers to have certain contracts:
 - (1) Executed by the county executive; or
 - (2) Submitted for review by the county attorney and county executive.
- Provides that if the county attorney advises the county executive that a contract of a county elected officer does not comply with state law or the public purchasing or bidding laws, the county executive may disapprove the contract.
- Allows the county executive to void a contract if a county officer fails to comply with the review process.

HEA 1199, P.L. 169 – ECONOMIC ENHANCEMENT DISTRICT

Author: Thompson (R-Lizton)

Sponsor: Baldwin (R-Noblesville)

Summary of Provisions

- Requires the legislative body to provide notice and conduct a public hearing before a proposed economic enhancement district may be established.
- Amends the definition of "economic enhancement project".
- Amends the required contents of an ordinance to establish an economic enhancement district.
- Increases the number of members of an economic enhancement board from eight to nine and amends the composition of the board.
- Requires an economic enhancement district to expire not later than 10 years from the date of the adoption of an ordinance.

- Repeals a provision that allows an economic enhancement district to be extended.
- Requires that an ordinance establishing an economic enhancement district must be adopted on or before December 31, 2024.
- Provides that if the legislative body of a city has adopted an ordinance to establish an economic enhancement district before the effective date of this bill, that ordinance shall be void, but may be revised and reenacted by the legislative body by the adoption of a new ordinance, which must comply with the provisions added in the bill.
- Makes a technical correction.

HEA 1204, P.L. 146 – PUBLICATION OF PUBLIC NOTICES

Author: Meltzer (R-Shelbyville)

Sponsor: Brown (R-Fort Wayne)

Aim Comments

During the 2024 session, three bills passed that impact public notice requirements. Aim supported these three bills because they are a step in the right direction toward modernizing how public notice is given.

Specifically, HEA 1204 allows a political subdivision to publish notice in the print or electronic edition of a newspaper or locality newspaper if they issue a print edition not more than 3 times per week. If a newspaper or locality newspaper publishes a print edition not more than 2 times a week and does not publish an electronic edition, a notice may be published in either the print edition or on the website of the newspaper or locality newspaper. But if they do not maintain a website, the notice may be published in the print edition or on the political subdivision’s official website. Notice regarding the sale of certain tracts of real property by a political subdivision may be published solely on the official website of the political subdivision.

Effective January 1, 2026, HEA 1328 (Department of Local Government Finance) requires a political subdivision to publish notices for proposed additional appropriations on Gateway instead of in the newspaper (details can be found page 21 of the legislation). And SEA 252 (Public Notices) changes the qualifications for a newspaper or locality newspaper to be an eligible paper for a political subdivision to publish public notices in.

Aim will continue to work with lawmakers to modernize how notices are published and will continue to support options that give local units of government more flexibility while still being transparent.

Summary of Provisions

- Allows a political subdivision to publish notice in the print or electronic edition of a newspaper or locality newspaper that issues a print edition not more than three times a week.
- Allows, if a newspaper or locality newspaper issues a print edition not more than two times a week, a political subdivision to publish notice:
 - (1) In the print edition or on the newspaper or locality newspaper’s website; or
 - (2) If the newspaper or locality newspaper does not have a website, in the print edition or the political subdivision’s official website.
- Allows a notice regarding the sale of certain tracts of real property by a political subdivision to be published solely on the official website of the political subdivision.
- Provides that if the assessed value of a tract is less than \$10,000, based on the most recent assessment of the tract or of the tract of which it was a part before it was acquired, the disposing agent or redevelopment commission is not required to have the tract appraised.

HEA 1235, P.L. 170 – PROHIBITED CAUSES OF ACTION CONCERNING FIREARMS

Author: Jeter (R-Fishers)

Sponsor: Freeman (R-Indianapolis)

Summary of Provisions

- Provides that only the state of Indiana may bring or maintain an action by or on behalf of a political subdivision against a firearm or ammunition manufacturer, trade association, seller, or dealer, concerning

- certain matters.
- Prohibits a political subdivision from otherwise independently bringing or maintaining such an action.
- Specifies exceptions.

HEA 1277, P.L. 86 – STATE ADMINISTRATION OF FEDERAL BEAD PROGRAM

Author: Soliday (R-Valparaiso)

Sponsor: Koch (R-Bedford)

Summary of Provisions

- Specifies that the existing Indiana statute concerning the awarding of grants by the office of community and rural affairs for certain eligible broadband projects does not apply to subgrants awarded by the Indiana broadband office (office) under the federal Broadband Equity, Access, and Deployment (BEAD) Program (program).
- Establishes a new Indiana Code chapter governing the administration of the program by the office.
- Requires the office to administer the program in Indiana in compliance with all mandatory provisions set forth in:
 - (1) The federal infrastructure investment and jobs act (act); and
 - (2) The bead notice of funding opportunity (bead nofo); with respect to the program.
- Provides that before awarding a subgrant to an eligible broadband service provider during any round of funding under the program, the office shall submit to the budget committee for review the proposed amount and terms of the subgrant.
- Provides that in awarding subgrants for the deployment of a broadband network using program funds, the office may not exclude cooperatives, nonprofit organizations, public-private partnerships, private companies, public or private utilities, public utility districts, or local governments from eligibility for those funds, as set forth in the Act.
- Provides that the final proposal submitted by the office to the National Telecommunications Information Administration (NTIA) with respect to the program must include the specifications for the required low cost broadband service option that are set forth in the office’s initial proposal, as submitted to and approved by NTIA.

HEA 1306, P.L. 68 – LIVE TRANSMISSION AND ARCHIVING OF IURC MEETINGS

Author: Smaltz (R-Auburn)

Sponsor: Koch (R-Bedford)

Summary of Provisions

- Exempts the Indiana utility regulatory commission (IURC) from providing a live transmission of hearings regarding which a stenographic record is required to be made and kept by statute.
- Adds language to the chapter in the Indiana Code governing the IURC to require the IURC to provide on a publicly accessible platform a live transmission of any IURC proceeding that will include:
 - (1) An examination of witnesses;
 - (2) A nonprocedural discussion between one or more parties to the proceeding;
 - (3) Questions from one or more of the commissioners regarding the substance of the case; or
 - (4) A contested procedural matter.
- Requires the IURC to issue a general administrative order to implement a policy that governs the live transmission of IURC proceedings and that includes processes:
 - (1) By which members of the public may request and access the live transmission of an IURC proceeding; and
 - (2) For archiving the live transmission of an IURC proceeding.

HEA 1328, P.L. 156 – DEPARTMENT OF LOCAL GOVERNMENT FINANCE

Author: Snow (R-Warsaw)

Sponsor: Bassler (R-Washington)

Aim Comments

HEA 1328 is the Department of Local Government's annual agency bill. Typically, it becomes a home for a variety of provisions impacting local units of government. This session, language was included in this bill that requires all fire and EMS contracts entered into by the local unit, regardless of the size of the contract, to be uploaded to Gateway within 60 days of executing the contract. The unit must attest that they uploaded all applicable contracts at budget time in order to have the budget certified.

This bill also allows additional appropriations to be advertised through Gateway instead of using the public notice process starting in 2026. It also prevents public safety raises from a previous budget without a new budget being certified.

A provision in last year's DLGF bill changed how local cost modifiers apply to apartment assessments. HEA 1328 attempts to clarify that local cost modifiers approved by DLGF can be used when assessing apartments.

Summary of Provisions

- Provides that a county fiscal body may provide a stipend, not to exceed \$2,500, to a circuit court clerk that serves as a voter registration officer each year in which a general election is held.
- Requires a political subdivision to upload to the Indiana transparency website any contract:
 - (1) Related to the provision of fire services or emergency medical services; or
 - (2) Entered into with another unit or entity that provides fire services or emergency medical services.
- Requires a political subdivision to annually attest that the political subdivision uploaded any contract related to the provision of fire services or emergency medical services as a part of the political subdivision budgeting process and specifies the consequence for failure to satisfy the attestation requirement.
- Provides that for purposes of public purchasing, the term "public funds" does not include proceeds of bonds payable exclusively by, or used by, a private entity.
- Provides a 15% procurement price preference to a business offering to provide supplies or services under a contract awarded by a state agency to a business that provides "specialized employee services" to its employees.
- Extends the duration of an entrepreneur and enterprise district (district) to the later of:
 - (1) December 31, 2029 (rather than December 31, 2024); or
 - (2) Five years after the date the district is designated.
- Amends provisions of a statute pertaining to the assessment of rental property.
- Requires the department of local government finance (department) to notify the county assessor of the department's tentative assessment, or information related to tentative valuation changes, of a utility company's distributable property not later than June 1.
- Reinstates a provision that was repealed in SEA 325-2023 (P.L.182-2023) that includes as a "homestead" property that is an individual's principal place of residence, is located in Indiana, and is owned by an entity, if the individual is a shareholder, partner, or member of the entity that owns the property.
- Requires a county auditor to submit an amended certified statement of the assessed value for the ensuing year to the department by the later of:
 - (1) September 1; or
 - (2) 15 days after the certified statement is submitted to the department.
- Requires the proper officers of a political subdivision that desire to appropriate more money for a particular year than the amount prescribed in the budget for that year as finally determined to hold a public hearing after submitting information regarding the proposed additional appropriation to the department's computer gateway.
- Provides for a maximum property tax levy increase for Knox Township in Jay County.
- Prohibits certain civil taxing units that determine they cannot carry out their governmental functions for an ensuing calendar year under various levy limitations from submitting an appeal unless the civil taxing unit receives approval from the appropriate fiscal body to submit the appeal.
- Similarly prohibits a participating unit of a fire protection territory from submitting an appeal unless each participating unit of the fire protection territory has adopted a resolution approving submission of the appeal.
- Requires the department, regarding the referendum process for bonds or leases for certain projects, to

certify its approval or recommendations to the county auditor and the county election board not more than 10 days after both the required certification of the county auditor and the language of the public question are submitted to the department for review.

- Provides for the staggering of terms for property tax assessment board of appeals members.
- Provides that if the department determines that certified computer software or a certified provider is not in compliance with certain specifications or standards or the rules of the department, the department may request that the provider develop a corrective action plan.
- Provides that a contract with a computer provider under a corrective action plan is not void unless the department:
 - (1) Determines that the provider has failed to substantially correct the noncompliance; and
 - (2) Revokes the provider's certification.
- Establishes corrective action plan provisions for noncompliant computer providers.
- Provides the amount of the additional penalty added to taxes payable if a person fails to file a personal property return within 30 days after the due date.
- Amends a provision regarding the local income tax rate for local costs of the state judicial system in the county.
- Requires the department to approve a lower levy freeze tax rate if it finds that the lower rate, in addition to:
 - (1) The supplemental distribution as determined in an adopted resolution; and
 - (2) The amount in certain repealed stabilization funds, as applicable; would fund the levy freeze dollar amount.
- Provides that certain acute care hospitals may apply to the division of mental health and addiction for certification as a community mental health center.
- Requires the division of mental health and addiction to review applications for certification as a community mental health center:
 - (1) To ensure an applicant meets certain standards; and
 - (2) Without consideration for previously established exclusive geographic primary service restrictions.
- Requires the department to send its decision regarding referendum language to the governing body of a school corporation not more than 10 days after:
 - (1) The certification of the county auditor; and
 - (2) The resolution is submitted to the department.
- Provides that, for purposes of the transportation levy component of an operations fund property tax levy, a school corporation, whose budget for the upcoming year is subject to review by a fiscal body, may not submit an appeal to the department unless the school corporation receives approval from the fiscal body.
- Provides that a county fiscal body may establish a salary schedule that includes a stipend, not to exceed \$2,500 in a year, to be paid to the county auditor for duties when warranted as determined by the county fiscal body.
- Requires a county recorder to provide the owner of a farm with:
 - (1) A copy of the recorded document that contains the name of the owner's farm; and
 - (2) Documentation of a description of the land to which the name of the farm applies.
- Provides that for a county having a united states government military base that is scheduled for closing, the expiration date of the allocation area may be extended for the purposes of paying certain expenses.
- Repeals a provision that prohibits a local unit from amending the boundaries of an Economic Improvement District (EID).
- Instead, allows a local unit to amend the boundaries of an EID only if an owner of real property wishes to include the owner's real property in the EID and voluntarily enters into a written agreement with the legislative body of the local unit in which the owner requests and consents to increasing the boundaries of the EID to include the owner's real property.
- Specifies that, for real property subject to such a written agreement that is subsequently sold to a new owner, the new owner of that real property may opt out of the prior owner's agreement.
- Provides that no ordinance or safety board action to fix compensation may provide for any increase in the compensation of any member of a police department or fire department, or any other appointee, from the prior budget year if the city has not fixed a budget, tax rate, and tax levy for the ensuing budget year.

HEA 1387, P.L. 90 – HOUSING DEVELOPMENT

Author: Miller (R-Elkhart)

Sponsor: Rogers (R-Granger)

Summary of Provisions

- Makes various changes to the residential housing infrastructure assistance program.
- Expands the definition of “economic development facilities” applicable to the economic development and pollution control statutes to include facilities for housing for purposes of redevelopment commission programs outside Indianapolis for age-restricted housing or residential housing development.
- Makes a technical correction.

SEA 5, P.L. 6 – LEAD WATER LINE REPLACEMENT AND LEAD REMEDIATION

Author: Koch (R-Bedford)

Sponsor: Soliday (R-Valparaiso)

Summary of Provisions

- Specifies that, for purposes of the statute concerning the replacement of customer owned lead service lines by water utilities, a municipally owned utility includes a utility company owned, operated, or held in trust by a consolidated city.
- Provides that the following apply with respect to the owner of a building, structure, or dwelling, other than a multi-family residential property that contains more than four dwelling units, that is served by a customer owned lead service line within or connected to a water utility’s system:
 - (1) That upon request by the water utility, the owner shall replace, or cause to be replaced, the customer owned portion of the lead service line by:
 - (A) Enrolling in the water utility’s lead service line replacement program; or
 - (B) Replacing the customer owned portion of the lead service line through the owner’s own agents or contractors and at the owner’s own expense.
 - (2) That if the owner:
 - (A) Does not enroll in the water utility’s lead service line replacement program;
 - (B) Does not replace the customer owned portion of the lead service line; or
 - (C) Fails to communicate with the water utility regarding the replacement; the water utility or the water utility’s agent may enter the property to replace the customer owned portion of the lead service line.
 - (3) That the:
 - (A) Water utility; and
 - (B) Occupant of the property, if the property is occupied by a person other than the owner; are not liable to the owner with respect to any replacement made under these provisions.
 - (4) That if a water utility attempts to avail itself of the remedies set forth in these provisions and is prevented from doing so by the owner of the property, the water utility may, in accordance with state law, disconnect water service to the owner’s property.
- Provides that the following apply with respect to the owner of a multi-family residential property that contains more than four dwelling units:
 - (1) That the owner may elect to participate in the water utility’s lead service line replacement program.
 - (2) That the owner must communicate to the water utility the owner’s election to participate not later than 45 days after receiving the water utility’s request.
 - (3) That if the owner does not communicate the owner’s election to participate within this 45 day period, the owner, or any future owner of the property, is responsible for replacing the customer owned portion of the lead service line through the owner’s own agents or contractors and at the owner’s own expense.
- Provides that in the case of a:
 - (1) Building;
 - (2) Structure; or
 - (3) Dwelling; that a water utility has determined to be abandoned or unserviceable, the water utility may disconnect water service to the property and require the owner, or any future owner, of the

property to install a new service line.

- Provides that these provisions may be incorporated, without the need for further approval by the Indiana Utility Regulatory Commission (IURC), into a water utility's lead service line replacement plan that has been previously approved by the IURC.

SEA 20, P.L. 73 – MUNICIPAL RIVERFRONT DEVELOPMENT DISTRICT PERMITS

Author: Holdman (R-Markle)

Sponsor: Lehman (R-Berne)

Aim Comments

SEA 20 grants towns the ability to establish a riverfront district with the approval of the Alcohol and Tobacco Commission (ATC). Prior to the passage of this bill, the law only referenced cities. Aim supports this legislation because it grants towns the opportunity to create a riverfront district if approved by the ATC.

Summary of Provisions

- Specifies that the alcohol and tobacco commission may issue restaurant permits for a municipal riverfront development district established by a town.

SEA 33, P.L. 101 – DISTRIBUTIONS OF PUBLIC SAFETY INCOME TAX REVENUE

Author: Niemeyer (R-Lowell)

Sponsor: Slager (R-Griffith)

Aim Comments

SEA 33 follows up on provisions added in HEA 1454-2023 from last year. That bill allowed LIT adopting bodies to distribute part of their public safety LIT to fire departments that do not ordinarily receive public safety LIT. SEA 33 allows volunteer fire departments to request a public hearing before the LIT adopting body to request distributions.

This bill also clarifies the court services LIT does not apply to probation costs.

Summary of Provisions

- Defines "courtroom costs".
- Provides that a county fiscal body may adopt an ordinance to impose a tax rate for:
 - (1) In the case of a tax rate adopted before January 1, 2024, county staff expenses of the state judicial system in the county; or
 - (2) In the case of a tax rate adopted after December 31, 2023, courtroom costs of the state judicial system in the county.
- Provides that the revenue shall be used by the county:
 - (1) In the case of the tax rate adopted before January 1, 2024, only for paying for county staff expenses of the state judicial system in the county; and
 - (2) In the case of a tax rate adopted after December 31, 2023, only for paying the courtroom costs of the state judicial system in the county.
- Provides that the local income tax revenue spent by each county may not comprise more than 50% of the county's total operational staffing expenses related to the courtroom costs of the state judicial system in any given year.
- Provides that a township fire department, volunteer fire department, fire protection territory, or fire protection district may apply to the county adopting body for a distribution of local income tax revenue that is allocated to public safety purposes.
- Requires the county adopting body to review certain submitted applications at a public hearing.

SEA 183, P.L. 23 – COUNTY OPTION PROPERTY TAX EXEMPTION

Author: Raatz (R-Richmond)

Sponsor: Barrett (R-Richmond)

Summary of Provisions

- Provides that a county fiscal body may adopt an ordinance to exempt mobile homes and manufactured homes located in the county from property taxation (exemption ordinance).
- Provides that for an annual assessment date in which an exemption ordinance is in effect, a county assessor shall not assess a mobile home or a manufactured home granted the property tax exemption.
- Specifies that the discretionary adoption of an exemption ordinance does not apply to mobile homes and manufactured homes that are assessed as:
 - (1) Inventory; or
 - (2) Real property; under the property tax laws and administrative rules.
- Makes conforming changes.

SEA 190, P.L. 112 – STATE DISASTER RELIEF FUND

Author: Carrasco (R-Indianapolis)

Sponsor: Davis (R-Whiteland)

Summary of Provisions

- Makes changes to the permissible uses for the state disaster relief fund (fund).
- Makes changes to the requirements for an eligible entity to receive financial assistance from the fund.
- Makes changes to the calculations used to determine the amount of financial assistance an eligible entity may receive from the fund.
- Increases, from \$10,000 to \$25,000, the amount of loss that may be compensated for damages to an individual's property.
- Repeals provisions that:
 - (1) Provide a definition of "public facility";
 - (2) Provide limitations for an entity suffering multiple disaster emergencies; and
 - (3) Provide requirements for an application of an eligible entity that is an individual to obtain financial assistance from the fund.

SEA 221, P.L. 78 – STATE BOARD OF ACCOUNTS

Author: Bassler (R-Washington)

Sponsor: Lehman (R-Berne)

Aim Comments

SEA 221 is the State Board of Accounts annual agency bill. A provision was added to the bill that clarifies which municipal officials must meet the training requirements established during the 2023 legislative session. Clerk-treasurers and controllers must complete five hours of approved training courses before the individual first takes office. Clerk-treasurers must also attend the State Board of Accounts training institute once every two years. SEA 221 clarifies that these requirements do not apply to city clerks since they are not responsible for the municipality's fiscal matters.

Summary of Provisions

- Limits the authority of the director of the special investigations department to investigations involving public monies that are the subject of financial examinations undertaken by the state board.
- Provides that an internal audit or risk assessment conducted by or on behalf of the state shall remain confidential, and that the state and other individuals may not divulge information related to an internal audit or risk assessment unless required to do so in accordance with a judicial order.
- Provides an exception allowing the state and other individuals to divulge information related to an internal audit or risk assessment to:
 - (1) The state examiner;
 - (2) The director of the office of management and budget;
 - (3) An external auditor, in accordance with professional auditing standards; or
 - (4) Any other individual for any reason that constitutes good cause as determined by the state examiner and approved by the director of the office of management and budget.
- Provides that if a majority of a governing body is present during an exit conference, or any conference

initiated by the state examiner to discuss an examination status, the governing body shall be considered in an executive session.

- Removes a mandatory requirement that city clerks attend the annual training institute conducted by the state board of accounts.
- Limits the requirement that certain newly elected or appointed local officers complete five hours of approved training courses before the individual first takes office to only individuals first elected or appointed to the office of clerk-treasurer or city controller (and excluding city clerk).
- Requires an individual elected to the office of county auditor to annually certify completion of the individual's training requirements and file the certification with the state board.

SEA 228, P.L. 118 – VARIOUS TAX MATTERS

Author: Holdman (R-Markle)

Sponsor: Thompson (R-Lizton)

Summary of Provisions

- Amends the economic threshold for sales tax nexus to remove the number of sales transactions in the state as one of the two current triggers that require retail merchants to collect and remit sales tax.
- Allows a retail merchant that receives 75% or more of its receipts from the sale of prepared food to elect to claim a sales tax exemption on transactions involving electricity equal to 50% of the tax imposed on the transactions.
- Makes certain changes to statutes of limitations provisions.
- Requires sheriffs to transfer funds collected through executions of tax warrants twice a month electronically through the department of state revenue (department) payment portal.
- Specifies that the service of process fee for post judgment service can only be assessed one time per case.
- Authorizes the department to disclose a taxpayer's name and other personal identification information with a tax preparer or tax preparation software provider in cases where the department suspects that a fraudulent return has been filed on behalf of a taxpayer and that the system of a taxpayer's previous year tax preparer or tax preparation software provider has been breached.
- Specifies the pass-through entity tax liability for pass through entities in certain circumstances.
- Repeals an outdated provision that requires an owner of a truck stop to obtain a license from the department.
- Reorganizes certain retail merchant certificate provisions.
- Makes clarifying and technical changes.

SEA 232, P.L. 119 – STATEWIDE 911 SYSTEM

Author: Walker, K (R-Lawrence)

Sponsor: Barrett (R-Richmond)

Summary of Provisions

- Removes references to "enhanced 911 service".
- Increases the penalty for false informing if the false report is that a person is dangerous and certain other circumstances exist.
- Changes references from the "enhanced prepaid wireless charge" to the "911 service prepaid wireless charge".
- Provides that information relating to security measures or precautions used to secure the statewide 911 system may be excepted from public disclosure at the discretion of the statewide 911 board.
- Makes changes to or repeals certain definitions relating to the state 911 system.
- Provides that all originating service providers that provide 911 service for their customers:
 - (1) Shall connect to the state 911 system using an industry standard or functional equivalent; and
 - (2) Must establish and maintain the connection in accordance with all applicable regulatory requirements requiring service continuity and ensure access to public safety assistance.
- Provides that an emergency communications center included in the definition of PSAP may not be construed to create an additional PSAP.

- Makes a technical correction.
- Makes conforming amendments.

SEA 238, P.L. 121 – INNKEEPER’S TAX

Author: Maxwell (R-Guilford)

Sponsor: Zimmerman (R-North Vernon)

Summary of Provisions

- Authorizes Jefferson County to impose its innkeeper’s tax at a rate of 8% (instead of 5% under current law).
- Provides that, if the tax rate is increased to more than 5%, the portion of the tax rate that exceeds 5% expires on December 31, 2045.
- Authorizes Elkhart County to impose its innkeeper’s tax at a rate of 8% (instead of 5% under current law).
- Provides that, if the tax rate is increased to more than 5%, the portion of the tax rate that exceeds 5% expires on December 31, 2045.
- Authorizes Knox County to impose its innkeeper’s tax at a rate of 8% (instead of 6% under current law).
- Provides that, if the tax rate is increased to more than 6%, the portion of the tax rate that exceeds 6% expires on December 31, 2045.

SEA 246, P.L. 33 – ASSESSMENT OF WETLANDS CLASSIFIED AS WILDLANDS

Author: Glick (R-LaGrange)

Sponsor: Baird (R-Greencastle)

Summary of Provisions

- Provides that a parcel of land that:
 - (1) Is at least ½ of an acre in size; and
 - (2) Contains wetlands, as delineated by a person certified in wetland delineation; may be classified as wildlands for purposes of property tax assessment.

SEA 252, P.L. 122 – NOTICE PUBLICATION

Author: Buck (R-Kokomo)

Sponsor: Miller (R-Elkhart)

Summary of Provisions

- Changes the qualifications required for a newspaper to publish legal notices as follows:
 - (1) A newspaper must have been published for 12 consecutive months (instead of three years).
 - (2) A newspaper must have had an average paid circulation during the preceding year of at least 500 (instead of 200) that may include the number of website page views reported by a website’s host provider. (Current law only includes the average requested or paid circulation as reported in the United States Postal Service Statement of Ownership.)
- Requires a locality newspaper to have been published for 12 consecutive months (instead of three years) to be eligible to publish legal notices. Requires a paid circulation threshold for a newspaper published in a county of 2% of the county population.
- Makes technical corrections.

SEA 256, P.L. 123 – FISCAL MATTERS

Author: Mishler (R-Mishawaka)

Sponsor: Thompson (R-Lizton)

Aim Comments

SEA 256 amends the state’s Innovation Development District (IDD) statute that allows the IEDC to create taxing districts like TIFs that also capture income and sales taxes to support large economic development projects. The current statute did not allow these districts to overlap existing TIF allocation areas. The new language

allows IDD's to overlap existing allocation areas only if the executive of the local unit approves. The existing allocation area continues to exist and collect incremental assessed value until its natural expiration date. After it expires, the area becomes part of the IDD. The local unit cannot extend or reestablish an allocation area inside of an IDD.

SEA 256 also extends the FIRSST taskforce to discuss the road funding formulas and distributions for an additional year. Aim continues to have an appointment on this taskforce and will continue to be involved in the discussion.

Summary of Provisions

- Provides that money in the attorney general contingency fee fund is continuously appropriated and is not subject to allotment.
- Reinstates provisions concerning meetings of the budget committee.
- Provides that money in the high tech crimes unit fund is continuously appropriated for purposes of the fund.
- Allows the Indiana economic development corporation (IEDC) to designate territory located in an existing allocation area as an innovation development district if certain conditions are met.
- Removes the sunset provision for when the IEDC may designate an innovation development district.
- Provides that if an existing allocation area is located in territory subsequently designated as an innovation development district, property tax increment revenue continues to be allocated to the existing allocation area and provides that the allocation area may not be renewed or extended until the term of the innovation development district expires.
- Extends the funding Indiana's roads for a stronger, safer tomorrow task force for one additional year.
- Provides that transfers may not be made by the budget agency, the state board of finance, or any entity from any source to the Indiana gaming commission without prior budget committee review.
- Provides that certain appropriations from the state gaming fund in the most recent biennial budget act may not be augmented.
- Amends certain language in the Medicaid oversight committee provisions in House Enrolled Act 1026.

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Accelerate Indiana
Municipalities

Public Safety

2024
STATEHOUSE
REPORT

HEA 1021, P.L. 40 – GREEN ALERT FOR MISSING AT RISK VETERANS

Author: Gore (D-Indianapolis)

Sponsor: Tomes (R-Wadesville)

Summary of Provisions

- Defines “veteran at risk”.
- Creates the green alert program to provide for public notification regarding missing veterans at risk.
- Changes the name of the Indiana clearinghouse for information on missing children and missing endangered adults to the Indiana clearinghouse for information on missing children, missing veterans at risk, and missing endangered adults (clearinghouse).
- Makes conforming changes to the duties of the clearinghouse.
- Creates certain duties and reporting requirements for law enforcement agencies concerning missing veterans at risk.
- Provides immunity for a broadcaster who broadcasts, or an electronic billboard operator who displays, a green alert notification and a person who establishes or maintains a green alert website under an agreement with the state police department.
- Makes technical corrections.

HEA 1027, P.L. 43 – FIRE DEPARTMENT WORK SCHEDULE

Author: Hostettler (R-Patoka)

Sponsor: Tomes (R-Wadesville)

Summary of Provisions

- Provides that a fire department may deviate from the required maximum work hours for members of the fire department only if authorized by a collective bargaining agreement, memorandum of understanding, or other similar written mutual agreement with an exclusive recognized representative of employees of the fire department.

HEA 1084, P.L. 132 – PRIVACY OF FIREARMS FINANCIAL TRANSACTIONS

Author: Teshka (R-South Bend)

Sponsor: Baldwin (R-Noblesville)

Summary of Provisions

- Amends the statute establishing the right of a member of:
 - (1) The general assembly;
 - (2) The professional staff of the general assembly; or
 - (3) The Indiana lobby registration commission;
- To carry a handgun within the state capitol building and on the property of the state capitol complex by specifying that the right applies to any such member who is not prohibited under state or federal law from possessing a handgun. (Current law provides that the right applies to a member who:
 - (1) Possesses a valid Indiana license to carry a handgun; and
 - (2) Is otherwise permitted to possess a handgun.)
- Adds a new chapter to the Indiana Code article governing state officers to provide that any of the following state officers who is not prohibited from possessing a handgun under state or federal law has the right to carry a handgun within the state capitol building and on the property of the state capitol complex:
 - (1) The attorney general.
 - (2) The secretary of state.
 - (3) The state comptroller.
 - (4) The treasurer of state.
- Prohibits a governmental entity or any other person from knowingly or willfully keeping any list, record, or registry of:
 - (1) Privately owned firearms; or
 - (2) The owners of firearms; with respect to Indiana consumers.

- Defines a “firearms code” as a merchant category code approved by the International Organization for Standardization specifically for firearms retailers.
- Provides that in a payment card transaction, a merchant acquirer or a payment card network may not:
 - (1) Assign; or
 - (2) Require the assignment of; a firearms code in a way that distinguishes a firearms retailer with at least one physical location in Indiana from general merchandise retailers or sporting goods retailers.
- Prohibits a financial services provider from declining or otherwise refusing to process a lawful payment card transaction based solely on the assignment or non-assignment of a firearms code to the payment card transaction.
- Prohibits a financial services provider from disclosing a financial record that:
 - (1) Is related to a payment card transaction; and
 - (2) Includes protected financial information, including a firearms code used, collected, or assigned in violation of the bill’s provisions.
- Specifies that the bill’s provisions apply only to a payment card transaction that is initiated after September 30, 2024, at a firearms retailer that is physically located in Indiana.
- Provides that the applicable primary financial regulator with jurisdiction over a financial services provider subject to the bill’s provisions is responsible for enforcing the financial services provider’s compliance with those provisions.
- Provides that, with respect to any person that is not a financial services provider subject to regulation by a financial regulator, the attorney general is responsible for enforcing the bill’s prohibition against knowingly or willfully keeping any list, record, or registry of:
 - (1) Privately owned firearms; or
 - (2) The owners of firearms.
- Provides that upon receiving notice of an alleged violation of this prohibition, the attorney general shall investigate the alleged violation in accordance with the attorney general’s investigative demand procedures, subject to the statutory confidentiality provisions that apply to such procedures.

HEA 1104, P.L. 135 – SCHOOL SAFETY

Author: Davis (R-Whiteland)

Sponsor: Deery (R-West Lafayette)

Summary of Provisions

- Provides that a school safety plan developed by a school corporation or charter school must establish an armed intruder drill protocol.
- Requires safe school committees to develop a policy that considers the effect of armed intruder drills on the safety and mental health of students, faculty, and staff.
- Prohibits an armed intruder drill that includes sensory components or activities from:
 - (1) Requiring student participation; or
 - (2) Taking place during regular school hours if a majority of the student body is present on school property.
- Allows a school corporation or charter school that:
 - (1) Employs a school resource officer; or
 - (2) Enters into a contract or a memorandum of understanding with a local law enforcement agency, private entity, or nonprofit corporation to employ a school resource officer; to participate in the 1977 fund.
- Provides that a school resource officer hired or rehired after June 30, 2024, who is a member of the 1977 fund shall remain in the 1977 fund.
- Provides that a school resource officer may become a member of the 1977 fund by meeting certain age and training requirements.
- Makes corresponding changes.

HEA 1106, P.L. 80 – REGULATED AMUSEMENT DEVICES

Author: Culp (R-Rensselaer)

Sponsor: Byrne (R-Byrneville)

Summary of Provisions

- Provides that the department of homeland security (department) shall not inspect, and operating permits are not required for, certain regulated amusement devices.
- Provides that the department may perform an inspection of an exempted regulated amusement device only if a valid complaint or incident is reported to the department concerning the regulated amusement device.

HEA 1142, P.L. 55 – HOOSIER FIRST RESPONDER MEDAL OF HONOR

Author: Lucas (R-Seymour)

Sponsor: Goode (R-Terre Haute)

Summary of Provisions

- Establishes the Hoosier first responder medal of honor (medal).
- Provides that the department of homeland security (department) may determine an Indiana first responder is eligible for the Hoosier first responder medal of honor if the Indiana first responder distinguishes themselves conspicuously by gallantry and intrepidity at the risk of the Indiana first responder's life above and beyond the call of duty while engaged in an act of public service.
- Provides that, upon approval of a nomination by the department, the department shall notify the entity employing the Indiana first responder or for which the Indiana first responder volunteers of the nomination.
- Provides that the entity shall notify a member of the general assembly who represents the district in which the entity is located of the Indiana first responder's nomination.
- Provides that the member of the general assembly shall recommend the Indiana first responder for the medal to the governor.
- Provides that, if the department determines that an Indiana first responder nominated to the department does not meet the eligibility requirements to receive the medal, the department may make recommendations to the entity that employs the Indiana first responder or for which the Indiana first responder volunteers of other forms of recognition for the Indiana first responder.
- Provides that the governor may award the medal to the Indiana first responder or the Indiana first responder's next of kin at a public ceremony.

HEA 1143, P.L. 56 – DISPOSAL OF FIREARMS VIA TRADE FOR NEW EQUIPMENT

Author: Lucas (R-Seymour)

Sponsor: Koch (R-Beford)

Summary of Provisions

- 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.

HEA 1182, P.L. 84 – REGULATION OF CONTROLLED SUBSTANCES

Author: McNamara (R-Evansville)

Sponsor: Glick (R-LaGrange)

Summary of Provisions

- Relocates requirements that the board of pharmacy must comply with when adopting interim rules declaring a substance a synthetic drug from the professional licensing law to the statutes governing administrative rulemaking.

- Makes certain changes to the lists of controlled substances.

HEA 1231, P.L. 63 – SERVICE OF SAFETY ORDERS AND PENALTY ASSESSMENTS

Author: Goodrich (R-Noblesville)

Sponsor: Rogers (R-Granger)

Summary of Provisions

- Permits the commissioner of labor or the commissioner’s representative to serve safety orders or penalty assessments by electronic mail.
- Expands where the commissioner of labor or the commissioner’s representative may serve physical copies of safety orders or penalty assessments.

HEA 1240, P.L. 148 – CRIMINAL LAW ISSUES

Author: Steuerwald (R-Avon)

Sponsor: Freeman (R-Indianapolis)

Summary of Provisions

- Makes numerous changes to the criminal law, including:
 - (1) Changing references from “county prosecuting attorney” to “prosecuting attorney”;
 - (2) Specifying the membership of county school safety commissions;
 - (3) Removing and replacing the organized theft statute;
 - (4) Increasing the penalty for fraud and battery under certain circumstances; and
 - (5) Defining “abusive head trauma” and permitting it to be used as an aggravating circumstance.
- Makes unlawful carrying of a handgun by a child a waivable offense.
- Specifies that “telephone sales call” includes certain types of electronically transmitted information.
- Makes certain other changes for consistency.

HEA 1338, P.L. 171 – SECURITY OF PROPERTY AND MEETING DECORUM

Author: Prescott (R-Union City)

Sponsor: Baldwin (R-Noblesville)

Aim Comments

As introduced, HEA 1338 outlined optional procedures for a governing body, including city and town councils, to adopt for the conducting of meetings. It codified the ability for governing bodies to set reasonable restrictions on the time allotted for attendees to speak, to set reasonable steps to maintain order during a meeting and set procedures for the presiding member to issue warnings to attendees who are disrupting a meeting. Language in the bill also clarifies the trespass statute to apply to an individual who knowingly or intentionally enters a locked area without permission or refuses to leave an area of a property that is otherwise not accessible to the public after being asked to leave the area of a property by a law enforcement officer or an employee or agent of the owner or operator of the property. This is intended to address situations where individuals are entering restricted areas of government buildings without permission. These provisions remain in the bill, but multiple amendments were added.

During the second half of session, the bill was amended in a Senate committee to include language impacting the Public Access Counselor. Under current law, the Public Access Counselor serves a four-year term. HEA 1338 removes the four-year term requirement and states the Public Access Counselor now serves at the pleasure of the Governor. It also includes a provision that says when issuing an advisory opinion, the public access counselor shall consider only the public access laws, as plainly written and valid opinions of Indiana courts. Finally, a provision was added on second reading during the second half of session that amends the Open Door Law. It states that a committee appointed directly by the governing body or a governing body’s designee does not constitute a governing body that is subject to the Open Door Law if the committee is appointed for the sole purpose of receiving information, deliberating, or making recommendations to the governing body and has not more than one member of the governing body as a member.

Summary of Provisions

- Allows the governing bodies of certain local government agencies (local agencies) to adopt rules or policies governing the conduct of meetings.
- Provides that a rule or policy may provide that the presiding member of the governing body of the local agency may:
 - (1) Issue warnings to disruptive attendees and direct them to leave the meeting on the third warning; and
 - (2) Direct a law enforcement officer to remove disruptive attendees.
- Provides that the rules and policies must be posted at the meeting entrance or announced before taking public testimony.
- Specifies that a provision of the tort claims law providing immunity to a government entity or employee in adopting and enforcing a law or rule applies.
- Provides that a person commits criminal trespass by knowingly or intentionally:
 - (1) Entering a locked area without permission; or
 - (2) Refusing to leave an area not publicly accessible after being asked to leave by a law enforcement officer or agent of the property owner or operator.
- Specifies that:
 - (1) The public access counselor serves at the pleasure of the governor; and
 - (2) When issuing an advisory opinion, the public access counselor may consider only the plain text of the public access laws and valid Indiana court opinions.
- Provides that a committee appointed directly by the governing body or a governing body's designee does not constitute a governing body that is subject to the open door law if the committee:
 - (1) Is appointed for the sole purpose of receiving information, deliberating, or making recommendations to the governing body; and
 - (2) Has not more than one member of the governing body as a member.

HEA 1385, P.L. 163 – EMERGENCY MEDICAL SERVICES

Author: Barrett (R-Richmond)

Sponsor: Baldwin (R-Noblesville)

Aim Comments

The underlying bill deals with reimbursement for ambulance services, but language was also added to establish the Community Cares Initiative Grant for mobile integrated health programs. The EMS language requires health plan operators to reimburse a nonparticipating ambulance service provider for ambulance services provided to a covered individual at a rate not to exceed the rates set or approved, by contract or ordinance, by the county or municipality in which the ambulance service originated. If there are no rates set or approved by the county or municipality of origin, the health plan operators will pay the lesser amount of either 400% of current Medicare rates or the amount billed by the nonparticipating ambulance provider.

The legislation also established the Community Cares Initiative Grant program under the Division of Mental Health and Addiction for the purpose of assisting in the cost of starting or expanding mobile integrated healthcare programs and mobile crisis teams in Indiana. Aim strongly supported this language as a step toward helping create sustainable funding for mobile integrated health programs and mobile crisis teams in cities and towns. Programs like these can help cities and towns address important health concerns of constituents.

Summary of Provisions

- Establishes the community cares initiative grant pilot program for the purpose of assisting in the costs of starting or expanding mobile integrated health care programs and mobile crisis teams in Indiana.
- Establishes the community cares initiative fund.
- Requires a health plan operator to provide payment to a nonparticipating ambulance service provider for ambulance service provided to a covered individual:
 - (1) At a rate not to exceed the rates set or approved, by contract or ordinance, by the county or municipality in which the ambulance service originated;
 - (2) At the rate of 400% of the published rate for ambulance services established under the Medicare

- law for the same ambulance service provided in the same geographic area; or
 - (3) According to the nonparticipating ambulance provider's billed charges; whichever is less.
- Provides that if a health plan operator makes payment to a nonparticipating ambulance service provider in compliance with these requirements:
 - (1) The payment shall be considered payment in full, except for any copayment, coinsurance, deductible, and other cost sharing amounts that the health plan requires the covered individual to pay; and
 - (2) The nonparticipating ambulance service provider is prohibited from billing the covered individual for any additional amount.
- Provides that the copayment, coinsurance, deductible, and other cost sharing amounts that a covered individual is required to pay in connection with ambulance service provided by a nonparticipating ambulance service provider shall not exceed the copayment, coinsurance, deductible, and other cost sharing amounts that the covered individual would be required to pay if the ambulance service had been provided by a participating ambulance service provider.
- Requires a health plan operator that receives a clean claim from a nonparticipating ambulance service provider to remit payment to the nonparticipating ambulance service provider not more than 30 days after receiving the clean claim.
- Provides that if a claim received by a health plan operator for ambulance service provided by a nonparticipating ambulance service provider is not a clean claim, the health plan operator, not more than 30 days after receiving the claim, shall:
 - (1) Remit payment; or
 - (2) Send a written notice that:
 - (A) Acknowledges the date of receipt of the claim; and
 - (B) Either explains why the health plan operator is declining to pay the claim or states that additional information is needed for a determination whether to pay the claim.
- Removes the requirement that a health plan operator negotiate rates and terms with any ambulance service provider willing to become a participating provider but retains the requirement that the state negotiate rates and terms with any ambulance service provider willing to become a participating provider.

HEA 1412, P.L. 4 – CANINE STANDARD OF CARE

Author: Baird (R-Greencastle)

Sponsor: Doriot (R-Goshen)

Summary of Provisions

- Sets forth regulations concerning the retail sale of dogs.
- Requires retail pet stores, animal care facilities, and animal rescue operations to register with the board of animal health.
- Establishes mandatory disclosures and warranties for a retail pet store selling dogs.
- Establishes a random inspection program for commercial dog breeders, commercial dog brokers, and retail pet stores beginning July 1, 2025.
- Voids local ordinances prohibiting the sale of dogs at retail pet stores.

SEA 19, P.L. 72 – LICENSE SUSPENSION

Author: Dernulc (R-Highland)

Sponsor: Oltoff (R-Crown Point)

Summary of Provisions

- Allows the BMV to add an additional compliance period for those seeking material error review regarding certain license suspensions.

SEA 23, P.L. 100 – DAMAGE TO A PENAL FACILITY

Author: Becker (R-Evansville)

Sponsor: Gore (D-Indianapolis)

Summary of Provisions

- Provides that a person who recklessly, knowingly, or intentionally damages a component of an automatic building fire suppression system that is located in a penal facility commits criminal mischief, a Level 6 felony.

SEA 33, P.L. 101 – DISTRIBUTIONS OF PUBLIC SAFETY INCOME TAX REVENUE

Author: Niemeyer (R-Lowell)

Sponsor: Slager (R-Griffith)

Summary of Provisions

- Defines “courtroom costs”.
- Provides that a county fiscal body may adopt an ordinance to impose a tax rate for:
 - (1) In the case of a tax rate adopted before January 1, 2024, county staff expenses of the state judicial system in the county; or
 - (2) In the case of a tax rate adopted after December 31, 2023, courtroom costs of the state judicial system in the county.
- Provides that the revenue shall be used by the county:
 - (1) In the case of the tax rate adopted before January 1, 2024, only for paying for county staff expenses of the state judicial system in the county; and
 - (2) In the case of a tax rate adopted after December 31, 2023, only for paying the courtroom costs of the state judicial system in the county.
- Provides that the local income tax revenue spent by each county may not comprise more than 50% of the county’s total operational staffing expenses related to the courtroom costs of the state judicial system in any given year.
- Provides that a township fire department, volunteer fire department, fire protection territory, or fire protection district may apply to the county adopting body for a distribution of local income tax revenue that is allocated to public safety purposes.
- Requires the county adopting body to review certain submitted applications at a public hearing.

SEA 150, P.L. 108 – ARTIFICIAL INTELLIGENCE AND CYBERSECURITY

Author: Brown (R-Fort Wayne)

Sponsor: Lehman (R-Berne)

Aim Comments

SEA 150 creates new, optional cybersecurity procedures and resources for local governments. The Indiana Office of Technology will create cybersecurity policies and resources that local units may use for training and security procedures.

It also requires units that are connected to the infrastructure of the state to perform a cybersecurity assessment once every three years, have two factor authentication, and have a “.gov” domain name. An example of being connected to the infrastructure of the state is if a city or town is connected to the state ISACs system for police departments. All of these requirements begin in 2027 and there are many free resources provided by IOT to help communities meet the requirements.

Summary of Provisions

- Creates the artificial intelligence task force (task force) to study and assess use of artificial intelligence technology by state agencies.
- Provides that political subdivisions, state agencies, school corporations, and state educational institutions (public entities) may adopt a:
 - (1) Technology resources policy; and
 - (2) Cybersecurity policy; subject to specified guidelines.
- Specifies requirements for:
 - (1) Public entities; and
 - (2) Entities other than public entities; that connect to the state technology infrastructure of Indiana.

- Provides, with regard to a licensing contract entered into by a state agency for use of a software application designed to run on generally available desktop or server hardware, that the contract may not restrict the hardware on which the state agency installs or runs the software.
- Provides that if a state agency enters into a contract with a person under which the state agency runs software on hardware owned or operated by the person, the office of technology shall ensure that the state agency fully complies with the licensing terms of all software run on the person's hardware.
- Provides that an executive or legislative state agency may submit to the office of technology and the task force an inventory of all artificial intelligence technologies in use, or being developed or considered by the state agency for use, by the state agency.
- Provides that, subject to specified exceptions:
 - (1) Title to any record of state government is held by the state; and
 - (2) Title to any record of a local government is held by that local government.

SEA 190, P.L. 112 – STATE DISASTER RELIEF FUND

Author: Carrasco (R-Indianapolis)

Sponsor: Davis (R-Whiteland)

Summary of Provisions

- Makes changes to the permissible uses for the state disaster relief fund (fund).
- Makes changes to the requirements for an eligible entity to receive financial assistance from the fund.
- Makes changes to the calculations used to determine the amount of financial assistance an eligible entity may receive from the fund.
- Increases, from \$10,000 to \$25,000, the amount of loss that may be compensated for damages to an individual's property.
- Repeals provisions that:
 - (1) Provide a definition of "public facility";
 - (2) Provide limitations for an entity suffering multiple disaster emergencies; and
 - (3) Provide requirements for an application of an eligible entity that is an individual to obtain financial assistance from the fund.

SEA 225, P.L. 31 – EXCHANGE OF INSURANCE INFORMATION AFTER ACCIDENT

Author: Gaskill (R-Pendleton)

Sponsor: Lehman (R-Berne)

Summary of Provisions

- Provides that a law enforcement officer present at the scene of an accident shall ensure that each operator complies with the duties required of an operator of a motor vehicle after an accident regardless of the apparent extent of the total property damage resulting from the accident.

SEA 232, P.L. 119 – STATEWIDE 911 SYSTEM

Author: Walker, K (R-Lawrence)

Sponsor: Barrett (R-Richmond)

Summary of Provisions

- Removes references to "enhanced 911 service".
- Increases the penalty for false informing if the false report is that a person is dangerous and certain other circumstances exist.
- Changes references from the "enhanced prepaid wireless charge" to the "911 service prepaid wireless charge".
- Provides that information relating to security measures or precautions used to secure the statewide 911 system may be excepted from public disclosure at the discretion of the statewide 911 board.
- Makes changes to or repeals certain definitions relating to the state 911 system.
- Provides that all originating service providers that provide 911 service for their customers:
 - (1) Shall connect to the state 911 system using an industry standard or functional equivalent; and

- (2) Must establish and maintain the connection in accordance with all applicable regulatory requirements requiring service continuity and ensure access to public safety assistance.
- Provides that an emergency communications center included in the definition of PSAP may not be construed to create an additional PSAP.
- Makes a technical correction.
- Makes conforming amendments.

SEA 234, P.L. 120 – DISASTER EMERGENCY

Author: Garten (R-Charlestown)

Sponsor: Lehman (R-Berne)

Summary of Provisions

- Provides that a state of disaster emergency declared by the governor:
 - (1) That applies to the entire state may not continue for more than 60 days unless a renewal is authorized by the general assembly; and
 - (2) That only applies to part of the state may not continue for more than 30 days unless renewed by the governor.
- Provides that the renewal of a statewide disaster emergency authorized by the general assembly may continue for not more than 60 days.
- Specifies that if a state of disaster emergency that applies to the entire state has ended, the governor may not call a new state of disaster emergency that applies to the entire state unless the new disaster is wholly unrelated to the earlier disaster.
- Defines “wholly unrelated”.

SEA 241, P.L. 32 – TAKING BOBCATS

Author: Baldwin (R-Noblesville)

Sponsor: Lindauer (R-Jasper)

Summary of Provisions

- Requires the department of natural resources to establish and implement a season to take bobcats not later than July 1, 2025.

SEA 253, P.L. 35 – LAKE MICHIGAN RESCUE EQUIPMENT

Author: Pol (D-Chesterton)

Sponsor: Pressel (R-Rolling Prairie)

Summary of Provisions

- Requires the owner of a pier or public access site on Lake Michigan to install public rescue equipment, including at least one ring life buoy, on the pier or public access site.
- Establishes requirements concerning ring life buoys installed on piers and public access sites.
- Provides that the end of the buoy line must not be secured to the shore.
- Requires a unit of local government that owns one or more piers or public access sites on Lake Michigan, at least twice per year, to publish on the unit’s website a report on lakefront drownings that occur within 50 feet of the unit’s piers or public access sites.
- Provides that if more than one fatal drowning occurs not more than 50 feet from a particular pier or public access site in a span of five years, the owner of the pier or public access site shall:
 - (1) Disseminate in the area of the pier or public access site a water safety plan pertaining to the pier or public access site; and
 - (2) Upgrade the public rescue equipment installed on the pier or public access site, such as by installing equipment that automatically contacts the local 911 service in an emergency.

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HEA 1090, P.L. 49 – TRANSPORTATION MATTERS

Author: Pressel (R-Rolling Prairie)

Sponsor: Crider (R-Greenfield)

Summary of Provisions

- Provides that a conveyance to the state is excepted from the definition of a “conveyance document” requiring a sales disclosure form.
- Amends the annual reporting requirements for the Indiana department of transportation.
- Requires a unit to hold a public hearing before agreeing with a railroad to the closure of a public railroad crossing within the unit’s jurisdiction.
- Allows evidence of a failure to comply with passenger restraint system statutes to be admitted in a civil action as to mitigation of damages for a plaintiff who is at least 15 years of age or older.
- Provides that an engineering and traffic investigation is not required to decrease the speed limit to 20 miles per hour on a highway with a functional classification of minor collector or local road in an urban district.

HEA 1162, P.L. 141 – BUREAU OF MOTOR VEHICLES

Author: Pressel (R-Rolling Prairie)

Sponsor: Crider (R-Greenfield)

Summary of Provisions

- Makes a technical correction regarding the calculation of a county’s allocation from the motor vehicle highway account fund.
- Provides that a commercial driver’s license and a commercial learner’s permit may be issued as a mobile credential.
- Repeals language allowing the bureau of motor vehicles (bureau) to issue a driver’s license or identification card to a person granted parole.
- Adds a wearable device that blocks, in whole or in part, the field of vision of the person wearing the device to the definition of a “telecommunications device”.
- Clarifies that only handheld telecommunications devices may be used in conjunction with hands free or voice operated technology while operating a motor vehicle.
- Requires the bureau to state on each of its forms the law or rule making the form necessary.
- Prohibits the bureau from requiring a person to appear in person for the renewal of a registration for a collector vehicle, a historic vehicle license plate, or an authentic license plate from the model year of a collector vehicle.
- Allows an individual who is at least 18 years of age and holds a valid commercial driver’s license to be issued a hazardous materials endorsement.
- Amends provisions regarding proof of a veteran’s discharge from the armed forces or its reserves or the national guard.
- Changes the number of commercial vehicles that must be owned for the state department of revenue to issue a license plate for each commercial vehicle from 25 to five.
- Amends provisions requiring the bureau to provide notice to allow the bureau to provide notice electronically when the individual has indicated a preference for receiving electronic notices from the bureau.
- Provides that a driver’s license or identification card expires upon the bureau receiving notice of the death of the holder.
- Allows an individual to electronically apply for the individual’s driver’s license or learner’s permit to be converted into an identification card.
- Provides that the owner, lessor, or operator of a commercial motor vehicle or a person who leases or rents a commercial motor vehicle to another person is not civilly liable for a tort claim based on the failure to install optional equipment on a commercial motor vehicle unless certain circumstances exist.
- Deletes provisions allowing the bureau to suspend or revoke the registration of an individual convicted of certain crimes.

HEA 1277, P.L. 86 – STATE ADMINISTRATION OF FEDERAL BEAD PROGRAM

Author: Soliday (R-Valparaiso)

Sponsor: Koch (R-Bedford)

Summary of Provisions

- Specifies that the existing Indiana statute concerning the awarding of grants by the office of community and rural affairs for certain eligible broadband projects does not apply to subgrants awarded by the Indiana broadband office (office) under the federal Broadband Equity, Access, and Deployment (BEAD) Program (program).
- Establishes a new Indiana Code chapter governing the administration of the program by the office.
- Requires the office to administer the program in Indiana in compliance with all mandatory provisions set forth in:
 - (1) The federal Infrastructure Investment and Jobs Act (Act); and
 - (2) The BEAD Notice of Funding Opportunity (BEAD NOFO); with respect to the program.
- Provides that before awarding a subgrant to an eligible broadband service provider during any round of funding under the program, the office shall submit to the budget committee for review the proposed amount and terms of the subgrant.
- Provides that in awarding subgrants for the deployment of a broadband network using program funds, the office may not exclude cooperatives, nonprofit organizations, public-private partnerships, private companies, public or private utilities, public utility districts, or local governments from eligibility for those funds, as set forth in the Act.
- Provides that the final proposal submitted by the office to the National Telecommunications Information Administration (NTIA) with respect to the program must include the specifications for the required low cost broadband service option that are set forth in the office's initial proposal, as submitted to and approved by NTIA.

HEA 1278, P.L. 87 – IURC AND OFFICE OF ENERGY DEVELOPMENT MATTERS

Author: Soliday (R-Valparaiso)

Sponsor: Koch (R-Bedford)

Summary of Provisions

- Repeals the Indiana Code provisions concerning the following obsolete programs and funds administered by the Indiana office of energy development (office):
 - (1) The alternative fuel fueling station grant program.
 - (2) The alternative fuel vehicle grant program for local units.
 - (3) The Indiana coal research grant fund.
 - (4) The office of alternative energy incentives.
 - (5) The alternative energy incentive fund.
 - (6) The center for coal technology research.
- Makes conforming amendments to other sections of the Indiana Code that reference the repealed provisions.
- Repeals, in the Indiana Code chapter governing the Indiana recycling market development board (board), a provision that authorizes the office to establish and administer a revolving loan program to make low interest loans for energy efficiency or recycling market development projects.
- Relocates that provision to the Indiana Code chapter governing the office and removes from the provision language authorizing the office to consult with the board in establishing and administering the program.
- Provides that, notwithstanding the statutory requirements for a local unit to be certified as a commercial solar energy ready community or a wind energy ready community, the commercial solar and wind energy ready communities development center may make a reasonable determination to certify a unit as a commercial solar energy ready community or a wind energy ready community if the unit:
 - (1) has adopted a commercial solar or wind power regulation and the unit's regulation does not:
 - (A) Materially differ from applicable industry or regulatory standards; or
 - (B) Otherwise materially affect the ability of a project owner to develop a commercial solar

- project or wind power project in the unit; or
- (C) Has other clear standards for the construction, installation, siting, modification, operation, or decommissioning of commercial solar or wind power systems and the unit's clear standards meet specified requirements.
- Amends the Indiana Code section concerning a rate case in which a utility seeks an increase in revenues exceeding \$2,500,000, and with respect to which a public hearing is required, to provide that the Indiana utility regulatory commission (IURC) shall conduct at least one public hearing in one of the following, as determined by the IURC:
 - (1) The largest municipality located within the utility's service area.
 - (2) The municipality containing the largest number of customers served by the utility.
 - (3) The county containing the largest number of customers served by the utility. (Current law requires the IURC to conduct the public hearing in the largest municipality located within the utility's service area.)
- Makes a corresponding change to the statute concerning rural electric membership corporations.
- Repeals a provision in the statute concerning incentives for clean energy projects that requires eligible businesses under the statute to file with the lieutenant governor a monthly report concerning purchases of:
 - (1) Illinois Basin coal for energy production or generation; and
 - (2) Fuel or energy produced by a coal gasification facility or by a nuclear energy production or generating facility.

HEA 1387, P.L. 90 – HOUSING DEVELOPMENT

Author: Miller (R-Elkhart)

Sponsor: Rogers (R-Granger)

Summary of Provisions

- Makes various changes to the residential housing infrastructure assistance program.
- Expands the definition of "economic development facilities" applicable to the economic development and pollution control statutes to include facilities for housing for purposes of redevelopment commission programs outside Indianapolis for age-restricted housing or residential housing development.
- Makes a technical correction.

SEA 19, P.L. 72 – LICENSE SUSPENSION

Author: Dernulc (R-Highland)

Sponsor: Oltoff (R-Crown Point)

Summary of Provisions

- Allows the BMV to add an additional compliance period for those seeking material error review regarding certain license suspensions.

SEA 225, P.L. 31 – EXCHANGE OF INSURANCE INFORMATION AFTER ACCIDENT

Author: Gaskill (R-Pendleton)

Sponsor: Lehman (R-Berne)

Summary of Provisions

- Provides that a law enforcement officer present at the scene of an accident shall ensure that each operator complies with the duties required of an operator of a motor vehicle after an accident regardless of the apparent extent of the total property damage resulting from the accident.

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HEA 1206, P.L. 60 – VOTING BY SMALL WATER AND WASTEWATER UTILITIES

Author: Meltzer (R-Shelbyville)

Sponsor: Koch (R-Bedford)

Summary of Provisions

- Amends as follows the statute setting forth the procedures by which certain small water or wastewater utilities may withdraw from and return to the jurisdiction of the Indiana utility regulatory commission (IURC):
 - (1) Specifies that a sewage disposal company that is subject to the jurisdiction of the IURC for having been issued more than one enforcement order from the department of environmental management (department) may not seek to withdraw from the IURC's jurisdiction during the rate regulation period prescribed in the statute setting forth various requirements with respect to wastewater utilities that have been issued one or more enforcement orders by the department.
 - (2) Authorizes a member or shareholder of the utility to cast a vote by secret absentee ballot on the question of the IURC's jurisdiction over the utility.
 - (3) Provides that notice of the meeting on the question of the IURC's jurisdiction over the utility must be sent not less than 45 days (instead of 30 days, under current law) before the meeting and must include:
 - (A) Instructions regarding how a member or shareholder who wishes to cast a vote by absentee ballot may request an absentee ballot;
 - (B) A statement that a request for an absentee ballot precludes a member or shareholder from voting in person at the meeting held on the question of withdrawal from the IURC's jurisdiction;
 - (C) Instructions for returning or delivering an absentee ballot; and
 - (D) The deadline for returning an absentee ballot, which must be:
 - (i) Not earlier than 10 calendar days; and
 - (ii) Not later than five calendar days; before the meeting on the question, along with information as to when an absentee ballot will be considered received by the board.
 - (4) Provides that the 5% quorum required for members or shareholders to transact business and to take official action regarding the question of the IURC's jurisdiction over the utility includes votes cast by absentee ballot.
 - (5) Provides that if:
 - (A) A utility successfully withdraws from the IURC's jurisdiction;
 - (B) After the withdrawal, a referendum is held on the question of the utility returning to the IURC's jurisdiction; and
 - (C) Less than a majority of the votes cast are in favor of returning to the IURC's jurisdiction; another referendum on the question of returning to the IURC's jurisdiction may not be conducted for two years (instead of four years, under current law) following the date of the meeting at which the vote is conducted.
- Makes conforming changes.

HEA 1277, P.L. 86 – STATE ADMINISTRATION OF FEDERAL BEAD PROGRAM

Author: Soliday (R-Valparaiso)

Sponsor: Koch (R-Bedford)

Summary of Provisions

- Specifies that the existing Indiana statute concerning the awarding of grants by the office of community and rural affairs for certain eligible broadband projects does not apply to subgrants awarded by the Indiana broadband office (office) under the federal Broadband Equity, Access, and Deployment (BEAD) Program (program).
- Establishes a new Indiana Code chapter governing the administration of the program by the office.
- Requires the office to administer the program in Indiana in compliance with all mandatory provisions set forth in:
 - (1) The federal Infrastructure Investment and Jobs Act (Act); and
 - (2) The BEAD Notice of Funding Opportunity (BEAD NOFO); with respect to the program.

- Provides that before awarding a subgrant to an eligible broadband service provider during any round of funding under the program, the office shall submit to the budget committee for review the proposed amount and terms of the subgrant.
- Provides that in awarding subgrants for the deployment of a broadband network using program funds, the office may not exclude cooperatives, nonprofit organizations, public-private partnerships, private companies, public or private utilities, public utility districts, or local governments from eligibility for those funds, as set forth in the Act.
- Provides that the final proposal submitted by the office to the National Telecommunications Information Administration (NTIA) with respect to the program must include the specifications for the required low cost broadband service option that are set forth in the office's initial proposal, as submitted to and approved by NTIA.

HEA 1278, P.L. 87 – IURC AND OFFICE OF ENERGY DEVELOPMENT MATTERS

Author: Soliday (R-Valparaiso)

Sponsor: Koch (R-Bedford)

Summary of Provisions

- Repeals the Indiana Code provisions concerning the following obsolete programs and funds administered by the Indiana office of energy development (office):
 - (1) The alternative fuel fueling station grant program.
 - (2) The alternative fuel vehicle grant program for local units.
 - (3) The Indiana coal research grant fund.
 - (4) The office of alternative energy incentives.
 - (5) The alternative energy incentive fund.
 - (6) The center for coal technology research.
- Makes conforming amendments to other sections of the Indiana Code that reference the repealed provisions.
- Repeals, in the Indiana Code chapter governing the Indiana recycling market development board (board), a provision that authorizes the office to establish and administer a revolving loan program to make low interest loans for energy efficiency or recycling market development projects.
- Relocates that provision to the Indiana Code chapter governing the office and removes from the provision language authorizing the office to consult with the board in establishing and administering the program.
- Provides that, notwithstanding the statutory requirements for a local unit to be certified as a commercial solar energy ready community or a wind energy ready community, the commercial solar and wind energy ready communities development center may make a reasonable determination to certify a unit as a commercial solar energy ready community or a wind energy ready community if the unit:
 - (1) Has adopted a commercial solar or wind power regulation and the unit's regulation does not:
 - (A) Materially differ from applicable industry or regulatory standards; or
 - (B) Otherwise materially affect the ability of a project owner to develop a commercial solar project or wind power project in the unit; or
 - (2) Has other clear standards for the construction, installation, siting, modification, operation, or decommissioning of commercial solar or wind power systems and the unit's clear standards meet specified requirements.
- Amends the Indiana Code section concerning a rate case in which a utility seeks an increase in revenues exceeding \$2,500,000, and with respect to which a public hearing is required, to provide that the Indiana utility regulatory commission (IURC) shall conduct at least one public hearing in one of the following, as determined by the IURC:
 - (1) The largest municipality located within the utility's service area.
 - (2) The municipality containing the largest number of customers served by the utility.
 - (3) The county containing the largest number of customers served by the utility. (Current law requires the IURC to conduct the public hearing in the largest municipality located within the utility's service area.)
- Makes a corresponding change to the statute concerning rural electric membership corporations.

- Repeals a provision in the statute concerning incentives for clean energy projects that requires eligible businesses under the statute to file with the lieutenant governor a monthly report concerning purchases of:
 - (1) Illinois Basin coal for energy production or generation; and
 - (2) Fuel or energy produced by a coal gasification facility or by a nuclear energy production or generating facility.

HEA 1329, P.L. 157 – LOCAL GOVERNMENT MATTERS

Author: Pressel (R-Rolling Prairie)

Sponsor: Baldwin (R-Noblesville)

Aim Comments

HEA 1329 includes a variety of topics, including multiple that could impact cities and towns. One provision prevents a governmental entity, including counties, cities and towns from mandating inspection of a “residential onsite sewage system” or septic tank as a condition of a sale or transfer of title of a class 2 structure, which can include a single dwelling unit, duplex, garage, barn, etc. Language was amended in during the second half of session to help address specific concerns in Saint Joseph County.

The bill also impacts “license bonds.” Local units of government may require contractors to obtain a license bond before doing work in their community. Legislation passed in a previous session that makes it so a contractor is only required to obtain one bond per county. HEA 1329 from this session creates a new legal cause of action for contractors against local units if the bonds are not accepted. The bill also makes it easier for contractors to get multiple activities bonded at once if the work within the project is similar in nature. Aim worked with the bill author to ensure none of these changes impact performance bonds.

Summary of Provisions

- Reduces the membership of the board of directors of the Indiana stadium and convention building authority (board) from seven members to three members.
- Provides that the director of the budget agency or the director’s designee serves as chair of the board.
- Authorizes the solid waste management district of Vanderburgh County to make grants and loans for certain purposes.
- Provides that with certain exceptions a governmental entity is prohibited from requiring that a Class 2 structure or a residential onsite sewage system be inspected when a property is sold or transferred.
- Allows a governmental entity to require certain inspections of properties located in that part of St. Joseph County containing a designated sole source aquifer only if it has been more than 15 years since:
 - (1) The property was last sold or transferred; or
 - (2) The Class 2 structure or system was constructed or installed.
- Provides, for purposes of posting a license bond, that a political subdivision may not impose any requirement for the political subdivision to be identified as an obligee on the license bond other than the requirement in statute.
- Provides that certain obligors may initiate a civil action against a political subdivision that does not recognize or does not allow an obligor to post a license bond that satisfies certain requirements.
- Provides that, if the obligor prevails in the action, the obligor shall be awarded an amount equal to:
 - (1) 300% of the cost of obtaining the license bond;
 - (2) Compensatory damages; and
 - (3) Reasonable attorney’s fees.
- Provides that if a contractor:
 - (1) Has posted a license bond to obtain one license from a political subdivision; and
 - (2) Is required to obtain another license from the political subdivision to perform work that the contractor intends to perform; the contractor may not be required to post a second license bond as a condition of obtaining the second license if the type of work that the first license authorizes the contractor to perform is so closely related to the type of work that the second license will authorize the contractor to perform that both types of work are typically involved in a single residential construction project.

- Provides that a city, town, or county that requires a building permit for the construction of a Class 2 structure may provide for the inspection to be conducted by:
 - (1) An individual employed by the city, town, or county, or by another city, town, or county, as a building inspector;
 - (2) A registered architect;
 - (3) A registered professional engineer;
 - (4) A certified building official; or
 - (5) A licensed home inspector.

HEA 1352, P.L. 160 – INSPECTION OF RESIDENTIAL ONSITE SEWAGE SYSTEMS

Author: Morris (R-Fort Wayne)

Sponsor: Byrne (R-Byrneville)

Summary of Provisions

- Establishes when certain officials may inspect a residential onsite sewage system or nonresidential onsite sewage system.
- Allows a nonresidential onsite sewage system to be installed in a lot if at least one site on the lot is determined to be suitable for the installation of the nonresidential onsite sewage system.
- Provides that a county onsite waste management district (district) or local health department may not assess a periodic permit or inspection fee that exceeds the actual cost of the inspection incurred by the district or local health department on an onsite sewage system or an onsite residential sewage discharging disposal system.

HEA 1387, P.L. 90 – HOUSING DEVELOPMENT

Author: Miller (R-Elkhart)

Sponsor: Rogers (R-Granger)

Summary of Provisions

- Makes various changes to the residential housing infrastructure assistance program.
- Expands the definition of “economic development facilities” applicable to the economic development and pollution control statutes to include facilities for housing for purposes of redevelopment commission programs outside Indianapolis for age-restricted housing or residential housing development.
- Makes a technical correction.

SEA 5, P.L. 6 – LEAD WATER LINE REPLACEMENT AND LEAD REMEDIATION

Author: Koch (R-Bedford)

Sponsor: Soliday (R-Valparaiso)

Summary of Provisions

- Specifies that, for purposes of the statute concerning the replacement of customer owned lead service lines by water utilities, a municipally owned utility includes a utility company owned, operated, or held in trust by a consolidated city.
- Provides that the following apply with respect to the owner of a building, structure, or dwelling, other than a multi-family residential property that contains more than four dwelling units, that is served by a customer owned lead service line within or connected to a water utility’s system:
 - (1) That upon request by the water utility, the owner shall replace, or cause to be replaced, the customer owned portion of the lead service line by:
 - (A) Enrolling in the water utility’s lead service line replacement program; or
 - (B) Replacing the customer owned portion of the lead service line through the owner’s own agents or contractors and at the owner’s own expense.
 - (2) That if the owner:
 - (A) Does not enroll in the water utility’s lead service line replacement program;
 - (B) Does not replace the customer owned portion of the lead service line; or
 - (C) Fails to communicate with the water utility regarding the replacement; the water utility or the

water utility's agent may enter the property to replace the customer owned portion of the lead service line.

- (3) That the:
 - (A) Water utility; and
 - (B) Occupant of the property, if the property is occupied by a person other than the owner; are not liable to the owner with respect to any replacement made under these provisions.
- (4) That if a water utility attempts to avail itself of the remedies set forth in these provisions and is prevented from doing so by the owner of the property, the water utility may, in accordance with state law, disconnect water service to the owner's property.
- Provides that the following apply with respect to the owner of a multi-family residential property that contains more than four dwelling units:
 - (1) That the owner may elect to participate in the water utility's lead service line replacement program.
 - (2) That the owner must communicate to the water utility the owner's election to participate not later than 45 days after receiving the water utility's request.
 - (3) That if the owner does not communicate the owner's election to participate within this 45 day period, the owner, or any future owner of the property, is responsible for replacing the customer owned portion of the lead service line through the owner's own agents or contractors and at the owner's own expense.
- Provides that in the case of a:
 - (1) Building;
 - (2) Structure; or
 - (3) Dwelling; that a water utility has determined to be abandoned or unserviceable, the water utility may disconnect water service to the property and require the owner, or any future owner, of the property to install a new service line.
- Provides that these provisions may be incorporated, without the need for further approval by the Indiana utility regulatory commission (IURC), into a water utility's lead service line replacement plan that has been previously approved by the IURC.

SEA 247, P.L. 34 – WATER AND WASTEWATER UTILITY INFRASTRUCTURE

Author: Koch (R-Bedford)

Sponsor: Soliday (R-Valparaiso)

Summary of Provisions

- Amends the statute concerning the acquisition by a utility company of a water or wastewater utility to provide that if:
 - (1) The appraised value of the utility property to be acquired does not exceed \$3,000,000; and
 - (2) The purchase price for the utility property is less than the appraised value of the utility property; the acquiring utility company may submit to the Indiana utility regulatory agency (IURC) a filing under a procedure, based on the procedures set forth in the IURC's rules governing 30 day administrative filings, to include in the acquiring utility company's rate base specified costs associated with the acquisition.
- Sets forth certain information that must be included in an acquiring utility company's filing.
- Provides that if the IURC approves an acquiring utility company's filing, the IURC:
 - (1) May only authorize that:
 - (A) The full purchase price; and
 - (B) Estimated:
 - (i) Incidental expenses; and
 - (ii) Other costs of acquisition; be recorded as the acquiring utility company's net original cost of acquisition; and
 - (2) Shall provide that any estimated:
 - (i) Incidental expenses; and
 - (ii) Other costs of the acquisition; are subject to a reasonableness review as part of the acquiring utility company's next base rate case.
- Adds language specifying that the Indiana Code chapter that governs the transfer, acquisition, and

improvement of utilities by municipalities applies to a municipally owned natural gas utility (in addition to a municipally owned electric, water, wastewater, or combined water and wastewater utility).



The purpose of Aim shall be to foster, promote and advocate for the success of Hoosier Municipalities as laboratories of innovation, hubs of talent, and the engines driving our state's economy.

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