



## Legislative Update

### 121<sup>st</sup> General Assembly

Friday, February 8, 2019



#### Week Five Overview

Indiana's General Assembly progressed through its fifth week, marking the end of the first month of session. Committees are now meeting regularly, which has increased the number of bills that are proceeding through both the House and the Senate. The Chambers are going to continue to pick up the pace as deadlines for both houses begin to approach.

As a reminder, this session is a "long session" and is expected to adjourn for the year on April, 29, 2019.

#### *Save the Date for Indiana POWER Women's Caucus Fundraiser*

Please consider attending the 2019 POWER Women's Caucus Silent and Live auction. The Indiana POWER Women's Caucus is a 501(c)(3) organization created by the female legislators. The Caucus works to raise funds for POWER's scholarship program, which awards scholarships to deserving non-traditional women students in Indiana! The event will take place on March 13<sup>th</sup> from 5:00 p.m. – 7:00 p.m. at the Skyline Club. If you are interested in making a donation to the auction contact Heather Willey at [heather.willey@btlaw.com](mailto:heather.willey@btlaw.com) or 317/231-6448. The event is free to attend and you can RSVP to email [powercaucusin@gmail.com](mailto:powercaucusin@gmail.com).



#### Points of Interest

##### *Gaming Matters*

*Senate Bill 552, Gaming Matters (Sen. Mark Messmer (R-Jasper))*- This bill involves the Gary casino licenses and the modernization of the gaming industry in Indiana. Additionally, the bill includes language regulating sports betting in Indiana. In the Senate Committee on Public Policy, it passed by a vote of 10 Yeas to 0 Nays and will now go to Senate Appropriations.

##### *Prescription Drug Pricing Committee*

*House Bill 1029, Prescription Drug Pricing Committee (Rep. Robin Shackelford (D-Indianapolis))*- In the House Committee on Public Health, this bill passed by a vote of 11 Yeas to 0 Nays. This bill intends to establish an interim study committee to look at issues consumers face related to access and pricing of prescription drugs.

## ***Age Requirements for Tobacco***

*Senate Bill 425, Minimum Age to Purchase Tobacco and E- Liquids (Sen. Randall Head-Logansport)*- Senator Head's bill recommends the changing the legal age to buy tobacco products from 18 to 21 years of age. This includes all e-liquids and e-cigarettes. The bill passed in the Senate Committee of Health and Provider Services by a vote of 8 Yeas to 0 Nays. It has now been reassigned to the Senate Committee on Tax and Fiscal Policy.



## **Session Floor Highlights**

An increased amount of legislation is proceeding to second and third reading this week, with a large number of committee reports being adopted. Sessions are growing longer each day, with the House and Senate beginning to discuss significant session topics.

### ***House of Representatives***

*House Bill 1447, Financial Institutions and Consumer Credit (Rep. Woody Burton (R-Whiteland))*- Makes various changes to the statutes concerning: (1) first lien mortgage lenders; (2) persons licensed under the Uniform Consumer Credit Code (UCCC); (3) rental purchase agreements; (4) debt management companies; (5) banks; (6) credit unions; (7) pawnbrokers; and (8) money transmitters. Repeals a provision in the statute concerning rental purchase agreements that specifies that any up-front payment made by the lessee: (1) must be treated as an initial rental payment; (2) is subject to the disclosure requirements under the statute; and (3) may be in a sum larger than a regular rental payment. Repeals a provision in the UCCC that provides that civil proceeding advance payment transactions (CPAP transactions) are subject to the UCCC. Strikes all provisions concerning CPAP transactions from the UCCC. Repeals provisions in the UCCC that define certain terms relating to CPAP transactions. Moves language in the UCCC applicable to the licensing of civil proceeding advance payment providers to the existing statute concerning civil proceeding advance payments and makes conforming amendments.

*House Bill 1128, Construction Permits (Rep. Doug Miller (R- Elkhart))*- Provides that a local unit may not require, as a condition precedent to granting, issuing, or approving certain permits for any Class 1 or Class 2 structures, completion of work upon which the performance bond or other surety was obtained prior to recording the secondary plat. Provides that a local unit may not require, as a condition precedent to granting, issuing, or approving a certificate of occupancy for any Class 1 or Class 2 structure, the completion of work upon which the performance bond or other surety was obtained prior to recording the secondary plat, unless required under certain state building laws or another law to meet a local unit's basic needs for public health and safety. Requires a local governmental agency to issue certain permits to a person not later than 12 business days after the person has filed a completed application and meets all required conditions, in certain instances.

*House Bill 1172, Virtual Education (Rep. Robert Behning (R- Indianapolis))*- Requires a school corporation to establish and implement an annual onboarding process and orientation for prospective students of a school corporation's virtual education program. Requires a virtual charter school to establish and implement an annual onboarding process and orientation for students newly enrolled in the virtual charter school. Provides that, after June 30, 2019, a governing body of a school corporation or the Mayor of Indianapolis may not authorize a virtual charter school.

Requires a virtual charter school authorizer to review and monitor certain practices of the virtual charter school. Provides that a student who does not participate in a school corporation's virtual program before July 1, 2019, must complete the onboarding process and orientation established by the school corporation before the student may participate in the school corporation's virtual education program. Provides that, if at least 30% of the total number of students enrolled in a school corporation participate in the school corporation's virtual education program, the school corporation shall establish a dedicated virtual education school. Requires a student in a virtual education program or virtual charter school to be an Indiana resident. Provides that if a student of a virtual education program or a virtual charter school accumulates the number of unexcused absences sufficient to result in the student's classification as a habitual truant, the student must be withdrawn from the virtual education program or virtual charter school.

House Bill 1225, Safe Schools (Rep. Gregory Steuerwald (R- Danville))- Provides that school corporations, charter schools, and accredited nonpublic schools with the sheriff for the county in which the school corporation, charter school, or accredited nonpublic school is located, may apply for a grant from the Indiana secured school fund to provide for the initial set up costs for an active event warning system. Requires guidelines published by the department of homeland security to include information about implementing: (1) universal electronic access to school property for law enforcement in all schools within each county; and (2) access to closed circuit cameras from a central location to be used in an emergency situation.

### **Senate**

Senate Bill 109 Food and Beverage Tax and Innkeeper Tax. (Sen. Ronald Grooms (R-Jeffersonville))-Permits the fiscal body of White County to levy the county innkeeper's tax on resorts and any other buildings or structures in the county in which lodging is regularly furnished for consideration. Authorizes the City of Greenwood, Town of Danville, and Town of Whitestown to adopt a food and beverage tax. Provides that the tax rate may not exceed 1%. Provides that money received from the tax shall be distributed by the treasurer of state to the City of Greenwood, Town of Danville, or Town of Whitestown. Specifies the uses to which receipts from the food and beverage tax may be applied

Senate Bill 271 E-Liquid Container Labeling (Sen. Randall Head (R-Logansport))-Eliminates a state requirement that an e-liquid manufacturer or a closed system vapor product manufacturer include certain information on an e-liquid container. Removes a duplicative provision that requires the label of an e-liquid container to indicate if the product contains nicotine.

**Please feel free to contact a member of our legislative team should you have questions regarding the happenings in the Indiana General Assembly!**

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