



Legislative Update

121st General Assembly

Friday, March 13th, 2020



Week Ten Overview

The 2020 Legislative Session ended this week, with former Speaker of the House Brian Bosma adjourning the House of Representatives sine die early Thursday morning. The Senate did the same an hour earlier, with both chambers concluding business well ahead of the statutory deadline of March 14th. The General Assembly has seven days after adjourning sine die to send all enrolled acts (bills that passed both chambers without amendments, were concurred on, or had conference committee reports adopted by both chambers) to Governor Eric Holcomb. Upon receiving an enrolled act for consideration, the governor has seven days to either sign, veto, or allow these bills to become law. This means the governor will have to make decisions on all remaining legislation passed this session within the next two weeks.



Points of Interest

Conference Committees continued through Monday, Tuesday, and Wednesday as lawmakers from each chamber worked to come to a consensus on final language for a slew of bills. Legislators worked late into the night Wednesday and early into the morning Thursday to finalize their work.

Local Government & Tax:

A number of local government bills were authored this session. If you would like any information about bills not listed in this newsletter, please contact Jake Zigenfus or Patrick Lockhart.

One of the most impactful bills, HB 1065 authored by Rep. Thompson (R-Lizton), became the bill to watch as conference committees progressed. Bills containing important language like SB 408, were stripped in conference committee and inserted into HB 1065. Late Wednesday night, when HB 1065 eventually made it back to the House Floor for the final vote, Democrats and Republicans debated the contents of the bill. After being augmented by language in SB 408, as well as language from other bills, HB 1065 contained Local Income Tax language, charter school language, 529 college savings tax credit language, as well as language allowing a township to increase its maximum tax levy if they experience a 6% population increase over a 10 year period

Another surprising turn of events included the resurrection of HB 1165, a bill concerning municipal utilities authored by retiring Rep. Burton (R-Whiteland). Last week, HB 1165's motion to concur failed on the House Floor by a large margin, with over 60 members voting against the concurrence. However, when brought up again this Tuesday, the motion to concur passed with over 60 members voting in favor of the motion. SB 148, authored by Sen. Doriot (R-Syracuse), was debated at length Wednesday morning in the Senate before making its way over to the House. The Senate Bill, which will, among other things, restrict local governments' ability to regulate tenant relations if Governor Holcomb signs the bill into law, was passed 29-19 out of the Senate and 64-32 out of the House. Lastly, in HB 1372, a closely watched insurance bill, was amended in conference committee to remove an emergency medical transportation provision. HB 1372 ultimately passed out of both chambers.

Public Health:

This session saw some major changes in public health and insurance law in Indiana. Lawmakers made it a priority to address public health issues and increasing health care costs through a number of measures.

Sen. Ed Charbonneau (R- Valparaiso) successfully authored and helped ensure passage of SB 1, a bill increasing the minimum age for purchasing tobacco products to 21. SB 1 also creates an enforcement mechanism to prevent stores from selling to minors. Senator Charbonneau worked alongside Rep. Cindy Kirchhofer (R- Beech Grove), who carried a bill with similar language in the House. This effort brings Indiana's tobacco laws into alignment with the new federal law and regulations. Also in Public Health, Rep. Carolyn Jackson (D- Hammond) authored HB 1265, which requires lead testing for the drinking water in all schools across the state. Finally, Rep. Sullivan's (R- Evansville) Distracted Driving Bill, HB 1070, made it out of both chambers and is on its way to Governor Holcomb for his signature. The bill was a key objective on the Governor's agenda for the short legislative session.

Bills were passed in both chambers aimed at bringing greater transparency and lower costs to health care in Indiana. SB 4, authored by Sen. Charbonneau, mandates the creation of a statewide database to compare hospital pricing, create transparency for consumers, and allow greater choice in medical care. The bill successfully passed both chambers. In the House, Rep. Ben Smaltz (R- Auburn) authored HB 1004, a bill requiring providers to provide a "good faith estimate" of the costs for nonemergency medical services, among other provisions. The bill sought to eliminate surprise billing for out of network services performed at in network facilities, leading to intense and lengthy negotiation stakeholders and lawmakers throughout the session. Sen. Charbonneau, in his closing remarks on HB 1004, remarked that Indiana made enormous progress in addressing these issues given the short session, even as more work would continue to be done.

Education:

On the education front, several bills addressing standardized testing passed the legislature. HB 1002, authored by Rep. Cook (R-Cicero), removes the requirement that a school corporation's annual teacher evaluations incorporate measures of student achievement in testing. Sen. Jeff Raatz (R- Richmond) authored and helped secure passage of SB 2, which provides that ILEARN testing scores may not be used by school corporations to evaluate teachers.

The General Assembly also looked to help students taking ILEARN. Sen. Erin Houchin's (R- Salem) SB 346, if signed, will allow students with disabilities to utilize their regularly provided for accommodations for all ILEARN testing sections.

The legislature also focused on easing some of the burdens for teacher training and licensing. Rep. Jack Jordan's (R- Bremen) HB 1003, if enacted, will relax several teacher training and licensure requirements, as well as grant schools flexibility in their determining their own licensing and training requirements for teachers.

Finally, the legislature sought to align education standards throughout the state with the needs of Indiana's job providers. Rep. Goodrich's (R- Noblesville) HB 1153 passed through both chambers this session. The bill would require the Governor's Workforce Cabinet to develop a comprehensive plan to ensure primary and secondary education are in alignment with Indiana's employer needs, helping to bridge the so-called "skills gap" for businesses across the state.

Energy:

HB 1414, a controversial bill that would prohibit Indiana utilities from shutting down coal-fired power plants before May 2021 passed both chambers of the Indiana General Assembly and is on its way to the governor. The bill drew sharp criticism from environmental groups and many utilities, but a series of amendments made the bill acceptable to a majority of legislators and it is moving on to Gov. Eric Holcomb for his signature.



Session Floor Highlights

The legislature's final week saw a flurry of action on the floors of both the House and Senate. The House briefly paused Tuesday afternoon to swear in Speaker Todd Huston, as outgoing Speaker Rep. Brian Bosma tendered his letter of resignation. As the longest serving Speaker of the House, Bosma's departure marked an historic moment for the General Assembly. From that point on, it was all business.



Looking Ahead

With the 121st General Assembly at a close, interim study committees will continue to meet during the summer months to consider issues and hold hearings as the agenda for the 2021 session begins to take shape ahead of the elections this fall. Every member of the Indiana House is up for re-election, and half of the members of the Indiana Senate. Legislators join the Governor, Lieutenant Governor, Secretary of State, Auditor, Treasurer, and Attorney General on the 2020 ballot.

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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