



Legislative Update

122ND INDIANA GENERAL ASSEMBLY

THURSDAY, FEBRUARY 10TH, 2022

 **Week Five Overview**

Monday, February 7th the Indiana General Assembly kicked off the second half of the 2022 legislative session. Bills have officially swapped chambers and are now being assigned once again to committees where they will be heard and possibly amended.

Education: School districts that successfully persuade voters to pay higher property taxes to support their local schools soon may be required to share referendum revenue with nearby charter schools. HB 1072 authored by Rep. Behning (R-Indianapolis), would mandate a portion of the money generated through every school district referendum adopted after July 1 be provided to area charter schools in proportion to the number of students living in the school district who attend each charter school. Under the plan, the total amount of money to be raised by the referendum through higher property taxes would be increased above what's being sought by the school district to provide the extra money to charter schools. Charter schools receiving referendum funds would be under no obligation to spend the money in the same manner as the local school district, such as for teacher pay raises or school safety improvements, and only would have to disclose afterward on their websites how the money was spent, according to the legislation. Rep. Behning, said the measure is about "fairness and parity" between public school districts and charter schools, which he said in his area are struggling to keep up with the referendum-funded teacher pay rates offered by Indianapolis Public Schools (IPS). The bill has now been referred to the Senate Appropriations committee for further consideration.

Healthcare: HB 1112 authored by Rep. Slager (R-Schereville) passed the Appropriations committee 10-0 today. This bill would raise Medicaid reimbursement rates to Medicare rates for emergency and non-emergency ambulance services. The Medicaid rates have not increased in 45 years, while the cost of providing EMS has continuously increased. The bill has overwhelming support from EMS providers and many legislators who believe the change is long overdue. Eric Perry of TransCare EMS testified that he thinks the bill will help shorten EMS response times as well.

With the healthcare provider shortage worsening as the COVID-19 pandemic continues, HB 1003 authored by Rep. Manning (R-Logansport) seeks to bring more

nurses to Indiana. Some components of the bill are broadly supported. Current state policy limits how much nursing programs increase enrollment – those limitations would be relaxed for programs with high passing rates. The bill also adds new avenues for foreign trained nurses to obtain an Indiana license. Concerns raised about the bill were primarily regarding provisions that would ease the requirements for two year nursing programs. The bill will allow clinical hours to be replaced with simulation hours and remove a requirement that nursing schools have 51% or more full-time faculty. In general, representatives from schools with two year associate's programs such as Ivy

Tech testified in support for the flexibility of more adjunct/part time faculty and simulation training. Representatives from schools with only four year bachelor's programs such as University of Southern Indiana opposed the bill, noting concerns for the quality of nurses who graduate with fewer clinical hours and full-time professors. "By adopting these two elements, the state will create a situation where in some nursing students will receive an inferior nursing education," said Norma Hall, Dean of the University of Indianapolis nursing school. "That should never, ever happen." Committee Chair Sen. Charbonneau (R-Valparasio) and bill author Rep. Manning frequently reiterated that the bill does not apply to four year programs and two year programs may still opt to maintain the current standards if they wish. Sen. Liz Brown (R-Fort Wayne) noted that all nurses will still need to pass the same licensing exam (NCLEX) to become nurses in her support of the bill. Some committee members noted sympathy for the concerns raised, but after a long two hour hearing the committee unanimously voted to pass the bill on to the Senate floor.

Economic Development: A bill that was passed by the Senate on Feb. 1 has been highly criticized by a coalition composed of 97 groups across the state. SB 352 authored by Sen. Zay (R-Huntington), aims to make changes to Indiana's Uniform Consumer Credit Code regarding supervised consumer loans. The changes have various stakeholders concerned about the effect on low-income individuals in the state. Under the bill that is now headed to the House, loans made in compliance with the changes will be exempt from certain loansharking laws in the Indiana Code. Current law describes someone who commits loansharking as "a person who, in exchange for the loan of any property, knowingly or intentionally receives or contracts to receive from another person any consideration, at a rate greater than two times the rate specified." The offense is a level 6 felony in the state, and applies to all loans except for payday loans, according to Andy Nielsen, Indiana Community Action Poverty Institute's senior policy analyst. After narrowly passing out of the Senate 27-22, the bill has been referred to the House Financial Institutions and Insurance Committee

HB 1110 authored by Rep. Soliday (R-Valparaiso) was heard in the Senate Local Government committee where it passed 10-0. This bill allows a third class city to annex a noncontiguous residential development that: (1) has a homeowners association (HOA) governed by a board of directors; (2) is located not more than three miles outside the city's boundaries; (3) has at least 100 single family residential homes; (4) has commercial buildings; and (5) receives the third class city's sewer or water service.

Crime: SB 117 authored by Sen. Kyle Walker (R-Indianapolis), would protect records and personal information for minors under the age of 18 who are alleged victims of crimes. The bill would exempt the records and personal identifying information of

minors on police logs for any public access. The bill received a hearing and an 11-0 vote of support from the House Veterans Affairs and Public Safety Committee on Tuesday. But despite the honorable intentions cited by its supporters, the bill could have some unintended consequences, which legislators said they will address. The Hoosier State Press Association, which represents Indiana newspapers, expressed its concerns at Tuesday's hearing. Steve Key, HSPA executive director and general counsel, said he is concerned the bill could limit reporting on court proceedings where names of minors may need to be redacted from public records. The bill is now on its second reading.



Session Floor Highlights

House Speaker Todd Huston said Tuesday he had decided to leave his position as senior vice president of state and district partnerships at the College Board, the New York-based group known for administering high school advance placement exams such as the SAT. Huston said “As of right now, I’m focused on a strong, successful finish to this legislative session,” Huston said in a statement. “I want to recharge my batteries post-session before considering future opportunities.”

State Sen. Michael Griffin, D-Highland, is Northwest Indiana's newest state senator. Griffin was selected Saturday by Democratic leaders in the district — which currently includes Hammond's south side, Munster, Highland, Griffith, Dyer, and Schererville — to succeed former state Sen. Frank Mrvan, D-Hammond, who retired Jan. 11 after nearly 40 years in the Senate. Griffin already has been assigned to serve on the Committee on Insurance and Financial Institutions and the Local Government Committee to help evaluate and revise suggested new laws on behalf of the Senate.

Indiana's Commissioner for Higher Education Teresa Lubbers gave her final annual address Tuesday. Lubbers is leaving the commission after the legislative session. She highlighted the need for Indiana to provide more affordable, accessible, and valuable education for students. She said as the fewer students enroll in universities, the more vital it is for colleges and universities to prove their value.



Looking Ahead

For the House, committee reports are due on Feb. 22nd and 2nd reading must be completed by Feb 24th. For the Senate, the committee report deadline is Feb. 24th.

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

Brian Burdick

Office: (317) 231-7393

Email: brian.burdick@btlaw.com

Joe Loftus

Office: (317) 231-7213

Email: joseph.loftus@btlaw.com

Heather Harris

Office: (317) 231-6448

Email: heather.harris@btlaw.com

Brandt Hershman

Office: (202) 371-6374

Email: brandt.hershman@btlaw.com

Jake German

Office: (317) 231-7538

Email: jacob.german@btlaw.com

Lauren Box

Office: (317) 231-7289

Email: lauren.box@btlaw.com

Veronica Schilb

Office: (317) 229-3178

Email: veronica.schilb@btlaw.com

Mike Moga

Office: (317) 231-6452

Email: mike.moga@btlaw.com

Joshua Lewis

Office: (317) 231-6457

Email: Joshua.Lewis@btlaw.com

John Oosterhoff

Office: (317) 229-3139

Email: John.Oosterhoff@btlaw.com