



Legislative Update

122ND INDIANA GENERAL ASSEMBLY

THURSDAY, JANUARY 27TH, 2022

 **Week One Overview**

Happy Thursday! The Indiana General Assembly is hitting its first deadlines for the “short session,” and left behind will be scores of bills that will not continue moving through the legislative process. Anything that failed to get committee approval after this week’s committee report deadlines is generally “dead” for the remainder of the year. Measures that advanced out of a House committee have until next Monday to pass out of the full chamber and make their way to the Senate. Across the rotunda, the Senate committee report deadline was today, and all legislation originating in the Senate must be considered by the full chamber and passed no later than Feb. 1 to proceed to the House.

Point of Interest: The General Assembly had a very busy week in order to get things through before the deadlines. Approximately 30 committee meetings were held this week. Below are some of the key bills that were included in those discussions.

Crime (Update): Marion County is in the 12th percentile for safety, making it one of the most dangerous counties in the country. Statistics such as this and the ones mentioned last week were influences that drove the Indiana Crime bill package to passage on the Senate Floor this past Tuesday. These bills include SB 6 from Sen. Young (R-Indianapolis), SB 7 from Sen. Sandlin (R-Indianapolis), SB 8 from Rep. Freeman (R-Indianapolis), SB 9 from Sen. Walker (R-Indianapolis), and SB 10 from Majority Whip Crider (R-Greenfield). Republicans on the Senate floor pointed out that by eliminating reduced bail, a decrease in consecutive violent crimes from offenders would in theory occur. Sen. Taylor (D-Indianapolis), spoke out against the bills, advocating that legislators should instead focus on a plan to tackle poverty and mental illness. While both sides agree that an increase in poverty and mental illness have a positive correlation to the spike in crime in Marion county, bill authors aim to focus this legislative session on creating stricter bail rules for violent crime arrestees and more regulations on nonprofit bail organizations to focus on keeping criminals off the streets.

Education: House Bill 1190, which passed third reading and is authored by Rep. Jack Jordan (R-Bremen), would provide that state educational institutions may not designate areas where free speech is prohibited or deny benefits and privileges to certain student organizations. However, it would allow these institutions to make

decisions on reasonable time, place, and manner requirements in accordance with constitutional requirements. This bill passed the Senate, 93-1.

Indiana lawmakers have advanced a bill that would allow schools and public libraries to be criminally prosecuted for books and other materials considered to be “harmful” to children, including items that contain obscenity, violence, or pornography. This bill, SB 17, authored by Sen. Tomes (R-Wadesville), passed the Senate education committee on a 9-4 vote. Another bill, House Bill 1134, authored by Rep. Cook (R-Cicero), passed 60-37 on third reading and focuses on how schools present conversations on race, politics, and religion.

A growing number of states are attempting to catch and punish motorists who pass stopped school buses by allowing cameras to be placed on the outside of the bus to record such illegal passing. In Indiana, reports show they’ve had over 200 school bus arm violations, as discussed in the Homeland Security and Transportation Committee on January 25th. At least 23 states have school bus stop-arm camera laws. Sen. Niemeyer (R-Lowell) authored SB 121 (expected to be on third reading next week), to help address this issue by using stop-arm cameras on school buses to impose penalties on the owners of vehicles which pass a school bus while the school bus is stopped for the purpose of dropping off or picking up passengers with their red lights flashing. A similar bill was brought up last session but did not make it into law. With another tragic event of a motorist hitting and killing a child under these circumstances just a few months ago, this legislation has once again become a priority this session.

Economic Development: In the past, much of the world had turned away from nuclear energy, with large and aging plants and a history of severe meltdowns. However, as of late, there has been renewed support, with some governments and big-name companies believing the technology is the answer to carbon-free energy. SB 271, which was heard in committee this week and heads to the Senate Floor, creates a framework for Indiana “to move into the world” of nuclear energy, as stated by Sen. Eric Koch (R-Bedford), one of the bill’s main authors and chair of the Senate Utilities Committee. The bill is not aimed at just any type of nuclear energy, but at what are called small modular reactors, or SMRs. As the name suggests, SMRs are much smaller and more flexible than their mammoth relatives. Interestingly enough, there are currently none operating in the U.S. The bill does not say that Indiana will build such a plant, rather it sets guidelines for state regulators to consider such a project if a utility wants to build one. Proponents say the technology could be used to repurpose coal plants, many of which have been retired or will be in the coming decades. SMRs can help maintain the tax base for those communities and provide a new form of employment for many of the workers.

In addition to nuclear, solar, and wind energy popularity has been growing in Indiana. This renewable energy source was considered in SB 176, authored by Sen. Jean Leising (R-Oldenburg) and SB 411, authored by Mark Messmer (R-Jasper). SB 176 aims to require the Indiana Utility Regulatory Commission to include information regarding wind power devices in their annual report to the Governor and chairman of the legislative council. SB 411 establishes within the Indiana Economic Development Corporation the commercial solar and wind energy ready communities’ development center. Both bills should be presented on the Senate Floor early next week.

Legislators in the House and Senate agree that moving forward with energy innovation is crucial to economic development and environmental preservation, but differ in ways to achieve that goal. Some Republicans offer a temporary solution that involves a hybrid solution of mixing old with the new, and diversifying Indiana's energy sources. HB 1209, which passed the House 76-13 and is authored by Rep. Ed Soliday (R-Valparaiso), provides for the mechanism of underground storage of carbon dioxide in Indiana. This would provide a way for companies that pollute to capture excess in order to yield more product rather than emitting it into the atmosphere. Some environmental advocates say underground carbon storage has the potential to contaminate drinking water or cause earthquakes. However, some legislators have mentioned that we need non-renewable energy sources to sustain affordable energy. This discussion continued even further with Rep. Ethan Manning (R-Logansport), authoring HB 1224 (on 3rd reading next week), which provides that the state, a political subdivision, or a separate or independent body corporate may not make certain investments in companies that boycott energy companies or companies that do business with energy companies. This is aimed at boycotting large banks and insurance companies, among others, that have implemented policies of not doing business with non-renewable energy companies. HB 1224 would aim to ensure that these types of energy companies are not discriminated against in Indiana.

Voting: Indiana's current mail-in voting limits allow people to vote by mail only if they fall into one of several categories, including being 65 or older; being confined to their home; being scheduled to work throughout the 12-hour period that Election Day polling sites are open, or being absent from their home counties on Election Day. None of those restrictions currently involve the early voting period. Election officials and many political campaigns encouraged mail-in voting in 2020 because of COVID-19 concerns. That pushed mail-in balloting to nearly 600,000, along with some 1.3 million in-person early votes cast, according to the state election division. Mail-in voting jumped about 3.5 times from 150,000 ballots in 2016 when almost 1 million people cast early in-person votes. Democrats are objecting to a Republican-backed proposal, HB 1116 authored by Rep. Tim Wesco (R-Osceola), that would require Indiana voters who request mail-in ballots to swear under possible penalty of perjury that they won't be able to vote in person at any time during the 28 days before Election Day. The House's Ways and Means Committee passed HB 1116 on Tuesday. The author defended this proposal as an update to the state's mail-in ballot law to reflect the greater availability of early in-person voting over the past couple of decades.

Session Floor Highlights

As mentioned in previous Newsletters, SB 88 "Prescription Drug Rebates and Pricing", authored by Sen. Ed Charbonneau (R-Valparaiso) and HB 1109 "Wholesale Pricing of Non-Alcoholic Beverages", authored by Rep. Ed Soliday (R-Valparaiso), have both been ordered engrossed in their respective chambers following their second readings and will be considered for votes on 3rd reading next week.



Looking Ahead

The Senate's third reading deadline is February 1st. The House's third reading deadline is January 31st. Third reading deadline is the date by which a bill must pass its chamber of origin in order for it to still have time to progress through the other chamber before this Legislation Session ends. Next Tuesday a Newsletter will be sent out instead of the usual Thursday date, due to the mid-session break from February 2 until the following Monday (February 7th), in which the legislators will not convene.

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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