



## LEGISLATIVE UPDATE 123<sup>RD</sup> GENERAL ASSEMBLY

FRIDAY, MARCH 10, 2023

### Week Nine Overview

The General Assembly returned to the Statehouse on Monday to kick off the second half of the legislative session. Only a fraction of filed bills survived last week's 3<sup>rd</sup> reading deadlines. The House filed 673 bills, but only sent 178 to the Senate. Similarly, the Senate filed 489 bills and only advanced 167 bills to the House—with Governor Holcomb already signing one of those bills, SB 2, Taxation of Pass Through Entities—Sen. Scott Baldwin (R – Noblesville) into law last month. This week, House and Senate committees heard bills that originated in the opposite Chamber. Both Chambers convened for Session on Monday, Tuesday, and Thursday.

### Committee Highlights

House and Senate committees reconvened this week to consider legislation and hear testimony. Highlights of key legislation are included below.

**Fiscal Policy:** On Tuesday, Rep. Jeff Thompson (R – Lizton), Chair, House Ways and Means, presented HB 1001, State Budget, to the Senate Appropriations Committee, calling the proposal a “responsible, balanced budget.” Chair Thompson noted many aspects of the House Budget that we have discussed in prior newsletters, including record funding for K-12 tuition support and millions of dollars in taxpayer savings. During the testimony, Senators expressed concern about public health funding. Sen. Jeff Raatz (R – Richmond), Chair, Education and Career Development, noted Medicaid funding and rate reimbursement is vital to rural Indiana and should be a priority. Likewise, Sen. Ed Charbonneau (R – Valparaiso), Chair, Health and Provider Services, cautioned against decreasing funding for local health departments. Moving forward, the Appropriations Committee will hear presentations from state agencies and institutions as it considers amendments to the House's proposed budget.

Keeping more money in veterans' wallets, the Senate Veterans Affairs and Military Committee passed as amended HB 1034, Income Tax Exemption for Military Pay—Rep. Randy Frye (R – Greensburg), Chair, Veterans Affairs and Public Safety,

sponsored by Sen. Scott Baldwin (R – Noblesville), Chair, Insurance and Financial Institutions. The bill exempts military pay for members of a reserve component of the armed forces of the United States or the National Guard from the individual income tax. Additionally, the bill exempts military pay earned by members of an active component of the armed forces of the United States from the individual income tax, and phases in an exemption starting in 2024, with 100% of wages exempt beginning in 2027.

**Health:** This week, the House Public Health Committee did not meet but the Senate Health and Provider Services Committee met on Wednesday to hear several key bills. First, HB 1017, Prescription Drug Donation Repositories—Rep. Steve Bartels (R – Eckerty), sponsored by Chairman Ed Charbonneau (R – Valparaiso), establishes the prescription drug donation repository program, which allows a person to donate prescription drugs and supplies to a central repository or local repository for use by an individual who is an eligible recipient. To qualify as an eligible recipient, a Hoosier must have an income 200% below the federal poverty level. Second, HB 1342, Direct Support Professionals—Rep. Julie Olthoff (R), sponsored by Sen. Stacey Donato (R – Logansport), requires the Division of Disability and Rehabilitative Services (DDRS) to establish and maintain a direct support professional registry and to make the registry available to authorized DDRS personnel and authorized service providers. Both bills were held in committee.

Regarding substance abuse and addiction, the Committee passed as amended HB 1462, Health Matters—Rep. Anne Vermilion (R – Marion), sponsored by Sen. Mike Crider (R – Greenfield), Chair, Homeland Security and Transportation. Among several provisions, the bill requires an emergency department to annually submit to the Indiana Department of Health (IDOH) a plan to initiate interventions with patients who have a substance use related emergency department visit. The bill sets forth the requirements of a substance use disorder treatment plan, including, among others, a detailed protocol to connect patients with substance use disorders to treatment, prevention, recovery, peer support services, and harm reduction services upon discharge. As amended, the bill clarifies that a substance use disorder plan does not create a standard of care for a physician or practitioner in the treatment of a patient.

**Education:** Multiple education bills which we have previously discussed were heard in committees this week. These bills include HB 1382, Robotics Program—Rep. Chuck Goodrich (R – Noblesville), sponsored by Sen. Linda Rogers (R – Granger), Chair, Pensions and Labor; HB 1449, 21<sup>st</sup> Century Scholars Program—Rep. Earl Harris Jr. (D – East Chicago), sponsored by Sen. Jeff Raatz (R – Richmond), Chair, Education and Career Development; HB 1528, Transition to Teaching—Rep. Dave Heine (R – Fort Wayne), sponsored by Sen. Jeff Raatz; HB 1591, Education Matters—Chair Bob Behning (R – Indianapolis), Education, sponsored by Sen. Linda Rogers (R – Granger); SB 167, FAFSA—Sen. Jean Leising (R – Oldenburg), Chair, Agriculture, sponsored by Rep. Bob Behning; and SB 342, Teacher Hiring—Sen. Aaron Freeman

(R – Indianapolis), Chair, Corrections and Criminal Law, sponsored by Rep. Bob Behning. Each of these bills were held in their respective committee.

**Local Government:** On Thursday, the Senate Local Government Committee heard several bills impacting local governments. First, HB 1040, Requirements for Elected Officials—Rep. Matt Lehman (R – Berne), sponsored by Sen. Eric Bassler (R – Washington), Chair, Ethics, intends to transform several aspects of local government. Notably, the bill requires the State Board of Accounts (SBOA) to annually call a conference for: (1) city and town controllers and clerk-treasurers, newly appointed city and town controllers, and city and town clerk-treasurers elect; and (2) township trustees and township trustees elect. Under the bill, elected officials must attend training every two years, and the SBOA shall keep attendance of elected officials and publish it on the SBOA website. Before taking office, newly elected officials must complete five hours of training and certify completion of training requirements to the SBOA.

Second, the Committee passed as amended HB 1293, Coroners—Rep. Heath VanNatter (R – Kokomo), Chair, Employment, Labor and Pensions, sponsored by Sen. Ryan Mishler (R – Mishawaka), Chair, Appropriations. Concerning county finances, the bill provides that if a person dies under certain circumstances in a county that is not the county where the incident occurred resulting in the death, the county coroner where the death occurred may not bill the county where the incident occurred for the costs of the autopsy, unless the coroners of both counties agree as to the necessity of an autopsy. This bill also removes a requirement that the county fix the compensation of a coroner who is a licensed physician at 1 ½ times the compensation of a coroner who is not.

Third, the Committee passed HB 1418, Annexation of Residential Developments—Rep. Ed Soliday (R – Valparaiso), Chair, Utilities, Energy and Telecommunications, sponsored by Sen. Ed Charbonneau (R – Valparaiso). This bill permits a third class city to annex an area that is a proposed residential development in which not all lots have been platted or dwellings have been constructed. The bill amends current law, expanding the area outside the city in which the annexation can occur from 3 miles to 4 ½ miles.

**Criminal Justice:** This week, bills regarding fentanyl and law enforcement investigations advanced out of committees. On Wednesday, the House Courts and Criminal Code Committee passed SB 379, Drug Schedules—Sen. Jack Sandlin (R – Indianapolis), sponsored by Rep. Greg Steuerwald (R – Avon). This bill adds specified substances to the list of controlled substances, and increases the penalty for dealing a drug that is a fentanyl containing substance. In the Senate, the Corrections and Criminal Law Committee passed HB 1186, Encroachment on an Investigation—Rep. Wendy McNamara (R – Evansville), Chair, Courts and Criminal Code, sponsored by Sen. Aaron Freeman (R – Indianapolis), Chair, Courts and Criminal Code. HB 1186 provides that a person commits a Class C misdemeanor if the individual knowingly

or intentionally approaches within 25 feet of a law enforcement officer after the law enforcement officer has ordered the person to stop.

**Utilities:** Committees in both Chambers passed important legislation impacting utilities. In the House, the Utilities, Energy, and Telecommunications Committee passed SB 114, Receivership for Past Due Utility Bills—Sen. Eric Koch (R – Bedford), Chair, Utilities, sponsored by Rep. Ed Soliday (R – Valparaiso). Under this bill, a court may appoint a receiver upon the request of a utility if the owner of a multifamily residential property with more than four units has incurred utility bills that are at least: (1) 90 days past due; or (2) 60 days past due if a payment plan has been entered into. On Thursday, the House ordered SB 114 to engrossment.

In the Senate, the Utilities Committee passed as amended HB 1007, Electric Utility Service—Rep. Ed Soliday (R – Valparaiso), Chair, Utilities, Energy and Telecommunications, sponsored by Sen. Eric Koch (R – Bedford). A priority bill for House Republicans, this bill intends to support an energy plan that ensures reliability and affordability. HB 1007 provides that it is Indiana’s continuing policy that decisions concerning the State’s electric generation resource mix, energy infrastructure, and electric service ratemaking constructs consider reliability, affordability, resiliency, stability, and environmental sustainability. Among other provisions, the bill requires the Indiana Utility Regulatory Commission (IURC) to take each of these considerations into account when reviewing, and preparing a final director's report, an integrated resource plan, a petition for the construction, purchase, or a lease of an electric generation facility.

### Session Floor Highlights

Few bills made their way to the House and Senate Floors. But the Senate adopted two noteworthy concurrent resolutions. On Wednesday, the Senate adopted SCR 24, Honoring Justice Steven H. David—Sen. Eric Koch (R – Bedford), sponsored by Rep. Greg Steuerwald (R – Avon). Justice David retired from the Indiana Supreme Court last year. On Thursday, the Senate adopted SCR 30, Congratulating INDOT and Partners on I-69 Finish Line Recognition—Senate Pro Tempore Rodric Bray (R – Martinsville), sponsored by Rep. Peggy Mayfield (R – Martinsville). The Senate recognized INDOT and its partners for their efforts in having a portion of Interstate 69 recognized as the top roadway project in the United States for 2022.

### Looking Ahead

The General Assembly’s next deadlines are in April. In the House, Senate bills must be read for the 2<sup>nd</sup> time by April 13<sup>th</sup> and for the 3<sup>rd</sup> time by April 17<sup>th</sup>. In the Senate, House bills must be read for the 2<sup>nd</sup> time by April 17<sup>th</sup> and for the 3<sup>rd</sup> time by April 18<sup>th</sup>. The General Assembly’s anticipated *sine die* adjournment date is Thursday, April 27<sup>th</sup>. By law, the legislature must adjourn *sine die* no later than Saturday, April 29<sup>th</sup>. You can view a full list of the deadlines here: [2023 Session Legislative Deadlines](#).

As a reminder, your weekly Bill Trackers have been updated and only include bills that have advanced from their originating chamber. Please use the live link sent in your weekly B&T Point email to keep up to date on your bills.

Thank you for allowing us to work with you during the 2023 legislative session. Please feel free to contact a member of our legislative team should you have questions, need full copies of bills or amendments, or have any questions on matters pending before the Indiana General Assembly.

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