



LEGISLATIVE UPDATE

123RD GENERAL ASSEMBLY

FRIDAY, JANUARY 19, 2024

Week Two Overview

While the State House was closed on Monday in honor of Martin Luther King Jr. Day, the General Assembly hit the ground running on Tuesday for a busy second week of the legislative session. The State House of Representatives and State Senate met in session on Tuesday and Thursday, and held several committee hearings throughout the short week.

Committee Points of Interest

A number of bills were heard in the House and Senate committees this week. Highlights of key legislation are included below.

Public Health: Legislators met this week to hear several bills aimed at improving health in Indiana. The House Public Health Committee started by passing, as amended, HB 1214, Dental Matters – Rep. Denny Zent (R – Angola). Indiana is currently 46th in the nation in dental health providers. HB 1214 would create a compact that would allow dental and dental hygienist licenses to be recognized in all participating states of the compact, further increasing the availability of professionals in Indiana. The bill passed in committee, 11-0.

In the Senate, Sen. Ed Charbonneau (R – Valparaiso), Chair of Health and Provider Services, introduced a bill on child care in Senate Health and Provider Services. SB 2, Child Care, views the current childcare shortage as an infrastructural issue. The amended bill would allow a 16 year old to be an employee of a childcare center, as long as they are supervised by an employee of 18 years or older. This bill would require the collaboration of several state agencies to be implemented. It was passed as amended (11-0), with recommit to appropriation. The Senate Health and Provider Services committee also heard SB 139, Psilocybin Treatment Program – Sen. Charbonneau, which seeks to help those suffering with mental health issues. Several individuals testified that psilocybin has been a breakthrough therapy for those who have been resistant to other treatment. The bill will not legalize psilocybin, but will establish the

therapeutic psilocybin research fund to provide financial assistance to research institutions in Indiana to study the use of psilocybin to treat mental health and other medical conditions. SB 139 passed committee (11-0) with recommitment to Senate Appropriations.

Education: Lawmakers in the House Education Committee gathered to hear bills that work to improve and reshape education. HB 1243, Various Education and Workforce Related Matters, was introduced by the Chair of the Education Committee – Rep. Bob Behning (R – Indianapolis). Secretary of Education Katie Jenner spoke to the several components of the bill. HB 1243 includes a new diploma that would roll out in December of 2024. Alternative diplomas for special education students will also be utilized. State standards will be maintained across many points in current curriculum. In addition, Indiana teacher compensation is addressed to ensure that the state remains a competitive marketplace. Several individuals testified that the addition of computer science coursework from the bill will be positive for Indiana’s workforce development. Ultimately, the Chairman felt that the flexibility of current curriculum must be discussed further, as it can be difficult to add new courses. The bill was held in committee. To continue the great success that Indiana has seen in emerging robotics competition programs over the years, HB 1233, Robotics Competition Program – Rep. Chuck Goodrich (R – Noblesville), was also introduced in committee. Robotic programs have allowed students to learn highly relevant STEM skills over the years. Through the bill, community organizations would have the ability to apply for additional grant funding. HB 1233 passed in committee (13-0). The safety of students and staff in schools was also addressed in the House Education Committee this week through HB 1104, School Safety – Rep. Michelle Davis (R – Whiteland). With HB 1104, school resource officers would have the option to participate in the 1977 pension aimed at retaining high quality officers. A provision of the bill includes violence prevention and trainings to school’s current safety plans. Many individuals testified that we must consider the sensitivity of students and limit any exposure that might be traumatic. The bill passed committee (11-0).

SB 1, Reading Skills – Sen. Linda Rogers (R – Granger), makes majors changes to improve early identification and remediation for students struggling to read. The bill, among other things, requires certain schools to offer summer school courses for students who are not reading proficient or are at risk of not being reading proficient. The key to the bill is starting early for Indiana, as early as kindergarten. Governor Holcomb mentioned in the State of the State Address that improving young student’s reading capabilities will be a state priority over the next several years. This bill passed committee (9-4). SB 6, Reading Proficiency – Sen. Jeff Raatz (R – Richmond), Chair of Senate Education and Career Development, is the sister bill to SB 1. While SB 1 focused on student reading before and in the third grade, SB 6 focuses on grades 4 through 8. SB 6 requires the Department of Education to develop a method to identify students in grade 4 through grade 8 who: (1) did not pass the determinant evaluation of reading skills approved by the state board of education; and (2) are at risk of not being proficient in reading as determined by the statewide summative assessment. The bill was held in

the Senate Education Committee for further discussion. SB 154, Transportation Funding – Sen. Scott Alexander (R – Muncie) addresses funding transportation for apprenticeships and work-based learning programs. Indiana has been pushing an initiative to provide high school students with work-based learning opportunities to better prepare them for the workforce. SB 154 pushes that initiative further by assisting with transportation. Several students had cited transportation issues as hindering their ability to participate in these apprentice and work-based programs. School funds will be expanded to cover this. The bill passed in committee (11-2).

The House Ways and Means Committee met on Wednesday, and heard two bills that were passed in the House Education Committee last week. HB 1001, Education and Higher Education Matters – Rep. Chuck Goodrich (R – Noblesville) proposes that an annual grant amount awarded under the career scholarship account program may be used for costs related to obtaining a driver’s license following certain conditions. HB 1001 passed the House Ways and Means Committee as amended, (15-6). HB 1042, Transition to Teaching Scholarships – Rep. Dave Heine (R – New Haven) proposes that any balance remaining in the Next Generation Hoosier Educators Scholarship Fund in a fiscal year may be used to fund additional transition to teaching scholarships. HB 1042 passed unanimously in the House Ways and Means Committee, and moved to the House Floor for a second reading on Thursday.

Budget and Fiscal Policy: The House Committee on Government & Regulatory Reform met on Tuesday to hear HB 1165, Regulatory Sandbox Program and Right to Start Act – Rep. Jake Teshka (R – South Bend). This bill combines two bills that were introduced last year, and proposes establishing a regulatory sandbox program. The sandbox program will, as proposed, spur creation of new businesses in the state, as well as help to close the gap between government and business. Several organizations with economic and business interests, such as the Indiana Economic Development Corporation and the Office of the Indiana Secretary of State, testified in support of the bill. HB 1165 was held in committee.

The Senate Tax and Fiscal Policy Committee met on Tuesday to hold a vote on SB 20, Municipal Riverfront Development District Permits – Sen. Travis Holdman (R – Ossian), Chair of Tax and Fiscal Policy. SB 20, which specifies that the alcohol and tobacco commission may issue restaurant permits for a municipal riverfront development district established by a town, passed unanimously. To further the economic development initiative, the Senate Tax and Fiscal Policy also heard SB 61. SB 61, Tourism Improvement Districts – Sen. Holdman, proposes the creation of tourism improvement districts in order to receive a homestead standard deduction and allow communities to create additional revenue to fund projects in these tourist areas. After testimony, the bill was held to be discussed in a future hearing. SB 98 Dependent Child Exemptions – Sen. Andy Zay (R – Huntington) was also heard in Senate Tax and Fiscal Policy. Chairman Holdman noted this bill would not move this session. SB 98 would have provided that a fetus is considered a dependent child for purposes of the dependent

child state adjusted gross income exemptions.

The Senate Appropriations Committee met Thursday afternoon for several hours to discuss several bills. SB 4, Fiscal and Administrative Matters – Sen. Chris Garten (R – Henryville), Majority Floor Leader, is the result of the Government Reform Task Force. The bill aims to create a continuous review of state government funds, and streamline the ability of state agencies to cut or eliminate fees. SB 4 passed committee, as amended, 13-0. SB 52 Prohibition on Use of Dedicated Lanes – Sen. Aaron Freeman (R – Indianapolis) heard over an hour of testimony in Senate Appropriations. SB 52 proposes prohibiting a public transportation project from including one or more dedicated lanes for the exclusive use of public transportation vehicles. Amendment #5, which was adopted, implements this policy statewide, as opposed to just Indianapolis. Organizations such as IndyGO, Visit Indy, and community members testified in opposition to the bill, citing a dependence on dedicated lanes, and the fact that hundreds of millions of dollars have already been invested in dedicated lanes and specific bus lines, such as the Blue Line. .

Criminal Justice: On Tuesday, the Senate Committee of Corrections and Criminal Law met to discuss multiple bills. This included SB 182, Regulation of Drones Near Correctional Facilities – Sen. Eric Koch (R – Bedford) and SB 14, Right of State Officer or Employee to Carry a Handgun in the Capitol – Sen. Jim Tomes (R – Wadesville). SB 182 would amend two sections of the Indiana criminal code related to the delivery of contraband via drone and the act of interfering with a correctional officer. Currently, neither the Federal Aviation Administration nor state statute prohibits drones from flying over state correctional facilities. During the hearing, testimony was provided on behalf of the department of Corrections, noting several occurrences where items such as cellphones, tobacco, drugs, and other substances have been dropped inside correctional facilities via drones, posing a large security threat. SB 182 passed the committee unanimously (8-0).

SB 14 defines a "state officer or employee" as an individual who holds the elected office of attorney general, secretary of state, state comptroller, or treasurer of state, or who is a full time employee of the office. The bill would allow an individual meeting this criteria to carry a handgun within the state capitol building and on the surrounding capitol complex. Originally, SB 14 only extended the right to carry in the capitol to state officers themselves. However, Amendment #1, introduced by Sen. Aaron Freeman, Chair of Corrections and Criminal Law (R – Indianapolis), was adopted to extend the right to employees of state officers. This bill is supported by current office holders of the attorney general, secretary of state, state comptroller, and treasurer of state; however, should a future state officer oppose the policy, SB 14 would supersede and allow the employee to carry within the state capitol. State Treasurer Daniel Elliott testified in support of the bill, pointing out that state officers do not have the same rights as members of the General Assembly. The bill passed committee (5-2).

Local Government: The House Committee on Government and Regulatory Reform heard HB 1338, Security of Property and Meeting Decorum – Sen. J.D. Prescott (R – Union City), on Tuesday. As amended, this bill seeks to clarify restricted access in government buildings and ensure safety of those involved in the governing process. Local governing bodies and entities will be able to set and maintain certain rules of decorum, as outlined in the bill. Several testified in support of HB 1338, citing disruptive “YouTube agitators” who stalk and harass government officials for views. HB 1338 passed committee, as amended, 11-0.

The Senate Local Government Committee met on Thursday to hear two bills proposed by Sen. James Buck (R – Kokomo), Chair of Senate Local Government. The first was SB 155, Compensation for Business Losses, which proposes that a business may be compensated for business losses resulting from a condemnation of property. Several organizations gave testimony opposing the bill, citing increased cost for utility ratepayers and elongated processes for infrastructure development. SB 155 passed committee, 8-2, and has been recommitted to Senate Tax and Fiscal Policy. The second bill heard was SB 156, Dissolution or Name Change of a Town. As proposed, the bill establishes a procedure for either the town citizenry or the county commissioners to dissolve a town or change its name. A southern Indiana town attempted to dissolve a few years ago and ran into difficulty, prompting this bill. Indiana Cities and Towns testified in support of the bill. SB 156 passed committee, 9-0. SB 159 Annexation and SB 157 Landlocked Property were also slated to be heard, but were tabled due to lack of time.

Judiciary: On Thursday, the Senate Judiciary Committee heard SB 234, Disaster Emergency – Sen. Garten (R – Henryville). The bill provides that a state of disaster emergency that is declared by the governor would expire after 30 days. Sen. Garten proposed Amendment #1 to this bill, which added a provision preventing the governor from declaring another state of disaster emergency for the same incident after 30 days has expired. Upon the end of 30 days, the governor would have to end the state of disaster emergency or would have the option of calling a Special Session in which the legislature could extend the emergency. Amendment #1 passed (7-3). As noted in committee, the legislation primarily stems out of executive actions in Indiana during the COVID-19 pandemic. Sen. Garten stated that “if a disaster goes longer than a 30 day period, we should want our constituents to have the ability to speak to that,” and this would be done in expanding the power of the legislature. SB 234 passed committee as amended (8-3).

Elections and Voter Registration: The House Elections and Apportionment Committee met for the second time on Wednesday. HB 1133, Use of Digitally Altered Media in Elections – Rep. Julie Olthoff (R – Crown Point) seeks to define “fabricated media” and allow for candidates who have been digitally altered without their consent or a disclaimer to sue the creator. The bill passed committee unanimously, 13-0. HB 1376, Election Day for School Referenda – Rep. Bob Behning (R – Indianapolis), would propose that school referendum matters be placed on the ballot only during general election

years. While several had testified against the bill, HB 1376 passed committee, 8-5. HB 1264, Election Security – Rep. Timothy Wesco (R- Osceloa), Chair for House Elections and Apportionment would aim to enhance election security by ensuring proper residency verification and addressing various issues with non-citizens being registered to vote. Strong testimony emerged both in support for and opposition against HB 1264. Two County Clerks emphasized the need for increased election security, citing personal stories of voter fraud. However, several parties voiced their concern for vulnerable voter populations, such as immigrants and students, and how this proposed bill would affect their voter status. HB 1264 passed committee as amended (8-4).

Public Policy: The Senate Committee on Public Policy heard SB 58, Restaurant Carryout Sales – Sen. Holdman (R – Ossian), which would exempt a specialty market from a the retail requirement to sell alcoholic beverages for carryout. Under current law, 60% of gross retail income from alcoholic beverage sales must be derived from sales of alcoholic beverages intended for consumption on the premises where the sale is made. Passage of SB 58 would remove this 60% requirement. Amendment #4 was added to the bill that narrowed the scope of eligibility for this exemption by defining a “specialty market” and stating that the business must already have and existing alcohol retailers permit to qualify. The bill passed committee unanimously (8-0).

With growing improvements in technology with artificial intelligence, Indiana has been seeking for ways to stay ahead of the curve. The Senate Committee on Commerce and Technology heard SB 150, Artificial Intelligence and Technology – Sen. Liz Brown (R – Fort Wayne), on Thursday to do just that. The bill would, among other things, create an artificial intelligence (AI) task force that would study the use of AI by state agencies. SB 150 passed committee (9-1), and has been assigned to the committee on Rules and Legislative Procedure.

Session Floor Highlights

Bills are passing through their assigned committees and are moving on to second and third readings in each chamber. On Tuesday, HB 1025, Mixed Beverages – Rep. Manning (R – Logansport), passed in the House (74-20). On Thursday, HB 1002 – Rep. Jeter (R – Fortville) passed in the House (81-0), and HB 1047, Sexual Offenses – Rep. Negele, Deputy Speaker Pro Tempore (R – Attica) passed the House (82-0). These passed House bills have been referred to the Senate.

Three bills were voted on in the Senate on Thursday. SB 16, Guardians ad litem in Adoption Pilot Program – Sen. Bohacek (R – Michigan City) passed (45-0). SB 17, Age Verification for Material Harmful to Minors – Sen. Bohacek passed (44-1). SB 30, School Bus Stop Arm Violation Enforcement – Niemeyer (R – Lowell) passed (33-12). The passed Senate bills have been referred to the House.

 **Looking Ahead**

Next week, the House will convene at 1:30 pm on Monday, Tuesday, and Thursday. The Senate will also convene at 1:30 pm on Monday and Tuesday and will convene at 11:00 am on Thursday. Several committees have already been scheduled for next week as well. You can review your Bill Tracker for pertinent bills that have been scheduled.

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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