

**Bill Track - Bill History Report
Cabinet List**

Run Time: Monday, Jan-30-2012, 08:28 AM

Health care professionals conscience clause. ([Davisson](#))

Digest

Provides that a health care professional may not be required to dispense a drug or medical device if the health care professional believes the drug or medical device would be used to: (1) cause an abortion; (2) destroy an unborn child; or (3) cause the death of a person by means of assisted suicide, euthanasia, or mercy killing. Specifies that a health care professional's refusal to dispense a drug or medical device under those circumstances may not be the basis for: (1) a claim for damages against the health care professional, the health care professional's employer, or the facility where the health care professional is employed; or (2) disciplinary action against the health care professional. Provides that an employer who knowingly or intentionally takes disciplinary, recriminatory, or discriminatory action against a health care professional who refuses to dispense a drug or medical device under those circumstances commits health care professional discrimination, a Class A misdemeanor. Makes a second or subsequent offense a Class D felony. Authorizes the health care professional's licensing board to assess additional fines against the employer.

[HB1014](#)

Date Action

01/09/2012 **H: Author** Added [Steve Davisson](#)

01/09/2012 **H: 1st Reading** Assigned [Public Policy](#)

Resident tuition. ([Kubacki](#))

Digest

Provides that Indiana veterans are eligible for the resident tuition rate for undergraduate courses upon enrolling at a state educational institution not later than 12 months after their separation from the United States armed forces. Provides that Indiana veterans who enroll later than 12 months after the separation date are subject to the tuition policies determined by the state educational institution. Provides that Indiana veterans who enroll in graduate programs are subject to the tuition policies determined by the state educational institution.

[HB1025](#)

Date Action

01/09/2012 **H: Author** Added [Rebecca Kubacki](#)

01/09/2012 **H: 1st Reading** Assigned [Education](#)

Public access issues. ([Mahan](#), [Gard](#), [Holdman](#))

Digest

Requires a public agency to: (1) allow inspection or copying; or (2) make copies; of a public record within a reasonable time after the request is received by the agency.

[HB1093](#)

Provides that a court may impose a civil penalty against: (1) an officer of a public agency or an individual employed in a management level position with a public agency; or (2) the public agency; for violating the open door law with specific intent to violate the law if the plaintiff obtained an advisory opinion from the public access counselor before filing an action. Provides that a court may impose a civil penalty against an officer, management level employee, or the public agency for violating the public

records law if the officer, management level employee, or agency: (1) continues to deny a request for a public record after the public access counselor has issued an advisory opinion that instructs the agency to allow access to the public record; and (2) denies the request with the specific intent to unlawfully withhold a public record that is subject to disclosure. Provides that an individual or agency could be subject to a civil penalty if the individual intentionally charges a copying fee that the individual knows exceeds the amount set by statute, fee schedule, ordinance, or court order. Provides that a court may not impose a civil penalty unless the public access counselor has issued an advisory opinion that instructs the public agency to allow access to the public record before the lawsuit is filed. Provides that it is a defense to the imposition of a civil penalty under this section for a violation of the open door law or public records law if the individual acted in reliance on an opinion of the public agency's legal counsel or an opinion of the attorney general. Provides that a court may impose a civil penalty of: (1) not more than \$100 for the first violation; and (2) not more than \$500 for any additional violations. Provides that a court may: (1) impose only one civil penalty against an individual in an action even if the court finds that the individual committed multiple violations; and (2) impose another civil penalty against the individual in a separate action. Provides that if an officer of a state or local government agency orders a management level employee to: (1) not give proper notice of a public meeting or executive session; or (2) deny or interfere with a person's request to inspect or copy a public document; the employee is not subject to a civil penalty for violating the statute. Provides that if a local government agency has the capacity to send electronic mail, the agency shall provide notice to anyone (other than news media) that makes an annual request for notice by: (1) transmitting the notice by electronic mail; or (2) posting the notice on the agency's Internet web site (if the agency has an Internet web site). Provides that a court may not declare a governmental action void for failure to give notice by electronic mail or posting on the local government agency's web site if the agency made a good faith effort to comply with the statute. Provides that a public agency may withhold personal information from public disclosure regarding an individual less than 18 years of age who participates in an activity conducted or supervised by a state educational institution, including personal information regarding the individual's parent or guardian. Requires (rather than allows) a court to review public records in camera to determine whether redaction of the records violates the public records act. Creates an education fund for a program administered by the public access counselor to train public officials and educate the public on the rights of the public and the responsibilities of public agencies under the public access laws. Provides that a public agency has discretion as to whether to disclose a public record requested by an offender containing personal information relating to a judge, law enforcement officer, or family member of a judge or law enforcement officer.

Date	Action
01/09/2012	H: Author Added Kevin Mahan
01/09/2012	H: Co Author Added Kathy Kreag Richardson
01/09/2012	H: 1st Reading Assigned Government and Regulatory Reform
01/10/2012	H: Committee Sched 10:00am Room 156A Government and Regulatory Reform

01/17/2012 **H: Committee Sched** 10:30am Room 156A [Government and Regulatory Reform](#)

01/17/2012 **H: Co Author** Added [Ed Clere](#)

01/17/2012 **H: Committee Action** [Pass Amend\(11-0\) Government and Regulatory Reform](#)

01/23/2012 **H: Committee Report** amend do pass, adopted

01/27/2012 **H: 3rd Reading** [Pass \(90-4\)](#)

01/27/2012 **H: Referred** Referred to the Senate

01/27/2012 **H: Sponsor** Added [Travis Holdman](#)

01/27/2012 **H: Sponsor** Added [Beverly J. Gard](#)

State money to entities performing abortions. ([L. Lawson](#))

Digest

Repeals a statute prohibiting state grants to or contracts with any entity that performs abortions or maintains or operates a facility where abortions are performed.

[HB1109](#)

Date	Action
01/09/2012	H: Author Added Linda Lawson
01/09/2012	H: 1st Reading Assigned Public Policy

Military education and training. ([Borders](#), [Waterman](#), [Tomes](#))

Digest

Requires a state educational institution to adopt a policy to award educational credit to an individual who is enrolled in a state educational institution and successfully completes courses that: (1) are part of the individual's military service; (2) meet the standards of the American Council on Education for awarding academic credit; and (3) meet the state educational institution's role, scope, and mission. Requires that the commission for higher education must adopt rules that establish uniform guidelines for state educational institutions to follow when implementing the requirements. Provides that an occupational or professional licensure board shall issue a license, certificate, registration, or permit to a military service applicant or military spouse who meets certain requirements. Allows a board to issue a temporary practice permit or provisional license while the military service applicant or military spouse is satisfying certain requirements as determined by the board.

[HB1116](#)

Date	Action
01/09/2012	H: Author Added Bruce Borders
01/09/2012	H: 1st Reading Assigned Education
01/20/2012	H: Committee Sched 8:30am Room House Chambers Education
01/20/2012	H: Committee Action Pass(10-0) Education
01/23/2012	H: Committee Report do pass, adopted
01/27/2012	H: Co Author Added Eric Koch
01/27/2012	H: 3rd Reading Pass (90-0)

01/27/2012 **H: Referred** Referred to the Senate
 01/27/2012 **H: Sponsor** Added [John M. Waterman](#)
 01/27/2012 **H: Sponsor** Added [Jim Tomes](#)

University tuition and fees. ([Espich](#))

Digest

Provides that the commission for higher education shall establish the maximum amount by which tuition and mandatory fees may increase for each state educational institution. Provides that the budget committee may review the amounts established by the commission for higher education. Requires a state educational institution to submit a report to the commission for higher education concerning the financial and budgetary factors considered by the board of trustees of the state educational institution in determining the amount of the increase. (Current law provides that the state educational institution must submit a report concerning the financial and budgetary factors considered to the budget committee.) Provides that tuition and mandatory fee rate increases approved by a state educational institution for the state fiscal year beginning July 1, 2012, and ending June 30, 2013, are void and may not go into effect. Provides that the commission for higher education shall establish the amount by which a state educational institution may increase its tuition and mandatory fees for the state fiscal year beginning July 1, 2012, and ending June 30, 2013. Makes a technical correction.

[HB1118](#)

Date	Action	
01/09/2012	H: Author	Added Jeffrey K. Espich
01/09/2012	H: 1st Reading	Assigned Ways and Means

Use tax nexus and collection. ([Espich](#))

Digest

Provides that for purposes of the Indiana sales and use tax law, a "retail merchant engaged in business in Indiana" includes any retail merchant who: (1) makes retail transactions in which a person acquires personal property or taxable services for use, storage, or consumption in Indiana; and (2) enters into an arrangement with any person, other than a common carrier, to facilitate the retail merchant's delivery of property to customers in Indiana by allowing customers to pick up property sold by the retail merchant at a place of business maintained by the person in Indiana. Specifies that a retail merchant may be required to collect and remit sales or use taxes if the retail merchant conducts activities in Indiana on behalf of the retail merchant that are significantly associated with the retail merchant's ability to establish and maintain a market in Indiana. Provides that a retail merchant is presumed to be engaged in business in Indiana if an affiliate of the retail merchant has substantial nexus in Indiana and certain additional conditions are satisfied. Provides that a retail merchant is presumed to be engaged in business in Indiana if the retail merchant enters into an agreement with one or more residents of Indiana under which the resident directly or indirectly refers potential customers to the retail merchant, if the cumulative gross receipts from the sales by the retail merchant to customers in Indiana who are referred to the retail merchant by all residents is greater than \$10,000 during the preceding 12 months. Specifies that the presumptions may be rebutted. Provides that the use tax nexus provisions are effective on the earlier of January 1, 2014, or the third month after

[HB1119](#)

the budget agency certifies that a requirement for sellers to collect use tax on remote sales has been enacted into law by the United States Congress. Requires the department of state revenue to include a use tax liability lookup table for a typical person to cover items with a purchase price of not more than \$1,000. Permits a person to use the lookup table for these purchases if the table reasonably represents the amount of these purchases made by the person. Requires the department to provide a section on the income tax return for a taxpayer to affirm the amount of use tax owed.

Date Action

01/09/2012 **H: Author** Added [Jeffrey K. Espich](#)
 01/09/2012 **H: 1st Reading** Assigned [Ways and Means](#)
 01/11/2012 **H: Committee Sched** 9:30am Room 404 [Ways and Means](#)

Smoking ban. ([Turner](#))

Digest

Prohibits smoking: (1) in public places; (2) in enclosed areas of a place of employment; (3) in certain state vehicles; and (4) within 12 feet of a public entrance to a public place or an enclosed area of a place of employment. Allows smoking in: (1) certain gaming facilities; (2) cigar and hookah bars; (3) fraternal, social, and veterans clubs; and (4) tobacco stores; if certain requirements are met. Requires certain signs to be posted. Requires the alcohol and tobacco commission to enforce this prohibition. Allows certain governmental agencies to enforce the prohibitions. Makes it a Class B infraction to violate the smoking prohibition and a Class A infraction if the person has been adjudged to have committed three prior unrelated infractions for violations. Prohibits firing or refusing to hire a person for reporting a violation or exercising any right or performing any obligation under the smoking prohibitions. Removes the authority of a superintendent of a state institution to regulate smoking. Provides authority of a physician to prescribe smoking cessation devices to residents of state institutions. (Current law allows prescribing nicotine patches.) Moves the prohibition against smoking on a school bus during the school week to Title 7.1. Repeals the current clean indoor air law. Makes a technical correction.

[HB1149](#)

Date	Action	
01/09/2012	H: Committee Sched	10:30am Room House Chambers Public Health
01/09/2012	H: Author	Added P. Eric Turner
01/09/2012	H: Co Author	Added Charlie Brown
01/09/2012	H: Co Author	Added Peggy Welch
01/09/2012	H: 1st Reading	Assigned Public Health
01/11/2012	H: Committee Sched	3:30pm Room House Chambers Public Health
01/11/2012	H: Committee Action	Pass Amend(9-3) Public Health
01/12/2012	H: Committee Report	amend do pass, adopted
01/23/2012	H: Co Author	Added Tim Brown
01/23/2012	H: Co Author	Added Tim Brown
01/23/2012	H: Co Author	Added Shelli VanDenburgh

01/23/2012	H: Co Author	Added Mike Karickhoff
01/23/2012	H: Co Author	Added Linda Lawson
01/23/2012	H: Co Author	Added Nancy Dembowski
01/23/2012	H: Co Author	Added Phil GiaQuinta
01/23/2012	H: Co Author	Added William A. Crawford
01/23/2012	H: Co Author	Added Vernon G. Smith
01/23/2012	H: Co Author	Added Milo Smith
01/23/2012	H: Co Author	Added Mary Ann Sullivan
01/23/2012	H: Co Author	Added Vanessa Summers
01/23/2012	H: Co Author	Added Mara Candelaria Reardon
01/23/2012	H: Co Author	Added Charles Moseley
01/23/2012	H: Co Author	Added Gail C Riecken
01/23/2012	H: Co Author	Added Ed Delaney
01/23/2012	H: Co Author	Added Woody Burton
01/23/2012	H: Co Author	Added Robert Cherry
01/23/2012	H: Co Author	Added Terri Jo Austin
01/23/2012	H: Co Author	Added Matt Pierce
01/23/2012	H: Co Author	Added Suzanne Crouch
01/23/2012	H: Co Author	Added B. Patrick Bauer
01/23/2012	H: Co Author	Added Chester F. Dobis
01/23/2012	H: Co Author	Added Ralph M. Foley
01/23/2012	H: Co Author	Added Winfield C. Moses, Jr.
01/23/2012	H: Co Author	Added Scott Reske
01/23/2012	H: Co Author	Added Phillip Pflum
01/23/2012	H: Co Author	Added Ed Clere
01/23/2012	H: Co Author	Added Cherish Pryor
01/23/2012	H: Co Author	Added Kevin Mahan
01/23/2012	H: Co Author	Added Craig R. Fry
01/23/2012	H: Co Author	Added John Day
01/27/2012	H: 2nd Reading	Amended Order Engrossed
01/27/2012	H: Amendment	#10 (Turner), prevailed; voice vote
01/27/2012	H: Amendment	#5 (Turner), prevailed; voice vote
01/27/2012	H: Amendment	#14 (Turner), prevailed; voice vote
01/27/2012	H: Amendment	#2 (VanNatter), prevailed; voice vote

Tax credit for tuition expenses. ([Battles](#))

[HB1157](#) Digest

Provides a tax credit against state tax liability to an employer that incurs tuition

expenses for a course taken by an employee at a state educational institution if the employee achieves a final grade point of at least 2.0 (or its equivalent) for the course.

Date Action

01/09/2012 **H: Author** Added [Kreg Battles](#)

01/09/2012 **H: 1st Reading** Assigned [Ways and Means](#)

Consideration of minorities for coaching positions. ([Crawford](#))

Digest

Requires a state educational institution, when hiring an individual to fill the position of head coach of an intercollegiate athletic team or athletic director, to interview minority candidates for the position.

[HB1167](#)

Date	Action
01/09/2012	H: Author Added William A. Crawford
01/09/2012	H: 1st Reading Assigned Education

Contracting with persons that invest in Iran. ([Reardon](#))

Digest

Provides that agencies of state government, state educational institutions, and political subdivisions may not enter into contracts with persons that engage in investment activities in Iran. Provides that a financial institution may not be designated as a public depository if the financial institution engages in investment activities in Iran. Requires the department of administration, using credible information available to the public, to establish a list of persons who engage in investment activities in Iran. Provides for the inclusion of persons on the list and the removal of persons from the list.

[HB1181](#)

Date Action

01/09/2012 **H: Author** Added [Mara Candelaria Reardon](#)

01/09/2012 **H: 1st Reading** Assigned [Public Policy](#)

01/25/2012 **H: Committee Sched** 8:30am Room 156B [Public Policy](#)

01/27/2012 **H: Co Author** Added [P. Eric Turner](#)

Indiana University and Ball State boards. ([Foley](#), [Bray](#), [Simpson](#))

Digest

Adds definition of a research intensive campus. Removes the requirement that all of the members of the board of trustees of Ball State University must be residents of Indiana. Modifies the manner in which alumni members of the Indiana University board of trustees are elected. Allows the board of trustees of Indiana University to hold meetings at the dates, times, and places the board of trustees agrees upon. Repeals a provision concerning emergency appointments to the board of trustees of Indiana University.

[HB1200](#)

Date	Action
01/09/2012	H: Author Added Ralph M. Foley
01/09/2012	H: Co Author Added Eric Koch
01/09/2012	H: 1st Reading Assigned Education
01/13/2012	H: Committee Sched 8:30am Room 156C Education
01/13/2012	H: Committee Action Pass Amend(11-0) Education

01/17/2012	H: Co Author	Added Robert W. Behning
01/17/2012	H: Committee Report	amend do pass, adopted
01/26/2012	H: 3rd Reading	Pass (94-3)
01/26/2012	H: Referred	Referred to the Senate
01/26/2012	H: Sponsor	Added Vi Simpson
01/26/2012	H: Sponsor	Added Richard D. Bray

State provision and use of communications service. ([Dermody](#), [Merritt](#), [Holdman](#), [Randolph](#))

Digest

Provides that after March 31, 2012, the I-Light communications network may be used not to offer or provide, directly or indirectly, communications service to the public or to any private or governmental entity. Provides exceptions to this prohibition to allow for the following: (1) The provision of communications service for 911 services or emergency or law enforcement purposes. (2) The provision of communications service to institutions of higher education for the direct benefit of students, faculty, and staff. Provides that after March 31, 2012, a person that is not: (1) a state educational institution; or (2) a private postsecondary educational institution; may not become a member of the I-Light network or otherwise connect to or use the I-Light network or any services made available through I-Light.

[HB1201](#)

Date	Action
01/09/2012	H: Author Added Tom Dermody
01/09/2012	H: 1st Reading Assigned Utilities and Energy
01/19/2012	H: Committee Sched 1:00pm Room 156C Utilities and Energy
01/19/2012	H: Committee Action Pass Amend(7-3) Utilities and Energy
01/23/2012	H: Committee Report amend do pass, adopted
01/27/2012	H: 3rd Reading Pass (71-20)
01/27/2012	H: Referred Referred to the Senate
01/27/2012	H: Sponsor Added Lonnie Randolph
01/27/2012	H: Sponsor Added James W. Merritt, Jr.
01/27/2012	H: Sponsor Added Travis Holdman

Commission for higher education. ([Rhoads](#))

Digest

Allows the commission for higher education to approve or disapprove existing or new associate, baccalaureate, or graduate degrees, or programs leading to a certificate or other indication of accomplishment. Requires each state educational institution to review its undergraduate degree programs to determine the number of credit hours required for the degree and to report the results of the review to the commission, including a justification for any associate degree program of more than 60 hours or baccalaureate degree program of more than 120 hours.

[HB1220](#)

Date	Action

01/09/2012	H: Author	Added Rhonda Rhoads
01/09/2012	H: Co Author	Added Robert W. Behning
01/09/2012	H: 1st Reading	Assigned Education
01/11/2012	H: Committee Sched	8:30am Room 156C Education
01/11/2012	H: Committee Report	do pass, adopted
01/11/2012	H: Committee Action	Pass(12-0) Education
01/13/2012	H: Co Author	Added Cindy Noe
01/13/2012	H: 2nd Reading	Order Engrossed
01/17/2012	H: 3rd Reading	Call withdrawn

Combat to College Program. ([Reske](#))

Digest

Requires state educational institutions to establish a combat to college program (program). Requires a state educational institution to: (1) provide a centralized location for admissions, registration, and financial administration services for veteran students; (2) provide reasonable accommodations for disabled veteran students at a state educational institution's fitness facility; (3) develop programs to provide academic guidance specifically to veteran students; (4) develop programs to provide access to counseling services or resources to veteran students who are disabled or suffering from post traumatic stress disorder; and (5) develop job search programs designed for veteran students. Provides that each state educational institution shall designate a program coordinator. Requires a state educational institution to establish a hiring preference policy for veteran students. Requires a state educational institution to provide postsecondary credit for military training if the American Council of Education recommends that postsecondary credit should be provided for the military training.

[HB1230](#)

Date Action

01/09/2012 **H: Author** Added [Scott Reske](#)

01/09/2012 **H: 1st Reading** Assigned [Education](#)

Immunity for certain alcohol offenses. ([Klinker](#))

Digest

Prohibits a law enforcement officer from taking a person into custody for certain crimes involving alcoholic beverages if the officer, after considering the facts and surrounding circumstances and making a reasonable determination, reasonably believes that: (1) the officer has contact with the person because the person requested emergency medical assistance, or acted in concert with another person who requested emergency medical assistance, for an individual who reasonably appeared in need of medical assistance due to alcohol consumption; and (2) the person meets other requirements. Provides that a person meeting these conditions is immune from criminal prosecution for certain offenses involving alcoholic beverages arising from the incident. Requires a prosecuting attorney to withhold prosecution for certain crimes involving alcoholic beverages against a person who: (1) received medical assistance due to alcohol consumption in response to a request for medical assistance by another person; and (2) agrees to a pretrial diversion program in which the person, not later than 90 days after

[HB1245](#)

the initial hearing, completes an alcohol education program and 20 hours of community service. Establishes requirements concerning the pretrial diversion program. Makes technical corrections.

Date	Action	
01/09/2012	H: Author	Added Sheila Klinker
01/09/2012	H: 1st Reading	Assigned Courts and Criminal Code

State government nepotism. ([Mahan](#))

Digest

Provides that an individual may not be employed in the same state agency in which the individual's relative is employed or serving as an elected officer or a special state appointee. Provides that it is not a violation for a person to be employed or serve as an elected officer or special state appointee in the same agency in which the individual's relative is an employee, elected officer, or special state appointee if: (1) the individual's relative has been employed in the agency for at least 12 consecutive months immediately preceding the date the individual is employed in the agency; and (2) the related employees are not in a direct supervisory relationship. Prohibits an employee, elected officer, or special state appointee from being placed in a direct supervisory relationship with a relative or business entity of which the relative is a partner, executive officer, or sole proprietor. Provides that a person within an agency who violates the nepotism statute may be subject to the penalties enforced by the state ethics commission. Repeals provisions concerning employment of relatives in state agencies.

[HB1250](#)

Date	Action	
01/09/2012	H: Author	Added Kevin Mahan
01/09/2012	H: Co Author	Added Brian Bosma
01/09/2012	H: 1st Reading	Assigned Government and Regulatory Reform
01/24/2012	H: Committee Sched	10:30am Room 156A Government and Regulatory Reform
01/24/2012	H: Committee Action	Pass Amend(11-0) Government and Regulatory Reform
01/25/2012	H: Committee Report	amend do pass, adopted

Textbook sales tax holiday. ([Klinker](#))

Digest

Provides a sales tax exemption for school instructional materials that are purchased during the first weekend in August and the second weekend in January.

[HB1268](#)

Date	Action	
01/09/2012	H: Author	Added Sheila Klinker
01/09/2012	H: 1st Reading	Assigned Ways and Means
01/17/2012	H: Co Author	Added Randy Truitt

[HB1270](#) Commission for higher education. ([Clere](#))

Digest

Abolishes the state student assistance commission (SSAC). Abolishes the commission on proprietary education (COPE). Requires the commission for higher education (commission) to administer the functions formerly administered by SSAC. Provides that the commission is responsible for accrediting a postsecondary credit bearing proprietary educational institution. Changes the current COPE into an advisory board to advise the commission and the commission's staff. Provides that the state workforce innovation council is responsible for accrediting postsecondary proprietary educational institutions that are non credit bearing. Increases the members of the commission from 14 to 15 members. Provides that the chairman of the postsecondary credit bearing proprietary educational institution advisory board shall serve as a board member for the commission for higher education. Provides that, on or before July 1, 2014, the postsecondary credit bearing proprietary educational institution advisory board may make a report to the legislative council regarding the transition of responsibilities from the commission of proprietary education to the commission and may make recommendations. Provides that the market research of a postsecondary credit bearing proprietary educational institution or the approval of any other postsecondary educational institution may not be considered or required by the commission as a condition for accrediting or renewing the accreditation of or for approval of the programs of a postsecondary credit bearing proprietary educational institution. Repeals: (1) provisions relating to establishment and administration of SSAC; (2) provisions relating to establishment and administration of COPE; (3) certain provisions requiring the commission for higher education to provide SSAC information to implement the minority teacher or nursing scholarship program; and (4) definitions relating to SSAC or COPE. Adds transitional provisions. Makes conforming and technical amendments.

Date	Action
01/09/2012	H: Author Added Ed Clere
01/09/2012	H: Co Author Added Robert W. Behning
01/09/2012	H: 1st Reading Assigned Education
01/20/2012	H: Committee Sched 8:30am Room House Chambers Education
01/20/2012	H: Committee Action Pass Amend(6-2) Education
01/23/2012	H: Committee Sched 10:30am Room 156C Education
01/25/2012	H: Committee Report amend do pass, adopted

Indiana University/Purdue University Fort Wayne. ([Yarde](#))

Digest

Requires the commission for higher education to approve the establishment of: (1) not more than six graduate degree programs, which must be aligned with industries identified as target industries for regional economic development; and (2) a baccalaureate degree program in insurance and risk management; at the Indiana University?Purdue University Fort Wayne campus.

[HB1287](#)

Date	Action
01/11/2012	H: Author Added David Yarde II
01/11/2012	H: 1st Reading Assigned Education
01/13/2012	H: Co Author Added Kathy Heuer

Higher education employment age limits. ([GiaQuinta](#))

Digest

[HB1290](#) Provides that the board of trustees of a state educational institution may not impose or allow any mandatory or presumptive age limits in the hiring or continuation of employment of any employee of the institution. Excludes a: (1) fire department established by; or (2) police officer appointed by; the board of trustees of a state educational institution.

Date Action

01/11/2012 **H: Author** Added [Phil GiaQuinta](#)

01/11/2012 **H: 1st Reading** Assigned [Education](#)

Sports scholarships and player safety. ([Crawford](#))

Digest

[HB1311](#) Requires a state educational institution that is a Division 1 member of the National Collegiate Athletic Association (division 1 educational institution) to renew an athletic scholarship at an amount that is at least the amount awarded to the student athlete the previous year as long as the student athlete is in good academic standing and is not subject to disciplinary action. Provides that if a student athlete who receives an athletic scholarship is involuntarily removed from a team, the division 1 educational institution shall provide an equivalent scholarship. Provides that any written agreement concerning athletic grants-in-aid signed by both a division 1 educational institution's athletic program representative and a prospective student athlete is legally binding on the state educational institution. Requires a division 1 educational institution's athletic program to screen each incoming student athlete for the sickle cell trait and heart abnormalities before allowing the student athlete to participate in intercollegiate athletics. Requires a division 1 educational institution's athletic program to establish a program or protocols to prevent, assess, and treat sports related concussions and dehydration. Requires a division 1 educational institution's athletic program to establish and maintain exercise and supervision guidelines for any student athlete who participates in intercollegiate athletics who is identified as having a potentially life threatening health condition. Requires a division 1 educational institution's athletic program to conduct a financial and life skills workshop for all of the educational institution's first-year and third-year student athletes. Requires a division 1 educational institution's athletic program to grant another institution of higher education's request for permission to contact a student athlete if the student athlete authorizes the request. Requires a division 1 educational institution's athletic program that does not receive a waiver to dedicate \$500,000 annually to cover medical expenses of student athletes. Requires the state student assistance commission to establish and administer the athletic trust fund (trust fund). Requires a division 1 educational institution's athletic program that does not receive a waiver to pay an annual fee to be paid to the trust. Provides that the fees paid to the trust may be used by former football and men's basketball student athletes after their eligibility to participate in intercollegiate athletics is exhausted. Requires a division 1 educational institution's athletic program that does not receive a waiver to pay an annual fee to the trust fund to be used to make student loan payments on behalf of each student athlete who obtains an undergraduate degree from the state educational institution. Provides that a division 1 educational institution may be granted a waiver if

the division 1 educational institution receives less than \$10,000,000 in annual television revenue. Requires a division 1 educational institution to allocate money to be used to comply with federal law pertaining to sexual equality in the division 1 educational institution's athletic program. Requires a division 1 educational institution to annually submit a report to the commission for higher education pertaining to the institution's compliance with federal law pertaining to sexual equality in the institution's athletic program. Provides that the commission for higher education may fine a division 1 educational institution if a division 1 educational institution fails to dedicate money to provide sexual equality in the division 1 educational institution's athletic program.

Date	Action	
01/11/2012	H: Author	Added William A. Crawford
01/11/2012	H: 1st Reading	Assigned Education

School instructional material sales tax holiday. ([Truitt](#))

Digest

Provides a sales tax exemption for school instructional material that is purchased during either of the following: (1) The three day period from the first Friday in January through the following Sunday. (2) The three day period from the second Friday in August through the following Sunday.

[HB1314](#)

Date	Action	
01/11/2012	H: Author	Added Randy Truitt
01/11/2012	H: 1st Reading	Assigned Ways and Means

Sales tax exemption for college textbooks. ([Reardon](#))

Digest

Provides that sales of textbooks are exempt from the state sales tax if: (1) the textbooks are required for an undergraduate course at an accredited college or university; and (2) the purchaser is a student enrolled in an accredited college or university or the parent or guardian of a student enrolled in an accredited college or university.

[HB1357](#)

Date	Action	
01/11/2012	H: Author	Added Mara Candelaria Reardon
01/11/2012	H: 1st Reading	Assigned Ways and Means

In-state tuition for military families. ([Heuer](#))

Digest

Defines military dependent. Provides that a military dependent, whose spouse, parent, or legal guardian: (1) is currently serving on active duty in an active component of the armed forces; (2) designated Indiana as their home of record at the time of enlistment and continues to maintain Indiana as the home of record at the time the military dependent is admitted to a state educational institution; and (3) is a legal resident of Indiana; is eligible to pay the resident tuition rate for an undergraduate course at a state educational institution. Requires a military dependent to physically attend the qualified course in Indiana in order to qualify for the resident tuition rate. Provides that an Indiana veteran and the Indiana veteran's military dependent are eligible for the resident tuition rate for an undergraduate course upon admission to a state educational institution not more than 12 months after the later of: (1) the date the Indiana veteran

[HB1368](#)

separates from active duty from an active component of the armed forces; or (2) the date the Indiana veteran is released from a hospital or rehabilitative facility after receiving care for a service related injury resulting from the Indiana veteran's active duty in an active duty service. Requires an Indiana veteran or Indiana veteran's military dependent to physically attend the qualified course in Indiana in order to qualify for the resident tuition rate.

Date	Action	
01/11/2012	H: Author	Added Kathy Heuer
01/11/2012	H: Co Author	Added Phil GiaQuinta
01/11/2012	H: Co Author	Added Rebecca Kubacki
01/11/2012	H: Co Author	Added Jim Baird
01/11/2012	H: 1st Reading	Assigned Education

Tax credit for research conducted by university. ([Heuer](#))

Digest

Expands the sales tax exemption for research and development equipment to include any tangible personal property used for research and development. Increases the percentage of qualified research conducted in Indiana through a public or private college or university that is eligible for a research expense credit.

HB1369	Date	Action	
	01/11/2012	H: Author	Added Kathy Heuer
	01/11/2012	H: Co Author	Added Sue Ellspermann
	01/11/2012	H: Co Author	Added Steven R. Stemler
	01/11/2012	H: Co Author	Added Rebecca Kubacki
	01/11/2012	H: 1st Reading	Assigned Ways and Means

Knives with automatic blades. ([Tomes](#), [Ubelhor](#))

Digest

Removes a provision that makes it a Class B misdemeanor for a person to manufacture, possess, display, offer, sell, lend, give away, or purchase certain knives with blades that opens automatically.

	Date	Action	
	01/04/2012	S: Author	Added Jim Tomes
	01/04/2012	S: 1st Reading	Assigned Corrections, Criminal, and Civil Matters
SB0006	01/04/2012	S: 2nd Author	Added Johnny Nugent
	01/04/2012	S: Co Author	Added Jim Banks
	01/05/2012	S: Co Author	Added Lindel O. Hume
	01/10/2012	S: Committee Sched	9:00am Room 130 Corrections, Criminal, and Civil Matters
	01/10/2012	S: Committee Report	amend do pass, adopted
	01/10/2012	S: Co Author	Added Jim Arnold

01/10/2012 **S: Committee Action** [Pass Amend\(8-0\) Corrections, Criminal, and Civil Matters](#)

01/17/2012 **S: 2nd Reading** Order Engrossed

01/19/2012 **S: 3rd Reading** [Pass \(48-1\)](#)

01/19/2012 **S: Referred** Referred to the House

01/19/2012 **S: Sponsor** Added [Matt Ubelhor](#)

01/19/2012 **S: Co Sponsor** Added [Sean Eberhart](#)

01/19/2012 **S: Co Author** Added [James Buck](#)

State university use of eminent domain. ([Eckerty](#), [Wolkins](#))

Digest

Provides that before a state supported college or university may acquire property that contains an operating business through the use of eminent domain, the college or university must pay to the owner of the property: (1) the fair market value of the real property and all improvements pertaining to the real property; and (2) compensation for the loss of the value of the business as a going concern, unless the college or university establishes that the loss of the value of the business as a going concern is not caused by the taking of the property or by injury to the owner's remaining property, or that the loss of the value of the business as a going concern can be reasonably prevented or mitigated by relocating the business or trade in the same or a similar and reasonably suitable location. Specifies that the compensation required does not include any compensation for a loss to the value of the business as a going concern that: (1) is mitigated by relocating the business or trade in the same or a similar and reasonably suitable location; or (2) could be prevented if the owner of the property takes the actions and adopts the policies that a reasonable prudent person of a similar age and under similar conditions as the owner would take and adopt in preserving the value of the business as a going concern.

[SB0054](#)

Date	Action	
01/04/2012	S: Author	Added Doug Eckerty
01/04/2012	S: 1st Reading	Assigned Corrections, Criminal, and Civil Matters
01/04/2012	S: Co Author	Added Randy Head
01/10/2012	S: Committee Sched	9:00am Room 130 Corrections, Criminal, and Civil Matters
01/10/2012	S: Committee Action	Pass Amend(6-4) Corrections, Criminal, and Civil Matters
01/12/2012	S: Committee Report	amend do pass, adopted
01/12/2012	S: Reassign	Assigned Appropriations
01/17/2012	S: Co Author	Added Scott Schneider
01/17/2012	S: Co Author	Added Mike Delph
01/17/2012	S: Co Author	Added Beverly J. Gard
01/17/2012	S: Co Author	Added Ed Charbonneau

01/17/2012	S: Co Author	Added Travis Holdman
01/17/2012	S: Co Author	Added Phil Boots
01/17/2012	S: Co Author	Added Jim Smith
01/17/2012	S: Co Author	Added Jim Tomes
01/17/2012	S: Co Author	Added Brent Steele
01/19/2012	S: Committee Sched	9:00am Room 431 Appropriations
01/19/2012	S: Committee Report	amend do pass, adopted
01/19/2012	S: Co Author	Added Dennis K. Kruse
01/19/2012	S: Co Author	Added Jim Banks
01/19/2012	S: Committee Action	Pass Amend(7-4) Appropriations
01/20/2012	S: Co Author	Added Patricia L. Miller
01/23/2012	S: Co Author	Removed Randy Head
01/23/2012	S: 2nd Author	Added Randy Head
01/23/2012	S: Co Author	Added R. Michael Young
01/23/2012	S: Co Author	Added Connie Lawson
01/23/2012	S: Co Author	Added Richard D. Bray
01/24/2012	S: 2nd Reading	Order Engrossed
01/24/2012	S: Amendment	#2 (Tallian), failed; voice vote
01/24/2012	S: Amendment	#1 (Taylor), failed; (9-40)
01/26/2012	S: 3rd Reading	Pass (34-13)
01/26/2012	S: Referred	Referred to the House
01/26/2012	S: Sponsor	Added David Alan Wolkins
01/26/2012	S: Co Sponsor	Added Kevin Mahan

Ball State board of trustees. ([Eckerty](#))

Digest

Adds definition of a "research intensive campus". Removes a requirement that all members of the Ball State University board of trustees be residents of Indiana.

Removes a requirement that at least one member of the Ball State board of trustees be a resident of Delaware County. Modifies the manner in which alumni members of the Indiana University board of trustees are elected. Allows the board of trustees of Indiana University to hold meetings at the dates, times, and places the board of trustees agrees upon. Repeals a provision concerning emergency appointments to the board of trustees of Indiana University.

[SB0056](#)

Date Action

01/04/2012 **S: Author** Added [Doug Eckerty](#)

01/04/2012 **S: 1st Reading** Assigned [Education and Career Development](#)

01/18/2012	S: Committee Sched	1:30pm Room 233 Education and Career Development
01/25/2012	S: Committee Sched	1:30pm Room 233 Education and Career Development
01/25/2012	S: Committee Action	Pass Amend(8-2) Education and Career Development
01/26/2012	S: Committee Report	amend do pass, adopted

Public access issues. ([Gard](#))

Digest

Provides that a court may impose a civil penalty against: (1) an officer of a public agency or an individual employed in a management level position with a public agency; or (2) the public agency; for violating the open door law with specific intent to violate the law if the plaintiff obtained an advisory opinion from the public access counselor before filing an action. Provides that a court may impose a civil penalty against an officer, management level employee, or the public agency for violating the public records law if the officer, management level employee, or agency: (1) continues to deny a request for a public record after the public access counselor has issued an advisory opinion that instructs the agency to allow access to the public record; and (2) denies the request with the specific intent to unlawfully withhold a public record that is subject to disclosure. Provides that an individual or agency could be subject to a civil penalty if the individual intentionally charges a copying fee that the individual knows exceeds the amount set by statute, fee schedule, ordinance, or court order. Provides that a court may not impose a civil penalty unless the public access counselor has issued an advisory opinion that instructs the public agency to allow access to the public record before the lawsuit is filed. Provides that it is a defense to the imposition of a civil penalty under this section for a violation of the open door law or public records law if the individual acted in reliance on an opinion of the public agency's legal counsel or an opinion of the attorney general. Requires a public agency to provide copies of records within a reasonable time in consideration of the public agency's workload and difficulty in fulfilling the request. Provides that "education records" of a student at a state educational institution as defined by the Family Educational Rights and Privacy Act, 20 U.S.C. 1232g, may not be disclosed by the institution except to the student who is the subject of the records. Provides that if a local government agency has the capacity to send electronic mail, the agency shall provide notice to anyone (other than news media) that makes an annual request for notice by: (1) transmitting the notice by electronic mail; or (2) posting the notice on the agency's Internet web site (if the agency has an Internet web site). Provides that a court may not declare a governmental action void for failure to give notice by electronic mail or posting on the local government agency's web site, if the agency made a good faith effort to comply with the statute. Provides that a public agency may withhold personal information from public disclosure regarding an individual less than 18 years of age who participates in an activity conducted or supervised by a state educational institution, including personal information regarding the individual's parent or guardian. Requires (rather than allows) a court to review public records in camera to determine whether redaction of the records violates the

[SB0092](#)

public records act. Creates an education fund for a program administered by the public access counselor to train public officials and educate the public on the rights of the public and the responsibilities of public agencies under the public access laws. Provides that a public agency has discretion as to whether to disclose a public record requested by an offender containing personal information relating to a judge, law enforcement officer, or family member of a judge or law enforcement officer.

Date	Action	
01/04/2012	S: Author	Added Beverly J. Gard
01/04/2012	S: 1st Reading	Assigned Local Government
01/04/2012	S: 2nd Author	Added Jean Leising
01/11/2012	S: Committee Sched	Upon Adjournment Room 130 Local Government
01/12/2012	S: Co Author	Added Travis Holdman
01/12/2012	S: Co Author	Added Patricia L. Miller
01/25/2012	S: Committee Sched	1:30pm Room 431 Local Government
01/25/2012	S: Committee Action	Pass Amend(10-0) Local Government
01/26/2012	S: Co Author	Added Frank Mrvan, Jr.
01/26/2012	S: Committee Report	amend do pass, adopted

Performance contracts to sing national anthem. ([Becker](#))

Digest

Provides that all public schools, charter schools, schools receiving public scholarships, and institutions of higher education must enter into an agreement with any person or group performing the national anthem at any event sponsored by the school that is open to the public to ensure standards for the performance. Provides for enforcement measures and a fine for not meeting the standards set.

Date	Action	
SB0122 01/04/2012	S: Author	Added Vaneta Becker
01/04/2012	S: 1st Reading	Assigned Education and Career Development
01/05/2012	S: Co Author	Added Dennis K. Kruse
01/11/2012	S: Committee Sched	3:00pm Room 233 Education and Career Development
01/18/2012	S: Committee Sched	1:30pm Room 233 Education and Career Development

Automatic taxpayer refund. ([Kenley](#), [Espich](#))

Digest

[SB0143](#) Provides that for purposes of the automatic taxpayer refund statutes, that the amount of the refund for qualifying taxpayers is determined on a per capita basis by dividing the total amount of excess state reserves available to provide automatic taxpayer refunds by the total number of qualifying taxpayers. Specifies that: (1) if the amount of the excess reserves is less than \$100,000,000, all of the excess reserves shall be transferred to the pension stabilization fund; and (2) if the amount of the excess reserves is \$100,000,000 or more, 50% of the excess reserves shall be transferred to the pension stabilization

fund and 50% of the excess reserves shall be used for the purposes of providing an automatic taxpayer refund. (Under current law, the excess reserves are divided equally between the pension stabilization fund and the automatic taxpayer refund, regardless of the dollar amount of the excess reserves.) Provides that beginning in 2013: (1) the office of management and budget shall calculate, after the end of each odd-numbered state fiscal year, the total amount of state reserves; and (2) amounts in the state tuition reserve fund are not considered in determining whether state reserves exceed 10% of general revenue. Specifies an additional requirement (a balance in the tuition reserve equal to at least 10% of the tuition support appropriation for the following year) that must be satisfied beginning in 2013 before a transfer may be made.

Date	Action	
01/04/2012	S: Author	Added Howard "Luke" Kenley
01/04/2012	S: 1st Reading	Assigned Appropriations
01/12/2012	S: Committee Sched	8:00am Room 431 Appropriations
01/19/2012	S: Committee Sched	9:00am Room 431 Appropriations
01/19/2012	S: Committee Report	amend do pass, adopted
01/19/2012	S: Committee Action	Pass Amend(10-1) Appropriations
01/20/2012	S: 2nd Author	Added Ed Charbonneau
01/23/2012	S: 2nd Reading	Order Engrossed
01/23/2012	S: Amendment	#2 (Broden), failed; (14-36)
01/23/2012	S: Amendment	#1 (Broden), failed; voice vote
01/24/2012	S: 3rd Reading	Pass (36-14)
01/24/2012	S: Referred	Referred to the House
01/24/2012	S: Sponsor	Added Jeffrey K. Espich
01/24/2012	S: Co Sponsor	Added William A. Crawford

Higher education employment age limits. ([Steele](#))

Digest

Provides that the board of trustees of a state educational institution may not impose or allow any mandatory or presumptive age limits in the hiring, the retention in a position, or continuation of employment of any officers, faculty, or counsel of the institution. Excludes a: (1) fire department established by; or (2) police officer appointed by; the board of trustees of a state educational institution.

Date	Action	
SB0155 01/04/2012	S: Author	Added Brent Steele
01/04/2012	S: 1st Reading	Assigned Pensions and Labor
01/18/2012	S: Committee Sched	9:00am Room 233 Pensions and Labor
01/19/2012	S: Committee Report	amend do pass, adopted
01/23/2012	S: 2nd Author	Added Randy Head
01/24/2012	S: 2nd Reading	Amended Order Engrossed
01/24/2012	S: Amendment	#1 (M. Young), prevailed; voice vote

01/25/2012 **S: Co Author** Added [Timothy D. Skinner](#)
 01/26/2012 **S: Co Author** Added [Dennis K. Kruse](#)
 01/26/2012 **S: Co Author** Added [James Buck](#)

Virtual instruction course requirement. ([Kruse](#), [Banks](#))

Digest

Requires a student pursuing a Core 40 high school diploma to complete one virtual instruction course.

	Date	Action	
	01/04/2012	S: Author	Added Dennis K. Kruse
	01/04/2012	S: Author	Added Jim Banks
SB0179	01/04/2012	S: 1st Reading	Assigned Education and Career Development
	01/18/2012	S: Committee Sched	1:30pm Room 233 Education and Career Development
	01/19/2012	S: Co Author	Added Scott Schneider
	01/25/2012	S: Committee Sched	1:30pm Room 233 Education and Career Development
	01/26/2012	S: Committee Report	amend do pass, adopted

Firearms on school property. ([Banks](#))

Digest

Makes unlawful possession of a firearm: (1) in or on school property; (2) in or on property that is being used by a school for a school function; or (3) on a school bus; a Class A misdemeanor instead of a Class D felony. Provides that the law concerning unlawful possession of a firearm in or on school property or in or on property that is being used by a school for a school function does not apply to a person who may legally possess a firearm, is not a student enrolled in the school, and stores a firearm: (1) in a motor vehicle that is parked in or on school property or parked in or on property that is being used by the school for a school function; and (2) that is locked in the trunk of the motor vehicle, kept in the glove compartment of the locked motor vehicle, or stored out of plain sight in the locked motor vehicle.

[SB0180](#)

Date Action

01/04/2012 **S: Author** Added [Jim Banks](#)
 01/04/2012 **S: 1st Reading** Assigned [Judiciary](#)

Possession of firearms on state property. ([Kruse](#), [Banks](#))

Digest

Prohibits a state agency, including a state supported college or university, from regulating the possession or transportation of firearms, ammunition, or firearm accessories: (1) on land that is; or (2) in buildings and other structures that are; owned or leased by the state. Provides for certain exceptions. Voids, as of July 1, 2012, any rules or policies enacted or undertaken by a state agency before, on, or after June 30, 2012, concerning possession or transportation of firearms, ammunition, or firearm

[SB0181](#)

accessories on land or in structures owned or leased by the state. Allows a person to bring an action against a state agency if the person is adversely affected by a rule, a measure, an enactment, or a policy of the state agency that violates this law.

Date	Action	
01/04/2012	S: Author	Added Dennis K. Kruse
01/04/2012	S: Author	Added Jim Banks
01/04/2012	S: 1st Reading	Assigned Judiciary

State educational institutions; credit transfers. ([Banks](#))

Digest

Requires the commission for higher education to create a common course numbering system, into which each state educational institution shall map its own course numbers, for courses in the core transfer library. Requires state educational institutions to create a statewide transfer general education core to be implemented by May 15, 2013. Provides that an individual who holds an associate degree is considered to have met at least 30 semester credit hours of the general education requirements for a bachelor's degree. Requires a state educational institution to accept an associate degree from another state educational institution as credit toward a related bachelor's degree.

Date	Action	
SB0182 01/04/2012	S: Author	Added Jim Banks
01/04/2012	S: 1st Reading	Assigned Education and Career Development
01/10/2012	S: Co Author	Added Dennis K. Kruse
01/18/2012	S: Committee Sched	1:30pm Room 233 Education and Career Development
01/19/2012	S: Co Author	Added Earline S. Rogers
01/25/2012	S: Committee Sched	1:30pm Room 233 Education and Career Development
01/26/2012	S: Committee Report	amend do pass, adopted

Contracting with persons that invest in Iran. ([Wyss](#), [M. Young](#), [Broden](#))

Digest

Provides that agencies of state government, state educational institutions, and political subdivisions may not enter into contracts with persons that engage in investment activities in Iran. Provides that a financial institution may not be designated as a public depository if the financial institution engages in investment activities in Iran. Requires the Indiana department of administration, using credible information available to the public, to establish a list of persons who engage in investment activities in Iran. Provides for the inclusion of persons on the list and the removal of persons from the list.

Date	Action	
01/04/2012	S: Author	Added R. Michael Young
01/04/2012	S: Author	Added John Broden

01/04/2012	S: Author	Added Thomas J. Wyss
01/04/2012	S: 1st Reading	Assigned Homeland Security, Transportation and Veterans Affairs
01/10/2012	S: Co Author	Added Mike Delph
01/17/2012	S: Committee Sched	10:00am Room 233 Homeland Security, Transportation and Veterans Affairs
01/17/2012	S: Co Author	Added James W. Merritt, Jr.
01/17/2012	S: Co Author	Added Vaneta Becker
01/17/2012	S: Co Author	Added Tim Lanane
01/17/2012	S: Co Author	Added Earline S. Rogers
01/17/2012	S: Committee Action	Pass(7-0) Homeland Security, Transportation and Veterans Affairs
01/19/2012	S: Committee Report	do pass, adopted
01/23/2012	S: Co Author	Added Dennis K. Kruse
01/23/2012	S: Co Author	Added Jim Banks
01/24/2012	S: 2nd Reading	Amended Order Engrossed
01/24/2012	S: Amendment	#1 (Wyss), prevailed; voice vote

Military education and training. ([Glick](#), [Heuer](#))

Digest

Requires a state educational institution to adopt a policy to award educational credit to an individual who is enrolled in a state educational institution and successfully completes courses that: (1) are part of the individual's military service; (2) meet the standards of the American Council on Education for awarding academic credit; and (3) meet the state educational institution's role, scope, and mission. Requires that the commission for higher education must adopt rules that establish uniform guidelines for state educational institutions to follow when implementing the requirements. Provides that an occupational or professional licensure board shall issue a license, certificate, registration, or permit to a military service applicant or military spouse who meets certain requirements. Allows a board to issue a temporary practice permit or provisional license while the military service applicant or military spouse is satisfying certain requirements as determined by the board.

[SB0253](#)

Date	Action	
01/04/2012	S: Author	Added Susan Glick
01/04/2012	S: 1st Reading	Assigned Homeland Security, Transportation and Veterans Affairs
01/05/2012	S: Co Author	Added Jim Banks
01/10/2012	S: Committee Sched	10:00am Room 233 Homeland Security, Transportation and Veterans Affairs
01/10/2012	S: Committee	amend do pass, adopted

Report

01/10/2012	S: Co Author	Added James W. Merritt, Jr.
01/10/2012	S: Co Author	Added Vaneta Becker
01/10/2012	S: Co Author	Added Earline S. Rogers
01/10/2012	S: Co Author	Added Jim Arnold
01/10/2012	S: Co Author	Added Ron Grooms
01/10/2012	S: Co Author	Added Jim Smith
01/10/2012	S: Co Author	Added Allen E. Paul
01/10/2012	S: Co Author	Added Thomas J. Wyss
01/10/2012	S: Committee Action	Pass Amend(7-0) Homeland Security, Transportation and Veterans Affairs
01/12/2012	S: Co Author	Removed Jim Banks
01/12/2012	S: 2nd Author	Added Jim Banks
01/17/2012	S: 2nd Reading	Order Engrossed
01/17/2012	S: Co Author	Added Scott Schneider
01/19/2012	S: 3rd Reading	Pass (48-0)
01/19/2012	S: Referred	Referred to the House
01/19/2012	S: Sponsor	Added Kathy Heuer
01/19/2012	S: Co Author	Added Tim Lanane
01/19/2012	S: Co Author	Added Jim Tomes
01/19/2012	S: Co Author	Added Randy Head
01/19/2012	S: Co Author	Added Brent Steele
01/19/2012	S: Co Author	Added Joseph C. Zakas
01/19/2012	S: Co Author	Added James Buck
01/20/2012	S: Co Author	Added Sue Landske

Regulation of outdoor stage equipment. ([Lanane](#))

Digest

Prohibits the use of outdoor stage equipment for an outdoor performance without a permit issued by the division of fire and building safety (division) or a county, city, or town acting under a regulatory program approved by the fire prevention and building safety commission (commission). Authorizes the commission to adopt rules governing outdoor stage equipment. Requires an applicant for an outdoor stage equipment permit to agree to operate, maintain, inspect, and use outdoor stage equipment in conformity with applicable standards adopted by the commission. Provides that a person that is required to obtain a permit for a regulated place of amusement or entertainment must comply with the law governing outdoor stage equipment if outdoor stage equipment is installed or used at the regulated place of amusement or entertainment.

[SB0273](#)

Date	Action	
01/04/2012	S: Author	Added Tim Lanane

01/04/2012	S: 1st Reading	Assigned Homeland Security, Transportation and Veterans Affairs
01/17/2012	S: Committee Sched	10:00am Room 233 Homeland Security, Transportation and Veterans Affairs
01/17/2012	S: 2nd Author	Added James W. Merritt, Jr.
01/17/2012	S: Co Author	Added Jim Arnold
01/17/2012	S: Co Author	Added Thomas J. Wyss
01/17/2012	S: Co Author	Added Vaneta Becker
01/17/2012	S: Committee Action	Pass Amend(5-2) Homeland Security, Transportation and Veterans Affairs
01/19/2012	S: Committee Report	amend do pass, adopted
01/26/2012	S: 2nd Reading	Amended Order Engrossed
01/26/2012	S: Amendment	#1 (Lanane), prevailed; voice vote

Immunity for certain alcohol offenses. ([Merritt](#), [Head](#), [McMillin](#))

Digest

Prohibits a law enforcement officer from taking a person into custody for a crime of public intoxication or minor possession, consumption, or transportation of an alcoholic beverage if the officer, after making a reasonable determination and considering the facts and surrounding circumstances, reasonably believes that: (1) the officer has contact with the person because the person requested emergency medical assistance, or acted in concert with another person who requested emergency medical assistance, for an individual who reasonably appeared in need of medical assistance due to alcohol consumption; and (2) the person meets other requirements. Specifies that person may not bring an action against a law enforcement officer who takes a person into custody after requesting emergency assistance. Provides that a person meeting these conditions is immune from criminal prosecution for public intoxication or minor possession, consumption, or transportation of an alcoholic beverage.

SB0274 Date Action

01/04/2012	S: Author	Added James W. Merritt, Jr.
01/04/2012	S: 1st Reading	Assigned Judiciary
01/09/2012	S: 2nd Author	Added Randy Head
01/09/2012	S: Author	Added Vi Simpson
01/09/2012	S: Co Author	Added Greg Taylor
01/18/2012	S: Committee Sched	9:00am Room 130 Judiciary
01/18/2012	S: Committee Action	Pass Amend(10-0) Judiciary
01/19/2012	S: Committee Report	amend do pass, adopted
01/19/2012	S: Author	Removed Vi Simpson
01/19/2012	S: 2nd Author	Removed Randy Head
01/19/2012	S: 2nd Author	Added Vi Simpson

01/19/2012 **S: Author** Added [Randy Head](#)
 01/19/2012 **S: Co Author** Added [Lonnie Randolph](#)
 01/19/2012 **S: Co Author** Added [Tim Lanane](#)
 01/23/2012 **S: 2nd Reading** Order Engrossed
 01/24/2012 **S: 3rd Reading** [Pass \(50-0\)](#)
 01/24/2012 **S: Referred** Referred to the House
 01/24/2012 **S: Sponsor** Added [Jud McMillin](#)
 01/24/2012 **S: Co Author** Added [Brandt Hershman](#)

Public records and public meetings. ([Holdman](#))

Digest

Provides that an officer or management level employee of a public agency who knowingly or intentionally violates the open door law by: (1) taking final action outside a regular meeting or special meeting; (2) participating in a secret ballot during a meeting; (3) discussing in an executive session subjects that are not eligible for an executive session; or (4) participating in at least one meeting of a series of meetings prohibited by law; commits a Class C infraction and is personally liable for the judgment and costs. Provides that an officer or management level employee of a public agency who intentionally denies a request for a public record that the officer or management level employee knows or reasonably should know is subject to disclosure under the open records act commits a Class C infraction and is personally liable for the judgment and costs. Provides that an officer or management level employee of a public agency who intentionally charges an excessive copying fee commits a Class C infraction and is personally liable for the judgment and costs. Prohibits a public agency from charging a fee for a public record transmitted by electronic mail except for a: (1) fee charged for reprogramming a computer system if the reprogramming is required to separate disclosable information from nondisclosable information; (2) certification or search fee set by statute or ordered by a court; or (3) fee charged for providing an electronic map.

[SB0294](#)

Date	Action
01/05/2012 S: Author	Added Travis Holdman
01/05/2012 S: 1st Reading	Assigned Local Government

State taxation. ([Hershman](#))

Digest

Specifies the assessed value for outdoor signs for the 2011 through 2014 assessment dates. Requires the commission on state tax and financing policy to study the assessment of outdoor signs. Repeals the prohibition against using the value of federal income tax credits awarded under Section 42 of the Internal Revenue Code for purposes of determining the assessed value of low income housing tax credit property. Permits the fiscal body of a city or town, or the county, in the case of an unincorporated area, to authorize the unit's redevelopment commission to establish a residential historic rehabilitation grant program. Permits the fiscal body to annually appropriate money for the grant program from the property tax increment resulting from any additional property taxes collected as a result of repealing the prohibition against using the value

[SB0344](#)

of federal income tax credits in determining the assessed value of low income housing tax credit property. Separates the township assistance levy from the township's general fund levy, and provides for a levy based on a rate calculation that must be used to determine a township's assistance levy after 2012. Phases in the change through 2014. Freezes a township's township assistance rate for levy determinations after 2014. Permits a township to increase the township assistance levy only if there is a corresponding reduction in the township's general fund levy. Provides a 100% property tax assessed value deduction for a solar power device used to generate electricity that is installed after December 31, 2011. Provides that a person leasing real property with a solar power device is eligible for the exemption if the person is subject to assessment for the solar power device. Provides that a sales tax refund claim based on the exemption for electrical energy, natural or artificial gas, water, steam, and steam heat may not cover transactions that occur more than 36 months (rather than 18 months, under current law) before the date of the refund claim. Provides a sales tax exemption for sales of wrapping material and empty containers that are acquired for shipping or delivering certain tangible personal property. Exempts from the utility receipts tax any payments of severance damages or other compensation resulting from a change in assigned service area boundaries between electricity suppliers. Specifies that industrial processors and those engaged in floriculture and arboriculture do not have to file a sales tax refund claim if the utility service is separately metered, or it has been determined that the utility service is predominantly used in industrial processing, horticulture, or arboriculture. Provides a sales and use tax exemption for transactions involving tangible personal property by a company that is engaged in offering a competitive racing experience in a two-seater Indianapolis 500 style race car during a competitive racing event. Repeals the laws allowing for a consolidated sales and withholding tax return. Requires all sales tax returns and payments, excluding those retail merchants whose state gross retail and use tax liability in the previous calendar year does not exceed \$1,000, to be filed and remitted electronically. Makes a technical change regarding the details for the amount of an E85 deduction. Provides that withholding tax payments may be made annually if the total withholding tax due for the year is less than \$1,000. Changes the due dates for annual one-time withholding for a nonresident partner and for a nonresident shareholder in an S corporation to April 15. Changes the reporting date for partnerships that make periodic withholding payments from January 30 to March 15. Requires any person filing more than 25 copies of certain tax forms to file reports electronically. Removes the prohibition of taking a case to the tax court if the department of state revenue takes longer than three years to settle a claim. Extends the income tax credits for venture capital investments, Hoosier business investments, alternative fuel manufacturing, and new employers through December 31, 2016. Provides that for purposes of the coal gasification technology investment tax credit, an integrated coal gasification powerplant also includes a facility that is dedicated primarily to production of electricity or gas for sale to or use by the Indiana finance authority under statutes authorizing the authority to enter into contracts for the purchase, transportation, and delivery of substitute natural gas. Adds an exception to the requirement that 100% of the coal used in an integrated coal gasification powerplant or as fuel in a fluidized bed combustion unit must be Indiana coal (by allowing the applicant awarded the coal gasification technology investment tax credit to certify that

partial use of feedstock is necessary to result in lower rates for Indiana retail utility customers). Corrects references to the Internal Revenue Code in the income tax law. Provides that a decedent's estate and a trust do not have to file an Indiana fiduciary return if the gross income for the year is less than \$600. Requires the commission on state and financing policy to study all income tax credits during 2012 and 2013. Urges the legislative council to assign to a study committee the topic of more clearly defining what is included in instructional spending by school corporations and what is included in noninstructional spending by school corporations for purposes of the annual performance report provided by school corporations. Adjusts the maximum levy for Clark County.

Date	Action
01/09/2012	S: Author Added Brandt Hershman
01/09/2012	S: 1st Reading Assigned Tax and Fiscal Policy
01/17/2012	S: Committee Sched 8:30am Room 431 Tax and Fiscal Policy
01/23/2012	S: 2nd Author Added Ryan D. Mishler
01/24/2012	S: Committee Sched 8:30am Room 431 Tax and Fiscal Policy
01/24/2012	S: Committee Action Pass Amend(7-3) Tax and Fiscal Policy
01/26/2012	S: Committee Report amend do pass, adopted

State provision and use of communications service. ([Holdman](#))

Digest

Provides that after March 31, 2012, the I-Light network may not be used to offer or provide, directly or indirectly, communications service to the public or to any private or governmental entity. Provides exceptions to this prohibition to allow for the following: (1) The provision of communications service for 911 services or emergency or law enforcement purposes. (2) The provision of communications service to institutions of higher education for the direct benefit of students, faculty, and staff. (3) The provision of communications service for the direct benefit of public broadcasting. Provides that after March 31, 2012, a person that is not: (1) a state educational institution; or (2) a private postsecondary educational institution; may not become a member of the I-Light network or use the I-Light network or any services made available through I-Light.

[SB0361](#)

Date	Action
01/09/2012	S: Author Added James W. Merritt, Jr.
01/09/2012	S: Author Added Travis Holdman
01/09/2012	S: 1st Reading Assigned Utilities & Technology
01/09/2012	S: 2nd Author Removed Travis Holdman
01/09/2012	S: Author Removed James W. Merritt, Jr.
01/09/2012	S: 2nd Author Added James W. Merritt, Jr.
01/12/2012	S: Committee Sched 9:00am Room 233 Utilities & Technology
01/12/2012	S: Co Author Added Scott Schneider
01/12/2012	S: Co Author Added Lonnie Randolph
01/19/2012	S: Committee Sched 9:00am Room 233 Utilities & Technology

01/19/2012	S: Committee Report	amend do pass, adopted
01/20/2012	S: Committee Action	Pass Amend(7-0) Utilities & Technology
01/24/2012	S: 2nd Reading	Amended Order Engrossed
01/24/2012	S: Amendment	#1 (Holdman), prevailed; voice vote

Common core state standards. ([Schneider](#))

Digest

Provides that the state board of education may not adopt as standards for the state any common core standards developed by the Common Core State Standards Initiative. Voids any action taken to adopt common core standards.

Date Action

SB0373	01/09/2012	S: Author	Added Scott Schneider
	01/09/2012	S: 1st Reading	Assigned Education and Career Development
	01/12/2012	S: 2nd Author	Added Dennis K. Kruse
	01/12/2012	S: Co Author	Added Jim Banks
	01/25/2012	S: Committee Sched	1:30pm Room 233 Education and Career Development

State educational institution grading practices. ([Kruse](#), [Banks](#))

Digest

Requests the legislative council to assign the issue of state educational grading practices to an appropriate study committee for study.

Date Action

	01/09/2012	S: Author	Added Dennis K. Kruse
	01/09/2012	S: Author	Added Jim Banks
SB0392	01/09/2012	S: 1st Reading	Assigned Education and Career Development
	01/18/2012	S: Committee Sched	1:30pm Room 233 Education and Career Development
	01/25/2012	S: Committee Sched	1:30pm Room 233 Education and Career Development
	01/26/2012	S: Committee Report	amend do pass, adopted

Sales tax holiday for textbooks. ([Simpson](#))

Digest

Provides a sales tax exemption for school instructional materials that are purchased during the two day period beginning on the second Wednesday in August.

[SB0403](#)

Date Action

	01/09/2012	S: Author	Added Vi Simpson
	01/09/2012	S: 1st Reading	Assigned Tax and Fiscal Policy

[SB0411](#)

Public employee salary limitation. ([Delph](#))

Digest

Provides that the salary paid from state or local appropriations to a public officer, employee, or contractor of the executive, legislative, and judicial branches of state government, state educational institutions, political subdivisions, or bodies corporate and politic of the state or a political subdivision may not exceed the salary paid to the governor, except that the salary of a contractor or employee of a state educational institution may be supplemented with amounts paid by or through an endowment that is not funded by taxes, fees, or appropriations of money from the treasury of the state or a political subdivision.

Date	Action	
01/09/2012	S: Author	Added Mike Delph
01/09/2012	S: 1st Reading	Assigned Rules and Legislative Procedure