First Regular Session of the 124th General Assembly (2025)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type.~~

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~*this style type*~~ reconciles conflicts between statutes enacted by the 2024 Regular Session of the General Assembly.

HOUSE ENROLLED ACT No. 1050

AN ACT to amend the Indiana Code concerning general provisions.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. IC 2-5-53.7-5, AS ADDED BY P.L.108-2024, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 5. (a) The task force consists of the following fifteen (15) members:

(1) A member of the house of representatives who is appointed to the task force by the speaker of the house of representatives.

(2) A member of the senate who is appointed to the task force by the president pro tempore of the senate.

(3) A member of the house of representatives who is appointed to the task force by the minority leader of the house of representatives.

(4) A member of the senate who is appointed to the task force by the minority leader of the senate.

(5) The chief information officer appointed under IC 4-13.1-2-3, who serves as an ex officio member of the task force.

(6) The chief data officer appointed under IC 4-3-26-9, who serves as an ex officio member of the task force, or the chief data officer's designee.

(7) The following members who are appointed to the task force by the governor:

(A) An academic professional who:

(i) is employed by a public or private college or university

located in Indiana; and

(ii) specializes in ethics.

(B) An academic professional who:

(i) is employed by a public or private college or university located in Indiana; and

(ii) specializes in artificial intelligence technology.

(C) An individual with expertise in the use of artificial intelligence by law enforcement agencies.

(D) An individual with expertise in legal and constitutional rights.

(E) An individual employed in the cloud technology industry.

(8) A member with expertise in artificial intelligence or cybersecurity who is appointed to the task force as follows:

(A) The president pro tempore of the senate shall appoint the member in odd-numbered years.

(B) The speaker of the house of representatives shall appoint the member in even-numbered years.

(9) The solicitor general, who serves as an ex officio member of the task force, or the solicitor general's designee.

(10) The director of information technology of the senate, who serves as an ex officio member of the task force.

(11) The director of the legislative services agency's office of technology services, who serves as an ex officio member of the task force.

(b) The members appointed under subsection (a)(1) and (a)(2) shall serve as co-chairs of the task force.

(c) Members of the task force appointed to the task force under subsection (a)(1), (a)(2), (a)(3), (a)(4), (a)(7), and (a)(8) serve a term that ends June 30 of each odd-numbered year but may be reappointed to subsequent terms.

(d) If a vacancy occurs on the task force, the appointing authority who appointed the member whose position is vacant shall appoint an individual to fill the vacancy.

(e) An individual appointed to fill a vacancy must meet the qualifications of the vacancy.

(f) An individual appointed to fill a vacancy serves for the remainder of the term of the member the individual is appointed to replace.

(g) The following shall serve as nonvoting members of the task force:

(1) The chief information officer.

(2) The chief data officer, or the chief data officer's designee.

(h) Appointing authorities shall appoint the initial members of the task force under subsection (a)(1), (a)(2), (a)(3), (a)(4), (a)(7), and (a)(8) not later than August 1, 2024, and not later than August 1 of each **odd-numbered** year thereafter.

SECTION 2. IC 2-5-54-6, AS ADDED BY P.L.42-2024, SECTION 24, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 6. A member of the **oversight** committee serves at the pleasure of the appointing authority. A member of the **oversight** committee appointed under IC 12-15-47.3 (before its repeal) serves a **two** (2) ~~two~~ year term that expires on June 30, 2025. A member may be reappointed to successive terms.

SECTION 3. IC 3-5-3-1, AS AMENDED BY P.L.65-2024, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 1. (a) Except as provided in sections 7 through 10 of this chapter, the county auditor shall pay the expenses of voter registration and for all election supplies, equipment, and expenses out of the county treasury in the manner provided by law. The county fiscal body shall make the necessary appropriations for these purposes.

(b) The county executive shall pay to the circuit court clerk or board of registration the expenses of:

(1) removing voters from the registration record under IC 3-7-43, IC 3-7-45, or IC 3-7-46; and

(2) performing voter list maintenance programs under IC 3-7;

out of the county treasury without appropriation.

(c) Registration expenses incurred by a circuit court clerk or board of registration for:

(1) the salaries of members of a board of registration appointed under IC 3-7-12-9;

(2) the salaries of chief clerks appointed under IC 3-7-12-17; and

(3) the salaries of assistants employed under IC 3-7-12-19;

may not be charged to a municipality. However, the municipality may be charged for wages of extra persons employed to provide additional assistance reasonably related to the municipal election.

(d) A political subdivision that conducts or administers an election may not:

(1) accept private money donations; or

(2) receive funds or expend funds received;

from a person for preparing, administering, or conducting elections or employing individuals on a temporary basis for the purpose of preparing, administering, or conducting elections, including registering voters. This subsection does not prohibit a political subdivision from receiving or expending funds from the state or from the federal

government to prepare for, administer, or conduct an election.

(e) A political subdivision that conducts or administers an election may not join the membership of, or participate in a program offered by, a person who has directly financed:

(1) preparing, ~~administrating,~~ **administering,** or conducting elections; or

(2) employing individuals on a temporary basis for the purpose of preparing, administering, or conducting elections, including registering voters.

For purposes of this subsection, a person does not include the local, state, or federal government.

SECTION 4. IC 3-14-5-2, AS AMENDED BY P.L.153-2024, SECTION 26, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 2. (a) Each precinct election board shall, at the close of the polls, place any affidavit prescribed by IC 3-10-1-9 to challenge the party affiliation of a person wishing to cast a ballot in a primary election in a strong paper bag or envelope and securely seal it. Each member shall endorse that member's name on the back of the bag or envelope.

(b) Each precinct election board shall, at the close of the polls, place any affidavit:

(1) other than an affidavit described in subsection (a) that is challenging the eligibility of a person who has offered to vote at a primary election; and

(2) including the form printed on the face of the provisional ballot envelope described in IC 3-11.7-5-3;

in a strong paper bag or envelope and securely seal it. Each member shall endorse that member's name on the back of the bag or envelope.

(c) The inspector and judge of the opposite political party shall deliver the sealed bags or envelopes to the county election board. The county election board shall do the following:

(1) Remove the affidavits described in subsections (a) and (b) from the bag or envelope and make three (3) copies of each affidavit.

(2) Mail a copy of each affidavit to the secretary of state.

(3) Replace the affidavits within the bag or envelope and keep the affidavits secure in accordance with IC 3-10-1-31.1. The affidavits may be removed from the bag or envelope by the county election board during a meeting or hearing when the affidavit is to be reviewed under this title.

(4) Reseal the bag or envelope containing the affidavits with the endorsement of the name of each county election board member

on the back of the bag or envelope immediately after the county election board determines which provisional ballots can be counted and not counted under IC 3-11.7.

(5) Carefully preserve the resealed bag or envelope in accordance with IC 3-10-1-31.1.

(d) The county election board shall do the following after the conclusion of the period for filing a petition for a recount or contest described **in** IC 3-10-1-31.1(b) and IC 3-10-1-31.1(c) during which election materials are required to be sealed by the circuit court clerk:

(1) Retain one (1) copy of each affidavit to make available for public inspection and copying under IC 5-14-3.

(2) Deliver one (1) copy of each affidavit, sealed in a bag or envelope by the county election board, to the prosecuting attorney of the county.

(e) The grand jury shall inquire into the truth or falsity of the affidavits, and the court having jurisdiction over the grand jury shall specially charge the jury as to its duties under this section. The grand jury or prosecuting attorney of the county where the grand jury is sitting may request the original affidavit from the circuit court clerk if the grand jury determines that it is necessary to review the original affidavit during the inquiry.

(f) The grand jury shall file a report of the result of its inquiry with:

(1) the court; and

(2) the NVRA official if a violation of NVRA appears to have occurred.

(g) If the original affidavit is delivered to the grand jury or the prosecuting attorney under subsection (e), the prosecuting attorney shall:

(1) preserve the affidavit and envelope in accordance with IC 3-10-1-31.1;

(2) ensure that no person can access a provisional ballot contained in the envelope that the affidavit described in subsection (b) is printed on; and

(3) return the affidavit and envelope to the circuit court clerk after the prosecuting attorney has completed any proceeding resulting from the investigation of the affidavit and envelope.

SECTION 5. IC 4-2-6-9, AS AMENDED BY P.L.123-2015, SECTION 23, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 9. (a) A state officer, an employee, or a special state appointee may not participate in any decision or vote, or matter relating to that decision or vote, if the state officer, employee, or special state appointee has knowledge that any of the following has a

financial interest in the outcome of the matter:

(1) The state officer, employee, or special state appointee.

(2) A member of the immediate family of the state officer, employee, or special state appointee.

(3) A business organization in which the state officer, employee, or special state appointee is serving as an officer, a director, a member, a trustee, a partner, or an employee.

(4) Any person or organization with whom the state officer, employee, or special state appointee is negotiating or has an arrangement concerning prospective employment.

(b) A state officer, an employee, or a special state appointee who identifies a potential conflict of interest shall notify the person's appointing authority and ethics officer in writing and do either of the following:

(1) Seek an advisory opinion from the commission by filing a written description detailing the nature and circumstances of the particular matter and making full disclosure of any related financial interest in the matter. The commission shall:

(A) with the approval of the appointing authority, assign the particular matter to another person and implement all necessary procedures to screen the state officer, employee, or special state appointee seeking an advisory opinion from involvement in the matter; or

(B) make a written determination that the interest is not so substantial that the commission considers it likely to affect the integrity of the services that the state expects from the state officer, employee, or special state appointee.

(2) File a written disclosure statement with the commission that:

(A) details the conflict of interest;

(B) describes and affirms the implementation of a screen established by the ethics officer;

(C) is signed by both:

(i) the state officer, employee, or special state appointee who identifies the potential conflict of interest; and

(ii) the agency ethics officer;

(D) includes a copy of the disclosure provided to the appointing authority; and

(E) is filed not later than seven (7) days after the conduct that gives rise to the conflict.

A written disclosure filed under this subdivision shall be posted on the inspector general's ~~Internet web site.~~ **website.**

(c) A written determination under subsection (b)(1)(B) constitutes

conclusive proof that it is not a violation for the state officer, employee, or special state appointee who sought an advisory opinion under this section to participate in the particular matter. A written determination under subsection (b)(1)(B) shall be filed with the appointing authority.

SECTION 6. IC 4-2-6-15, AS AMENDED BY P.L.108-2019, SECTION 41, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 15. (a) This section does not apply to the following:

(1) A communication made by the governor concerning the public health or safety.

(2) A communication:

(A) that a compelling public policy reason justifies the state officer to make; and

(B) the expenditure for which is approved by the budget agency after an advisory recommendation from the budget committee.

(3) A communication:

(A) posted or maintained on a state owned ~~Internet web site;~~ **website;** or

(B) that relates to the official duties of the state officer and that is not made for commercial broadcast or dissemination to the general public.

(4) Information posted on social media in accordance with section 15.5 of this chapter.

(b) This section does not prohibit a state officer from using in a communication the title of the office the state officer holds.

(c) As used in this section, "communication" refers only to the following:

(1) An audio communication.

(2) A video communication.

(3) A print communication in a newspaper (as defined in IC 5-3-1-0.4).

(d) A state officer may not use the state officer's name or likeness in a communication paid for entirely or in part with appropriations made by the general assembly, regardless of the source of the money.

(e) A state officer may not use the state officer's name or likeness in a communication paid for entirely or in part with:

(1) money from the securities division enforcement account established under IC 23-19-6-1(f); or

(2) appropriations from the state general fund made under IC 23-19-6-1(f).

SECTION 7. IC 4-3-24-7, AS AMENDED BY P.L.108-2019,

SECTION 51, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 7. (a) The budget agency shall each year publish an annual report summarizing the federal assistance received by state agencies during the preceding federal fiscal year, including:

(1) a list of all federal assistance that state agencies received;

(2) the state match requirements and maintenance of effort requirements for each federal assistance program; and

(3) the federal assistance agreement start and end date.

(b) The budget agency shall publish a comprehensive federal assistance review plan that incorporates each state agency's findings and recommendations under section 6 of this chapter. The comprehensive federal assistance review plan may include options for coordination among state agencies to address issues caused by federal mandates and regulations.

(c) The budget agency shall perform a review of the current impact and projected future impact of federal mandates and regulations on Indiana.

(d) The budget agency shall submit the annual report to the governor, to the members of the United States Congress representing Indiana, the budget committee, the interim study committee on fiscal policy, and (in an electronic format under IC 5-14-6) to the legislative council.

(e) The budget agency, in collaboration with state agencies, shall maintain on its ~~Internet web site~~ **website** a list of all federal grant applications made by state agencies, award notices, and grant amendments. A state agency that applies for a federal grant must provide the application submitted to the federal government to the budget agency within sixty (60) days of applying for the grant. State agencies shall provide a copy of each award notice and grant amendment approval to the budget agency within sixty (60) days of receiving it.

SECTION 8. IC 4-3-25-5, AS AMENDED BY P.L.205-2017, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 5. (a) The member of the governor's staff appointed under section ~~4(1)~~ **4(a)(1)** of this chapter shall serve as the chairperson of the commission. The chairperson shall determine the agenda for the commission.

(b) The member at large appointed under section ~~4(19)~~ **4(a)(19)** of this chapter shall serve as vice chairperson of the commission. The chairperson shall determine the duties of the vice chairperson.

SECTION 9. IC 4-3-27-17, AS ADDED BY P.L.216-2021, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

JULY 1, 2025]: Sec. 17. (a) The cabinet may establish a course catalog which must be maintained on the cabinet's ~~Internet web site~~ **website** with links to the course catalog maintained on the department of workforce development's ~~Internet web site~~ **website** and the commission for higher education's ~~Internet web site.~~ **website.** The course catalog shall be known as the course catalog for lifelong learning. The course catalog shall list all:

(1) work based learning, preapprenticeship, and apprenticeship opportunities in Indiana; and

(2) providers that are eligible to receive high value workforce ready grants described under IC 21-12-8.

(b) The cabinet may list the cost of each course or experience in the catalog as well as a link on the cabinet's ~~Internet web site~~ **website** to allow an individual to enroll in a particular course or experience.

SECTION 10. IC 4-4-38-7, AS AMENDED BY P.L.189-2019, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 7. (a) Subject to:

(1) subsection (b); and

(2) section 8 of this chapter;

the office shall establish procedures for awarding grants from the fund to qualified broadband providers for qualified broadband project expenses incurred in connection with qualified broadband projects.

(b) In awarding grants under this chapter, the office shall establish the following priorities:

(1) First, extending the deployment of qualified broadband service to areas in which:

(A) Internet connections are unavailable; or

(B) the only available Internet connections provide capacity for transmission at an actual speed of less than ten (10) megabits per second downstream.

(2) Second, extending the deployment of high speed Internet service to areas in which the only available Internet connections provide capacity for transmission at an actual speed of:

(A) not less than ten (10) megabits; and

(B) not more than twenty-five (25) megabits;

per second downstream.

(c) Subject to section 11 of this chapter, the office shall publish on the office's ~~Internet web site~~ **website** all grant applications received by the office under this chapter. For each grant application received, the office shall establish a period of at least thirty (30) days from the date the application is published on the office's ~~Internet web site~~ **website** under this subsection, during which time the office will accept

comments or objections concerning the application. The office shall consider all comments or objections received under this subsection in making a determination as to whether to award a grant to an applicant under this chapter.

SECTION 11. IC 4-4-38.5-13, AS AMENDED BY P.L.89-2021, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 13. (a) The office shall establish and publish on the office's ~~Internet web site:~~ **website:**

(1) specific, measurable goals; and

(2) metrics to be used in assessing the progress made toward accomplishing those goals;

for the disbursement of state broadband grant funds.

(b) Beginning in 2020, not later than August 1 of each year, the office shall submit to the interim study committee on energy, utilities, and telecommunications established by IC 2-5-1.3-4(8) a report on the awarding of grants under this chapter during the most recent state fiscal year, including the following:

(1) The number, amounts, and recipients of grants awarded under this chapter, along with the state agency awarding each grant.

(2) The status of any funded eligible broadband projects.

(3) Expenses incurred and funds spent by the office in administering this chapter.

(4) A list of the entities, if any, that the office collaborated with in administering this chapter.

(5) An accounting of money in the fund, including funds awarded as grants under this chapter.

(6) The number of:

(A) school corporation buildings described in section 9(b)(1) of this chapter;

(B) rural health clinics described in section 9(b)(2) of this chapter;

(C) access points described in section 9(b)(3) of this chapter; and

(D) locations in rural areas described in section 9(b)(4) of this chapter;

to which broadband infrastructure has been deployed with the use of grant funds under this chapter, including address-level information for newly connected locations.

(7) The overall progress of the deployment of broadband infrastructure for the provision of eligible broadband service:

(A) to school corporation buildings, as described in section 9(b)(1) of this chapter;

(B) to rural health clinics, as described in section 9(b)(2) of this chapter;

(C) so as to ensure that eligible students have access points providing a connection to eligible broadband service, as described in section 9(b)(3) of this chapter; and

(D) in rural areas in Indiana, as described in section 9(b)(4) of this chapter.

A report to the interim study committee on energy, utilities, and telecommunications under this subsection must be in an electronic format under IC 5-14-6.

(c) Every year, beginning in 2021, the state board of accounts shall conduct an audit of the awarding of grants under:

(1) IC 4-4-38; and

(2) this chapter;

as appropriate, during the most recent state fiscal year. A report of an audit conducted under this subsection shall be submitted to the interim study committee on energy, utilities, and telecommunications established by IC 2-5-1.3-4(8) in an electronic format under IC 5-14-6 not later than September 1 of the calendar year that includes the end of the state fiscal year covered by the audit.

SECTION 12. IC 4-4-38.6-9, AS ADDED BY P.L.86-2024, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 9. (a) Subject to subsection (b), and to the extent not preempted by federal law, the office shall administer the program in Indiana in compliance with the following:

(1) All mandatory provisions set forth in the act with respect to the program.

(2) All mandatory provisions set forth in the BEAD NOFO with respect to the program.

(3) Before awarding a subgrant to ~~an eligible broadband service provider~~ **a subgrantee** during any round of funding under the program, the office shall submit to the budget committee for review the proposed amount and terms of the subgrant.

(4) In awarding subgrants for the deployment of a broadband network using program funds, the office may not exclude cooperatives, nonprofit organizations, public-private partnerships, private companies, public or private utilities, public utility districts, or local governments from eligibility for those funds, as set forth in 47 U.S.C. 1702(h)(1)(A)(iii).

(b) The final proposal submitted by the office to NTIA must include the specifications for the required low cost broadband service option that are set forth in the office's initial proposal, as submitted to and

approved by NTIA.

SECTION 13. IC 4-4-41-8, AS ADDED BY P.L.89-2021, SECTION 11 AND P.L.158-2021, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 8. (a) The office shall contact broadband Internet providers to solicit the providers' registration with the program. The office shall not:

(1) require a provider to provide any proprietary business information to the office for purposes of participating in the program; or

(2) require a provider to participate in the program.

(b) The office shall create and administer a public broadband portal:

(1) that is accessible to individuals through the office's ~~Internet web site~~ **website** and through a mailing address designated by the office for the purpose of public access to the portal; and

(2) through which an individual may submit the individual's residential or business address to report that minimum broadband Internet connectivity is unavailable at the address.

The public broadband portal created and administered by the office under this section must solicit information as to whether one (1) or more eligible students reside at an address that is reported by an individual under subdivision (2). The office may contract or consult with one (1) or more third parties in the creation or administration of the public broadband portal required by this section.

(c) At least every three (3) months, the office shall:

(1) post addresses, including ZIP codes and any reported information as to whether an eligible student resides at an address, submitted under subsection (b)(2) to ~~an Internet web site~~ **a website** that is accessible only to registered providers; and

(2) not less than twenty-four (24) hours after the addresses are posted, send notice of the posting to registered providers by electronic mail.

(d) Not later than ten (10) business days after a registered provider receives notice of a posting of addresses under subsection (c), the registered provider may provide notice to the office of any posted address at which the registered provider's minimum broadband Internet service is available.

(e) If the office does not receive notice under subsection (d) regarding an address within ten (10) business days after posting the address under subsection (c), the office shall, not later than twenty (20) business days after the expiration of the ten (10) business day period described in subsection (d), transmit to each registered provider a bid notification for provision of broadband Internet service at the address.

(f) A registered provider that receives a bid notification for an address under subsection (e) and wishes to submit a bid for provision of broadband Internet service to the address must, not later than sixty (60) days after receiving the bid notification, send to the office a bid that includes:

(1) a proposal for making a line extension from the provider's existing broadband Internet infrastructure to the address;

(2) an estimate of the state's share of the cost for the line extension; and

(3) a statement of the amount of the cost of the line extension that the provider agrees to bear.

(g) The office shall, not later than thirty (30) business days after the close of the sixty (60) day bidding period for an address under subsection (f), evaluate the bids received and select the provider whose bid presents the lowest cost to the state for extension of the provider's broadband Internet infrastructure to the address.

(h) As used in this section, "eligible student" means a student who is:

(1) a resident of Indiana;

(2) less than twenty-three (23) years of age; and

(3) enrolled in a school in Indiana providing any combination of kindergarten through grade 12 instruction.

SECTION 14. IC 4-4-41-10, AS ADDED BY P.L.89-2021, SECTION 11 AND P.L.158-2021, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 10. (a) Not later than November 1 of each year, the office shall:

(1) issue to the executive director of the legislative services agency, for distribution to the members of the general assembly convening in November of that year; and

(2) post to the office's ~~Internet web site;~~ **website;**

a report regarding the program.

(b) The report under subsection (a) must include the following information with regard to the immediately preceding calendar year:

(1) The number of addresses submitted under section 8(b)(2) of this chapter:

(A) in total; and

(B) categorized by the Indiana legislative district in which the address is located.

(2) The number of grants, and the amount of the grants, awarded under this chapter:

(A) in total; and

(B) categorized by the Indiana legislative district in which the

grant was used to extend broadband Internet service.

(c) The report issued under subsection (a)(1) must be in an electronic format under IC 5-14-6.

SECTION 15. IC 4-4-43-1, AS ADDED BY P.L.158-2021, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 1. (a) The office may maintain a geographic information system or similar data base that contains spatial data regarding the availability of broadband Internet service in Indiana.

(b) The office may create and may, subject to subsection (c), regularly update the data base using broadband Internet coverage information compiled by the Federal Communications Commission.

(c) Not later than July 1, 2022, the office:

(1) may evaluate the broadband Internet coverage map created by the Federal Communications Commission under the Broadband Deployment Accuracy and Technological Availability Act (Public Law 116-130); and

(2) if the office determines that the map provides broadband Internet coverage information:

(A) at a level of detail that allows for determination of broadband Internet availability at individual Indiana addresses; or

(B) at a level of detail greater than that of the broadband Internet coverage map provided by the office on the office's ~~Internet web site;~~ **website;**

may use the information to update the broadband Internet coverage map provided by the office on the office's ~~Internet web site.~~ **website.**

(d) If the office determines in the office's evaluation under subsection (c) that the map does not provide broadband Internet coverage information:

(1) at a level of detail that allows for determination of broadband Internet availability at individual Indiana addresses; or

(2) at a level of detail greater than that of the broadband Internet coverage map provided by the office on the office's ~~Internet web site;~~ **website;**

the office shall present the office's determination to the interim study committee on energy, utilities, and telecommunications during the 2022 legislative interim.

SECTION 16. IC 4-5-10-1, AS AMENDED BY P.L.146-2014, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 1. (a) As used in this section, "person" includes:

(1) an individual engaged in a trade or business; and

(2) a business entity or association described in IC 23.

(b) The office of technology established by IC 4-13.1-2-1 and the secretary of state shall establish policies and procedures for providing electronic and enhanced access under this chapter to create and maintain uniform policies and procedures for electronic and enhanced access by the public.

(c) The secretary of state, in collaboration with other state agencies, including the department of workforce development and the department of state revenue, shall develop and maintain ~~an Internet web site~~ **a website** through which a person is able to submit information simultaneously to the secretary of state and other state agencies about the person's formation, existence, or other trade, business, business entity, or association activities for the purpose of complying with the requirements of state law, including requirements concerning:

(1) pre-establishment;
(2) establishment;
(3) registration;
(4) reinstatement;
(5) licenses or permits;
(6) filings or reports; and
(7) transacting payments or refunds.

The secretary of state shall assign to each business entity registered through the ~~Internet web site~~ **website** a unique business identification number. The secretary of state, the department of state revenue, the department of workforce development, and other state agencies sharing information on the ~~Internet web site~~ **website** relating to a business entity shall use the business entity's unique business identification number.

(d) If the secretary of state requests assistance from a state agency in the development and maintenance of the ~~Internet web site~~ **website** described in subsection (c), the state agency, including the department of workforce development and the department of state revenue, shall furnish the requested assistance. The assistance shall be provided at no cost to the secretary of state.

(e) The secretary of state shall annually, on or before November 1, report to the legislative council about the progress of the ~~Internet web site~~ **website** described in subsection (c). The report must be made:

(1) in an electronic format submitted in accordance with IC 5-14-6; and
(2) in person, if requested by the legislative council.

SECTION 17. IC 4-6-3-2.5, AS ADDED BY P.L.101-2011,

SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 2.5. (a) As used in this section, "agency" means a state agency or a body corporate and politic.

(b) An agency may not enter into a contingency fee contract with a private attorney unless the agency makes a written determination before entering into the contract that contingency fee representation is cost effective and in the public interest. The written determination must include the specific findings described in subsection (c).

(c) The written determination described in subsection (b) must include a consideration of the following factors:

(1) Whether the agency has sufficient and appropriate legal and financial resources to handle the matter.

(2) The time and labor required to conduct the litigation.

(3) The novelty, complexity, and difficulty of the questions involved in the litigation.

(4) The expertise and experience required to perform the attorney services properly.

(5) The geographic area where the attorney services are to be provided.

(d) If the agency makes the determination described in subsection (b), the attorney general shall request proposals from private attorneys wishing to provide services on a contingency fee basis, unless the agency determines in writing that requesting proposals is not feasible under the circumstances.

(e) After the agency has made the determination in subsection (b) and selected a private attorney, but before the agency and the attorney enter into a contract to provide services on a contingency fee basis, the inspector general shall make a determination in writing that entering into the contract would not violate the code of ethics or violate any statute or agency rule concerning conflict of interest. An agency may not enter into a contingency fee contract with a private attorney unless the inspector general has made a written determination under this subsection.

(f) A private attorney who enters into a contingency fee contract with the agency shall maintain detailed contemporaneous time records for the attorneys and paralegals working on the matter in increments of not greater than one-tenth (1/10) of an hour and shall, upon request, promptly provide these records to the attorney general.

(g) The agency may not enter into a contingency fee contract that provides for the private attorney to receive an aggregate contingency fee that exceeds the sum of the following:

(1) Twenty-five percent (25%) of any recovery that exceeds two

million dollars ($2,000,000) and that is not more than ten million dollars ($10,000,000).

(2) Twenty percent (20%) of any part of a recovery of more than ten million dollars ($10,000,000) and not more than fifteen million dollars ($15,000,000).

(3) Fifteen percent (15%) of any part of a recovery of more than fifteen million dollars ($15,000,000) and not more than twenty million dollars ($20,000,000).

(4) Ten percent (10%) of any part of a recovery of more than twenty million dollars ($20,000,000) and not more than twenty-five million dollars ($25,000,000).

(5) Five percent (5%) of any part of a recovery of more than twenty-five million dollars ($25,000,000).

An aggregate contingency fee may not exceed fifty million dollars ($50,000,000), excluding reasonable costs and expenses, regardless of the number of lawsuits filed or the number of private attorneys retained to achieve the recovery.

(h) Copies of any executed contingency fee contract, the inspector general's written determination, and the agency's written determination to enter into a contingency fee contract with the private attorney shall be provided to the attorney general and, unless the attorney general determines that disclosing the contingency fee contract while the action is pending is not in the best interests of the state, the contract shall be posted on the attorney general's ~~web site~~ **website** for public inspection not later than five (5) business days after the date the contract is executed and must remain posted on the ~~web site~~ **website** for the duration of the contingency fee contract, including any extensions to the original contract. Any payment of contingency fees shall be posted on the attorney general's ~~web site~~ **website** not later than fifteen (15) days after the payment of the contingency fees to the private attorney, and must remain posted on the ~~web site~~ **website** for at least one (1) year. If the attorney general determines that disclosing the contingency fee contract is not in the best interests of the state under this subsection, the contract shall be posted on the attorney general's ~~web site~~ **website** not later than fifteen (15) days after the action is concluded.

(i) Every agency that has hired or employed a private attorney on a contingency fee basis in the calendar year shall submit a report describing the use of contingency fee contracts with private attorneys to the attorney general before October 1 of each year. The report must include the following:

(1) A description of all new contingency fee contracts entered into during the year and all previously executed contingency fee

contracts that remain current during any part of the year. The report must include, for each contract:

(A) the name of the private attorney with whom the department has contracted, including the name of the attorney's law firm;

(B) the nature and status of the legal matter;

(C) the name of the parties to the legal matter;

(D) the amount of any recovery; and

(E) the amount of any contingency fee paid.

(2) A copy of all written determinations made under this section during the year.

The attorney general shall compile the reports and submit a comprehensive report to the legislative council before November 1 of each year. The report must be in an electronic format under IC 5-14-6.

SECTION 18. IC 4-12-1-21, AS ADDED BY P.L.87-2022, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 21. (a) To ensure transparency in state government, on or before June 30, 2022, and on or before June 30 of each year thereafter, all state agencies shall submit to the budget agency a report of each individual state employee employed by the state agency whose salary is funded in whole or in part from donated money.

(b) If the donation of money is to the secretary of state, the report shall specify whether the money was or will be distributed to political subdivisions for preparing, administering, or conducting elections, and, if so, the specific types of uses for which the donated money will be used by those political subdivisions.

(c) On or before December 1, 2022, and on or before December 1 of each year thereafter, the budget agency shall annually submit to the budget committee a report of the information submitted under subsections (a) and (b) that specifies and identifies each individual state employee whose salary is funded in whole or in part from donated money.

(d) Before January 31, 2023, and before January 31 of each year thereafter, the report submitted under subsection (c) in the preceding year shall be posted and made available on the Indiana transparency ~~Internet web site~~ **website** established under IC 5-14-3.5-2.

SECTION 19. IC 4-13-16.5-3.5, AS ADDED BY P.L.15-2020, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 3.5. (a) The department shall adopt rules under IC 4-22-2 to do the following:

(1) Increase contracting opportunities for Indiana veteran owned

small businesses described in section 1.5 of this chapter with a goal to procure in each state fiscal year at least three percent (3%) of state contracts with Indiana veteran owned small businesses.

(2) Develop procurement policies and procedures to accomplish the goal described in subdivision (1), including guidelines to be followed by the department in conducting the department's procurement efforts.

(3) Implement section 1.5 of this chapter.

These procurement policies do not apply to a procurement of supplies and services to address immediate and serious government needs at a time of emergency, including a threat to the public health, welfare, or safety that may arise by reason of floods, epidemics, riots, acts of terrorism, major power failures, a threat proclaimed by the President of the United States or the governor, or a threat declared by the commissioner.

(b) The department shall annually evaluate its progress in meeting the goal described in this section for the previous state fiscal year. After June 30 and before November 1 of each year, the department shall submit a report to the governor, the Indiana department of veterans' affairs, and the interim study committee on public safety and military affairs established by IC 2-5-1.3-4 and the legislative council in an electronic format under IC 5-14-6. The report must include:

(1) the percentage goal obtained by the department during the previous state fiscal year; and

(2) a summary of why the department failed to meet the goal and what actions are being taken by the department to meet the goal in the current state fiscal year.

(c) The department shall post the report described in subsection (b) on the department's ~~Internet web site~~ **website** not later than thirty (30) days after the report is submitted. The Indiana department of veterans' affairs shall post the report described in subsection (b) on the department's ~~Internet web site~~ **website** not later than thirty (30) days after the report is submitted by the department.

SECTION 20. IC 4-13-19-10, AS AMENDED BY P.L.13-2013, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 10. (a) The office of the department of child services ombudsman shall prepare a report each year on the operations of the office.

(b) The office of the department of child services ombudsman shall include the following information in the annual report required under subsection (a):

(1) The office of the department of child services ombudsman's

activities.

(2) The general status of children in Indiana, including:

(A) the health and education of children; and

(B) the administration or implementation of programs for children.

(3) Any other issues, concerns, or information concerning children.

(c) A copy of the report shall be provided to the following:

(1) The governor.

(2) The legislative council.

(3) The Indiana department of administration.

(4) The department of child services.

A report provided under this subsection to the legislative council must be in an electronic format under IC 5-14-6.

(d) A copy of the report shall be posted on the department of child services' ~~Internet web site~~ **website** and on any ~~Internet web site~~ **website** maintained by the office of the department of child services ombudsman.

SECTION 21. IC 4-13.1-1-1.5, AS ADDED BY P.L.134-2021, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 1.5. (a) "Cybersecurity incident" means a malicious or suspicious occurrence that consists of one (1) or more of the categories of attack vectors described in subsection (b) and defined on the office's ~~Internet web site~~ **website** that:

(1) jeopardizes or may potentially jeopardize the confidentiality, integrity, or availability of an information system, an operational system, or the information that such systems process, store, or transmit;

(2) jeopardizes or may potentially jeopardize the health and safety of the public; or

(3) violates security policies, security procedures, or acceptable use policies.

(b) A cybersecurity incident may consist of one (1) or more of the following categories of attack vectors:

(1) Ransomware.

(2) Business ~~email~~ **electronic mail** compromise.

(3) Vulnerability exploitation.

(4) Zero-day exploitation.

(5) Distributed denial of service.

(6) ~~Web site~~ **Website** defacement.

(7) Other sophisticated attacks as defined by the chief information officer and that are posted on the office's ~~Internet web site.~~

website.

SECTION 22. IC 4-21.5-3-8.5, AS AMENDED BY P.L.205-2019, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 8.5. (a) After June 30, 2020, this section does not apply to an agency that is subject to the jurisdiction of the office of administrative law proceedings.

(b) An agency may share an administrative law judge with another agency:

(1) to avoid bias, prejudice, interest in the outcome, or another conflict of interest;

(2) if a party requests a change of administrative law judge;

(3) to ease scheduling difficulties; or

(4) for another good cause.

An agency may adopt rules under IC 4-22-2 to implement this subsection.

(c) To the extent practicable, an administrative law judge must have expertise in the area of law being adjudicated.

(d) An agency shall post on the agency's ~~Internet web site~~ **website** the:

(1) name;

(2) salary and other remuneration; and

(3) relevant professional experience;

of every person who serves as an administrative law judge for the agency.

SECTION 23. IC 4-22-2-19.7, AS ADDED BY P.L.152-2012, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 19.7. An agency, to the extent feasible and permitted by law, shall afford the public a meaningful opportunity to comment on proposed rules through the agency's ~~Internet web site.~~ **website.** An agency shall consider providing a comment period that exceeds the minimum required by law.

SECTION 24. IC 4-22-2-22.8, AS AMENDED BY P.L.93-2024, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 22.8. (a) After conducting a regulatory analysis under section 22.7 of this chapter, if an agency elects to adopt a rule subject to section 23 of this chapter or IC 13-14-9, the agency shall submit a request to the budget agency and the office of management and budget to authorize commencement of the public comment periods under this chapter or IC 13-14-9 (as applicable). The request must include the following:

(1) A general description of the subject matter of the proposed rule.

(2) The full text of the proposed rule (including a copy of any matter incorporated by reference under section 21 of this chapter) in the form required by the publisher, including citations to any related authorizing and affected Indiana statutes.

(3) The regulatory analysis, including supporting data, prepared under section 22.7 of this chapter.

(4) Any other information required by the office of management and budget.

(b) The budget agency and the office of management and budget shall expedite the review of the request to adopt a rule. The budget agency and the office of management and budget may do the following:

(1) Return the request to the agency with a statement describing any additional information needed to authorize or disapprove further rulemaking actions on one (1) or more of the rules in the request.

(2) Authorize the commencement of the public comment periods on one (1) or more of the rules in the request with or without changes.

(3) Disapprove commencement of the public comment periods on one (1) or more of the rules with a statement of reasons for the disapproval.

(c) If an agency has requested authorization for more than one (1) rule in the same request, the budget agency and the office of management and budget may make separate determinations with respect to some or all of the rules in the request. Approval of a request shall be treated as a determination that the review conducted and findings made by the agency comply with the requirements of section 22.7 of this chapter and this section. The budget agency and the office of management and budget may not approve any part of a proposed rule that adds or amends language to increase or expand application of a fee, fine, or civil penalty or a schedule of fees, fines, or civil penalties before submitting the proposed rule to the budget committee for review.

(d) If the implementation and compliance costs of a proposed rule are expected to exceed the threshold set forth in section 22.7(c)(6) of this chapter, the office of management and budget shall submit the rule to the legislative council, in an electronic format under IC 5-14-6, within thirty (30) days of completing the review of the regulatory analysis. The chairperson of **the** legislative council shall inform members of the budget committee of a rule submitted under this subsection. The budget agency and the office of management and budget may not approve any part of a proposed rule covered by this

subsection prior to review of the proposed rule by the budget committee.

(e) Notice of the determination shall be provided to the agency in an electronic format required by the publisher. The budget agency and the office of management and budget may return to the agency any copy of a matter incorporated by reference under section 21 of this chapter that was submitted with the request.

(f) If an agency revises a proposed rule after the budget agency and the office of management and budget authorize commencement of the public comment periods, the agency must obtain a new notice of determination under subsection (e). The agency shall resubmit to the budget agency and the office of management and budget the revised proposed rule and a revised regulatory analysis with sufficient information for the budget agency and the office of management and budget to determine the impact the revisions have on the regulatory analysis previously reviewed by the budget agency and the office of management and budget. After obtaining a new notice of determination, the agency shall submit to the publisher the new notice of determination, the revised proposed rule, and the revised regulatory analysis.

SECTION 25. IC 4-23-24.1-4, AS AMENDED BY P.L.42-2024, SECTION 43, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 4. (a) The governor shall annually designate one (1) of the members appointed under section ~~3(1)~~ **3(a)(1)** of this chapter as chairperson of the commission.

(b) Members of the commission appointed under ~~subsection 3(1)~~ **section 3(a)(1)** of this chapter serve a four (4) year term. Each term expires as follows:

(1) For a member appointed from an odd-numbered congressional district, December 31, 2025, and each fourth year thereafter.

(2) For a member appointed from an even-numbered congressional district, December 31, 2027, and each fourth year thereafter.

(c) A member appointed under section ~~3(1)~~ **3(a)(1)** of this chapter may be reappointed for successive terms.

(d) The governor shall fill a vacancy among the members appointed under section ~~3(1)~~ **3(a)(1)** of this chapter. A member appointed under this subsection serves until the end of the unexpired term of the vacating member of the commission.

SECTION 26. IC 4-31-3-8, AS AMENDED BY P.L.256-2015, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 8. The commission shall:

(1) prescribe the rules and conditions under which horse racing at a recognized meeting may be conducted;

(2) initiate safeguards as necessary to account for the amount of money wagered at each track or satellite facility in each wagering pool;

(3) require all permit holders to provide a photographic or videotape recording, approved by the commission, of the entire running of all races conducted by the permit holder;

(4) make annual reports concerning:

(A) the promotional actions taken and promotional initiatives established by the commission to promote the Indiana horse racing industry, including:

(i) a listing of the commission's promotional actions and promotional initiatives; and

(ii) an accounting of the money spent on each promotional action and promotional initiative;

(B) the competitive status of the Indiana horse racing industry as compared to the horse racing industries of other states and measured by purse, handle, and any other factors determined by the commission;

(C) the commission's operations; and

(D) the commission's recommendations;

to the governor and, in an electronic format under IC 5-14-6, to the general assembly;

(5) carry out the provisions of IC 15-19-2, after considering recommendations received from the Indiana standardbred advisory board under IC 15-19-2;

(6) develop internal procedures for accepting, recording, investigating, and resolving complaints from licensees and the general public;

(7) promote the Indiana horse racing industry, including its simulcast product; and

(8) annually post the following information on the commission's ~~Internet web site:~~ **website:**

(A) A summary of the disciplinary actions taken by the commission in the preceding calendar year.

(B) A summary of the complaints received and resolved in the preceding calendar year.

SECTION 27. IC 4-31-5-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 2. (a) An application for renewal of an existing recognized meeting permit must be filed with the commission no later than November 1 of the year preceding the

year in which the horse racing meeting is to be conducted. The timing for filing an initial application for a recognized meeting permit shall be established by the rules of the commission.

(b) The commission shall prescribe the forms to be used in making an application under this section. The application must include the following:

(1) The full name of the person making the application.

(2) If the applicant is an association, the names and addresses of the members of the association.

(3) If the applicant is a corporation, the name of the state in which it is incorporated, the location of its principal place of business, and the names and addresses of its directors and stockholders.

(4) If the applicant is a trust, the location of its principal place of business and the names and addresses of its trustees and beneficiaries.

(5) If the applicant is a partnership, the names and addresses of the partners.

(6) If the applicant is a limited partnership, the names, addresses, and percentages of ownership of each general partner and each limited partner.

(7) If the applicant is a limited liability company, the name of the state where it is organized, the location of its principal place of business, and the names and addresses of the managers and members.

(8) The dates on which the applicant intends to conduct horse racing meetings, which must be successive days (including Sundays) unless otherwise authorized by the commission. The applicant may submit a written statement setting forth the reasons certain dates are sought.

(9) The proposed hours of each racing day.

(10) The location of the place, track, or enclosure where the applicant proposes to conduct horse racing meetings.

(11) A statement of whether the racing plant is owned or leased by the applicant.

(12) A statement of whether the racing plant will include a facility, either physically connected to the clubhouse or in close proximity, that will:

(A) display for public inspection trophies, memorabilia, and instructional material depicting the history of horse racing; and

(B) be made available as a repository for the collections of the Indiana Harness Horse Hall of Fame.

(13) Any other information that the commission requires.

(c) An application under this section must be signed and verified as follows:

(1) An application by an individual must be signed and verified under oath by that individual.

(2) An application by two (2) or more individuals or by a partnership must be signed and verified under oath by one (1) of those individuals or by a member of the partnership.

(3) An application by an association, a trust, or a corporation must be:

(A) signed by its president and vice president;

(B) attested by its secretary; and

(C) verified under oath.

(4) An application by a limited liability company must be signed and verified under oath by two (2) managers or members of the limited liability company.

(d) At the time an application is filed, the applicant must:

(1) pay a permit fee and an investigation fee for an initial permit application as required by the rules of the commission;

(2) file a cash bond, certified check, or bank draft in the manner provided by section 4 of this chapter **(repealed);** and

(3) file a copy of an ordinance adopted under IC 4-31-4.

SECTION 28. IC 4-33-6.7-1, AS ADDED BY P.L.293-2019, SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 1. If a licensed owner submits a request to relocate gaming operations under IC 4-33-6-4.5, the commission shall begin accepting applications and proposals for awarding a license to operate an inland casino in Vigo County. The commission shall publish deadlines for submitting an application and proposal under this chapter on its ~~Internet web site.~~ **website.** An application and proposal must comply with the provisions of IC 4-33-6-2 and include any additional information required by the commission. The commission shall prescribe the form of the application and proposal for permission to operate an inland casino under this chapter.

SECTION 29. IC 4-33-23-10, AS AMENDED BY P.L.229-2013, SECTION 24, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 10. (a) A development provider shall report annually to the commission the following:

(1) The total dollar amounts of economic development payments.

(2) The parties or specified recipients, or both, that receive economic development payments. ~~and~~

(3) Any other items related to an economic development payment that the commission may require.

(b) A specified recipient of an economic development payment shall report annually to the commission an accounting of:

(1) any economic development payment received by the recipient; and

(2) any disbursements of economic development payment money that the recipient makes to:

(A) another specified recipient; or

(B) an unspecified recipient.

(c) A report submitted under subsection (b) must include:

(1) the legal name of the person submitting the report;

(2) the date, amount, and purpose of each disbursement;

(3) the name of each specified or unspecified recipient receiving a disbursement; and

(4) any other information that the commission may require.

(d) Upon request of the commission, a person submitting a report under subsection (a) or (b) shall attach to the report sufficient documentation to support a transaction described in the report.

(e) A report submitted under subsection (a) or (b) must be submitted to the department of local government finance and made available electronically through the Indiana transparency ~~Internet web site~~ **website** established under IC 5-14-3.7.

(f) The commission may require, with respect to a report required by this section:

(1) the format of the report;

(2) the deadline by which the report must be filed; and

(3) the manner in which the report must be maintained and filed.

SECTION 30. IC 4-33-23-17, AS ADDED BY P.L.229-2013, SECTION 25, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 17. (a) Any political subdivision receiving an economic development payment shall annually report the following information to the department of local government finance:

(1) The total amount of economic development payments received in the previous state fiscal year.

(2) The balance of the fund in which the political subdivision deposited the economic development payments under section 13 of this chapter as of the end of the previous state fiscal year.

(b) A political subdivision shall submit the report required by subsection (a) to the department of local government finance before October 1 of each year.

(c) The department of local government finance shall make the report available electronically through the Indiana transparency ~~Internet web site~~ **website** established under IC 5-14-3.7.

SECTION 31. IC 4-33-24-14, AS ADDED BY P.L.212-2016, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 14. A game operator may:

(1) conduct one (1) or more paid fantasy sports games through ~~an Internet web site~~ **a website** maintained and operated by the game operator; or

(2) contract with a licensee to conduct one (1) or more paid fantasy sports games on the premises of a licensed facility.

SECTION 32. IC 4-37-7-8, AS AMENDED BY P.L.167-2020, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 8. (a) The chief executive officer of the corporation may enter into a memorandum of understanding with one (1) or more nonprofit organizations that are recognized supporters of a specific state historic site and are exempt from taxation under Section 501(c)(3) of the Internal Revenue Code. The memorandum of understanding may provide that the nonprofit organization or organizations may maintain a gift shop and offer special events at the state historic site.

(b) A memorandum of understanding entered into under this section may not do any of the following to restrict the fundraising activities of an organization described in subsection (a):

(1) Require the organization to deposit into the fund the proceeds of a fundraising activity approved by the chief executive officer.

(2) Require the organization to send money donated to the organization to the corporation.

(3) Require the approval of the chief executive officer, or the chief executive officer's designee, before the organization pursues general donations from individuals and other entities.

(4) Restrict, regulate, or limit the ability of the organization to hold offsite fundraising programs or activities.

(5) Restrict, regulate, or limit the ability of the organization to promote or advertise any onsite or offsite fundraising programs or activities on social media, via electronic mail, on ~~an Internet web site,~~ **a website,** or by any other means.

(c) A memorandum of understanding entered into under this section may not do any of the following:

(1) Require the organization to be any type of supporting organization (as the term is used in the Internal Revenue Code).

(2) Require a representative of the corporation to be a voting or nonvoting member of the organization's board of directors.

(3) Require the organization to submit to the corporation any organization documents, correspondence, electronic mail, or other

data that are not required to be submitted by the Internal Revenue Service.

(4) Require the organization to submit an audit of the organization's funds.

(5) Restrict, regulate, or otherwise limit the ability of the organization to promote any onsite or offsite activities.

(6) Allow the corporation to take a nonprofit organization's real or financial assets.

(7) Require the organization to pay any rental or other fee to support an event at a state historic site that is sponsored by the organization or the corporation.

(d) The corporation shall return to the organization any funds raised by the organization and donated to the corporation that:

(1) are designated as donor restricted funds for a specific use in a historic site project; and

(2) are not used for the donor's specified use in the historic site project;

upon the completion of the historic site project.

SECTION 33. IC 5-1.2-11.5-10, AS ADDED BY P.L.18-2022, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 10. (a) As used in this section, "program" refers to the drinking water and wastewater infrastructure research and extension program authorized by subsection (c).

(b) As used in this section, "utility" means any of the following that provides drinking water, wastewater, or storm water service in Indiana:

(1) A public utility (as defined in IC 8-1-2-1(a)).

(2) A municipally owned utility (as defined in IC 8-1-2-1(h)).

(3) A not-for-profit utility (as defined in IC 8-1-2-125(a)).

(4) A cooperatively owned corporation.

(5) A conservancy district established under IC 14-33.

(6) A regional sewer district established under IC 13-26.

(7) A department of storm water management under IC 8-1.5-5.

(c) A drinking water and wastewater infrastructure research and extension program may be established to provide data collection and information, training, and technical assistance concerning:

(1) drinking water infrastructure;

(2) wastewater infrastructure; and

(3) storm water infrastructure;

in Indiana, including assistance with infrastructure and system design, construction, operation, maintenance, financial management, and administration.

(d) The authority may contract with a state supported college or

university in Indiana to provide the program. The program:

(1) must be overseen by a director and include such staff as mutually agreed upon by the authority and the college or university; and

(2) may be housed within, or share staff with, the research and highway extension program established by IC 8-17-7, as may be mutually agreed upon by the authority and the college or university.

The authority may financially support the program from existing funds appropriated to the authority.

(e) The program may provide the following services and programs to, or for the benefit of, utilities that provide drinking water, wastewater, or storm water service in Indiana:

(1) Assisting utilities in the development of asset management programs by:

(A) providing educational and technical assistance concerning the principles, benefits, requirements, and implementation of a successful asset management program; and

(B) reviewing the asset management programs of utilities and offering advice in cases in which information or essential components may be missing or lacking.

(2) Serving as a central repository for data concerning the location and condition of, and populations served by, drinking water infrastructure, wastewater infrastructure, and storm water infrastructure throughout Indiana, by:

(A) collecting:

(i) data from utilities, local units, and state agencies; or

(ii) field data;

(B) compiling and organizing the data collected; and

(C) subject to subsection (g), making the data available in an electronic format specified by the authority on ~~an Internet web site~~ **a website** maintained by:

(i) the authority; or

(ii) the program.

(3) Providing training and technical assistance to utilities by:

(A) offering, participating in, or sponsoring statewide or local conferences and workshops on topics related to the design, construction, operation, maintenance, and administration of utilities' infrastructure and systems; and

(B) making available or providing information on professional development opportunities for Indiana's drinking water, wastewater, and storm water utility industry workforces.

(f) Subject to subsection (g), not later than July 1, 2023, the authority shall make information concerning all:

(1) utility asset management programs; and

(2) utility asset lifecycle management costs;

submitted to or reviewed by the authority under this article available in an electronic format specified by the authority on ~~an Internet web site~~ **a website** maintained by the authority or the program.

(g) In carrying out the duties set forth in subsections (e)(2) and (f), the authority and, if applicable, the program shall use any data the authority or the program acquires in a manner that:

(1) protects the confidential information of individual utilities and customers; and

(2) is consistent with IC 5-14-3-4.

SECTION 34. IC 5-2-1-12.5, AS AMENDED BY P.L.12-2021, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 12.5. (a) The board may revoke, suspend, modify, or restrict a diploma, certificate, or document showing compliance and qualification issued by the board, or any authority to act as a law enforcement officer in the state, for any of the following reasons:

(1) The officer has been convicted of:

(A) a felony; or

(B) a misdemeanor that would cause a reasonable person to believe that the officer:

(i) is dangerous or violent; or

(ii) has a demonstrated propensity to violate the law.

(2) The officer has been found not guilty of a felony by reason of mental disease or defect.

(3) The officer's diploma, certificate, or document showing compliance and qualification issued by the board, or by another person, was issued in error or was issued on the basis of information later determined to be false.

(4) The officer has engaged in conduct that would be a criminal offense described in subdivision (1)(A) through (1)(B), even if the officer was not charged with the criminal offense.

(b) If, after affording the law enforcement officer all due process rights, the chief executive officer or the hiring or appointing authority disciplines a law enforcement officer for a violation described in subsection (a), the chief executive officer or hiring or appointing authority shall report the discipline to the executive director to determine whether proceedings under this section are warranted. The chief executive officer or the hiring or appointing authority shall report the discipline within thirty (30) days of the imposition of the discipline.

(c) If a law enforcement officer resigns or retires from the department or agency before a finding and order has been issued concerning a violation of subsection (a), the chief executive officer or the hiring or appointing authority shall report the resignation to the executive director to determine whether proceedings under this section are warranted. A report under this subsection must be made within thirty (30) days of the resignation or retirement of the law enforcement officer.

(d) A person who knows of cause for the revocation of an officer's diploma, certificate, or document showing compliance and qualification shall inform the officer's hiring or appointing authority or the executive director. A person who makes a good faith report of cause for revocation of an officer's diploma, certificate, or document showing compliance and qualification is immune from civil liability.

(e) If the chief executive officer or hiring or appointing authority receives a report of cause for revocation concerning an officer within the chief executive officer's agency, the chief executive officer shall:

(1) cause the internal affairs division (or a similar unit) of the agency to investigate the report without unnecessary delay; or

(2) request that the investigation be conducted by a law enforcement agency other than the law enforcement agency to which the subject of the investigation belongs.

The chief executive officer or hiring or appointing authority shall report any finding and order for discipline for a cause described in subsection (a) to the executive director.

(f) If a hiring or appointing authority receives a report of cause for revocation concerning the chief executive officer, the hiring or appointing authority shall cause an appropriate investigative agency to investigate without unnecessary delay.

(g) If the executive director receives a report or otherwise learns of cause for revocation concerning a law enforcement officer or chief executive officer, the board shall consider the report and direct the subject officer's chief executive officer or hiring or appointing authority to conduct an investigation. The chief executive officer or hiring or appointing authority shall cause an investigation to be conducted by an appropriate investigative agency without unnecessary delay.

(h) When a chief executive officer or hiring or appointing authority completes an investigation of cause for revocation, the chief executive officer or hiring or appointing authority shall forward a complete report of its investigation, findings, and recommendations, if any, to the executive director. The chief executive officer or hiring or appointing authority shall also forward to the executive director a description of

any administrative or disciplinary action taken as a result of the investigation not later than sixty (60) days after the chief executive officer or hiring or appointing authority takes administrative or disciplinary action.

(i) Upon receipt of a final report of an investigation under this section, the executive director shall review and make recommendations to the board. If the recommendation is to revoke or suspend the law enforcement officer's authority to act as a law enforcement officer, then all of the following apply:

(1) The executive director shall cause written charges to be prepared and served upon the law enforcement officer by personal service, certified mail, or other delivery service for which a receipt for delivery is generated.

(2) The law enforcement officer may:

(A) voluntarily relinquish the officer's diploma, certificate, or document showing compliance and qualification issued by the board, or any authority to act as a law enforcement officer, by completing, before a notary public, a relinquishment form provided by the board; or

(B) demand an evidentiary hearing on the allegations.

(3) The:

(A) law enforcement officer has the right to be represented by an attorney at the sole expense of the law enforcement officer; and

(B) board may be represented by the general counsel for the Indiana law enforcement academy (or a designee), the attorney general, or a private attorney.

All attorneys shall file an appearance with the board.

(4) If the law enforcement officer demands an evidentiary hearing, the board chairperson shall appoint a subcommittee to conduct the evidentiary hearing. The subcommittee shall be composed of three (3) law enforcement officers who are members of the board and two (2) members of the board who are not currently law enforcement officers. The subcommittee shall provide findings of fact and conclusions of law, and the board shall render the final decision and impose the revocation or suspension, if warranted.

(5) Not later than ten (10) days after its appointment, the subcommittee shall conduct a prehearing conference with the parties. The prehearing conference may be conducted electronically if every party may fully participate. The prehearing conference shall address:

(A) the narrowing of issues and defenses;

(B) discovery matters;

(C) stipulations that may be reached;

(D) names and subject matter of all witnesses;

(E) whether summary judgment may be requested;

(F) the need for legal briefs on any issue;

(G) the date, time, location, and probable length of the evidentiary hearing; and

(H) any other pertinent issues.

The subcommittee shall issue an order summarizing the proceedings and its ruling on the issues.

(6) Each party is entitled to engage in reasonable discovery as approved by the subcommittee and consistent with the Indiana Rules of Trial Procedure.

(7) The evidentiary hearing shall permit opening statements by each party, direct and cross-examination of witnesses, introduction of evidence, and closing arguments.

(8) The evidentiary hearing shall be recorded.

(9) The subcommittee may request each party to submit proposed findings of fact and conclusions of law, and shall render a determination of the issues not later than thirty (30) days from receipt of the last submission of proposed findings of fact and conclusions of law.

(j) When the subcommittee makes its findings of fact and conclusions of law, it shall serve a copy on the law enforcement officer by personal service, certified mail, or other delivery service for which a receipt for delivery is generated, and shall further notify the law enforcement officer of the date, time, and location of the board meeting. At the meeting the board shall determine whether to accept the recommendation of the subcommittee.

(k) A law enforcement officer may seek judicial review of an adverse determination of the board under IC 4-21.5-5.

(l) The fact that the law enforcement officer:

(1) has been disciplined; or

(2) may be disciplined;

by the hiring or appointing authority for the same conduct is not a bar to any action by the board under this section.

(m) The board shall include the name of any law enforcement officer who has been decertified on the ~~Internet web site~~ **website** of the Indiana law enforcement academy, and shall transmit the officer's name for inclusion on the decertification index maintained by the International Association of Directors of Law Enforcement Standards

and Training.

(n) A law enforcement officer who has been decertified may apply to the board for reinstatement. The application for reinstatement must:

(1) be in writing and signed by the law enforcement officer subject to the penalties for perjury; and

(2) demonstrate that reinstatement is appropriate, that the applicant poses no danger to the public, and that the applicant can perform as a law enforcement officer according to the board's standards.

By filing a petition for reinstatement the applicant agrees to submit to any investigation, testing, analysis, or other procedure or protocol determined by the board or the executive director. The board may direct the executive director to investigate the application for reinstatement and make a recommendation to the board. The executive director shall review the application for reinstatement and all supporting evidence, including expunged criminal convictions, and shall make a recommendation to the board. The board shall consider the application and recommendation of the executive director and shall notify the applicant of its determination in person or by certified mail or other delivery service for which a receipt for delivery is generated.

(o) The board shall adopt rules under IC 4-22-2 to implement this section.

SECTION 35. IC 5-2-6-4, AS AMENDED BY P.L.42-2024, SECTION 60, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 4. (a) The board of trustees is composed of:

(1) the governor, or the governor's designee, who shall act as chairman;

(2) the attorney general, or the attorney general's designee;

(3) the superintendent of state police, or the superintendent's designee;

(4) the commissioner of the department of correction, or the commissioner's designee;

(5) the executive director of the prosecuting attorneys council **of Indiana;**

(6) the chief administrative officer of the office of judicial administration;

(7) the executive director of the public ~~defenders~~ **defender** council **of Indiana;**

(8) the state public defender; **and**

(9) eight (8) persons who are appointed by and who serve at the pleasure of the governor, including:

(A) one (1) sheriff;

(B) one (1) chief of police;

(C) one (1) judge of a court with both juvenile jurisdiction and general criminal jurisdiction; and

(D) five (5) citizens who have manifested an interest in criminal or juvenile justice, one (1) of whom shall be a member of the state advisory group under the Juvenile Justice Act.

(b) The president pro tempore of the senate, or a senator appointed by the president pro tempore, and the speaker of the house of representatives, or a representative appointed by the speaker, may serve as nonvoting ~~advisors~~ **advisers** to the trustees. A trustee ~~advisor~~ **adviser** appointed under this subsection serves at the pleasure of the appointing authority. A member of the general assembly serving under this subsection serves a term of two (2) years. The term expires June 30 of each odd-numbered year.

(c) A trustee appointed by the governor serves at the pleasure of the governor. The terms of the trustees appointed by the governor are four (4) years in length and expire as follows:

(1) For a trustee described in subsection (a)(9)(A) through (a)(9)(C), December 31, 2025, and each fourth year thereafter.

(2) For a trustee described in subsection (a)(9)(D), December 31, 2027, and each fourth year thereafter.

(d) Membership on the board of trustees does not constitute holding a public office.

(e) The appropriate appointing authority shall fill a vacancy on the board of trustees. A trustee appointed to fill a vacancy serves for the remainder of the term of the trustee's predecessor.

SECTION 36. IC 5-2-6-24, AS AMENDED BY P.L.126-2024, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 24. ~~(a) As used in this section, "criminal code reform" refers to statutory provisions relating to criminal law enacted by P.L.158-2013 and HEA 1006-2014.~~

~~(b)~~ **(a)** The institute shall monitor and evaluate the status of Indiana's criminal justice system as described in this section.

~~(c)~~ **(b)** The institute shall annually gather data and analyze the status of the criminal justice system in Indiana, including the impact of current trends on:

(1) local units of government;

(2) the department of correction; and

(3) the office of judicial administration.

~~(d)~~ **(c)** The institute shall prepare an annual report, in conjunction with the justice reinvestment advisory council (established by

IC 33-38-9.5-2), containing the results of its analysis before January 1 of each year. The report shall be provided to the governor, the chief justice, and the legislative council. The report provided to the legislative council must be in an electronic format under IC 5-14-6.

~~(c)~~ **(d)** The report required under this section must:

(1) include an analysis of:

(A) county jail populations;

(B) community corrections agencies;

(C) probation departments;

(D) courts;

(E) recidivism rates;

(F) reentry court programs; and

(G) data relevant to the availability and effectiveness of mental health and addiction programs for persons who are in the criminal justice system;

(2) track the number of requests for sentence modification that are set for hearing by the court, including the relief granted by the court, if any;

(3) track, by age and offense, the number of juveniles under the jurisdiction of an adult court due to:

(A) lack of jurisdiction under IC 31-30-1-4; or

(B) waiver of jurisdiction under IC 31-30-3-2 through IC 31-30-3-6;

(4) track the number of juveniles under the jurisdiction of adult court due to a juvenile court not having jurisdiction of the cases in accordance with IC 31-30-1-4, by:

(A) age;

(B) sex;

(C) race;

(D) county of prosecution;

(E) offenses charged;

(F) convictions received; and

(G) sentences received; and

(5) track the number of waivers of juvenile court jurisdiction granted under IC 31-30-3-2 through IC 31-30-3-6 by:

(A) age;

(B) sex;

(C) race;

(D) charges filed in juvenile court in which a waiver was sought;

(E) charges filed in adult court following the waiver of juvenile court jurisdiction;

(F) county of prosecution;

(G) convictions received; and

(H) sentences received.

~~(f)~~ **(e)** All local units of government and local elected officials, including sheriffs, prosecuting attorneys, judges, and county fiscal bodies, shall cooperate with the institute by providing data as requested by the institute.

~~(g)~~ **(f)** State agencies, including the department of correction, the ~~Indiana~~ prosecuting attorneys council **of Indiana,** the ~~Indiana~~ public defender council **of Indiana,** the office of judicial administration, and the division of mental health and addiction, shall assist the institute by providing requested data in a timely manner.

~~(h)~~ **(g)** Based on their analysis, the institute and the justice reinvestment advisory council shall include recommendations to improve the criminal justice system in Indiana, with particular emphasis being placed on recommendations that relate to sentencing policies and reform.

~~(i)~~ **(h)** The institute and the justice reinvestment advisory council shall include research data relevant to their analysis and recommendations in the report.

~~(j)~~ **(i)** The institute shall:

(1) make the data collected under subsection ~~(c)(4)~~ **(d)(4)** and ~~(c)(5)~~ **(d)(5)** available to the public in an annual report, by fiscal year, due by October 30 of each year;

(2) post the annual report required by subdivision (1) on the institute's website; and

(3) provide a copy of the annual report required by subdivision (1) to the commission on improving the status of children in Indiana established by IC 2-5-36-3.

SECTION 37. IC 5-2-6.1-10, AS AMENDED BY P.L.130-2018, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 10. The division shall do the following:

(1) Maintain an office and staff in Indianapolis.

(2) Prescribe forms for processing applications for assistance.

(3) Determine claims for assistance filed under this chapter and investigate or reopen cases as necessary.

(4) Prepare and post on the division's ~~Internet web site~~ **website** a report of the division's activities on a monthly, quarterly, and annual basis.

SECTION 38. IC 5-2-6.1-16, AS AMENDED BY P.L.20-2024, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 16. (a) A person eligible for assistance under

section 12 of this chapter may file an application for assistance with the division.

(b) Except as provided in subsections (e) and (f), the application must be received by the division not more than one hundred eighty (180) days after the date the crime was committed. The division may grant an extension of time for good cause shown by the claimant. However, and except as provided in subsections (e) and (f), the division may not accept an application that is received more than two (2) years after the date the crime was committed.

(c) The application must be filed in the office of the division in person, through the division's ~~Internet web site,~~ **website,** or by first class or certified mail. If requested, the division shall assist a victim in preparing the application.

(d) The division shall accept all applications filed in compliance with this chapter. Upon receipt of a complete application, the division shall promptly begin the investigation and processing of an application.

(e) An alleged victim of a child sex crime may submit an application to the division until the victim becomes thirty-one (31) years of age or in accordance with subsection (f).

(f) An alleged victim of a child sex crime described in IC 35-41-4-2(e) which meets the requirements of IC 35-41-4-2(p) may submit an application to the division not later than five (5) years after the earliest of the date on which:

(1) the state first discovers evidence sufficient to charge the offender with the offense through DNA (deoxyribonucleic acid) analysis;

(2) the state first becomes aware of the existence of a recording (as defined in IC 35-31.5-2-273) that provides evidence sufficient to charge the offender with the offense; or

(3) a person confesses to the offense.

(g) An alleged victim of a battery offense included in IC 35-42-2 upon a child less than fourteen (14) years of age may submit an application to the division not later than five (5) years after the commission of the offense.

SECTION 39. IC 5-2-25-9, AS ADDED BY P.L.14-2024, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 9. Each member of the ~~council~~ **commission** who is a member of the general assembly is entitled to receive the same per diem, mileage, and travel allowances paid to legislative members of interim study committees established by the legislative council. Per diem, mileage, and travel allowances paid under this section shall be paid from appropriations made to the legislative council or the

legislative services agency.

SECTION 40. IC 5-3-1-1.6, AS ADDED BY P.L.146-2024, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 1.6. (a) This section applies to a notice published by a political subdivision in a newspaper or locality newspaper under section 4 of this chapter.

(b) This subsection applies if a newspaper or locality newspaper publishes:

(1) a print edition not more than three (3) times a week; and

(2) an electronic edition.

A notice may be published in either the print edition or the electronic edition.

(c) This subsection applies if a newspaper or locality newspaper:

(1) publishes a print edition not more than two (2) times a week; and

(2) does not publish an electronic edition.

A notice may be published in either the print edition or on the website of the newspaper or locality newspaper. If the newspaper or locality newspaper does not maintain a website, a notice may be published in either the print edition or on the political subdivision's official website (as defined in IC 5-3-5-2) in accordance with IC 5-3-5.

(d) A newspaper or locality newspaper may not:

(1) charge a person a fee for viewing or searching the website or electronic edition for public notices; or

(2) require a person to register on the ~~newspaper~~ **newspaper's** or locality newspaper's website in order to view or search for public notices on the website.

(e) The basic charge for publication of a notice in an electronic edition shall be the same as the basic charge for publication of the notice in the print edition in accordance with section 1 of this chapter.

SECTION 41. IC 5-3-5-1, AS ADDED BY P.L.152-2021, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 1. This chapter applies to a political subdivision that:

(1) has an official ~~web site;~~ **website;** and

(2) is authorized under IC 5-3-1-2 or another statute to publish a notice on the political subdivision's ~~Internet web site~~ **website** in accordance with this chapter.

SECTION 42. IC 5-3-5-2, AS ADDED BY P.L.152-2021, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 2. As used in this chapter, "official ~~web site"~~ **website"** means the Internet location designated by a political

subdivision as its primary source of information about the political subdivision on the Internet.

SECTION 43. IC 5-3-5-4, AS ADDED BY P.L.152-2021, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 4. (a) A political subdivision that is required by statute to publish notice in a newspaper two (2) or more times may make:

(1) the first publication of a notice in a newspaper or newspapers as required under IC 5-3-1-4 or the applicable statute; and

(2) if the political subdivision maintains an official ~~web site,~~ **website,** all subsequent publications of the notice only on the official ~~web site~~ **website** of the political subdivision.

(b) If a political subdivision is required to publish a notice two (2) or more times in at least two (2) newspapers more or less contemporaneously, the first publication of the notice includes the first publication of the notice in both newspapers.

SECTION 44. IC 5-3-5-5, AS ADDED BY P.L.152-2021, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 5. The notice must:

(1) be in a location on the official ~~web site~~ **website** where the notice is easily accessible and identifiable; and

(2) remain on the official ~~web site~~ **website** not less than seven (7) days after the last posting date required by law has expired.

SECTION 45. IC 5-3-5-6, AS ADDED BY P.L.152-2021, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 6. (a) The political subdivision or county, or a contractor that contracts with the political subdivision or county to administer the official ~~web site,~~ **website,** shall:

(1) create a printed copy of any notice posted on the official ~~web site~~ **website** in a format that includes the date of publication on the first day that the legal notice is published on the official ~~web site;~~ **website;** and

(2) maintain a printed copy of any notice for archival and verification purposes.

(b) A proof of publication that complies with section 7 of this chapter must be furnished upon request. The proof of publication must state that the notice was posted from the initial date through the last posting date required by law.

SECTION 46. IC 5-3-5-8, AS ADDED BY P.L.152-2021, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 8. The political subdivision shall:

(1) designate an official of the political subdivision to be

responsible for electronic publications; and

(2) post the official's name and contact information on the official ~~web site.~~ **website.**

SECTION 47. IC 5-4-1-5.1, AS AMENDED BY P.L.188-2016, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 5.1. (a) "Political subdivision" as used in this section has the meaning set forth in IC 36-1-2-13 and excludes any department or agency of the state.

(b) Every elected or appointed officer, official, deputy, employee, or contractor of a political subdivision who is required by section 18 of this chapter to file an official bond for the faithful performance of duty, except the county recorder and deputies and employees of the recorder, shall file the bond with the fiscal officer of the political subdivision and in the office of the county recorder in the county of office or employment of the officer, official, deputy, employee, or contractor. The county recorder and deputies and employees of the recorder shall file their bonds with the county auditor and in the office of the clerk of the circuit court.

(c) The bonds described in subsection (b) shall be filed within ten (10) days of their issuance or, if approval is required, within ten (10) days after their approval by the person required to approve the bonds. The recorder shall record all of the bonds filed under this section, indexing them alphabetically under the name of the principal and referring to the title, office, and page number where recorded. The bonds shall be kept in a safe and convenient place in the recorder's office with a reference to the date filed and record and page where recorded.

(d) Every county officer who is required to give bond shall have a copy of the oath of office recorded with the bond.

(e) The fiscal officer of a political subdivision with whom an official bond is filed under subsection (b) shall file a copy of the bond with the state board of accounts:

(1) contemporaneously with the filing of the political subdivision's annual financial report required under IC 5-11-1-4(a); and

(2) electronically in the manner prescribed under IC 5-14-3.8-7.

(f) The state board of accounts shall maintain a data base of bonds received under this section and make the data base available to the public on the state board of accounts ~~Internet web site.~~ **website.** To the extent practicable, the data base must include a list that specifies:

(1) every individual who is required by section 18 of this chapter to file; and

(2) whether each individual specified under subdivision (1) has obtained and filed;

an official bond for the faithful performance of duty.

SECTION 48. IC 5-10-8-17, AS ADDED BY P.L.19-2016, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 17. (a) As used in this section, "covered individual" means an individual entitled to coverage under a state employee health plan.

(b) As used in this section, "preceding prescription drug" means a prescription drug that, according to a step therapy protocol, must be:

(1) first used to treat a covered individual's condition; and

(2) as a result of the treatment under subdivision (1), determined to be inappropriate to treat the covered individual's condition;

as a condition of coverage under a state employee health plan for succeeding treatment with another prescription drug.

(c) As used in this section, "protocol exception" means a determination by a state employee health plan that, based on a review of a request for the determination and any supporting documentation:

(1) a step therapy protocol is not medically appropriate for treatment of a particular covered individual's condition; and

(2) the state employee health plan will:

(A) not require the covered individual's use of a preceding prescription drug under the step therapy protocol; and

(B) provide immediate coverage for another prescription drug that is prescribed for the covered individual.

(d) As used in this section, "state employee health plan" refers to the following that provide coverage for prescription drugs:

(1) A self-insurance program established under section 7(b) of this chapter.

(2) A contract with a prepaid health care delivery plan that is entered into or renewed under section 7(c) of this chapter.

The term includes a person that administers prescription drug benefits on behalf of a state employee health plan.

(e) As used in this section, "step therapy protocol" means a protocol that specifies, as a condition of coverage under a state employee health plan, the order in which certain prescription drugs must be used to treat a covered individual's condition.

(f) As used in this section, "urgent care situation" means a covered individual's injury or condition about which the following apply:

(1) If medical care or treatment is not provided earlier than the time frame generally considered by the medical profession to be reasonable for a nonurgent situation, the injury or condition could

seriously jeopardize the covered individual's:

(A) life or health; or

(B) ability to regain maximum function;

based on a prudent layperson's judgment.

(2) If medical care or treatment is not provided earlier than the time frame generally considered by the medical profession to be reasonable for a nonurgent situation, the injury or condition could subject the covered individual to severe pain that cannot be adequately managed, based on the covered individual's treating health care provider's judgment.

(g) A state employee health plan shall publish on the state employee health plan's ~~Internet web site,~~ **website,** and provide to a covered individual in writing, a procedure for the covered individual's use in requesting a protocol exception. The procedure must include the following provisions:

(1) A description of the manner in which a covered individual may request a protocol exception.

(2) That the state employee health plan shall make a determination concerning a protocol exception request, or an appeal of a denial of a protocol exception request, not more than:

(A) in an urgent care situation, one (1) business day after receiving the request or appeal; or

(B) in a nonurgent care situation, three (3) business days after receiving the request or appeal.

(3) That a protocol exception will be granted if any of the following apply:

(A) A preceding prescription drug is contraindicated or will likely cause an adverse reaction or physical or mental harm to the covered individual.

(B) A preceding prescription drug is expected to be ineffective, based on both of the following:

(i) The known clinical characteristics of the covered individual.

(ii) Known characteristics of the preceding prescription drug, as found in sound clinical evidence.

(C) The covered individual has previously received:

(i) a preceding prescription drug; or

(ii) another prescription drug that is in the same pharmacologic class or has the same mechanism of action as a preceding prescription drug;

and the prescription drug was discontinued due to lack of efficacy or effectiveness, diminished effect, or an adverse

event.

(D) Based on clinical appropriateness, a preceding prescription drug is not in the best interest of the covered individual because the covered individual's use of the preceding prescription drug is expected to:

(i) cause a significant barrier to the covered individual's adherence to or compliance with the covered individual's plan of care;

(ii) worsen a comorbid condition of the covered individual; or

(iii) decrease the covered individual's ability to achieve or maintain reasonable functional ability in performing daily activities.

(4) That when a protocol exception is granted, the state employee health plan shall notify the covered individual and the covered individual's health care provider of the authorization for coverage of the prescription drug that is the subject of the protocol exception.

(5) That if:

(A) a protocol exception request; or

(B) an appeal of a denied protocol exception request;

results in a denial of the protocol exception, the state employee health plan shall provide to the covered individual and the treating health care provider notice of the denial, including a detailed, written explanation of the reason for the denial and the clinical rationale that supports the denial.

(6) That the state employee health plan may request a copy of relevant documentation from the covered individual's medical record in support of a protocol exception.

SECTION 49. IC 5-11-5-1.5, AS AMENDED BY P.L.157-2020, SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 1.5. (a) As used in this section, "audited entity" includes only the following:

(1) A state agency (as defined in IC 4-13-1-1).

(2) A public hospital.

(3) A municipality.

(4) A body corporate and politic.

(5) A state educational institution.

(6) An entity to the extent that the entity is required to be examined under IC 5-11-1-9 or another law.

(b) If an examination report contains a finding that an audited entity failed to observe a uniform compliance guideline established under

IC 5-11-1-24(a) or to comply with a specific law, the audited entity shall take action to address the audit finding.

(c) If a subsequent examination report of the audited entity contains a finding that is the same as or substantially similar to the finding contained in the previous examination report described in subsection (b), the public officer of the audited entity shall file a corrective action plan as a written response to the report under section 1(b) of this chapter.

(d) The state board of accounts shall create guidelines for use by an audited entity to establish a corrective action plan described in subsection (c). The guidelines must include a requirement that the issue that is the subject of a finding described in subsection (c) must be corrected not later than six (6) months after the date on which the corrective action plan is filed.

(e) After the successful completion of a corrective action plan by an audited entity that was required to file a corrective action plan under subsection (c), the audited entity shall notify the state board of accounts. The state board of accounts shall review each corrective action plan. If a corrective action plan is not implemented or the issue that is the subject of the finding is not corrected within six (6) months, the state board of accounts shall prepare a memorandum summarizing:

(1) the examination report finding;

(2) the corrective action plan;

(3) the manner by which the examination report finding was or was not addressed; and

(4) a recommended course of action.

(f) The state board of accounts shall present to the audit committee established by IC 2-5-1.1-6.3 a memorandum described in subsection (e). If the audit committee determines that further action should be taken, the audit committee may do any of the following:

(1) Request a written statement from the public officer of the audited entity.

(2) Request the personal attendance of the public officer of the audited entity at the next audit committee meeting.

(3) Request that the public officer of the audited entity take corrective action.

(4) Notify the:

(A) office of management and budget (in the case of an audited entity that is a state agency, a body corporate and politic, or a state educational institution); or

(B) officer or chief executive officer, legislative body, and fiscal body of the audited entity and the department of local

government finance (in the case of any other audited entity); that the audited entity refused to correct the audited entity's failure to observe a uniform compliance guideline established under IC 5-11-1-24(a), or refused to comply with a specific law, with notice of the recommendation described in subsection (e)(4) published on the general assembly's ~~Internet web site.~~ **website.**

(5) Refer the facts drawn from the examination and the actions taken under this section for investigation and prosecution of a violation of IC 5-11-1-10 or IC 5-11-1-21 to the:

(A) inspector general, in the case of an audited entity that is a state agency, a body corporate and politic, or a state educational institution; or

(B) prosecuting attorney of the county in which a violation of IC 5-11-1-10 or IC 5-11-1-21 may have been committed, in the case of any other audited entity;

with notice of the referral published on the general assembly's ~~Internet web site.~~ **website.** Notice of a referral described in clause (B) must be sent to the officer or chief executive officer, legislative body, and fiscal body of the audited entity.

(6) Recommend that legislation be introduced in the general assembly to amend any statute under which the audited entity is found to be noncompliant.

(7) Recommend that the state board of accounts examine the audited entity within the calendar year following the year in which the audited entity was required to file a corrective action plan under subsection (c).

(g) When implementing this section, the state board of accounts may issue confidential management letters, based on professional auditing standards, to an audited entity in a situation involving noncompliance that does not result in the establishment of a corrective action plan but that must be brought to the attention of the audited entity's governing body.

SECTION 50. IC 5-13-12-12, AS ADDED BY P.L.115-2010, SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 12. (a) In June and December each year, the board shall prepare a written report generally summarizing the board's activities and the status of the public deposit insurance fund for the previous six (6) months. However, the report may not identify a particular financial institution notwithstanding the requirements of IC 5-14-3. The report shall be made available on the board's ~~Internet web site.~~ **website.**

(b) The chairperson of the board or the chairperson's designee shall

present the semiannual report to the budget committee at a public hearing.

SECTION 51. IC 5-14-1.5-3.6, AS AMENDED BY P.L.124-2022, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 3.6. (a) This section applies only to a governing body of the following:

(1) A charter school.

(2) A public agency of the state, including a body corporate and politic established as an instrumentality of the state.

(3) An airport authority or a department of aviation under IC 8-22.

(4) A conservancy district under IC 14-33.

(b) A member of a governing body who is not physically present at a meeting of the governing body may participate in a meeting of the governing body by electronic communication only if the member uses a means of communication that permits:

(1) the member;

(2) all other members participating in the meeting;

(3) all members of the public physically present at the place where the meeting is conducted; and

(4) if the meeting is conducted under a policy adopted under subsection (g)(7), all members of the public physically present at a public location at which a member participates by means of electronic communication;

to simultaneously communicate with each other during the meeting.

(c) The governing body must fulfill both of the following requirements for a member of the governing body to participate in a meeting by electronic communication:

(1) This subdivision does not apply to committees appointed by a board of trustees of a state educational institution, by the commission for higher education, by the board of the Indiana economic development corporation, or by the board of directors of the Indiana secondary market for education loans, as established, incorporated, and designated under IC 21-16-5-1. This subdivision does not apply to a governing body if at least fifty-one percent (51%) of the governing body membership consists of individuals with a disability (as described in IC 12-12-8-3.4) or individuals with a significant disability (as described in IC 12-12-8-3.6), or both. The minimum number of members who must be physically present at the place where the meeting is conducted must be the greater of:

(A) two (2) of the members; or

(B) one-third (1/3) of the members.

(2) All votes of the governing body during the electronic meeting must be taken by roll call vote.

Nothing in this section affects the public's right under this chapter to attend a meeting of the governing body at the place where the meeting is conducted and the minimum number of members is physically present as provided for in subdivision (1).

(d) Each member of the governing body is required to physically attend at least one (1) meeting of the governing body annually. This subsection does not apply to a governing body if at least fifty-one percent (51%) of the governing body membership consists of individuals with a disability (as described in IC 12-12-8-3.4) or individuals with a significant disability (as described in IC 12-12-8-3.6), or both.

(e) Unless a policy adopted by a governing body under subsection (g) provides otherwise, a member who participates in a meeting by electronic communication:

(1) is considered to be present at the meeting;

(2) shall be counted for purposes of establishing a quorum; and

(3) may vote at the meeting.

(f) A governing body may not conduct meetings using a means of electronic communication until the governing body:

(1) meets all requirements of this chapter; and

(2) by a favorable vote of a majority of the members of the governing body, adopts a policy under subsection (g) governing participation in meetings of the governing body by electronic communication.

(g) A policy adopted by a governing body to govern participation in the governing body's meetings by electronic communication may do any of the following:

(1) Require a member to request authorization to participate in a meeting of the governing body by electronic communication within a certain number of days before the meeting to allow for arrangements to be made for the member's participation by electronic communication.

(2) Subject to subsection (e), limit the number of members who may participate in any one (1) meeting by electronic communication.

(3) Limit the total number of meetings that the governing body may conduct in a calendar year by electronic communication.

(4) Limit the number of meetings in a calendar year in which any one (1) member of the governing body may participate by electronic communication.

(5) Provide that a member who participates in a meeting by electronic communication may not cast the deciding vote on any official action. For purposes of this subdivision, a member casts the deciding vote on an official action if, regardless of the order in which the votes are cast:

(A) the member votes with the majority; and

(B) the official action is adopted or defeated by one (1) vote.

(6) Require a member participating in a meeting by electronic communication to confirm in writing the votes cast by the member during the meeting within a certain number of days after the date of the meeting.

(7) Provide that in addition to the location where a meeting is conducted, the public may also attend some or all meetings of the governing body, excluding executive sessions, at a public place or public places at which a member is physically present and participates by electronic communication. If the governing body's policy includes this provision, a meeting notice must provide the following information:

(A) The identity of each member who will be physically present at a public place and participate in the meeting by electronic communication.

(B) The address and telephone number of each public place where a member will be physically present and participate by electronic communication.

(C) Unless the meeting is an executive session, a statement that a location described in clause (B) will be open and accessible to the public.

(8) Require at least a quorum of members to be physically present at the location where the meeting is conducted.

(9) Provide that a member participating by electronic communication may vote on official action only if, subject to subsection (e), a specified number of members:

(A) are physically present at the location where the meeting is conducted; and

(B) concur in the official action.

(10) Establish any other procedures, limitations, or conditions that govern participation in meetings of the governing body by electronic communication and are not in conflict with this chapter.

(h) The policy adopted by the governing body must be posted on the ~~Internet web site~~ **website** of the governing body, the charter school, the airport, the conservancy district, or the public agency.

(i) Nothing in this section affects a public agency's or charter school's right to exclude the public from an executive session in which a member participates by electronic communication.

SECTION 52. IC 5-14-1.5-5, AS AMENDED BY P.L.10-2019, SECTION 32, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 5. (a) Public notice of the date, time, and place of any meetings, executive sessions, or of any rescheduled or reconvened meeting, shall be given at least forty-eight (48) hours (excluding Saturdays, Sundays, and legal holidays) before the meeting. This requirement does not apply to reconvened meetings (not including executive sessions) where announcement of the date, time, and place of the reconvened meeting is made at the original meeting and recorded in the memoranda and minutes thereof, and there is no change in the agenda.

(b) Public notice shall be given by the governing body of a public agency as follows:

(1) The governing body of a public agency shall give public notice by posting a copy of the notice at the principal office of the public agency holding the meeting or, if no such office exists, at the building where the meeting is to be held.

(2) The governing body of a public agency shall give public notice by delivering notice to all news media which deliver an annual written request for the notices not later than December 31 for the next succeeding calendar year to the governing body of the public agency. The governing body shall give notice by one (1) of the following methods, which shall be determined by the governing body:

(A) Depositing the notice in the United States mail with postage prepaid.

(B) Transmitting the notice by electronic mail, if the public agency has the capacity to transmit electronic mail.

(C) Transmitting the notice by facsimile (fax).

(3) This subdivision applies only to the governing body of a public agency of a political subdivision described in section 2(a)(2), 2(a)(4), or 2(a)(5) of this chapter that adopts a policy to provide notice under this subdivision. Notice under this subdivision is in addition to providing notice under subdivisions (1) and (2). If the governing body adopts a policy under this subdivision, the governing body of a public agency shall give public notice by delivering notice to any person (other than news media) who delivers to the governing body of the public agency an annual written request for the notices not later than December

31 for the next succeeding calendar year. The governing body shall give notice by one (1) of the following methods, which shall be determined by the governing body:

(A) Transmitting the notice by electronic mail, if the public agency has the capacity to send electronic mail.

(B) Publishing the notice on the public agency's ~~Internet web site~~ **website** at least forty-eight (48) hours in advance of the meeting, if the public agency has ~~an Internet web site.~~ **a website.**

A court may not declare void any policy, decision, or final action under section 7 of this chapter based on a failure to give a person notice under subdivision (3) if the public agency made a good faith effort to comply with subdivision (3). If a governing body comes into existence after December 31, it shall comply with this subsection upon receipt of a written request for notice. In addition, a state agency (as defined in IC 4-13-1-1) shall provide electronic access to the notice through the computer gateway administered by the office of technology established by IC 4-13.1-2-1.

(c) Notice of regular meetings need be given only once each year, except that an additional notice shall be given where the date, time, or place of a regular meeting or meetings is changed. This subsection does not apply to executive sessions.

(d) If a meeting is called to deal with an emergency involving actual or threatened injury to person or property, or actual or threatened disruption of the governmental activity under the jurisdiction of the public agency by any event, then the time requirements of notice under this section shall not apply, but:

(1) news media which have requested notice of meetings under subsection (b)(2) must be given the same notice as is given to the members of the governing body; and

(2) the public must be notified by posting a copy of the notice according to subsection (b)(1).

(e) This section shall not apply where notice by publication is required by statute, ordinance, rule, or regulation.

(f) This section shall not apply to the following:

(1) The department of local government finance, the Indiana board of tax review, or any other governing body which meets in continuous session, except that this section applies to meetings of these governing bodies which are required by or held pursuant to statute, ordinance, rule, or regulation.

(2) The executive of a county or the legislative body of a town if the meetings are held solely to carry out the administrative

functions related to the county executive or town legislative body's executive powers. "Administrative functions" means only routine activities that are reasonably related to the everyday internal management of the county or town, including conferring with, receiving information from, and making recommendations to staff members and other county or town officials or employees. "Administrative functions" does not include:

(A) taking final action on public business;

(B) the exercise of legislative powers; or

(C) awarding of or entering into contracts, or any other action creating an obligation or otherwise binding the county or town.

(g) This section does not apply to the general assembly.

(h) Notice has not been given in accordance with this section if a governing body of a public agency convenes a meeting at a time so unreasonably departing from the time stated in its public notice that the public is misled or substantially deprived of the opportunity to attend, observe, and record the meeting.

SECTION 53. IC 5-14-3.3-5, AS ADDED BY P.L.269-2017, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 5. As used in this chapter, "government ~~web site"~~ **website"** refers to ~~an Internet web site~~ **a website** that is established for a governmental entity.

SECTION 54. IC 5-14-3.3-9, AS ADDED BY P.L.269-2017, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 9. As used in this chapter, ~~"web site~~ **"website** owner" refers to the governmental entity that:

(1) establishes and maintains a government ~~web site;~~ **website;** and

(2) is responsible for the content of that site.

SECTION 55. IC 5-14-3.3-13, AS ADDED BY P.L.269-2017, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 13. A government ~~web site~~ **website** may disclose government data only in accordance with IC 4-1-6 and IC 5-14-3.

SECTION 56. IC 5-14-3.3-14, AS ADDED BY P.L.269-2017, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 14. A ~~web site~~ **website** owner and its officers, officials, and employees are immune from any civil liability for posting confidential information if the information was posted in reliance on a determination made by a data owner about the confidentiality of information on the government ~~web site.~~ **website.**

SECTION 57. IC 5-14-3.3-15, AS ADDED BY P.L.269-2017, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

JULY 1, 2025]: Sec. 15. Except as specifically provided in IC 4-5-10-2, IC 4-13.1-2-4, IC 5-14-3-3.5, IC 5-14-3-3.6, or another statute, a ~~web site~~ **website** owner may not charge a fee for access to the data on the ~~web site.~~ **website.**

SECTION 58. IC 5-14-3.3-16, AS ADDED BY P.L.269-2017, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 16. (a) This section applies to a data owner only if an Indiana statute requires the data owner to submit government data to a ~~web site~~ **website** owner.

(b) A ~~web site~~ **website** owner may require the data owner to submit the government data in an electronic format on a prescribed form.

(c) A data owner shall include a link on the data owner's ~~Internet web site~~ **website** to the ~~Internet web site~~ **website** of the ~~web site~~ **website** owner to which the data owner is required to submit government data.

SECTION 59. IC 5-14-3.5-11, AS ADDED BY P.L.172-2011, SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 11. Each state agency shall include a link on the agency's ~~Internet web site~~ **website** to the ~~Internet web site~~ **website** established under this chapter.

SECTION 60. IC 5-14-3.6-3, AS ADDED BY P.L.172-2011, SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 3. The commission shall establish a ~~web site~~ **website** where members of the public may view the following:

(1) The audited financial statement of each state educational institution.

(2) A comparison between the amount appropriated to each state educational institution and the amount allotted for expenditure by the state educational institution.

(3) Information concerning the outstanding debt of each state educational institution, the purposes for which the outstanding debt was used, and the sources of repayment for the outstanding debt.

(4) For each state educational institution, all financial and other reports to a state agency that are public records.

SECTION 61. IC 5-14-3.6-4, AS ADDED BY P.L.172-2011, SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 4. Each state educational institution shall include a link on the state educational institution's ~~Internet web site~~ **website** to the ~~web site~~ **website** established under this chapter.

SECTION 62. IC 5-14-3.7-3, AS AMENDED BY P.L.213-2018(ss), SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

JULY 1, 2025]: Sec. 3. (a) The department, working with the office of technology established by IC 4-13.1-2-1 or another organization that is part of a state educational institution, the state board of accounts established by IC 5-11-1-1, the department of local government finance established under IC 6-1.1-30-1.1, and the office of management and budget established by IC 4-3-22-3, shall post on the Indiana transparency ~~Internet web site~~ **website** a data base that lists expenditures and fund balances, including expenditures for contracts, grants, and leases, for public schools. The ~~web site~~ **website** must be electronically searchable by the public.

(b) The data base must include for public schools:

(1) the amount, date, payer, and payee of expenditures;

(2) a listing of expenditures specifically identifying those for:

(A) personal services;

(B) other operating expenses or total operating expenses; and

(C) debt service, including lease payments, related to debt;

(3) a listing of fund balances, specifically identifying balances in funds that are being used for accumulation of money for future capital needs;

(4) a listing of real and personal property owned by the public school; and

(5) the report required under IC 6-1.1-33.5-7.

SECTION 63. IC 5-14-3.7-11, AS ADDED BY P.L.172-2011, SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 11. The office of technology established by IC 4-13.1-2-1 shall work with the department to include a link on the ~~Internet web site~~ **website** established under this chapter to the ~~Internet web site~~ **website** of each ~~Internet web site~~ **website** operated by:

(1) the state; or

(2) a public school.

SECTION 64. IC 5-14-3.7-12, AS ADDED BY P.L.172-2011, SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 12. Each public school shall include a link on the public school's ~~Internet web site~~ **website** to the ~~Internet web site~~ **website** established under this chapter.

SECTION 65. IC 5-14-3.7-13, AS ADDED BY P.L.172-2011, SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 13. The department and the office of technology shall initially complete the design of the ~~Internet web site~~ **website** and establish and post the information required under this chapter for all public schools.

SECTION 66. IC 5-14-3.8-3, AS AMENDED BY P.L.208-2016,

SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 3. The department, working with the office of technology established by IC 4-13.1-2-1, or another organization that is part of a state educational institution, the office of management and budget established by IC 4-3-22-3, and the state board of accounts established by IC 5-11-1-1, shall post on the Indiana transparency ~~Internet web site~~ **website** the following:

(1) The financial reports required by IC 5-11-1-4.

(2) The report on expenditures per capita prepared under IC 6-1.1-33.5-7.

(3) A listing of the property tax rates certified by the department.

(4) An index of audit reports prepared by the state board of accounts.

(5) Local development agreement reports prepared under IC 4-33-23-10 and IC 4-33-23-17.

(6) Information for evaluating the fiscal health of a political subdivision in the format required by section 8(b) of this chapter.

(7) A listing of expenditures specifically identifying those for:

(A) personal services;

(B) other operating expenses or total operating expenses; and

(C) debt service, including lease payments, related to debt.

(8) A listing of fund balances, specifically identifying balances in funds that are being used for accumulation of money for future capital needs.

(9) Any other financial information deemed appropriate by the department.

SECTION 67. IC 5-14-3.8-8, AS AMENDED BY P.L.244-2017, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 8. (a) The department shall develop indicators of fiscal health for evaluating the fiscal health of a political subdivision. The department may consider including any of the following in the indicators developed under this subsection:

(1) The cash balance of a political subdivision.

(2) The debt to revenue ratio of a political subdivision.

(3) The condition of a political subdivision's property tax base and income tax base, if any, as measured by both the assessed value of the political subdivision and the amount of per capita revenue generated from the political subdivision's tax bases.

(4) The per capita amount of a political subdivision's general fund operating revenue or in the case of a school corporation, the school corporation's education fund and operations fund revenue.

(5) Any trends in the amount of a political subdivision's tax

revenue.

(6) Whether a political subdivision maintains a structural deficit or a structural surplus.

(7) The number and size of the tax increment financing districts designated by a redevelopment commission established by the political subdivision, if any.

(8) The extent that the political subdivision is affected by tax increment financing districts.

(9) The extent that the political subdivision's property tax base is affected by exempt properties.

(10) The political subdivision's bond rating.

(11) The amount of retiree benefits paid by the political subdivision.

(12) The amount of pension contributions paid on behalf of the political subdivision's employees.

(13) Any other factor that the department considers relevant to evaluating the fiscal health of a political subdivision.

(b) The department shall use the indicators developed under subsection (a) and the associated fiscal data to present the information for evaluating the fiscal health of a political subdivision on the Indiana transparency ~~Internet web site.~~ **website.** The information must be presented in a manner that:

(1) can be conveniently and easily accessed from a single web page; and

(2) is commonly known as an Internet dashboard.

The information must be available on the Indiana transparency ~~Internet web site~~ **website** in the format required by this subsection before July 1, 2015.

(c) Neither the department of local government finance nor any other state agency may use the fiscal health indicators developed under this section to assign a political subdivision a summative grade.

SECTION 68. IC 5-14-3.8-9, AS ADDED BY P.L.257-2019, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 9. The county auditor of each county shall submit the certification of tax distribution and settlement to the Indiana transparency ~~Internet web site~~ **website** biannually and not later than the following dates:

(1) For the distribution and settlement to be completed by the fifty-first day after May 10 of a year under IC 6-1.1-27-1, not later than July 15 of the same year.

(2) For the distribution and settlement to be completed by the fifty-first day after November 10 of a year under IC 6-1.1-27-1,

not later than January 15 of the following year.

SECTION 69. IC 5-14-3.9-4, AS ADDED BY P.L.208-2016, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 4. This chapter applies only to a political subdivision that has ~~an Internet web site.~~ **a website.** This chapter does not require a political subdivision to establish ~~an Internet web site.~~ **a website.**

SECTION 70. IC 5-14-3.9-5, AS ADDED BY P.L.208-2016, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 5. (a) After July 31, 2017, the department shall publish an annual summary of each political subdivision on the Indiana transparency ~~Internet web site~~ **website** on the dates determined by the department.

(b) A political subdivision shall prominently display on the main ~~Internet~~ web page of the political subdivision's ~~Internet web site~~ **website** the link provided by the department to the Indiana transparency ~~Internet web site~~ **website** established under IC 5-14-3.7.

SECTION 71. IC 5-22-16.5-9, AS ADDED BY P.L.21-2012, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 9. (a) Not later than July 1, 2012, the department, using credible information available to the public, shall develop a list of persons the department determines to be engaged in investment activities in Iran.

(b) The department may enter into contracts for the development of the list.

(c) The list must be updated not later than every one hundred eighty (180) days.

(d) The department shall publish the list on the department's ~~Internet web site.~~ **website.**

(e) The department shall make every effort to avoid erroneous inclusion of a person on the list.

SECTION 72. IC 5-28-17-1, AS AMENDED BY P.L.86-2018, SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 1. (a) The corporation shall do the following to carry out this chapter:

(1) Contribute to the strengthening of the economy of Indiana by encouraging the organization and development of new business enterprises, including technologically oriented enterprises.

(2) Approve and administer loans from the small business development fund established by IC 5-28-18.

(3) Conduct activities for nontraditional entrepreneurs under IC 5-28-18.

(4) Establish and administer the small and minority business financial assistance program under IC 5-28-20.

(5) Assist small businesses in obtaining state and federal tax incentives.

(6) Develop and advertise a means to allow for small businesses and local units of government to report duplicative state reporting requirements through ~~an Internet~~ **a** web page maintained on the corporation's ~~web site.~~ **website.**

(7) Beginning in 2018, not later than August 31 of each year, report the information received during the previous twelve (12) months under subdivision (6) to the house of representatives' standing committee that is responsible for government reduction.

(8) Operate the Indiana small business development centers.

(9) Maintain, through the small business development centers, a statewide network of public, private, and educational resources to inform, among other things, small businesses of the state and federal programs under which the businesses may obtain financial assistance or realize reduced costs through programs such as the small employer health insurance pooling program under IC 27-8-5-16(8).

(b) The corporation may do the following to carry out this chapter:

(1) Receive money from any source, enter into contracts, and expend money for any activities appropriate to its purpose.

(2) Do all other things necessary or incidental to carrying out the corporation's functions under this chapter.

(3) Establish programs to identify entrepreneurs with marketable ideas and to support the organization and development of new business enterprises, including technologically oriented enterprises.

(4) Conduct conferences and seminars to provide entrepreneurs with access to individuals and organizations with specialized expertise.

(5) Establish a statewide network of public, private, and educational resources to assist the organization and development of new enterprises.

(6) Cooperate with public and private entities, including the Indiana Small Business Development Center Network and the federal government marketing program, in exercising the powers listed in this subsection.

(7) Establish and administer the small and minority business financial assistance program under IC 5-28-20.

(8) Approve and administer loans from the small business

development fund established by IC 5-28-18.

(9) Develop and administer programs to support the growth of small businesses.

(10) Coordinate state funded programs that assist the organization and development of new enterprises.

SECTION 73. IC 5-28-17-3, AS AMENDED BY P.L.145-2016, SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 3. If the corporation maintains a small business division described in IC 5-28-5-6.5, the corporation shall provide free access to the office's services through:

(1) a toll free telephone number; and

(2) ~~an Internet~~ **a** web page maintained on the corporation's ~~web site.~~ **website.**

SECTION 74. IC 5-28-28-5, AS AMENDED BY P.L.145-2016, SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 5. (a) The corporation shall:

(1) submit an economic incentives and compliance report to:

(A) the governor; and

(B) the legislative council in an electronic format under IC 5-14-6; and

(2) publish the report on the corporation's ~~Internet web site;~~ **website;**

on the schedule specified in subsection (b).

(b) The corporation shall submit and publish before February 1 of each year an incentives and compliance report that provides updated information for active incentive agreements approved and awarded after January 1, 2005, through the immediately preceding calendar year.

SECTION 75. IC 6-1.1-4-18.5, AS AMENDED BY P.L.236-2023, SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 18.5. (a) A county assessor may not use the services of a professional appraiser for assessment or reassessment purposes without a written contract. The contract used must be either a standard contract developed by the department of local government finance or a contract that has been specifically approved by the department. The department shall ensure that the contract:

(1) includes all of the provisions required under section 19.5(b) of this chapter; and

(2) adequately provides for the creation and transmission of real property assessment data in the form required by the legislative services agency and the department.

(b) No contract shall be made with any professional appraiser to act

as technical ~~advisor~~ **adviser** in the assessment of property, before the giving of notice and the receiving of bids from anyone desiring to furnish this service. Notice of the time and place for receiving bids for the contract shall be given by publication by one (1) insertion in two (2) newspapers of general circulation published in the county and representing each of the two (2) leading political parties in the county. If only one (1) newspaper is there published, notice in that one (1) newspaper is sufficient to comply with the requirements of this subsection. The contract shall be awarded to the lowest and best bidder who meets all requirements under law for entering a contract to serve as technical ~~advisor~~ **adviser** in the assessment of property. However, any and all bids may be rejected, and new bids may be asked.

(c) The county council of each county shall appropriate the funds needed to meet the obligations created by a professional appraisal services contract which is entered into under this chapter.

(d) A county assessor who enters into a contract with a professional appraiser shall submit a contract to the department through the Indiana transparency ~~Internet web site~~ **website** in the manner prescribed by the department. The county shall upload the contract not later than thirty (30) days after execution of the contract.

(e) The department may review any contracts uploaded under subsection (d) to ensure compliance with section 19.5 of this chapter.

SECTION 76. IC 6-1.1-4-25, AS AMENDED BY P.L.174-2022, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 25. (a) Each township assessor and each county assessor shall keep the assessor's reassessment data and records current by securing the necessary field data and by making changes in the assessed value of real property as changes occur in the use of the real property. The township or county assessor's records shall at all times show the assessed value of real property in accordance with this chapter. The township assessor shall ensure that the county assessor has full access to the assessment records maintained by the township assessor.

(b) The county assessor shall:

(1) maintain an electronic data file of:

(A) the parcel characteristics and parcel assessments of all parcels; and

(B) the personal property return characteristics and assessments by return;

for each township in the county as of each assessment date;

(2) maintain the electronic file in a form that formats the information in the file with the standard data, field, and record

coding required and approved by:

(A) the legislative services agency; and

(B) the department of local government finance;

(3) provide electronic access to property record cards on the official county ~~Internet web site;~~ **website;** and

(4) before September 1 of each year, transmit the data in the file with respect to the assessment date of that year to the department of local government finance.

(c) The appropriate county officer, as designated by the county executive, shall:

(1) maintain an electronic data file of the geographic information system characteristics of each parcel for each township in the county as of each assessment date;

(2) maintain the electronic file in a form that formats the information in the file with the standard data, field, and record coding required and approved by the office of technology; and

(3) before September 1 of each year, transmit the data in the file with respect to the assessment date of that year to the geographic information office of the office of technology.

(d) An assessor under subsection (b) and an appropriate county officer under subsection (c) shall do the following:

(1) Transmit the data in a manner that meets the data export and transmission requirements in a standard format, as prescribed by the office of technology established by IC 4-13.1-2-1 and approved by the legislative services agency.

(2) Resubmit the data in the form and manner required under subsection (b) or (c) upon request of the legislative services agency, the department of local government finance, or the geographic information office of the office of technology, as applicable, if data previously submitted under subsection (b) or (c) does not comply with the requirements of subsection (b) or (c), as determined by the legislative services agency, the department of local government finance, or the geographic information office of the office of technology, as applicable.

An electronic data file maintained for a particular assessment date may not be overwritten with data for a subsequent assessment date until a copy of an electronic data file that preserves the data for the particular assessment date is archived in the manner prescribed by the office of technology established by IC 4-13.1-2-1 and approved by the legislative services agency.

SECTION 77. IC 6-1.1-5-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 2. (a) Except as

provided in section 9 of this chapter, **the** county auditor may establish a real property index numbering system in order to list real property for purposes of the assessment and collection of taxes. The index numbering system may be used in addition to, or in lieu of, the method of listing real property otherwise provided by law. The index numbering system shall describe real property by county, township, block, and parcel or lot. The numbering system must be approved by the department of local government finance before it is implemented.

(b) If an index numbering system is implemented in a county, the county auditor, except as provided in section 9 of this chapter, shall:

(1) establish and maintain cross indexes of the numbers assigned under the system and the complete legal description of the real property to which the numbers are related;

(2) assign individual index numbers which shall be carried on the assessment rolls, tax rolls, and tax statements;

(3) keep the indexes established under this section open for public inspection; and

(4) furnish all information concerning the index numbering system to the assessing officers of the county.

(c) An index numbering system established under this section shall be implemented on a ~~county-wide~~ **countywide** basis.

SECTION 78. IC 6-1.1-12-17.8, AS AMENDED BY P.L.156-2024, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 17.8. (a) An individual who receives a deduction provided under section 9, 11, 13, 14, 16, 17.4 (before its expiration), or 37 of this chapter in a particular year and who remains eligible for the deduction in the following year is not required to file a statement to apply for the deduction in the following year. However, for purposes of a deduction under section 37 of this chapter, the county auditor may, in the county auditor's discretion, terminate the deduction for assessment dates after January 15, 2012, if the individual does not comply with the requirement in IC 6-1.1-22-8.1(b)(9) (expired January 1, 2015), as determined by the county auditor, before January 1, 2013. Before the county auditor terminates the deduction because the taxpayer claiming the deduction did not comply with the requirement in IC 6-1.1-22-8.1(b)(9) (expired January 1, 2015) before January 1, 2013, the county auditor shall mail notice of the proposed termination of the deduction to:

(1) the last known address of each person liable for any property taxes or special assessment, as shown on the tax duplicate or special assessment records; or

(2) the last known address of the most recent owner shown in the

transfer book.

(b) An individual who receives a deduction provided under section 9, 11, 13, 14, 16, or 17.4 (before its expiration) of this chapter in a particular year and who becomes ineligible for the deduction in the following year shall notify the auditor of the county in which the real property, mobile home, or manufactured home for which the individual claims the deduction is located of the individual's ineligibility in the year in which the individual becomes ineligible. An individual who becomes ineligible for a deduction under section 37 of this chapter shall notify the county auditor of the county in which the property is located in conformity with section 37 of this chapter.

(c) The auditor of each county shall, in a particular year, apply a deduction provided under section 9, 11, 13, 14, 16, 17.4 (before its expiration), or 37 of this chapter to each individual who received the deduction in the preceding year unless the auditor determines that the individual is no longer eligible for the deduction.

(d) An individual who receives a deduction provided under section 9, 11, 13, 14, 16, 17.4 (before its expiration), or 37 of this chapter for property that is jointly held with another owner in a particular year and remains eligible for the deduction in the following year is not required to file a statement to reapply for the deduction following the removal of the joint owner if:

(1) the individual is the sole owner of the property following the death of the individual's spouse; or

(2) the individual is the sole owner of the property following the death of a joint owner who was not the individual's spouse.

If a county auditor terminates a deduction under section 9 of this chapter, a deduction under section 37 of this chapter, or a credit under IC 6-1.1-20.6-8.5 after June 30, 2017, and before May 1, 2019, because the taxpayer claiming the deduction or credit did not comply with a requirement added to this subsection by P.L.255-2017 to reapply for the deduction or credit, the county auditor shall reinstate the deduction or credit if the taxpayer provides proof that the taxpayer is eligible for the deduction or credit and is not claiming the deduction or credit for any other property.

(e) A trust entitled to a deduction under section 9, 11, 13, 14, 16, 17.4 (before its expiration), or 37 of this chapter for real property owned by the trust and occupied by an individual in accordance with section 17.9 of this chapter is not required to file a statement to apply for the deduction, if:

(1) the individual who occupies the real property receives a deduction provided under section 9, 11, 13, 14, 16, 17.4 (before

its expiration), or 37 of this chapter in a particular year; and

(2) the trust remains eligible for the deduction in the following year.

However, for purposes of a deduction under section 37 of this chapter, the individuals that qualify the trust for a deduction must comply with the requirement in IC 6-1.1-22-8.1(b)(9) (expired January 1, 2015) before January 1, 2013.

(f) A cooperative housing corporation (as defined in 26 U.S.C. 216) that is entitled to a deduction under section 37 of this chapter in the immediately preceding calendar year for a homestead (as defined in section 37 of this chapter) is not required to file a statement to apply for the deduction for the current calendar year if the cooperative housing corporation remains eligible for the deduction for the current calendar year. However, the county auditor may, in the county auditor's discretion, terminate the deduction for assessment dates after January 15, 2012, if the individual does not comply with the requirement in IC 6-1.1-22-8.1(b)(9) (expired January 1, 2015), as determined by the county auditor, before January 1, 2013. Before the county auditor terminates a deduction because the taxpayer claiming the deduction did not comply with the requirement in IC 6-1.1-22-8.1(b)(9) (expired January 1, 2015) before January 1, 2013, the county auditor shall mail notice of the proposed termination of the deduction to:

(1) the last known address of each person liable for any property taxes or special assessment, as shown on the tax duplicate or special assessment records; or

(2) the last known address of the most recent owner shown in the transfer book.

(g) An individual who:

(1) was eligible for a homestead credit under IC 6-1.1-20.9 (repealed) for property taxes imposed for the March 1, 2007, or January 15, 2008, assessment date; or

(2) would have been eligible for a homestead credit under IC 6-1.1-20.9 (repealed) for property taxes imposed for the March 1, 2008, or January 15, 2009, assessment date if IC 6-1.1-20.9 had not been repealed;

is not required to file a statement to apply for a deduction under section 37 of this chapter if the individual remains eligible for the deduction in the current year. An individual who filed for a homestead credit under IC 6-1.1-20.9 (repealed) for an assessment date after March 1, 2007 (if the property is real property), or after January 1, 2008 (if the property is personal property), shall be treated as an individual who has filed for a deduction under section 37 of this chapter. However, the county

auditor may, in the county auditor's discretion, terminate the deduction for assessment dates after January 15, 2012, if the individual does not comply with the requirement in IC 6-1.1-22-8.1(b)(9) (expired January 1, 2015), as determined by the county auditor, before January 1, 2013. Before the county auditor terminates the deduction because the taxpayer claiming the deduction did not comply with the requirement in IC 6-1.1-22-8.1(b)(9) (expired January 1, 2015) before January 1, 2013, the county auditor shall mail notice of the proposed termination of the deduction to the last known address of each person liable for any property taxes or special assessment, as shown on the tax duplicate or special assessment records, or to the last known address of the most recent owner shown in the transfer book.

(h) If a county auditor terminates a deduction because the taxpayer claiming the deduction did not comply with the requirement in IC 6-1.1-22-8.1(b)(9) (expired January 1, 2015) before January 1, 2013, the county auditor shall reinstate the deduction if the taxpayer provides proof that the taxpayer is eligible for the deduction and is not claiming the deduction for any other property.

(i) A taxpayer described in section ~~37(q)~~ **37(r)** of this chapter is not required to file a statement to apply for the deduction provided by section 37 of this chapter if the property owned by the taxpayer remains eligible for the deduction for that calendar year.

SECTION 79. IC 6-1.1-12-37, AS AMENDED BY P.L.156-2024, SECTION 11, AND AS AMENDED BY P.L.136-2024, SECTION 14, IS CORRECTED AND AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 37. (a) The following definitions apply throughout this section:

(1) "Dwelling" means any of the following:

(A) Residential real property improvements that an individual uses as the individual's residence, limited to a single house and a single garage, regardless of whether the single garage is attached to the single house or detached from the single house.

(B) A mobile home that is not assessed as real property that an individual uses as the individual's residence.

(C) A manufactured home that is not assessed as real property that an individual uses as the individual's residence.

(2) "Homestead" means an individual's principal place of residence:

(A) that is located in Indiana;

(B) that:

(i) the individual owns;

(ii) the individual is buying under a contract recorded in the

county recorder's office, or evidenced by a memorandum of contract recorded in the county recorder's office under IC 36-2-11-20, that provides that the individual is to pay the property taxes on the residence, and that obligates the owner to convey title to the individual upon completion of all of the individual's contract obligations;

(iii) the individual is entitled to occupy as a tenant-stockholder (as defined in 26 U.S.C. 216) of a cooperative housing corporation (as defined in 26 U.S.C. 216); or

(iv) is a residence described in section 17.9 of this chapter that is owned by a trust if the individual is an individual described in section 17.9 of this chapter; and

(C) that consists of a dwelling and includes up to one (1) acre of land immediately surrounding that dwelling, and any of the following improvements:

(i) Any number of decks, patios, gazebos, or pools.

(ii) One (1) additional building that is not part of the dwelling if the building is predominantly used for a residential purpose and is not used as an investment property or as a rental property.

(iii) One (1) additional residential yard structure other than a deck, patio, gazebo, or pool.

Except as provided in subsection ~~*(q),*~~ *(r),* the term does not include property owned by a corporation, partnership, limited liability company, or other entity not described in this subdivision.

(b) Each year a homestead is eligible for a standard deduction from the assessed value of the homestead for an assessment date. Except as provided in subsection ~~*(m),*~~ *(n),* the deduction provided by this section applies to property taxes first due and payable for an assessment date only if an individual has an interest in the homestead described in subsection (a)(2)(B) on:

(1) the assessment date; or

(2) any date in the same year after an assessment date that a statement is filed under subsection (e) or section 44 of this chapter, if the property consists of real property.

If more than one (1) individual or entity qualifies property as a homestead under subsection (a)(2)(B) for an assessment date, only one (1) standard deduction from the assessed value of the homestead may be applied for the assessment date. Subject to subsection (c), the auditor of the county shall record and make the deduction for the

individual or entity qualifying for the deduction.

(c) Except as provided in section 40.5 of this chapter, the total amount of the deduction that a person may receive under this section for a particular year is the lesser of:

(1) sixty percent (60%) of the assessed value of the real property, mobile home not assessed as real property, or manufactured home not assessed as real property; or

(2) for assessment dates:

(A) before January 1, 2023, forty-five thousand dollars ($45,000); or

(B) after December 31, 2022, forty-eight thousand dollars ($48,000).

(d) A person who has sold real property, a mobile home not assessed as real property, or a manufactured home not assessed as real property to another person under a contract that provides that the contract buyer is to pay the property taxes on the real property, mobile home, or manufactured home may not claim the deduction provided under this section with respect to that real property, mobile home, or manufactured home.

(e) Except as provided in sections 17.8 and 44 of this chapter and subject to section 45 of this chapter, an individual who desires to claim the deduction provided by this section must file a certified statement, on forms prescribed by the department of local government finance, with the auditor of the county in which the homestead is located. The statement must include:

(1) the parcel number or key number of the property and the name of the city, town, or township in which the property is located;

(2) the name of any other location in which the applicant or the applicant's spouse owns, is buying, or has a beneficial interest in residential real property;

(3) the names of:

(A) the applicant and the applicant's spouse (if any):

(i) as the names appear in the records of the United States Social Security Administration for the purposes of the issuance of a Social Security card and Social Security number; or

(ii) that they use as their legal names when they sign their names on legal documents;

if the applicant is an individual; or

(B) each individual who qualifies property as a homestead under subsection (a)(2)(B) and the individual's spouse (if any):

(i) as the names appear in the records of the United States

Social Security Administration for the purposes of the issuance of a Social Security card and Social Security number; or

(ii) that they use as their legal names when they sign their names on legal documents;

if the applicant is not an individual; and

(4) either:

(A) the last five (5) digits of the applicant's Social Security number and the last five (5) digits of the Social Security number of the applicant's spouse (if any); or

(B) if the applicant or the applicant's spouse (if any) does not have a Social Security number, any of the following for that individual:

(i) The last five (5) digits of the individual's driver's license number.

(ii) The last five (5) digits of the individual's state identification card number.

(iii) The last five (5) digits of a preparer tax identification number that is obtained by the individual through the Internal Revenue Service of the United States.

(iv) If the individual does not have a driver's license, a state identification card, or an Internal Revenue Service preparer tax identification number, the last five (5) digits of a control number that is on a document issued to the individual by the United States government.

If a form or statement provided to the county auditor under this section, IC 6-1.1-22-8.1, or IC 6-1.1-22.5-12 includes the telephone number or part or all of the Social Security number of a party or other number described in subdivision (4)(B) of a party, the telephone number and the Social Security number or other number described in subdivision (4)(B) included are confidential. The statement may be filed in person or by mail. If the statement is mailed, the mailing must be postmarked on or before the last day for filing. The statement applies for that first year and any succeeding year for which the deduction is allowed. ~~*To obtain the deduction for a desired calendar year in which property taxes are first due and payable, the statement must be completed and dated in the immediately preceding calendar year and filed with the county auditor on or before January 5 of the calendar year in which the property taxes are first due and payable.*~~

(f) To obtain the deduction for a desired calendar year under this section in which property taxes are first due and payable, the individual desiring to claim the deduction must do the following as

applicable:

(1) Complete, date, and file the certified statement described in subsection (e) on or before January 15 of the calendar year in which the property taxes are first due and payable.

(2) Satisfy any recording requirements on or before January 15 of the calendar year in which the property taxes are first due and payable for a homestead described in subsection (a)(2).

~~(f)~~ *(g)* Except as provided in subsection ~~(k),~~ *(l),* if a person who is receiving, or seeks to receive, the deduction provided by this section in the person's name:

(1) changes the use of the individual's property so that part or all of the property no longer qualifies for the deduction under this section; or

(2) is not eligible for a deduction under this section because the person is already receiving:

(A) a deduction under this section in the person's name as an individual or a spouse; or

(B) a deduction under the law of another state that is equivalent to the deduction provided by this section;

the person must file a certified statement with the auditor of the county, notifying the auditor of the person's ineligibility, not more than sixty (60) days after the date of the change in eligibility. A person who fails to file the statement required by this subsection may, under IC 6-1.1-36-17, be liable for any additional taxes that would have been due on the property if the person had filed the statement as required by this subsection plus a civil penalty equal to ten percent (10%) of the additional taxes due. The civil penalty imposed under this subsection is in addition to any interest and penalties for a delinquent payment that might otherwise be due. One percent (1%) of the total civil penalty collected under this subsection shall be transferred by the county to the department of local government finance for use by the department in establishing and maintaining the homestead property data base under subsection ~~(i)~~ *(j)* and, to the extent there is money remaining, for any other purposes of the department. This amount becomes part of the property tax liability for purposes of this article.

~~(g)~~ *(h)* The department of local government finance may adopt rules or guidelines concerning the application for a deduction under this section.

~~(h)~~ *(i)* This subsection does not apply to property in the first year for which a deduction is claimed under this section if the sole reason that a deduction is claimed on other property is that the individual or married couple maintained a principal residence at the other property

on the assessment date in the same year in which an application for a deduction is filed under this section or, if the application is for a homestead that is assessed as personal property, on the assessment date in the immediately preceding year and the individual or married couple is moving the individual's or married couple's principal residence to the property that is the subject of the application. Except as provided in subsection ~~(k);~~ *(l),* the county auditor may not grant an individual or a married couple a deduction under this section if:

(1) the individual or married couple, for the same year, claims the deduction on two (2) or more different applications for the deduction; and

(2) the applications claim the deduction for different property.

~~(i)~~ *(j)* The department of local government finance shall provide secure access to county auditors to a homestead property data base that includes access to the homestead owner's name and the numbers required from the homestead owner under subsection (e)(4) for the sole purpose of verifying whether an owner is wrongly claiming a deduction under this chapter or a credit under IC 6-1.1-20.4, IC 6-1.1-20.6, or IC 6-3.6-5 (after December 31, 2016). Each county auditor shall submit data on deductions applicable to the current tax year on or before March 15 of each year in a manner prescribed by the department of local government finance.

~~(j)~~ *(k)* A county auditor may require an individual to provide evidence proving that the individual's residence is the individual's principal place of residence as claimed in the certified statement filed under subsection (e). The county auditor may limit the evidence that an individual is required to submit to a state income tax return, a valid driver's license, or a valid voter registration card showing that the residence for which the deduction is claimed is the individual's principal place of residence. The county auditor may not deny an application filed under section 44 of this chapter because the applicant does not have a valid driver's license or state identification card with the address of the homestead property. The department of local government finance shall work with county auditors to develop procedures to determine whether a property owner that is claiming a standard deduction or homestead credit is not eligible for the standard deduction or homestead credit because the property owner's principal place of residence is outside Indiana.

~~(k)~~ *(l)* A county auditor shall grant an individual a deduction under this section regardless of whether the individual and the individual's spouse claim a deduction on two (2) different applications and each application claims a deduction for different property if the property

owned by the individual's spouse is located outside Indiana and the individual files an affidavit with the county auditor containing the following information:

(1) The names of the county and state in which the individual's spouse claims a deduction substantially similar to the deduction allowed by this section.

(2) A statement made under penalty of perjury that the following are true:

(A) That the individual and the individual's spouse maintain separate principal places of residence.

(B) That neither the individual nor the individual's spouse has an ownership interest in the other's principal place of residence.

(C) That neither the individual nor the individual's spouse has, for that same year, claimed a standard or substantially similar deduction for any property other than the property maintained as a principal place of residence by the respective individuals.

A county auditor may require an individual or an individual's spouse to provide evidence of the accuracy of the information contained in an affidavit submitted under this subsection. The evidence required of the individual or the individual's spouse may include state income tax returns, excise tax payment information, property tax payment information, ~~driver~~ **driver's** license information, and voter registration information.

~~(l)~~ *(m)* If:

(1) a property owner files a statement under subsection (e) to claim the deduction provided by this section for a particular property; and

(2) the county auditor receiving the filed statement determines that the property owner's property is not eligible for the deduction;

the county auditor shall inform the property owner of the county auditor's determination in writing. If a property owner's property is not eligible for the deduction because the county auditor has determined that the property is not the property owner's principal place of residence, the property owner may appeal the county auditor's determination as provided in IC 6-1.1-15. The county auditor shall inform the property owner of the owner's right to appeal when the county auditor informs the property owner of the county auditor's determination under this subsection.

~~(m)~~ *(n)* An individual is entitled to the deduction under this section for a homestead for a particular assessment date if:

(1) either:

(A) the individual's interest in the homestead as described in subsection (a)(2)(B) is conveyed to the individual after the assessment date, but within the calendar year in which the assessment date occurs; or

(B) the individual contracts to purchase the homestead after the assessment date, but within the calendar year in which the assessment date occurs;

(2) on the assessment date:

(A) the property on which the homestead is currently located was vacant land; or

(B) the construction of the dwelling that constitutes the homestead was not completed; and

(3) either:

(A) the individual files the certified statement required by subsection (e); or

(B) a sales disclosure form that meets the requirements of section 44 of this chapter is submitted to the county assessor on or before December 31 of the calendar year for the individual's purchase of the homestead.

An individual who satisfies the requirements of subdivisions (1) through (3) is entitled to the deduction under this section for the homestead for the assessment date, even if on the assessment date the property on which the homestead is currently located was vacant land or the construction of the dwelling that constitutes the homestead was not completed. The county auditor shall apply the deduction for the assessment date and for the assessment date in any later year in which the homestead remains eligible for the deduction. A homestead that qualifies for the deduction under this section as provided in this subsection is considered a homestead for purposes of section 37.5 of this chapter and IC 6-1.1-20.6.

~~(m)~~ *(o)* This subsection applies to an application for the deduction provided by this section that is filed for an assessment date occurring after December 31, 2013. Notwithstanding any other provision of this section, an individual buying a mobile home that is not assessed as real property or a manufactured home that is not assessed as real property under a contract providing that the individual is to pay the property taxes on the mobile home or manufactured home is not entitled to the deduction provided by this section unless the parties to the contract comply with IC 9-17-6-17.

~~(o)~~ *(p)* This subsection:

(1) applies to an application for the deduction provided by this section that is filed for an assessment date occurring after

December 31, 2013; and

(2) does not apply to an individual described in subsection ~~(n).~~ *(o)*.

The owner of a mobile home that is not assessed as real property or a manufactured home that is not assessed as real property must attach a copy of the owner's title to the mobile home or manufactured home to the application for the deduction provided by this section.

~~(p)~~ *(q)* For assessment dates after 2013, the term "homestead" includes property that is owned by an individual who:

(1) is serving on active duty in any branch of the armed forces of the United States;

(2) was ordered to transfer to a location outside Indiana; and

(3) was otherwise eligible, without regard to this subsection, for the deduction under this section for the property for the assessment date immediately preceding the transfer date specified in the order described in subdivision (2).

For property to qualify under this subsection for the deduction provided by this section, the individual described in subdivisions (1) through (3) must submit to the county auditor a copy of the individual's transfer orders or other information sufficient to show that the individual was ordered to transfer to a location outside Indiana. The property continues to qualify for the deduction provided by this section until the individual ceases to be on active duty, the property is sold, or the individual's ownership interest is otherwise terminated, whichever occurs first. Notwithstanding subsection (a)(2), the property remains a homestead regardless of whether the property continues to be the individual's principal place of residence after the individual transfers to a location outside Indiana. The property continues to qualify as a homestead under this subsection if the property is leased while the individual is away from Indiana and is serving on active duty, if the individual has lived at the property at any time during the past ten (10) years. Otherwise, the property ceases to qualify as a homestead under this subsection if the property is leased while the individual is away from Indiana. Property that qualifies as a homestead under this subsection shall also be construed as a homestead for purposes of section 37.5 of this chapter.

~~(q)~~ *(r)* As used in this section, "homestead" includes property that satisfies each of the following requirements:

(1) The property is located in Indiana and consists of a dwelling and includes up to one (1) acre of land immediately surrounding that dwelling, and any of the following improvements:

(A) Any number of decks, patios, gazebos, or pools.

(B) One (1) additional building that is not part of the dwelling if the building is predominately used for a residential purpose and is not used as an investment property or as a rental property.

(C) One (1) additional residential yard structure other than a deck, patio, gazebo, or pool.

(2) The property is the principal place of residence of an individual.

(3) The property is owned by an entity that is not described in subsection (a)(2)(B).

(4) The individual residing on the property is a shareholder, partner, or member of the entity that owns the property.

(5) The property was eligible for the standard deduction under this section on March 1, 2009.

SECTION 80. IC 6-1.1-20-3.6, AS AMENDED BY P.L.136-2024, SECTION 25, AND AS AMENDED BY P.L.156-2024, SECTION 17, IS CORRECTED AND AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 3.6. (a) Except as provided in sections 3.7 and 3.8 of this chapter, this section applies only to a controlled project described in section 3.5(a) of this chapter.

(b) In the case of a controlled project:

(1) described in section 3.5(a)(1)(A) through 3.5(a)(1)(C) of this chapter, if a sufficient petition requesting the application of the local public question process has been filed as set forth in section 3.5 of this chapter; or

(2) described in section ~~*3.5(a)(1)(D)*~~ *3.5(a)(1)(E)* of this chapter (before its expiration);

a political subdivision may not impose property taxes to pay debt service on bonds or lease rentals on a lease for a controlled project unless the political subdivision's proposed debt service or lease rental is approved in an election on a local public question held under this section.

(c) Except as provided in subsection (k), the following question shall be submitted to the eligible voters at the election conducted under this section:

"Shall _____ (insert the name of the political subdivision) increase property taxes paid to the _____ (insert the type of taxing unit) by homeowners and businesses? If this public question is approved by the voters, the average property tax paid to the _____ (insert the type of taxing unit) per year on a residence would increase by _____% (insert the estimated average percentage of property tax increase paid to the political

subdivision on a residence within the political subdivision as determined under subsection (n)) and the average property tax paid to the _____ (insert the type of taxing unit) per year on a business property would increase by _____% (insert the estimated average percentage of property tax increase paid to the political subdivision on a business property within the political subdivision as determined under subsection (o)). The political subdivision may issue bonds or enter into a lease to _____ (insert a brief description of the controlled project), which is estimated to cost _____ (insert the total cost of the project) over _____ (insert number of years to bond maturity or termination of lease) years. The most recent property tax referendum within the boundaries of the political subdivision for which this public question is being considered was proposed by _____ (insert name of political subdivision) in _____ (insert year of most recent property tax referendum) and _____ (insert whether the measure passed or failed).".

The public question must appear on the ballot in the form approved by the county election board. If the political subdivision proposing to issue bonds or enter into a lease is located in more than one (1) county, the county election board of each county shall jointly approve the form of the public question that will appear on the ballot in each county. The form approved by the county election board may differ from the language certified to the county election board by the county auditor. If the county election board approves the language of a public question under this subsection, the county election board shall submit the language and the certification of the county auditor described in subsection (p) to the department of local government finance for review.

(d) The department of local government finance shall review the language of the public question to evaluate whether the description of the controlled project is accurate and is not biased against either a vote in favor of the controlled project or a vote against the controlled project. The department of local government finance shall post the estimated average percentage of property tax increases to be paid to a political subdivision on a residence and business property that are certified by the county auditor under subsection (p) on the department's ~~*Internet web site.*~~ *website.* The department of local government finance may either approve the ballot language as submitted or recommend that the ballot language be modified as necessary to ensure that the description of the controlled project is accurate and is not biased. The department of local government finance shall certify its approval or

recommendations to the county auditor and the county election board not more than ten (10) days after *both the certification of the county auditor described in subsection (p) and* the language of the public question ~~*is*~~ *are* submitted to the department for review. If the department of local government finance recommends a modification to the ballot language, the county election board shall, after reviewing the recommendations of the department of local government finance, submit modified ballot language to the department for the department's approval or recommendation of any additional modifications. The public question may not be certified by the county auditor under subsection (e) unless the department of local government finance has first certified the department's final approval of the ballot language for the public question.

(e) The county auditor shall certify the finally approved public question under IC 3-10-9-3 to the county election board of each county in which the political subdivision is located. The certification must occur not later than noon:

(1) seventy-four (74) days before a primary election if the public question is to be placed on the primary or municipal primary election ballot; or

(2) August 1 if the public question is to be placed on the general or municipal election ballot.

Subject to the certification requirements and deadlines under this subsection and except as provided in subsection (j), the public question shall be placed on the ballot at the next primary election, general election, or municipal election in which all voters of the political subdivision are entitled to vote. However, if a primary election, general election, or municipal election will not be held during the first year in which the public question is eligible to be placed on the ballot under this section and if the political subdivision requests the public question to be placed on the ballot at a special election, the public question shall be placed on the ballot at a special election to be held on the first Tuesday after the first Monday in May or November of the year. The certification must occur not later than noon seventy-four (74) days before a special election to be held in May (if the special election is to be held in May) or noon on August 1 (if the special election is to be held in November). The fiscal body of the political subdivision that requests the special election shall pay the costs of holding the special election. The county election board shall give notice under IC 5-3-1 of a special election conducted under this subsection. A special election conducted under this subsection is under the direction of the county election board. The county election board shall take all steps necessary

to carry out the special election.

(f) The circuit court clerk shall certify the results of the public question to the following:

(1) The county auditor of each county in which the political subdivision is located.

(2) The department of local government finance.

(g) Subject to the requirements of IC 6-1.1-18.5-8, the political subdivision may issue the proposed bonds or enter into the proposed lease rental if a majority of the eligible voters voting on the public question vote in favor of the public question.

(h) If a majority of the eligible voters voting on the public question vote in opposition to the public question, both of the following apply:

(1) The political subdivision may not issue the proposed bonds or enter into the proposed lease rental.

(2) Another public question under this section on the same or a substantially similar project may not be submitted to the voters earlier than:

(A) except as provided in clause (B), seven hundred (700) days after the date of the public question; or

(B) three hundred fifty (350) days after the date of the election, if a petition that meets the requirements of subsection (m) is submitted to the county auditor.

(i) IC 3, to the extent not inconsistent with this section, applies to an election held under this section.

(j) A political subdivision may not divide a controlled project in order to avoid the requirements of this section and section 3.5 of this chapter. A person that owns property within a political subdivision or a person that is a registered voter residing within a political subdivision may file a petition with the department of local government finance objecting that the political subdivision has divided a controlled project into two (2) or more capital projects in order to avoid the requirements of this section and section 3.5 of this chapter. The petition must be filed not more than ten (10) days after the political subdivision gives notice of the political subdivision's decision under section 3.5 of this chapter or a determination under section 5 of this chapter to issue bonds or enter into leases for a capital project that the person believes is the result of a division of a controlled project that is prohibited by this subsection. If the department of local government finance receives a petition under this subsection, the department shall not later than thirty (30) days after receiving the petition make a final determination on the issue of whether the political subdivision divided a controlled project in order to avoid the requirements of this section and section 3.5 of this

chapter. If the department of local government finance determines that a political subdivision divided a controlled project in order to avoid the requirements of this section and section 3.5 of this chapter and the political subdivision continues to desire to proceed with the project, the political subdivision may appeal the determination of the department of local government finance to the Indiana board of tax review. A political subdivision shall be considered to have divided a capital project in order to avoid the requirements of this section and section 3.5 of this chapter if the result of one (1) or more of the subprojects cannot reasonably be considered an independently desirable end in itself without reference to another capital project. This subsection does not prohibit a political subdivision from undertaking a series of capital projects in which the result of each capital project can reasonably be considered an independently desirable end in itself without reference to another capital project.

(k) This subsection applies to a political subdivision for which a petition requesting a public question has been submitted under section 3.5 of this chapter. The legislative body (as defined in IC 36-1-2-9) of the political subdivision may adopt a resolution to withdraw a controlled project from consideration in a public question. If the legislative body provides a certified copy of the resolution to the county auditor and the county election board not later than sixty-three (63) days before the election at which the public question would be on the ballot, the public question on the controlled project shall not be placed on the ballot and the public question on the controlled project shall not be held, regardless of whether the county auditor has certified the public question to the county election board. If the withdrawal of a public question under this subsection requires the county election board to reprint ballots, the political subdivision withdrawing the public question shall pay the costs of reprinting the ballots. If a political subdivision withdraws a public question under this subsection that would have been held at a special election and the county election board has printed the ballots before the legislative body of the political subdivision provides a certified copy of the withdrawal resolution to the county auditor and the county election board, the political subdivision withdrawing the public question shall pay the costs incurred by the county in printing the ballots. If a public question on a controlled project is withdrawn under this subsection, a public question under this section on the same controlled project or a substantially similar controlled project may not be submitted to the voters earlier than three hundred fifty (350) days after the date the resolution withdrawing the public question is adopted.

(l) If a public question regarding a controlled project is placed on the ballot to be voted on at an election under this section, the political subdivision shall submit to the department of local government finance, at least thirty (30) days before the election, the following information regarding the proposed controlled project for posting on the department's ~~*Internet web site:*~~ *website:*

(1) The cost per square foot of any buildings being constructed as part of the controlled project.

(2) The effect that approval of the controlled project would have on the political subdivision's property tax rate.

(3) The maximum term of the bonds or lease.

(4) The maximum principal amount of the bonds or the maximum lease rental for the lease.

(5) The estimated interest rates that will be paid and the total interest costs associated with the bonds or lease.

(6) The purpose of the bonds or lease.

(7) In the case of a controlled project proposed by a school corporation:

(A) the current and proposed square footage of school building space per student;

(B) enrollment patterns within the school corporation; and

(C) the age and condition of the current school facilities.

(m) If a majority of the eligible voters voting on the public question vote in opposition to the public question, a petition may be submitted to the county auditor to request that the limit under subsection (h)(2)(B) apply to the holding of a subsequent public question by the political subdivision. If such a petition is submitted to the county auditor and is signed by the lesser of:

(1) five hundred (500) persons who are either owners of property within the political subdivision or registered voters residing within the political subdivision; or

(2) five percent (5%) of the registered voters residing within the political subdivision;

the limit under subsection (h)(2)(B) applies to the holding of a second public question by the political subdivision and the limit under subsection (h)(2)(A) does not apply to the holding of a second public question by the political subdivision.

(n) At the request of a political subdivision that proposes to impose property taxes to pay debt service on bonds or lease rentals on a lease for a controlled project, the county auditor of a county in which the political subdivision is located shall determine the estimated average percentage of property tax increase on a homestead to be paid to the

political subdivision that must be included in the public question under subsection (c) as follows:

STEP ONE: Determine the average assessed value of a homestead located within the political subdivision.

STEP TWO: For purposes of determining the net assessed value of the average homestead located within the political subdivision, subtract:

(A) an amount for the homestead standard deduction under IC 6-1.1-12-37 as if the homestead described in STEP ONE was eligible for the deduction; and

(B) an amount for the supplemental homestead deduction under IC 6-1.1-12-37.5 as if the homestead described in STEP ONE was eligible for the deduction;

from the result of STEP ONE.

STEP THREE: Divide the result of STEP TWO by one hundred (100).

STEP FOUR: Determine the overall average tax rate per one hundred dollars ($100) of assessed valuation for the current year imposed on property located within the political subdivision.

STEP FIVE: For purposes of determining net property tax liability of the average homestead located within the political subdivision:

(A) multiply the result of STEP THREE by the result of STEP FOUR; and

(B) as appropriate, apply any currently applicable county property tax credit rates and the credit for excessive property taxes under IC 6-1.1-20.6-7.5(a)(1).

STEP SIX: Determine the amount of the political subdivision's part of the result determined in STEP FIVE.

STEP SEVEN: Determine the estimated tax rate that will be imposed if the public question is approved by the voters.

STEP EIGHT: Multiply the result of STEP SEVEN by the result of STEP THREE.

STEP NINE: Divide the result of STEP EIGHT by the result of STEP SIX, expressed as a percentage.

(o) At the request of a political subdivision that proposes to impose property taxes to pay debt service on bonds or lease rentals on a lease for a controlled project, the county auditor of a county in which the political subdivision is located shall determine the estimated average percentage of property tax increase on a business property to be paid to the political subdivision that must be included in the public question under subsection (c) as follows:

STEP ONE: Determine the average assessed value of business

property located within the political subdivision.

STEP TWO: Divide the result of STEP ONE by one hundred (100).

STEP THREE: Determine the overall average tax rate per one hundred dollars ($100) of assessed valuation for the current year imposed on property located within the political subdivision.

STEP FOUR: For purposes of determining net property tax liability of the average business property located within the political subdivision:

(A) multiply the result of STEP TWO by the result of STEP THREE; and

(B) as appropriate, apply any currently applicable county property tax credit rates and the credit for excessive property taxes under IC 6-1.1-20.6-7.5 as if the applicable percentage was three percent (3%).

STEP FIVE: Determine the amount of the political subdivision's part of the result determined in STEP FOUR.

STEP SIX: Determine the estimated tax rate that will be imposed if the public question is approved by the voters.

STEP SEVEN: Multiply the result of STEP TWO by the result of STEP SIX.

STEP EIGHT: Divide the result of STEP SEVEN by the result of STEP FIVE, expressed as a percentage.

(p) The county auditor shall certify the estimated average percentage of property tax increase on a homestead to be paid to the political subdivision determined under subsection (n), and the estimated average percentage of property tax increase on a business property to be paid to the political subdivision determined under subsection (o), in a manner prescribed by the department of local government finance, and provide the certification to the political subdivision that proposes to impose property taxes. The political subdivision shall provide the certification to the county election board and include the estimated average percentages in the language of the public question at the time the language of the public question is submitted to the county election board for approval as described in subsection (c).

SECTION 81. IC 6-1.1-20-10, AS AMENDED BY P.L.60-2020, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 10. (a) This section applies to:

(1) a political subdivision that adopts an ordinance or a resolution making a preliminary determination to issue bonds or enter into a lease; and

(2) any other political subdivision that has assessed value within the same taxing district as the political subdivision described in subdivision (1).

(b) Except as otherwise provided in this section, during the period commencing with the adoption of the ordinance or resolution and, if a petition and remonstrance process is commenced under section 3.2 of this chapter, continuing through the sixty (60) day period commencing with the notice under section 3.2(b)(1) of this chapter, the political subdivision seeking to issue bonds or enter into a lease for the proposed controlled project, or any other political subdivision that has assessed value within the same taxing district, may not promote a position on the petition or remonstrance by doing any of the following:

(1) Using facilities or equipment, including mail and messaging systems, owned by the political subdivision to promote a position on the petition or remonstrance, unless equal access to the facilities or equipment is given to persons with a position opposite to that of the political subdivision.

(2) Making an expenditure of money from a fund controlled by the political subdivision to promote a position on the petition or remonstrance or to pay for the gathering of signatures on a petition or remonstrance. This subdivision does not prohibit a political subdivision from making an expenditure of money to an attorney, an architect, **a** registered professional engineer, a construction manager, or a financial adviser for professional services provided with respect to a controlled project.

(3) Using an employee to promote a position on the petition or remonstrance during the employee's normal working hours or paid overtime, or otherwise compelling an employee to promote a position on the petition or remonstrance at any time. However, if a person described in subsection ~~(f)~~ **(g)** is advocating for or against a position on the petition or remonstrance or discussing the petition or remonstrance as authorized under subsection ~~(f),~~ **(g),** an employee of the political subdivision may assist the person in presenting information on the petition or remonstrance, if requested to do so by the person described in subsection ~~(f).~~ **(g).**

(4) In the case of a school corporation, promoting a position on a petition or remonstrance by:

(A) using students to transport written materials to their residences or in any way involving students in a school organized promotion of a position;

(B) including a statement within another communication sent to the students' residences; or

(C) initiating discussion of the petition and remonstrance process at a meeting between a teacher and parents of a student regarding the student's performance or behavior at school. However, if the parents initiate a discussion of the petition and remonstrance process at the meeting, the teacher may acknowledge the issue and direct the parents to a source of factual information on the petition and remonstrance process.

However, this section does not prohibit an official or employee of the political subdivision from carrying out duties with respect to a petition or remonstrance that are part of the normal and regular conduct of the official's or employee's office or agency, including the furnishing of factual information regarding the petition and remonstrance in response to inquiries from any person.

~~(b)~~ **(c)** A person may not solicit or collect signatures for a petition or remonstrance on property owned or controlled by the political subdivision.

~~(c)~~ **(d)** The staff and employees of a school corporation may not personally identify a student as the child of a parent or guardian who supports or opposes a petition or remonstrance.

~~(d)~~ **(e)** This subsection does not apply to:

(1) a personal expenditure to promote a position on a petition and remonstrance by an employee of a school corporation whose employment is governed by a collective bargaining contract or an employment contract; or

(2) an expenditure to promote a position on a petition and remonstrance by a person or an organization that has a contract or an arrangement with the school corporation solely for the use of the school corporation's facilities.

A person or an organization that has a contract or an arrangement (whether formal or informal) with a school corporation to provide goods or services to the school corporation may not spend any money to promote a position on the petition or remonstrance. A person or an organization that violates this subsection commits a Class A infraction.

~~(e)~~ **(f)** An attorney, an architect, **a** registered professional engineer, a construction manager, or a financial adviser for professional services provided with respect to a controlled project may not spend any money to promote a position on the petition or remonstrance. A person who violates this subsection:

(1) commits a Class A infraction; and

(2) is barred from performing any services with respect to the controlled project.

~~(f)~~ **(g)** Notwithstanding any other law, an elected or appointed public official of the political subdivision (including any school board member and school corporation superintendent), a school corporation assistant superintendent, or a chief school business official of a school corporation may at any time:

(1) personally advocate for or against a position on the petition or remonstrance; or

(2) discuss the petition or remonstrance with any individual, group, or organization or personally advocate for or against a position on the petition or remonstrance before any individual, group, or organization;

so long as it is not done by using public funds. Advocacy or discussion allowed under this subsection is not considered a use of public funds. However, this subsection does not authorize or apply to advocacy or discussion by a school board member, superintendent, assistant superintendent, or school business official to or with students that occurs during the regular school day.

~~(g)~~ **(h)** Nothing in this section shall be construed to prevent a political subdivision that has assessed value within the same taxing district as the political subdivision described in subsection (a) from adopting a resolution or taking a position on the local public question.

SECTION 82. IC 6-1.1-20.6-11, AS AMENDED BY P.L.137-2012, SECTION 37, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 11. The department of local government finance shall annually publish a report on its ~~Internet web site~~ **website** that lists the amount that each taxing unit's distribution of property taxes will be reduced under section 9.5 of this chapter as a result of the granting of the credits.

SECTION 83. IC 6-1.1-23.5-11, AS ADDED BY P.L.235-2017, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 11. (a) This section applies to a request for information in an alternative form under this chapter in those circumstances in which a county treasurer may omit descriptions of mobile homes from a published notice of sale under this chapter if the county treasurer makes the information available on the ~~Internet web site~~ **website** of the county government or the county government's contractor and in an alternative form upon request.

(b) A person who requests information in an alternative form concerning descriptions of mobile homes to which this section applies may specify whether the person prefers to receive the information in an electronic format, on a digital storage medium, or in printed form. A county treasurer who has a duty under this chapter to make the

information available in an alternative form upon request shall furnish the information in the alternative form specified by the requesting person.

SECTION 84. IC 6-1.1-24-1.5, AS AMENDED BY P.L.99-2018, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 1.5. (a) If:

(1) any property taxes or special assessments from the prior year's fall installment or before are delinquent on real property as determined under IC 6-1.1-37-10; and

(2) an order from a court or a determination of a hearing authority has been obtained under IC 36-7-37 that the real property is vacant or abandoned;

the executive of the county, city, or town may, after providing either the notice required by IC 36-7-37 or section 2.3 of this chapter, certify a list of vacant or abandoned property to the county auditor and attach copies of any orders for necessary repairs for any properties on the list. This list and the attached copies of orders for necessary repairs must be delivered to the county auditor not later than fifty-one (51) days after the first tax payment due date each calendar year.

(b) Upon receiving lists described in subsection (a), the county auditor shall do all the following:

(1) Prepare a combined list of the properties certified by the executive of the county, city, or town.

(2) Delete any property described in that list from the delinquent tax list prepared under section 1 of this chapter.

(3) Provide public notice of the sale of the properties under subsection (c) at least thirty (30) days before the date of the sale, which shall be published in accordance with IC 5-3-1, and post a copy of the notice at a public place of posting in the county courthouse or in another public county building at least twenty-one (21) days before the date of sale.

(4) Certify to the county treasurer that the real property is to be sold at auction under this chapter as required by section 5(h) of this chapter.

(5) Issue a deed to the real property that conveys a fee simple interest to the highest bidder as long as the bid is at least the minimum bid specified in this section.

The minimum bid for a property at the auction under this section is the proportionate share of the actual costs incurred by the county in conducting the sale. Any amount collected from the sale of all properties under this section above the total minimum bids shall first be used to pay the costs of the county, city, or town that certified the

property vacant or abandoned for title search and court proceedings. Any amount remaining from the sale shall be certified by the county treasurer to the county auditor for distribution to other taxing units during settlement.

(c) Notice of the sale under this section must contain the following:

(1) A list of real property eligible for sale under this chapter.

(2) A statement that:

(A) the real property included in the list will be sold at public auction to the highest bidder;

(B) the county auditor will issue a deed to the real property that conveys a fee simple interest to the highest bidder that bids at least the minimum bid; and

(C) the owner will have no right to redeem the real property after the date of the sale.

A deed issued under this subdivision to the highest bidder conveys the same fee simple interest in the real property as a deed issued under IC 6-1.1-25.

(3) A statement that the real property will not be sold for less than an amount equal to actual proportionate costs incurred by the county that are directly attributable to the abandoned property sale.

(4) A statement for informational purposes only, describing for each item of real property on the list:

(A) the location of the item of real property by key number, if any, and street address, if any, or a common description of the property other than a legal description;

(B) whether there are one (1) or more orders to make necessary repairs on the real property; and

(C) where information can be found regarding the orders to make necessary repairs for the real property, if any.

The township assessor, or the county assessor if there is no township assessor for the township, upon written request from the county auditor, shall provide the information to be in the notice required by this subsection. A misstatement in the key number or street address does not invalidate an otherwise valid sale.

(5) A statement that the county does not warrant the accuracy of the street address or common description of the property.

(6) A statement that the sale will be conducted at a place designated in the notice and that the sale will continue until all real property has been offered for sale.

(7) A statement that the sale will take place at the times and dates designated in the notice.

Whenever the public auction is to be conducted as an electronic sale, the notice must include a statement indicating that the public auction will be conducted as an electronic sale and a description of the procedures that must be followed to participate in the electronic sale.

(d) For properties that are not sold when initially offered for sale under this section, the county auditor may omit from the notice the descriptions of the tracts or items of real property specified in subsection (c)(1) and (c)(4) for those properties that are to be offered again at subsequent sales under this section if:

(1) the county auditor includes in the notice a statement that descriptions of those tracts or items of real property are available on the ~~Internet web site~~ **website** of the county government or the county government's contractor and the information may be obtained in an alternative form from the county auditor upon request; and

(2) the descriptions of those tracts or items of real property eligible for sale a second or subsequent time under this section are made available on the ~~Internet web site~~ **website** of the county government or the county government's contractor and may be obtained from the county auditor in an alternative form upon request in accordance with section 3.4 of this chapter.

SECTION 85. IC 6-1.1-24-3.4, AS ADDED BY P.L.187-2016, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 3.4. (a) This section applies to a request for information in an alternative form under this chapter in those circumstances in which a county auditor or county executive may omit descriptions of tracts or items of real property from a published notice of sale or other transfer under this chapter if the county auditor or county executive, as applicable, makes the information available on the ~~Internet web site~~ **website** of the county government or the county government's contractor and in an alternative form upon request.

(b) A person who requests information in an alternative form concerning descriptions of tracts or items of real property to which this section applies may specify whether the person prefers to receive the information in an electronic format, on a digital storage medium, or in printed form. A county auditor or county executive, as applicable, who has a duty under this chapter to make the information available in an alternative form upon request shall furnish the information in the alternative form specified by the requesting person. The department of local government finance shall prescribe the allowable file formats when the information is requested in an electronic format or on a digital storage medium.

SECTION 86. IC 6-1.1-24-4.5, AS AMENDED BY P.L.203-2013, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 4.5. (a) The county auditor shall also provide those agencies under IC 36-7-17 or IC 36-7-17.1, in that county, with a list of tracts or items of real property on which one (1) or more installments of taxes is delinquent by June 15 of the year following the date the delinquency occurred.

(b) This subsection applies to a county having a consolidated city. The county auditor shall prepare a list of tracts or items of real properties for which at least one (1) installment of taxes is delinquent at least ten (10) months. The auditor shall submit a copy of this list to the metropolitan development commission not later than one hundred six (106) days before the date on which application for judgment and order for sale is made.

(c) This subsection applies to a county not having a consolidated city. The county auditor shall prepare a list of tracts or items of real property located in the county for which the fall installment of taxes for the most recent previous year is delinquent. The auditor shall submit a copy of the list prepared under this subsection to each city or town within the county or make the list available on the county's ~~Internet web site~~ **website** not later than one hundred six (106) days before the date on which application for judgment and order for sale is made.

SECTION 87. IC 6-1.1-24-6, AS AMENDED BY P.L.251-2015, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 6. (a) When a tract or an item of real property is offered for sale under this chapter and an amount is not received equal to or in excess of the minimum sale price prescribed in section 5 of this chapter, the county executive acquires a lien in the amount of the minimum sale price. This lien attaches on the day on which the tract or item was offered for sale.

(b) When a county executive acquires a lien under this section, the county auditor shall issue a tax sale certificate to the county executive in the manner provided in section 9 of this chapter. The county auditor shall date the certificate the day that the county executive acquires the lien. When a county executive acquires a certificate under this section, the county executive has the same rights as a purchaser.

(c) When a lien is acquired by a county executive under this section, no money shall be paid by the county executive. However, each of the taxing units having an interest in the taxes on the tract shall be charged with the full amount of all delinquent taxes due them.

(d) Whenever a county executive acquires a lien under this section, the county auditor shall provide a list of the liens held by the county to

the executive of a city or town who requests the list or post the list on the county's ~~Internet web site~~ **website** not later than thirty (30) days after the tax sale.

SECTION 88. IC 6-1.1-24-6.7, AS AMENDED BY P.L.187-2016, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 6.7. (a) For purposes of this section, in a county containing a consolidated city "county executive" refers to the board of commissioners of the county as provided in IC 36-3-3-10.

(b) A county executive may transfer to a nonprofit entity:

(1) property under this section; or

(2) a tax sale certificate under section 17 of this chapter.

(c) As used in this section, "nonprofit entity" means an organization exempt from federal income taxation under 26 U.S.C. 501(c)(3).

(d) The county executive may:

(1) by resolution, identify the property described under section 6 of this chapter that the county executive desires to transfer to nonprofit entities for use for the public good; and

(2) set a date, time, and place for a public hearing to consider the transfer of the property to nonprofit entities.

(e) Except as otherwise provided in subsection (f), notice of the property identified under subsection (d) and the date, time, and place for the hearing on the proposed transfer of the property on the list shall be published in accordance with IC 5-3-1. The notice must include a description of the property by:

(1) legal description; and

(2) parcel number or street address, or both.

The notice must specify that the county executive will accept applications submitted by nonprofit entities as provided in subsection (h) and hear any opposition to a proposed transfer.

(f) For properties or tax sale certificates that are not transferred when initially identified for transfer under this section, the county executive may omit from the notice the descriptions of the properties identified under subsection (d) if:

(1) the county executive includes in the notice a statement that descriptions of those tracts or items of real property are available on the ~~Internet web site~~ **website** of the county government or the county government's contractor and the information may be obtained in an alternative form from the county executive upon request; and

(2) the descriptions of those tracts or items of real property eligible for transfer under this section are made available on the ~~Internet web site~~ **website** of the county government or the county

government's contractor and may be obtained from the county executive in an alternative form upon request in accordance with section 3.4 of this chapter.

(g) After the hearing set under subsection (d), the county executive shall by resolution make a final determination concerning:

(1) the properties that are to be transferred to a nonprofit entity;

(2) the nonprofit entity to which each property is to be transferred; and

(3) the terms and conditions of the transfer.

(h) To be eligible to receive property under this section, a nonprofit entity must file an application with the county executive. The application must state the property that the nonprofit entity desires to acquire, the use to be made of the property, and the time period anticipated for implementation of the use. The application must be accompanied by documentation verifying the nonprofit status of the entity and be signed by an officer of the nonprofit entity. If more than one (1) application for a single property is filed, the county executive shall determine which application is to be accepted based on the benefit to be provided to the public and the neighborhood and the suitability of the stated use for the property and the surrounding area.

(i) After the hearing set under subsection (d) and the final determination of properties to be transferred under subsection (g), the county executive, on behalf of the county, shall cause all delinquent taxes, special assessments, penalties, interest, and costs of sale to be removed from the tax duplicate and the nonprofit entity is entitled to a tax deed prepared by the county auditor, if the conditions of IC 6-1.1-25-4.5 and IC 6-1.1-25-4.6 are satisfied. The deed shall provide for:

(1) the use to be made of the property;

(2) the time within which the use must be implemented and maintained;

(3) any other terms and conditions that are established by the county executive; and

(4) the reversion of the property to the county executive if the grantee nonprofit entity fails to comply with the terms and conditions.

If the grantee nonprofit entity fails to comply with the terms and conditions of the transfer and title to the property reverts to the county executive, the property may be retained by the county executive or disposed of under any of the provisions of this chapter or IC 6-1.1-25, or both.

SECTION 89. IC 6-1.1-24-6.9, AS AMENDED BY P.L.187-2016,

SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 6.9. (a) For purposes of this section, in a county having a consolidated city, "county executive" refers to the board of commissioners of the county as provided in IC 36-3-3-10.

(b) The county executive may:

(1) by resolution, identify the property described in section 6 of this chapter that the county executive desires to transfer to a person able to satisfactorily repair and maintain the property, if repair and maintenance of the property are in the public interest; and

(2) set a date, time, and place for a public hearing to consider the transfer of the property.

(c) Notice of the property identified under subsection (b) and the date, time, and place for the hearing on the proposed transfer of the property shall be published in accordance with IC 5-3-1. The notice must include a description of the property by:

(1) legal description; and

(2) parcel number or street address, or both.

The notice must specify that the county executive will accept applications submitted by persons able to satisfactorily repair and maintain the property as provided in subsection (f) and hear any opposition to a proposed transfer.

(d) For properties that are not transferred when initially identified for transfer under this section, the county executive may omit from the notice the descriptions of the properties identified under subsection (b) if:

(1) the county executive includes in the notice a statement that descriptions of those tracts or items of real property are available on the ~~Internet web site~~ **website** of the county government or the county government's contractor and the information may be obtained in an alternative form from the county executive upon request; and

(2) the descriptions of those tracts or items of real property eligible for transfer under this section are made available on the ~~Internet web site~~ **website** of the county government or the county government's contractor and may be obtained from the county executive in an alternative form upon request in accordance with section 3.4 of this chapter.

(e) After the hearing set under subsection (b), the county executive shall by resolution make a final determination concerning:

(1) the properties that are to be transferred;

(2) the person to which each property is to be transferred; and

(3) the terms and conditions of the transfer.

(f) To be eligible to receive a property under this section, a person must file an application with the county executive. The application must identify the property that the person desires to acquire, the use to be made of the property, and the time anticipated for implementation of the use. The application must be accompanied by documentation demonstrating the person's ability to satisfactorily repair and maintain the property, including evidence of the person's:

(1) ability to repair and maintain the property personally, if applicable;

(2) financial resources, if the services of a contractor may be required to satisfactorily repair or maintain the property; and

(3) previous experience in repairing or maintaining property, if applicable.

The application must be signed by the person. If more than one (1) application for a single property is filed, the county executive shall determine which application is to be accepted based on the benefit to be provided to the public and the neighborhood, the suitability of the stated use for the property and the surrounding area, and the likelihood that the person will satisfactorily repair and maintain the property. The county executive may require the person to pay a reasonable deposit or post a performance bond to be forfeited if the person does not satisfactorily repair and maintain the property.

(g) After the hearing set under subsection (b) and the final determination of the properties to be transferred under subsection (e), the county executive, on behalf of the county, shall cause all delinquent taxes, special assessments, penalties, interest, and costs of sale to be removed from the tax duplicate and the person is entitled to a tax deed if the conditions of IC 6-1.1-25-4.5 and IC 6-1.1-25-4.6 are satisfied. The deed must provide for:

(1) the use to be made of the property;

(2) the time within which the use must be implemented and maintained;

(3) any other terms and conditions that are established by the county executive;

(4) the reversion of the property to the county executive if the grantee fails to comply with the terms and conditions; and

(5) the forfeiture of any bond or deposit to the county executive if the grantee fails to comply with the terms and conditions.

If the grantee fails to comply with the terms and conditions of the transfer and title to the property reverts to the county executive, the property may be retained by the county executive or disposed of under

any of the provisions of this chapter or IC 6-1.1-25, or both.

SECTION 90. IC 6-1.1-24-17, AS AMENDED BY P.L.85-2017, SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 17. (a) For purposes of this section, in a county containing a consolidated city, "county executive" refers to the board of commissioners of the county as provided in IC 36-3-3-10.

(b) As used in this section, "nonprofit entity" means an organization exempt from federal income taxation under 26 U.S.C. 501(c)(3).

(c) The county executive may by resolution:

(1) identify tax sale certificates issued under section 6 of this chapter that the county executive desires to assign to one (1) or more nonprofit entities; and

(2) set a date, time, and place for a public hearing to consider the assignment of the tax sale certificates to the nonprofit entities.

(d) Except as otherwise provided in subsection (e), notice of the tax sale certificates identified under subsection (c) and the date, time, and place for the hearing on the proposed transfer of the tax sale certificates on the list shall be published in accordance with IC 5-3-1. The notice must include a description of the properties associated with the tax sale certificates being considered for assignment by:

(1) parcel number;

(2) legal description; and

(3) street address or other common description.

The notice must specify that the county executive will hear any opposition to the proposed assignments.

(e) For tax sale certificates that are not assigned when initially identified for assignment under this section, the county executive may omit from the notice the descriptions of the tax sale certificates and the properties associated with the tax sale certificates identified under subsection (c) if:

(1) the county executive includes in the notice a statement that the descriptions of those tax sale certificates and the tracts or items of real property associated with the tax sale certificates are available on the ~~Internet web site~~ **website** of the county government or the county government's contractor and the information may be obtained from the county executive in an alternative form upon request in accordance with section 3.4 of this chapter; and

(2) the descriptions of those tax sale certificates and the tracts or items of real property associated with the tax sale certificates are made available on the ~~Internet web site~~ **website** of the county government or the county government's contractor and may be obtained from the county executive in an alternative form upon

request in accordance with section 3.4 of this chapter.

(f) After the hearing set under subsection (c), the county executive shall by resolution make a final determination concerning:

(1) the tax sale certificates that are to be assigned to a nonprofit entity;

(2) the nonprofit entity to which each tax sale certificate is to be assigned; and

(3) the terms and conditions of the assignment.

(g) If a county executive assigns a tax sale certificate to a nonprofit entity under this section, the period of redemption of the real property under IC 6-1.1-25 expires one hundred twenty (120) days after the date of the assignment to the nonprofit entity. If a nonprofit entity takes assignment of a tax sale certificate under this section, the nonprofit entity acquires the same rights and obligations as a purchaser of a tax sale certificate under section 6.1 of this chapter.

SECTION 91. IC 6-1.1-28-0.7, AS ADDED BY P.L.207-2016, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 0.7. The county assessor of the county responsible for administration of a multiple county property tax assessment board of appeals under section 0.5 of this chapter shall give notice of the time, date, place, and purpose of each annual session of the multiple county property tax assessment board of appeals. The county assessor shall give the notice two (2) weeks before the first meeting of the multiple county property tax assessment board of appeals by:

(1) publication of the notice within the geographic area over which the multiple county property tax assessment board of appeals has jurisdiction in the same manner as political subdivisions subject to IC 5-3-1-4(e) are required to publish notice; and

(2) posting of the notice on the county assessor's ~~Internet web site.~~ **website.**

SECTION 92. IC 6-1.1-28-1, AS AMENDED BY P.L.156-2024, SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 1. (a) This section applies only to a county that is not participating in a multiple county property tax assessment board of appeals.

(b) Each county shall have a county property tax assessment board of appeals composed of individuals who are at least eighteen (18) years of age and knowledgeable in the valuation of property. At the election of the board of commissioners of the county, a county property tax assessment board of appeals may consist of three (3) or five (5) members appointed in accordance with this section.

(c) This subsection applies to a county in which the board of commissioners elects to have a five (5) member county property tax assessment board of appeals. In addition to the county assessor, only one (1) other individual who is an officer or employee of a county or township may serve on the board of appeals in the county in which the individual is an officer or employee. Subject to subsections (h) and (i), the fiscal body of the county shall appoint two (2) individuals to the board. At least one (1) of the members appointed by the county fiscal body must be a certified level two or level three assessor-appraiser. The fiscal body may waive the requirement in this subsection that one (1) of the members appointed by the fiscal body must be a certified level two or level three assessor-appraiser. Subject to subsections (h) and (i), the board of commissioners of the county shall appoint three (3) freehold members so that not more than three (3) of the five (5) members may be of the same political party and so that at least three (3) of the five (5) members are residents of the county. At least one (1) of the members appointed by the board of county commissioners must be a certified level two or level three assessor-appraiser. The board of county commissioners may waive the requirement in this subsection that one (1) of the freehold members appointed by the board of county commissioners must be a certified level two or level three assessor-appraiser.

(d) This subsection applies to a county in which the board of commissioners elects to have a three (3) member county property tax assessment board of appeals. In addition to the county assessor, only one (1) other individual who is an officer or employee of a county or township may serve on the board of appeals in the county in which the individual is an officer or employee. Subject to subsections (h) and (i), the fiscal body of the county shall appoint one (1) individual to the board. The member appointed by the county fiscal body must be a certified level two or level three assessor-appraiser. The fiscal body may waive the requirement in this subsection that the member appointed by the fiscal body must be a certified level two or level three assessor-appraiser. Subject to subsections (e) and (f), the board of commissioners of the county shall appoint two (2) freehold members so that not more than two (2) of the three (3) members may be of the same political party and so that at least two (2) of the three (3) members are residents of the county. At least one (1) of the members appointed by the board of county commissioners must be a certified level two or level three assessor-appraiser. The board of county commissioners may waive the requirement in this subsection that one (1) of the freehold members appointed by the board of county

commissioners must be a certified level two or level three assessor-appraiser.

(e) A person appointed to a property tax assessment board of appeals may serve on the property tax assessment board of appeals of another county at the same time. The members of the board shall elect a president. The employees of the county assessor shall provide administrative support to the property tax assessment board of appeals. The county assessor is a nonvoting member of the property tax assessment board of appeals. The county assessor shall serve as secretary of the board. The secretary shall keep full and accurate minutes of the proceedings of the board. A majority of the board constitutes a quorum for the transaction of business. Any question properly before the board may be decided by the agreement of a majority of the whole board.

(f) The county assessor, county fiscal body, and board of county commissioners may agree to waive the requirement in subsection (c) or (d) that not more than three (3) of the five (5) or two (2) of the three (3) members of the county property tax assessment board of appeals may be of the same political party if it is necessary to waive the requirement due to the absence of certified level two or level three Indiana assessor-appraisers:

(1) who are willing to serve on the board; and

(2) whose political party membership status would satisfy the requirement in subsection (c) or (d).

(g) If the board of county commissioners is not able to identify at least two (2) prospective freehold members of the county property tax assessment board of appeals who are:

(1) residents of the county;

(2) certified level two or level three Indiana assessor-appraisers; and

(3) willing to serve on the county property tax assessment board of appeals;

it is not necessary that at least three (3) of the five (5) or two (2) of the three (3) members of the county property tax assessment board of appeals be residents of the county.

(h) Except as provided in subsection (i), the term of a member of the county property tax assessment board of appeals appointed under either subsection (c) or (d) shall:

(1) be staggered so that the appointment of a majority of the board does not expire in any single year; and

(2) ~~begins~~ **begin** January 1.

(i) If:

(1) the term of a member of the county property tax assessment board of appeals appointed under this section expires;

(2) the member is not reappointed; and

(3) a successor is not appointed;

the term of the member continues until a successor is appointed.

(j) An:

(1) employee of the township assessor or county assessor; or

(2) appraiser, as defined in IC 6-1.1-31.7-1;

may not serve as a voting member of a county property tax assessment board of appeals in a county where the employee or appraiser is employed.

SECTION 93. IC 6-1.1-28-6, AS AMENDED BY P.L.207-2016, SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 6. This section applies to a county property tax assessment board of appeals established under section 1 of this chapter. The county assessor shall give notice of the time, place, and purpose of each annual session of the county property tax assessment board. The county assessor shall give the notice two (2) weeks before the first meeting of the board by:

(1) the publication:

(A) in two (2) newspapers of general circulation which are published in the county; or

(B) in one (1) newspaper of general circulation published in the county if the requirements of clause (A) cannot be satisfied; and

(2) the posting of the notice on the county assessor's ~~Internet web site.~~ **website.**

SECTION 94. IC 6-2.5-3-10, AS ADDED BY P.L.229-2011, SECTION 81, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 10. The department shall publish on the department's ~~web site~~ **website** the information needed to communicate a person's obligation to remit use tax on the exercise of any right or power of ownership over tangible personal property in Indiana for which gross retail tax has not been paid, including purchases using the Internet or a catalog.

SECTION 95. IC 6-2.5-3.5-15, AS AMENDED BY P.L.180-2022(ss), SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 15. (a) Before the twenty-second day of each month, the department shall determine and provide a notice of the gasoline use tax rate to be used during the following month and the source of the data used to determine the gasoline use tax rate and the statewide average retail price per gallon

of gasoline. The notice shall be published on the department's ~~Internet web site~~ **website** in a departmental notice.

(b) In determining the gasoline use tax rate under this section, the department shall use:

(1) the statewide average retail price per gallon of gasoline (based on the retail price per gallon of gasoline from the sixteenth day of the previous month to the fifteenth day of the current month), excluding the Indiana gasoline tax, federal gasoline tax, ~~the~~ Indiana gasoline use tax, and Indiana gross retail tax (if any); multiplied by

(2) seven percent (7%).

To determine the statewide average retail price, the department shall use a data service that updates the most recent retail price of gasoline. The gasoline use tax rate per gallon of gasoline determined by the department under this section shall be rounded to the nearest one-tenth of one cent ($0.001).

(c) Notwithstanding subsections (a) and (b), the gasoline use tax rate imposed on a transaction that occurs beginning on the first day following the enactment into law of this subsection and continuing through June 30, 2023, is the lesser of:

(1) the monthly gasoline use tax rate per gallon of gasoline as determined by the department under subsections (a) and (b); or

(2) twenty-nine and five-tenths cents ($0.295) per gallon of gasoline.

This subsection expires July 1, 2023.

SECTION 96. IC 6-2.5-3.5-17, AS ADDED BY P.L.227-2013, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 17. (a) A distributor, refiner, or terminal operator desiring to receive gasoline within Indiana without paying the gasoline use tax must hold an uncanceled permit issued by the department to collect payments of gasoline use tax from purchasers and recipients of gasoline.

(b) To obtain a permit, a distributor, refiner, or terminal operator must file with the department a sworn application containing information that the department reasonably requires.

(c) The department may refuse to issue a permit to a distributor, refiner, or terminal operator if:

(1) the application is filed by a distributor, refiner, or terminal operator whose permit has previously been canceled for cause;

(2) the application is not filed in good faith, as determined by the department;

(3) the application is filed by a person as a subterfuge for the real

person in interest whose permit has previously been canceled for cause; or

(4) the distributor, refiner, or terminal operator has outstanding tax liability with the department for which a tax warrant has been issued.

(d) A permit may not be issued unless the application is accompanied by an audited and current financial statement and a license fee of one hundred dollars ($100).

(e) A permit issued under this section is not assignable and is valid only for the distributor, refiner, or terminal operator in whose name it is issued. If there is a change in name or ownership, the distributor, refiner, or terminal operator must apply for a new permit.

(f) The department may revoke a permit for good cause.

(g) Before being denied a permit under subsection (c) or before having a permit revoked under subsection (f), a distributor, refiner, or terminal operator is entitled to a hearing after five (5) business days written notice. At the hearing, the distributor, refiner, or terminal operator may appear in person or by counsel and present testimony.

(h) The department shall keep a record of all qualified distributors, refiners, and terminal operators.

(i) The department may publish a list of qualified distributors on the department's ~~Internet web site.~~ **website.** The list must be limited to the following information:

(1) The name of each qualified distributor.

(2) The complete address of each qualified distributor.

(3) The telephone number of each qualified distributor.

(j) The information contained in a list published under subsection (i) is not confidential under IC 6-8.1-7-1.

SECTION 97. IC 6-2.5-8-8, AS AMENDED BY P.L.137-2022, SECTION 32, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 8. (a) A person, authorized under subsection (b), who makes a purchase in a transaction which is exempt from the state gross retail and use taxes, may issue an exemption certificate to the seller instead of paying the tax. Except as provided in subsection (c), the person shall issue the certificate on forms and in the manner prescribed by the department on the department's ~~Internet web site.~~ **website.** A seller accepting a proper exemption certificate under this section has no duty to collect or remit the state gross retail or use tax on that purchase.

(b) The following are the only persons authorized to issue exemption certificates:

(1) Retail merchants, wholesalers, and manufacturers, who are

registered with the department under this chapter.

(2) Persons who are exempt from the state gross retail tax under IC 6-2.5-4-5 and who receive an exemption certificate from the department.

(3) Other persons who are exempt from the state gross retail tax with respect to any part of their purchases.

(c) Organizations that are exempt from the state gross retail tax under IC 6-2.5-5-21, IC 6-2.5-5-25, or IC 6-2.5-5-26 and that are registered with the department pursuant to IC 6-2.5-5-25(c) shall be electronically issued an exemption certificate by the department.

(d) The department may also allow a person to issue a blanket exemption certificate to cover exempt purchases over a stated period of time. The department may impose conditions on the use of the blanket exemption certificate and restrictions on the kind or category of purchases that are exempt.

(e) A seller that accepts an incomplete exemption certificate under subsection (a) is not relieved of the duty to collect gross retail or use tax on the sale unless the seller obtains:

(1) a fully completed exemption certificate; or

(2) the relevant data to complete the exemption certificate;

within ninety (90) days after the sale.

(f) If a seller has accepted an incomplete exemption certificate under subsection (a) and the department requests that the seller substantiate the exemption, within one hundred twenty (120) days after the department makes the request the seller shall:

(1) obtain a fully completed exemption certificate; or

(2) prove by other means that the transaction was not subject to state gross retail or use tax.

(g) A power subsidiary (as defined in IC 6-2.5-1-22.5) or a person selling the services or commodities listed in IC 6-2.5-4-5 who accepts an exemption certificate issued by the department to a person who is exempt from the state gross retail tax under IC 6-2.5-4-5 is relieved from the duty to collect state gross retail or use tax on the sale of the services or commodities listed in IC 6-2.5-4-5 until notified by the department that the exemption certificate has expired or has been revoked. If the department notifies a power subsidiary or a person selling the services or commodities listed in IC 6-2.5-4-5 that a person's exemption certificate has expired or has been revoked, the power subsidiary or person selling the services or commodities listed in IC 6-2.5-4-5 shall begin collecting state gross retail tax on the sale of the services or commodities listed in IC 6-2.5-4-5 to the person whose exemption certificate has expired or been revoked not later than thirty

(30) days after the date of the department's notice. An exemption certificate issued by the department to a person who is exempt from the state gross retail tax under IC 6-2.5-4-5 remains valid for that person regardless of any subsequent one (1) for one (1) meter number changes with respect to that person that are required, made, or initiated by a power subsidiary or a person selling the services or commodities listed in IC 6-2.5-4-5, unless the department revokes the exemption certificate. Within thirty (30) days after the final day of each calendar year quarter, a power subsidiary or a person selling the services or commodities listed in IC 6-2.5-4-5 shall report to the department any meter number changes made during the immediately preceding calendar year quarter and distinguish between the one (1) for one (1) meter changes and the one (1) for multiple meter changes made during the calendar year quarter. A power subsidiary or a person selling the services or commodities listed in IC 6-2.5-4-5 shall maintain records sufficient to document each one (1) to one (1) meter change. A person may request the department to reissue an exemption certificate with a new meter number in the event of a one (1) to one (1) meter change. Except for a person to whom a blanket utility exemption applies, any meter number changes not involving a one (1) to one (1) relationship will no longer be exempt and will require the person to submit a new utility exemption application for the new meters. Until an application for a new meter is approved, the new meter is subject to the state gross retail tax and the power subsidiary or the person selling the services or commodities listed in IC 6-2.5-4-5 is required to collect the state gross retail tax from the date of the meter change.

SECTION 98. IC 6-3.1-30.5-14, AS ADDED BY P.L.182-2009(ss), SECTION 205, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 14. The department, on ~~an Internet web site~~ **a website** used by the department to provide information to the public, shall provide the following information:

(1) The application for the credit provided in this chapter.

(2) A timeline for receiving the credit provided in this chapter.

(3) The total amount of credits awarded under this chapter during the current state fiscal year.

SECTION 99. IC 6-7-2-7.5, AS AMENDED BY P.L.137-2022, SECTION 69, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 7.5. (a) A tax is imposed on the distribution of closed system cartridges in Indiana at the rate of fifteen percent (15%) of the wholesale price of the closed system cartridge. If a closed system cartridge is sold in the same package as a vapor product device, the tax imposed under this subsection shall only apply to the wholesale price

of the closed system cartridge if the wholesale cost of the closed system cartridge can be isolated from the vapor product device on the invoice.

(b) The distributor of closed system cartridges, including a person that sells closed system cartridges through ~~an Internet web site,~~ **a website,** is liable for the tax imposed under subsection (a). The tax is imposed at the time the distributor:

(1) brings or causes closed system cartridges to be brought into Indiana for distribution;

(2) manufactures closed system cartridges in Indiana for distribution; or

(3) transports closed system cartridges to retail dealers in Indiana for resale by those retail dealers.

(c) A consumer who purchases untaxed closed system cartridges from a distributor or retailer is liable for the tax imposed under subsection (a).

SECTION 100. IC 6-7-2-8, AS AMENDED BY P.L.165-2021, SECTION 109, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 8. (a) A distributor, including a person that sells taxable products through ~~an Internet web site,~~ **a website,** must obtain a license under this section before it distributes taxable products in Indiana. The department shall issue licenses to applicants that qualify under this section. A license issued under this section is valid for one (1) year unless revoked or suspended by the department and is not transferable.

(b) An applicant for a license under this section must submit proof to the department of the appointment of an agent for service of process in Indiana if the applicant is:

(1) an individual whose principal place of residence is outside Indiana; or

(2) a person, other than an individual, that has its principal place of business outside Indiana.

(c) To obtain or renew a license under this section, a person must:

(1) submit, for each location where it intends to distribute taxable products, an application that includes all information required by the department;

(2) pay a fee of twenty-five dollars ($25) at the time of application; and

(3) at the time of application, post a bond, issued by a surety company approved by the department, in an amount not less than one thousand dollars ($1,000) and conditioned on the applicant's compliance with this chapter.

(d) If business is transacted at two (2) or more places by one (1)

distributor, a separate license must be obtained for each place of business.

(e) Each license must be numbered, show the name and address of the distributor, and be posted in a conspicuous place at the place of business for which it is issued.

(f) If the department determines that a bond provided by a licensee is inadequate, the department may require a new bond in the amount necessary to fully protect the state.

SECTION 101. IC 6-8.1-3-16, AS AMENDED BY P.L.165-2021, SECTION 121, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 16. (a) The department shall prepare a list of all outstanding tax warrants for listed taxes each month. The list shall identify each taxpayer liable for a warrant by name, address, amount of tax, and either Social Security number or employer identification number. Unless the department renews the warrant, the department shall exclude from the list a warrant issued more than ten (10) years before the date of the list. The department shall certify a copy of the list to the bureau of motor vehicles.

(b) The department shall prescribe and furnish tax release forms for use by tax collecting officials. A tax collecting official who collects taxes in satisfaction of an outstanding warrant shall issue to the taxpayers named on the warrant a tax release stating that the tax has been paid. The department may also issue a tax release:

(1) to a taxpayer who has made arrangements satisfactory to the department for the payment of the tax; or

(2) by action of the commissioner under IC 6-8.1-8-2(k).

(c) The department may not issue or renew:

(1) a certificate under IC 6-2.5-8 or IC 6-7-4;

(2) a license under IC 6-6-1.1 or IC 6-6-2.5; or

(3) a permit under IC 6-6-4.1;

to a taxpayer whose name appears on the most recent monthly warrant list, unless that taxpayer pays the tax, makes arrangements satisfactory to the department for the payment of the tax, or a release is issued under IC 6-8.1-8-2(k).

(d) The bureau of motor vehicles shall, before issuing the title to a motor vehicle under IC 9-17, determine whether the purchaser's or assignee's name is on the most recent monthly warrant list. If the purchaser's or assignee's name is on the list, the bureau shall enter as a lien on the title the name of the state as the lienholder unless the bureau has received notice from the commissioner under IC 6-8.1-8-2(k). The tax lien on the title:

(1) is subordinate to a perfected security interest (as defined and

perfected in accordance with IC 26-1-9.1); and

(2) shall otherwise be treated in the same manner as other title liens.

(e) The commissioner is the custodian of all titles for which the state is the sole lienholder under this section. Upon receipt of the title by the department, the commissioner shall notify the owner of the department's receipt of the title.

(f) The department shall reimburse the bureau of motor vehicles for all costs incurred in carrying out this section.

(g) Notwithstanding IC 6-8.1-8, a person who is authorized to collect taxes, interest, or penalties on behalf of the department under IC 6-3 or IC 6-3.6 may not, except as provided in subsection (h) or (i), receive a fee for collecting the taxes, interest, or penalties if:

(1) the taxpayer pays the taxes, interest, or penalties as consideration for the release of a lien placed under subsection (d) on a motor vehicle title; or

(2) the taxpayer has been denied a certificate or license under subsection (c) within sixty (60) days before the date the taxes, interest, or penalties are collected.

(h) In the case of a sheriff, subsection (g) does not apply if:

(1) the sheriff collects the taxes, interest, or penalties within sixty (60) days after the date the sheriff receives the tax warrant; or

(2) the sheriff collects the taxes, interest, or penalties through the sale or redemption, in a court proceeding, of a motor vehicle that has a lien placed on its title under subsection (d).

(i) In the case of a person other than a sheriff:

(1) subsection (g)(2) does not apply if the person collects the taxes, interests, or penalties within sixty (60) days after the date the commissioner employs the person to make the collection; and

(2) subsection (g)(1) does not apply if the person collects the taxes, interest, or penalties through the sale or redemption, in a court proceeding, of a motor vehicle that has a lien placed on its title under subsection (d).

(j) IC 5-14-3-4, IC 6-8.1-7-1, and any other law exempting information from disclosure by the department do not apply to this subsection. The department shall prepare a list of retail merchants whose registered retail merchant certificate has not been renewed under IC 6-2.5-8-1(h) or whose registered retail merchant certificate has been revoked under IC 6-2.5-8-7 or whose electronic cigarette retail dealer's certificate has been revoked or suspended under IC 6-7-4-10. The list compiled under this subsection must identify each retail merchant by name (including any name under which the retail

merchant is doing business), address, and county. The department shall publish the list compiled under this subsection on the department's ~~Internet web site~~ **website** (as operated under IC 4-13.1-2) and make the list available for public inspection and copying under IC 5-14-3. The department or an agent, employee, or officer of the department is immune from liability for the publication of information under this subsection.

SECTION 102. IC 6-8.1-3-17, AS AMENDED BY P.L.93-2024, SECTION 58, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 17. (a) Before an original tax appeal is filed with the tax court under IC 33-26, the commissioner, or the taxpayer rights advocate office to the extent granted the authority by the commissioner, may settle any tax liability dispute if a substantial doubt exists as to:

(1) the constitutionality of the tax under the Constitution of the State of Indiana;

(2) the right to impose the tax;

(3) the correct amount of tax due;

(4) the collectability of the tax; or

(5) whether the taxpayer is a resident or nonresident of Indiana.

(b) After an original tax appeal is filed with the tax court under IC 33-26, and notwithstanding IC 4-6-2-11, the commissioner may settle a tax liability dispute with an amount in contention of twenty-five thousand dollars ($25,000) or less. Notwithstanding IC 6-8.1-7-1(a), the terms of a settlement under this subsection are available for public inspection.

(c) The department shall establish an amnesty program for taxpayers having an unpaid tax liability for a listed tax that was due and payable for a tax period ending before January 1, 2013. A taxpayer is not eligible for the amnesty program:

(1) for any tax liability resulting from the taxpayer's failure to comply with IC 6-3-1-3.5(b)(3) with regard to the tax imposed by IC 4-33-13 or IC 4-35-8; or

(2) if the taxpayer participated in any previous amnesty program under:

(A) this section (as in effect on December 31, 2014); or

(B) IC 6-2.5-14.

The time in which a voluntary payment of tax liability may be made (or the taxpayer may enter into a payment program acceptable to the department for the payment of the unpaid listed taxes in full in the manner and time established in a written payment program agreement between the department and the taxpayer) under the amnesty program is limited to the period determined by the department, not to exceed

eight (8) regular business weeks ending before the earlier of the date set by the department or January 1, 2017.

(d) The amnesty program must provide that, upon payment by a taxpayer to the department of all listed taxes due from the taxpayer for a tax period (or payment of the unpaid listed taxes in full in the manner and time established in a written payment program agreement between the department and the taxpayer), entry into an agreement that the taxpayer is not eligible for any other amnesty program that may be established and waives any part of interest and penalties on the same type of listed tax that is being granted amnesty in the current amnesty program, and compliance with all other amnesty conditions adopted under a rule of the department in effect on the date the voluntary payment is made, the department:

(1) shall abate and not seek to collect any interest, penalties, collection fees, or costs that would otherwise be applicable;

(2) shall release any liens imposed;

(3) shall not seek civil or criminal prosecution against any individual or entity; and

(4) shall not issue, or, if issued, shall withdraw, an assessment, a demand notice, or a warrant for payment under IC 6-8.1-5-1, IC 6-8.1-5-3, IC 6-8.1-8-2, or another law against any individual or entity;

for listed taxes due from the taxpayer for the tax period for which amnesty has been granted to the taxpayer. Amnesty granted under ~~this~~ subsection **(c)** is binding on the state and its agents. However, failure to pay to the department all listed taxes due for a tax period invalidates any amnesty granted under ~~this~~ subsection **(c)** for that tax period. The department shall conduct an assessment of the impact of the tax amnesty program on tax collections and an analysis of the costs of administering the tax amnesty program. As soon as practicable after the end of the tax amnesty period, the department shall submit a copy of the assessment and analysis to the legislative council in an electronic format under IC 5-14-6. The department shall enforce an agreement with a taxpayer that prohibits the taxpayer from receiving amnesty in another amnesty program.

~~(d)~~ **(e)** For purposes of subsection (c), a liability for a listed tax is due and payable if:

(1) the department has issued:

(A) an assessment of the listed tax under IC 6-8.1-5-1;

(B) a demand for payment under IC 6-8.1-5-3; or

(C) a demand notice for payment of the listed tax under IC 6-8.1-8-2;

(2) the taxpayer has filed a return or an amended return in which the taxpayer has reported a liability for the listed tax; or

(3) the taxpayer has filed a written statement of liability for the listed tax in a form that is satisfactory to the department.

~~(c)~~ **(f)** The department may waive interest and penalties if the general assembly enacts a change in a listed tax for a tax period that increases a taxpayer's tax liability for that listed tax after the due date for that listed tax and tax period. However, such a waiver shall apply only to the extent of the increase in tax liability and only for a period not exceeding sixty (60) days after the change is enacted. The department may adopt rules under IC 4-22-2 or issue guidelines to carry out this subsection.

SECTION 103. IC 6-8.1-3-23, AS ADDED BY P.L.146-2014, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 23. The department shall, in coordination with the secretary of state, use the ~~Internet web site~~ **website** established under IC 4-5-10 to share information with other state agencies and to provide a single point of contact for any person to accomplish the following:

(1) Completing and submitting an application for a license, registration, or permit that is issued by the department and that is required for the applicant to transact business in the state.

(2) Filing with the department documents that are required for the filer to transact business in the state.

(3) Remitting payments for any fee that must be paid to the department for a payer to transact business in the state, including application fees, filing fees, license fees, permit fees, and registration fees.

SECTION 104. IC 6-8.1-9.5-3, AS AMENDED BY P.L.117-2018, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 3. (a) To obtain a set off by the department, a claimant agency described in section 1(1)(A) of this chapter must file an application for the set off with the department before November 30 of the year preceding the calendar year in which a tax refund is payable by the department.

(b) To obtain a set off by the department, a claimant agency described in section 1(1)(B) of this chapter must direct the clearinghouse with which the claimant agency has an agreement to file an application for the set off on behalf of the claimant agency before a date determined by the department and published on the department's ~~Internet web site.~~ **website.**

(c) The department shall prescribe the form of and the contents of the application.

(d) An application filed under this section is effective only for the purpose of set off of tax refunds that are payable for the calendar year for which an application is filed.

SECTION 105. IC 6-8.1-10-1, AS AMENDED BY P.L.234-2019, SECTION 36, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 1. (a) If a person fails to file a return for any of the listed taxes, fails to pay the full amount of tax shown on the person's return by the due date for the return or the payment, or incurs a deficiency upon a determination by the department, the person is subject to interest on the nonpayment.

(b) The interest for a failure described in subsection (a) is the adjusted rate established by the commissioner under subsection (c), from the due date for payment. The interest applies to:

(1) the full amount of the unpaid tax due if the person failed to file the return;

(2) the amount of the tax that is not paid, if the person filed the return but failed to pay the full amount of tax shown on the return; or

(3) the amount of the deficiency.

(c) The commissioner shall establish an adjusted rate of interest for a failure described in subsection (a) and for an excess tax payment on or before November 1 of each year. For purposes of subsection (b), the adjusted rate of interest shall be the percentage rounded to the nearest whole number that equals two (2) percentage points above the average investment yield on state general fund money for the state's previous fiscal year, excluding pension fund investments, as determined by the treasurer of state on or before October 1 of each year and reported to the commissioner. For purposes of IC 6-8.1-9-2(c), the adjusted rate of interest for an excess tax payment must be the same as the adjusted rate of interest determined under this subsection for a failure described in subsection (a). The adjusted rates of interest established under this subsection shall take effect on January 1 of the immediately succeeding year.

(d) For purposes of this section, the filing of a substantially blank or unsigned return does not constitute a return.

(e) Except as provided by ~~IC 6-8.1-3-17(c),~~ **IC 6-8.1-3-17(d),** ~~IC 6-8.1-3-17(e),~~ **IC 6-8.1-3-17(f),** IC 6-8.1-5-2, and section 2.1(k) of this chapter, the department may not waive the interest imposed under this section.

(f) Subsections (a) through (c) do not apply to a motor carrier fuel tax return.

SECTION 106. IC 6-8.1-10-12, AS AMENDED BY P.L.213-2015,

SECTION 94, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 12. (a) This section applies to a penalty related to a tax liability to the extent that the:

(1) tax liability is for a listed tax;

(2) tax liability was due and payable, as determined under ~~IC 6-8.1-3-17(d),~~ **IC 6-8.1-3-17(e),** for a tax period ending before January 1, 2013;

(3) department establishes an amnesty program for the tax liability under IC 6-8.1-3-17(c);

(4) individual or entity from which the tax liability is due was eligible to participate in the amnesty program described in subdivision (3); and

(5) tax liability is not paid:

(A) in conformity with a payment program acceptable to the department that provides for payment of the unpaid listed taxes in full in the manner and time established in a written payment program agreement entered into between the department and the taxpayer under IC 6-8.1-3-17(c); or

(B) if clause (A) does not apply, before the end of the amnesty period established by the department.

(b) Subject to subsection (c), if a penalty is imposed or otherwise calculated under any combination of:

(1) IC 6-8.1-1-8;

(2) section 2.1 of this chapter;

(3) section 3 of this chapter;

(4) section 3.5 of this chapter;

(5) section 4 of this chapter;

(6) section 5 of this chapter;

(7) section 6 of this chapter;

(8) section 7 of this chapter;

(9) section 9 of this chapter; or

(10) IC 6-6;

an additional penalty is imposed under this section. The amount of the additional penalty imposed under this section is equal to the sum of the penalties imposed or otherwise calculated under the provisions listed in subdivisions (1) through (10).

(c) The additional penalty provided by subsection (b) does not apply if all of the following apply:

(1) The department imposes a penalty on a taxpayer or otherwise calculates the penalty under the provisions described in subsection (b)(1) through (b)(10).

(2) The taxpayer against whom the penalty is imposed:

(A) timely files an original tax appeal in the tax court under IC 6-8.1-5-1; and

(B) contests the department's imposition of the penalty or the tax on which the penalty is based.

(3) The taxpayer meets all other jurisdictional requirements to initiate the original tax appeal.

(4) Either the:

(A) tax court enjoins collection of the penalty or the tax on which the penalty is based under IC 33-26-6-2; or

(B) department consents to an injunction against collection of the penalty or tax without entry of an order by the tax court.

(d) The additional penalty provided by subsection (b) does not apply if the taxpayer:

(1) has a legitimate hold on making the payment as a result of an audit, bankruptcy, protest, taxpayer advocate action, or another reason permitted by the department;

(2) had established a payment plan with the department before May 12, 2015; or

(3) verifies with reasonable particularity that is satisfactory to the commissioner that the taxpayer did not ever receive notice of the outstanding tax liability.

SECTION 107. IC 6-9-3-3.5, AS AMENDED BY P.L.152-2021, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 3.5. (a) Before January 1 of each year, the board of managers shall annually publish a financial report summarizing the income and expenses of the board of managers for the previous twelve (12) months.

(b) The report required by subsection (a) must be published two (2) times, one (1) week apart:

(1) with each publication of the report in a daily or weekly newspaper published in the English language and of general circulation in both Clark County and Floyd County; or

(2) with the first publication of the report in a newspaper described in subdivision (1) and the second publication of the report:

(A) in accordance with IC 5-3-5; and

(B) on the board's official ~~web site.~~ **website.**

(c) Before January 1 of each year, the board of managers shall prepare a written report generally summarizing the board's activities for the previous twelve (12) months. The report shall be made available on ~~an Internet web site~~ **a website** maintained by the board of managers.

SECTION 108. IC 6-9-31-2, AS AMENDED BY P.L.9-2024,

SECTION 244, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 2. (a) After January 1, but before June 1, the city-county council may adopt an ordinance to impose a supplemental tax, known as the capital improvement board revenue replacement supplemental tax, only for the purpose of replacing revenue lost as a result of the withdrawal by the consolidated city or the capital improvement board from a contract providing another entity with the right to name a facility owned by the capital improvement board under IC 36-10-9, the county convention and recreational facilities authority under IC 36-10-9.1, or the consolidated city, in response to the entity displacing at least:

(1) four hundred (400) jobs in the consolidated city; or

(2) one thousand (1,000) jobs within the state;

to another country, if the city-county council determines the revenue must be replaced.

(b) The city-county council may adopt an ordinance to impose a supplemental tax on any one (1) or all of the following:

(1) The innkeeper's tax under IC 6-9-8.

(2) The admissions tax under IC 6-9-13. ~~and~~

(3) The supplemental auto rental excise tax under IC 6-6-9.7.

(c) The revenue replacement supplemental tax is in addition to the state gross retail tax and use tax imposed by IC 6-2.5. The county fiscal body may adopt an ordinance to require that the tax shall be paid monthly to the county treasurer, and in the case of the admissions tax and the supplemental auto rental excise tax, reported on forms approved by the county treasurer. If such an ordinance is adopted, the tax shall be paid to the county treasurer not more than twenty (20) days after the end of the month the tax is collected. If such an ordinance is not adopted, the tax shall be imposed, paid, and collected in exactly the same manner as the state gross retail tax is imposed, paid, and collected under IC 6-2.5.

(d) All of the provisions of IC 6-2.5 relating to rights, duties, liabilities, procedures, penalties, definitions, and administration shall be applicable to the imposition and administration of the tax imposed by this section except to the extent these provisions are in conflict or inconsistent with the specific provisions of this chapter or the requirements of the county treasurer. Specifically, and not in limitation of the preceding sentence, "person" and "gross income" have the same meaning in this section as the terms have in IC 6-2.5.

(e) If the tax is paid to the department of state revenue, the returns to be filed for the payment of the tax under this section may be either by separate return or combined with the return filed for the payment of

the state gross retail tax as the department of state revenue may determine by rule.

(f) If the tax is paid to the department of state revenue, the amounts received from this tax shall be paid monthly by the treasurer of state to the treasurer of the capital improvement board of managers of the county upon warrants issued by the state comptroller.

SECTION 109. IC 7.1-2-3-4.6, AS ADDED BY P.L.285-2019, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 4.6. (a) The commission shall prepare quarterly reports that provide the violations by permittees subject to an enforcement action under IC 7.1-5-7-17. The commission shall issue the quarterly reports on or before the fifteenth day of:

(1) January, concerning violations committed during the preceding quarter consisting of the months of October through December;

(2) April, concerning violations committed during the preceding quarter consisting of the months of January through March;

(3) July, concerning violations committed during the preceding quarter consisting of the months of April through June; and

(4) October, concerning violations committed during the preceding quarter consisting of the months of July through September.

(b) The commission's quarterly report must provide noncompliance violations by:

(1) business listing;

(2) permit type; and

(3) county.

(c) The commission shall post the quarterly reports on the commission's ~~Internet web site.~~ **website.** The commission shall:

(1) prepare a report annually that compiles the violations for the preceding calendar year; and

(2) provide the report to the legislative council not later than February 1 of each year in an electronic format under IC 5-14-6.

SECTION 110. IC 7.1-3-1-5, AS AMENDED BY P.L.194-2021, SECTION 24, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 5. (a) Except as provided in subsection (b), an application for a permit to sell alcoholic beverages of any kind, and the required publication of notice, shall disclose the name of the applicant and the specific address where the alcoholic beverages are to be sold, and any assumed business name under which the business will be conducted. The application and notice also shall disclose:

(1) the names of the president and secretary of the corporation,

club, association, or organization who will be responsible to the public for the sale of the alcoholic beverage if the applicant is a corporation, club, association, or other type of organization; or

(2) the ~~Internet web site~~ **website** where a member of the public may access the information in subdivision (1).

(b) An application for a permit may be processed by the commission while the location of the permit premises is pending, upon a showing of need by the permit applicant. Any permit issued by the commission while the location of the permit premises is pending shall be placed immediately on deposit with the commission under ~~IC 7.1-3-1-3.5~~ **section 3.5 of this chapter** (before July 1, 2019) or (after June 30, 2019) IC 7.1-3-1.1 upon approval of the permit by the commission. If a permit issued by the commission is deposited with the commission under this subsection:

(1) the applicant must go before the local board for approval of the applicant; and

(2) before making the permit active, the permittee must go before the local board for approval of the location.

SECTION 111. IC 7.1-3-1-18, AS AMENDED BY P.L.285-2019, SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 18. (a) Except as provided in subsections (d) and (e), if publication of notice of application for a permit is required under this title, the publication shall be made in one (1) newspaper of general circulation published in the county where the permit is to be in effect.

(b) Publication required under subsection (a) may be made in any newspaper of general circulation published one (1) or more times each week.

(c) The rates which shall be paid for the advertising of a notice required under this title shall be those required to be paid in case of other notices published for or on behalf of the state.

(d) The commission may publish notice of application for a three-way permit for a restaurant described in IC 7.1-3-20-12(4) by posting the notice on the commission's ~~Internet web site.~~ **website.**

(e) If:

(1) the commission is unable to procure advertising of a notice as required under subsection (a) at the rates set forth in IC 5-3-1; or

(2) the newspaper published in the county as described in subsection (a) refuses to publish the notice;

the commission may, instead of publication in a newspaper as required under subsection (a), require the designated member of the local board of the county to post printed notices in three (3) prominent locations in the county.

SECTION 112. IC 7.1-3-1.6-7, AS ADDED BY P.L.269-2013, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 7. An online course must meet the following requirements:

(1) Provide a process for participants to securely log in to the course.

(2) Automatically log out participants after twenty (20) minutes of inactivity and allow participants to resume the course at the same point where they stopped.

(3) Provide intuitive:

(A) user navigation through the course; and

(B) user interface with the course.

(4) Use linear navigation that requires the completion of a module before the course proceeds to the next module.

(5) Use an interactive course design.

(6) Provide participants with adequate access to a help desk to resolve technical issues without delaying the flow of instruction.

(7) Provide that the course ~~web site~~ **website** may not allow advertisements to appear on the course ~~web site~~ **website** while the participant is receiving instruction, and provide that advertisements that appear on the ~~web site~~ **website** when the participant is not receiving instruction follow generally accepted marketing practices.

SECTION 113. IC 8-1-2-42.5, AS AMENDED BY P.L.264-2017, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 42.5. (a) The commission shall by rule or order, consistent with the resources of the commission and the office of the utility consumer counselor, require that the basic rates and charges of all public, municipally owned, and cooperatively owned utilities (except those utilities described in section 61.5 of this chapter) are subject to a regularly scheduled periodic review and revision by the commission. However, the commission shall conduct the periodic review at least once every four (4) years and may not authorize a filing for an increase in basic rates and charges more frequently than is permitted by operation of section 42(a) of this chapter.

(b) The commission shall make the results of the commission's most recent periodic review of the basic rates and charges of an electricity supplier (as defined in IC 8-1-2.3-2(b)) available for public inspection by posting a summary of the results on the commission's ~~Internet web site.~~ **website.** If an electricity supplier whose basic rates and charges are reviewed under this section maintains a publicly accessible ~~Internet web site,~~ **website,** the electricity supplier shall provide a link on the

electricity supplier's ~~Internet web site~~ **website** to the summary of the results posted on the commission's ~~Internet web site.~~ **website.**

SECTION 114. IC 8-1-2.6-1.5, AS AMENDED BY P.L.107-2014, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 1.5. (a) In acting to impose any requirements or set any prices concerning:

(1) interconnection with the facilities and equipment of providers for purposes of 47 U.S.C. 251(c)(2);

(2) the resale of telecommunications service for purposes of 47 U.S.C. 251(c)(4); or

(3) the unbundled access of one (1) provider to the network elements of another provider for purposes of 47 U.S.C. 251(c)(3);

the commission shall not exceed the authority delegated to the commission under federal laws and regulations with respect to those actions.

(b) Subject to any regulations adopted by the Federal Communications Commission, this section does not affect:

(1) the commission's authority to mediate a dispute between providers under 47 U.S.C. 252(a);

(2) the commission's authority to arbitrate a dispute between providers under 47 U.S.C. 252(b);

(3) the commission's authority to approve an interconnection agreement under 47 U.S.C. 252(e), including the authority to establish service quality metrics and liquidated damages;

(4) the commission's authority to review and approve a provider's statement of terms and conditions under 47 U.S.C. 252(f);

(5) a provider's ability to file a complaint with the commission to have a dispute decided by the commission:

(A) after notice and hearing; and

(B) in accordance with this article; or

(6) the commission's authority to resolve an interconnection dispute between providers under the expedited procedures set forth in 170 IAC 7-7.

(c) If a provider's rates and charges for intrastate switched or special access service are:

(1) at issue in a dispute that the commission is authorized to mediate, arbitrate, or otherwise determine under state or federal law; or

(2) included in an interconnection agreement or a statement of terms and conditions that the commission is authorized to review or approve under state or federal law;

the commission shall consider the provider's rates and charges for

intrastate switched or special access service to be just and reasonable if the intrastate rates and charges mirror the provider's interstate rates and charges for switched or special access service.

(d) If the commission requires a provider to file a tariff for intrastate switched access service, special access service, or any other service, the filing of the tariff with the commission serves as the public notice of the filing of the tariff. The commission shall provide the public with notice of tariff filings through the commission's ~~Internet web site~~ **website** or other electronic means.

SECTION 115. IC 8-1-2.6-13, AS AMENDED BY P.L.71-2022, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 13. (a) As used in this section, "communications service" has the meaning set forth in IC 8-1-32.5-3.

(b) As used in this section, "communications service provider" means a person or an entity that offers communications service to customers in Indiana, without regard to the technology or medium used by the person or entity to provide the communications service. The term includes a provider of commercial mobile service (as defined in 47 U.S.C. 332).

(c) Notwithstanding sections 1.2, 1.4, and 1.5 of this chapter, the commission may do the following, except as otherwise provided in this subsection:

(1) Enforce the terms of a settlement agreement approved by the commission before July 29, 2004. The commission's authority under this subdivision continues for the duration of the settlement agreement.

(2) Fulfill the commission's duties under IC 8-1-2.8 concerning the provision of dual party relay services to deaf, hard of hearing, and speech impaired persons in Indiana.

(3) Fulfill the commission's responsibilities under IC 8-1-29 to adopt and enforce rules to ensure that a customer of a telecommunications provider is not:

(A) switched to another telecommunications provider unless the customer authorizes the switch; or

(B) billed for services by a telecommunications provider that without the customer's authorization added the services to the customer's service order.

(4) Fulfill the commission's obligations under:

(A) the federal Telecommunications Act of 1996 (47 U.S.C. 151 et seq.); and

(B) IC 20-20-16;

concerning universal service and access to telecommunications

service and equipment, including the designation of eligible telecommunications carriers under 47 U.S.C. 214.

(5) Perform any of the functions described in section 1.5(b) of this chapter.

(6) Perform the commission's responsibilities under IC 8-1-32.5 to:

(A) issue; and

(B) maintain records of;

certificates of territorial authority for communications service providers offering communications service to customers in Indiana.

(7) Perform the commission's responsibilities under IC 8-1-34 concerning the issuance of certificates of franchise authority to multichannel video programming distributors offering video service to Indiana customers.

(8) Subject to subsection (f), require a communications service provider, other than a provider of commercial mobile service (as defined in 47 U.S.C. 332), to report to the commission on an annual basis, or more frequently at the option of the provider, any information needed by the commission to prepare the commission's annual report under IC 8-1-1-14(c)(4).

(9) Perform the commission's duties under IC 8-1-32.4 with respect to telecommunications providers of last resort, to the extent of the authority delegated to the commission under federal law to perform those duties.

(10) Collect and maintain from a communications service provider the following information:

(A) The address of the provider's ~~Internet web site.~~ **website.**

(B) All toll free telephone numbers and other customer service telephone numbers maintained by the provider for receiving customer inquiries and complaints.

(C) An address and other contact information for the provider, including any telephone number not described in clause (B).

The commission shall make any information submitted by a provider under this subdivision available on the commission's ~~Internet web site.~~ **website.** The commission may also make available on the commission's ~~Internet web site~~ **website** contact information for the Federal Communications Commission and the Cellular Telephone Industry Association.

(11) Fulfill the commission's duties under any state or federal law concerning the administration of any universally applicable dialing code for any communications service.

(d) The commission does not have jurisdiction over any of the following with respect to a communications service provider:

(1) Rates and charges for communications service provided by the communications service provider, including the filing of schedules or tariffs setting forth the provider's rates and charges.

(2) Depreciation schedules for any of the classes of property owned by the communications service provider.

(3) Quality of service provided by the communications service provider.

(4) Long term financing arrangements or other obligations of the communications service provider.

(5) Except as provided in subsection (c), any other aspect regulated by the commission under this title before July 1, 2009.

(e) The commission has jurisdiction over a communications service provider only to the extent that jurisdiction is:

(1) expressly granted by state or federal law, including:

(A) a state or federal statute;

(B) a lawful order or regulation of the Federal Communications Commission; or

(C) an order or a ruling of a state or federal court having jurisdiction; or

(2) necessary to administer a federal law for which regulatory responsibility has been delegated to the commission by federal law.

(f) Except as specifically required under state or federal law, or except as required to respond to consumer complaints or information requests from the general assembly, the commission may not require a communications service provider:

(1) to file a tariff; or

(2) except for purposes of a petition or request filed or submitted to the commission by the communications service provider, to report to the commission any information that is:

(A) available to the public on the communications service provider's ~~Internet web site;~~ **website;**

(B) filed with the Federal Communications Commission; or

(C) otherwise available to the public in any form or at any level of detail;

including the communications service provider's rates, terms, and conditions of service.

SECTION 116. IC 8-1-8.5-2.1, AS ADDED BY P.L.2-2023, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 2.1. (a) This section does not apply to the

retirement, sale, or transfer of:

(1) a public utility's electric generation facility if the retirement, sale, or transfer is necessary in order for the public utility to comply with a federal consent decree; or

(2) an electric generation facility that generates electricity for sale exclusively to the wholesale market.

(b) A public utility shall notify the commission if:

(1) the public utility intends or decides to retire, sell, or transfer an electric generation facility with a capacity of at least eighty (80) megawatts; and

(2) the retirement, sale, or transfer:

(A) was not set forth in; or

(B) is to take place on a date earlier than the date specified in;

the public utility's short term action plan in the public utility's most recently filed integrated resource plan.

(c) Upon receiving notice from a public utility under subsection (b), the commission shall consider and may investigate, under IC 8-1-2-58 through IC 8-1-2-60, the public utility's intention or decision to retire, sell, or transfer the electric generation facility. In considering the public utility's intention or decision under this subsection, the commission shall examine the impact the retirement, sale, or transfer would have on the public utility's ability to meet:

(1) the public utility's planning reserve margin requirements or other federal reliability requirements that the public utility is obligated to meet, as described in section ~~13(i)(4)~~ **13(l)(4)** of this chapter; and

(2) the reliability adequacy metrics set forth in section ~~13(c)~~ **13(g)** of this chapter.

(d) Before July 1, 2026, if:

(1) a public utility intends or decides to retire, sell, or transfer an electric generation facility with a capacity of at least eighty (80) megawatts; and

(2) the retirement, sale, or transfer:

(A) was not set forth in; or

(B) is to take place on a date earlier than the date specified in;

the public utility's short term action plan in the public utility's most recently filed integrated resource plan;

the commission shall not permit the public utility's depreciation rates, as established under IC 8-1-2-19, to be amended to reflect the accelerated date for the retirement, sale, or transfer of the electric generation asset unless the commission finds that such an adjustment is necessary to ensure the ability of the public utility to provide reliable

service to its customers, and that the unamended depreciation rates would cause an unjust and unreasonable impact on the public utility and its ratepayers.

(e) The commission may issue a general administrative order to implement this section.

(f) This section expires July 1, 2026.

SECTION 117. IC 8-1-8.5-10, AS ADDED BY P.L.246-2015, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 10. (a) For purposes of this section, "electricity supplier" means a public utility (as defined in IC 8-1-2-1) that furnishes retail electric service to customers in Indiana. The term does not include a utility that is:

(1) a municipally owned utility (as defined in IC 8-1-2-1(h));

(2) a corporation organized under IC 8-1-13;

(3) a corporation organized under IC 23-17 that is an electric cooperative and that has at least one (1) member that is a corporation organized under IC 8-1-13; or

(4) a joint agency created under IC 8-1-2.2-8.

(b) For purposes of this section, "energy efficiency" means a reduction in electricity use for a comparable level of electricity service.

(c) For purposes of this section, "energy efficiency goals" means all energy efficiency produced by cost effective plans that are:

(1) reasonably achievable;

(2) consistent with an electricity supplier's integrated resource plan; and

(3) designed to achieve an optimal balance of energy resources in an electricity supplier's service territory.

(d) For purposes of this section, "energy efficiency program" or "program" means a program that is:

(1) sponsored by an electricity supplier; and

(2) designed to implement energy efficiency improvements.

The term does not include a program designed primarily to reduce demand for limited intervals of time, such as during peak electricity usage or emergency conditions.

(e) For purposes of this section, "lost revenues" means the difference, if any, between:

(1) revenues lost; and

(2) the variable operating and maintenance costs saved;

by an electricity supplier as a result of implementing energy efficiency programs.

(f) For purposes of this section, "plan" refers to the goals, programs, program budgets, program costs, and procedures submitted by an

electricity supplier to the commission under subsection (h).

(g) For purposes of this section, "program costs" include the following:

(1) Direct and indirect costs of energy efficiency programs.

(2) Costs associated with the evaluation, measurement, and verification of program results.

(3) Other recoveries or incentives approved by the commission, including lost revenues and financial incentives approved by the commission under subsection (o).

(h) Beginning not later than calendar year 2017, and not less than one (1) time every three (3) years, an electricity supplier shall petition the commission for approval of a plan that includes:

(1) energy efficiency goals;

(2) energy efficiency programs to achieve the energy efficiency goals;

(3) program budgets and program costs; and

(4) evaluation, measurement, and verification procedures that must include independent evaluation, measurement, and verification.

An electricity supplier may submit a plan required under this subsection to the commission for a determination of the overall reasonableness of the plan either as part of a general basic rate proceeding or as an independent proceeding. A petition submitted under this subsection may include a home energy efficiency assistance program for qualified customers of the electricity supplier whether or not the program is cost effective. The commission shall make the petition and its disclosable contents available through the commission's ~~Internet web site.~~ **website.**

(i) At the same time an electricity supplier petitions the commission under subsection (h), the electricity supplier shall:

(1) provide a copy of the petition and plan to the office of utility consumer counselor; and

(2) post an electronic copy of the petition and plan on the electricity supplier's ~~Internet web site.~~ **website.** The electricity supplier may redact confidential or proprietary information.

(j) In making a determination of the overall reasonableness of a plan submitted under subsection (h), the commission shall consider the following:

(1) Projected changes in customer consumption of electricity resulting from the implementation of the plan.

(2) A cost and benefit analysis of the plan, including the likelihood of achieving the goals of the energy efficiency

programs included in the plan.

(3) Whether the plan is consistent with the following:

(A) The state energy analysis developed by the commission under section 3 of this chapter.

(B) The electricity supplier's most recent long range integrated resource plan submitted to the commission.

(4) The inclusion and reasonableness of procedures to evaluate, measure, and verify the results of the energy efficiency programs included in the plan, including the alignment of the procedures with applicable environmental regulations, including federal regulations concerning credits for emission reductions.

(5) Any undue or unreasonable preference to any customer class resulting, or potentially resulting, from the implementation of an energy efficiency program or from the overall design of a plan.

(6) Comments provided by customers, customer representatives, the office of utility consumer counselor, and other stakeholders concerning the adequacy and reasonableness of the plan, including alternative or additional means to achieve energy efficiency in the electricity supplier's service territory.

(7) The effect, or potential effect, in both the long term and the short term, of the plan on the electric rates and bills of customers that participate in energy efficiency programs compared to the electric rates and bills of customers that do not participate in energy efficiency programs.

(8) The lost revenues and financial incentives associated with the plan and sought to be recovered or received by the electricity supplier.

(9) The electricity supplier's current integrated resource plan and the underlying resource assessment.

(10) Any other information the commission considers necessary.

(k) If, after notice and hearing, the commission determines that an electricity supplier's plan is reasonable in its entirety, the commission shall:

(1) approve the plan in its entirety;

(2) allow the electricity supplier to recover all associated program costs on a timely basis through a periodic rate adjustment mechanism; and

(3) allocate and assign costs associated with a program to the class or classes of customers that are eligible to participate in the program.

(l) If, after notice and hearing, the commission determines that an electricity supplier's plan is not reasonable because the costs associated

with one (1) or more programs included in the plan exceed the projected benefits of the program or programs, the commission:

(1) may exclude the program or programs and approve the remainder of the plan; and

(2) shall allow the electricity supplier to recover only those program costs associated with the portion of the plan approved under subdivision (1) on a timely basis through a periodic rate adjustment mechanism.

(m) If, after notice and hearing, the commission determines that an electricity supplier's plan is not reasonable in its entirety, the commission shall issue an order setting forth the reasons supporting its determination. The electricity supplier shall submit a modified plan within a reasonable time. After notice and hearing, the commission shall issue an order approving or denying the modified plan. If the commission approves the modified plan, the commission shall allow the electricity supplier to recover program costs associated with the modified plan on a timely basis through a periodic rate adjustment mechanism.

(n) The commission may not:

(1) require an energy efficiency program to be implemented by a third party administrator; or

(2) in making a determination of reasonableness under subsection (j), consider whether a third party administrator implements an energy efficiency program.

(o) If the commission finds a plan submitted by an electricity supplier under subsection (h) to be reasonable, the commission shall allow the electricity supplier to recover or receive the following:

(1) Reasonable financial incentives that:

(A) encourage implementation of cost effective energy efficiency programs; or

(B) eliminate or offset regulatory or financial bias:

(i) against energy efficiency programs; or

(ii) in favor of supply side resources.

(2) Reasonable lost revenues.

A retail rate adjustment mechanism proposed by an electricity supplier under this section to implement the timely recovery of program costs (including reasonable lost revenues) may be based on a reasonable forecast, with consideration given to the electricity supplier's historical lost revenue forecasting accuracy. If forecasted data is used, the retail rate adjustment mechanism must include a reconciliation mechanism to correct for any variance between the forecasted program costs (including reasonable lost revenues and financial incentives) and the

actual program costs (including reasonable lost revenues and financial incentives based on the evaluation, measurement, and verification of the energy efficiency programs under the plan).

(p) An industrial customer (as defined in section 9(e) of this chapter) may opt out of an electricity supplier's plan under this section by following the procedure set forth in section 9(f) and 9(g) of this chapter. The opt out of an industrial customer who has previously complied with the procedure set forth in section 9(f) of this chapter constitutes an opt out of an electricity supplier's plan under this section. An industrial customer may follow the procedure set forth in section 9(g) of this chapter to opt back in.

(q) The commission shall adopt:

(1) rules under IC 4-22-2; or

(2) guidelines;

to assist electricity suppliers and industrial customers in complying with this section.

SECTION 118. IC 8-1-22.6-10, AS ADDED BY P.L.110-2007, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 10. (a) The pipeline company shall provide the division with a list of landowners that will be affected by the proposed construction of a pipeline or a segment of a pipeline in Indiana. The list must include all affected landowners that the pipeline company must provide notice to under IC 32-24-1-3(g).

(b) The division shall send, by certified mail, the following to each affected landowner:

(1) A copy of, or reference to, the guidelines adopted by the division.

(2) A notice that includes the following:

(A) A statement that the division has adopted the pipeline construction guidelines included with, or referenced in, the notice.

(B) A statement indicating that the pipeline construction guidelines have been mailed to the pipeline company. The statement required by this clause must specify a date after which the affected landowner may contact a toll free telephone number established by the division to provide information on the status of any construction guidelines agreed to by the pipeline company.

(C) A statement indicating that any guidelines agreed to by the pipeline company shall not be binding on the pipeline company or affected landowners but may be used by the pipeline company and an individual landowner to simplify

negotiations involved in establishing a price for any:

(i) easement; or

(ii) other interest in land;

needed by the pipeline company to construct the pipeline.

(D) A statement encouraging the affected landowner to agree to any construction guidelines that the pipeline company agrees to follow, to the extent that the landowner determines that the guidelines are not contrary to the landowner's best interests.

(E) A statement including:

(i) contact information for the one (1) or more project coordinators designated by the division under section 12 of this chapter;

(ii) contact information for the Federal Energy Regulatory Commission, including a local or toll free telephone number; and

(iii) the commission's ~~web site~~ **website** address.

(c) The division shall mail the information required under subsection (b) not later than twenty (20) days after the division is notified by the pipeline company of the proposed route and is provided with a list of the affected landowners as required by subsection (a).

SECTION 119. IC 8-1-22.6-12, AS ADDED BY P.L.110-2007, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 12. For each proposed or ongoing pipeline project in Indiana, the director of the division shall designate one (1) or more employees of the division to serve as project coordinators for the division. The director shall ensure that one (1) or more of the coordinators designated under this section are responsible for the following duties concerning the project:

(1) Monitoring all:

(A) filings with; and

(B) proceedings before;

the Federal Energy Regulatory Commission.

(2) Attending all public hearings or meetings concerning the project that are held in Indiana.

(3) Receiving and responding to questions and complaints about the project from Indiana residents.

(4) Updating the information required to be made available on the commission's ~~web site~~ **website** under section 13 of this chapter.

(5) Any other duties assigned by the director of the division.

SECTION 120. IC 8-1-22.6-13, AS ADDED BY P.L.110-2007, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

JULY 1, 2025]: Sec. 13. (a) The division shall make the following available on the commission's ~~web site:~~ **website:**

(1) A link to the guidelines adopted by the division.

(2) For each proposed or ongoing pipeline construction project in Indiana, the following information:

(A) A description of the pipeline company and the pipeline project, including:

(i) the pipeline's location, purpose, and construction schedule; and

(ii) the docket number assigned to the project by the Federal Energy Regulatory Commission.

(B) Contact information for the pipeline company, including a local or toll free telephone number.

(C) Contact information for the Federal Energy Regulatory Commission, including a local or toll free telephone number.

(D) Contact information for the one (1) or more project coordinators designated under section 12 of this chapter to receive and respond to questions and complaints from Indiana residents.

(E) Information on public hearings or meetings that are scheduled in connection with the pipeline project.

(F) Other information concerning the pipeline project that the division considers relevant or of likely concern to Indiana residents.

(b) The division shall update the information required under subsection (a)(1) whenever:

(1) one (1) or more guidelines adopted by the division are revised or superseded by the division; or

(2) one (1) or more new guidelines are adopted by the division.

(c) The division shall update the information required under subsection (a)(2) on a regular basis throughout the course of a pipeline project. The division shall ensure that all information on the division's ~~web site~~ **website** concerning a pipeline project is accurate, current, and accessible. The director of the division shall assign the responsibility of complying with this subsection to one (1) or more project coordinators designated under section 12 of this chapter.

SECTION 121. IC 8-1-31.6-6, AS AMENDED BY P.L.6-2024, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 6. (a) As used in this section, "occupant", with respect to any:

(1) building;

(2) structure; or

(3) dwelling;

that is served by a lead service line, means a person in actual possession of and residing in or occupying the building, structure, or dwelling.

(b) As used in this section, "owner", with respect to any:

(1) building;

(2) structure; or

(3) dwelling;

that is served by a lead service line, means a person who has legal title to the building, structure, or dwelling, as indicated by the property tax records of the county in which the property is located, or by the account or other customer or billing records maintained by the water utility with respect to the property, regardless of whether the person is in actual possession of and residing in or occupying the building, structure, or dwelling.

(c) Before a water utility is authorized to include customer lead service line improvements as eligible infrastructure improvements for purposes of IC 8-1-31, for a public utility, or for purposes of this chapter, for a municipally owned utility, the commission must first approve the water utility's plan for the replacement of the customer owned portion of the lead service lines within or connected to the water utility's system. The water utility's plan must address the following:

(1) The availability of grants or low interest loans and how the water utility plans to use available grants or low interest loans to help the water utility finance or reduce the cost of the customer lead service line improvements for the water utility and the water utility's customers, including any arrangements for the customer to receive available grants or financing directly.

(2) A description of how the replacement of customer owned lead service lines will be accomplished in conjunction with distribution system infrastructure replacement projects.

(3) The estimated savings in costs per service line that would be realized by the water utility replacing the customer owned portion of the lead service lines versus the anticipated replacement costs if customers were required to replace the customer owned portion of the lead service lines.

(4) The number of lead mains and lead service lines estimated to be part of the water utility's system.

(5) A range for the number of customer owned lead service lines estimated to be replaced annually.

(6) A range for the total feet of lead mains estimated to be replaced annually.

(7) The water utility's proposal for addressing the costs of unusual site restoration work necessitated by structures or improvements located above the customer owned portion of the lead service lines.

(8) The water utility's proposal for communicating with the customer the availability of the water utility's plan to replace the customer owned portion of the lead service line in conjunction with the water utility's replacement of the utility owned portion of the lead service line.

(9) The water utility's proposal concerning whether the water utility or the customer will be responsible for future replacement or repair of the portion of the new service line corresponding to the previous customer owned lead service line.

(10) The estimated total cost to replace all customer owned portions of the lead service lines within or connected to the water utility's system and an estimated range for the annual cost to be incurred by the water utility under the water utility's plan.

(d) Notwithstanding the terms of a water utility's plan for the replacement of the customer owned portion of the lead service lines within or connected to the water utility's system, the following apply to the owner of a building, structure, or dwelling that is served by a customer owned lead service line within or connected to the water utility's system:

(1) Upon request by the water utility, the owner of a building, structure, or dwelling, other than a multi-family residential property that contains more than four (4) dwelling units, shall replace, or cause to be replaced, the customer owned portion of the lead service line by either of the following methods:

(A) Enrolling in the lead service line replacement program offered by the water utility and, after enrolling, allowing the water utility or the water utility's agents to access the owner's property, at no cost to the water utility, to conduct the replacement in accordance with the water utility's plan.

(B) Replacing the customer owned portion of the lead service line through the owner's own agents or contractors and at the owner's own expense. If the owner elects to replace the customer owned portion of the lead service line under this clause, the replacement must be completed not later than forty-five (45) days after the water utility first communicates to the owner the availability of the water utility's program to replace the customer owned portion of the lead service line.

(2) If the owner of a building, structure, or dwelling, other than a

multi-family residential property that contains more than four (4) dwelling units:

(A) does not enroll in the lead service line replacement program offered by the water utility;

(B) does not replace the customer owned portion of the lead service line through the owner's own agents or contractors and at the owner's own expense within the forty-five (45) day period described in subdivision (1)(B); or

(C) fails to communicate with **the water utility,** or is nonresponsive to the water utility's attempted communications, regarding the replacement of the customer owned portion of the lead service line;

the water utility or the water utility's agent may, after the expiration of the forty-five (45) day period described in subdivision (1)(B), enter the property to replace the customer owned portion of the lead service line without having obtained the permission of the owner with respect to the entry or the replacement. A water utility, including an agent of the water utility, that enters an owner's property and conducts a replacement under this subdivision shall be held harmless by and is not liable to the owner with respect to the entry or the replacement. If the property is occupied by an occupant other than the owner, and the occupant grants the water utility or the water utility's agent access to the property to conduct a replacement under this subdivision, the occupant shall also be held harmless by and is also not liable to the owner with respect to the entry or the replacement. Notwithstanding the terms of the water utility's plan for the replacement of customer owned lead service lines, a water utility that conducts a replacement under this subdivision is not liable for any property restoration costs necessitated by the replacement and that exceed five hundred dollars ($500). The owner is responsible for the completion and cost of any property restoration work necessitated by the replacement and exceeding the five hundred dollar ($500) limit set forth in this subdivision. A water utility that enters an owner's property as permitted under this subdivision is not liable to the owner for any cost for access to, or for an easement on, the property.

(3) Upon request by the water utility, the owner of a multi-family residential property that contains more than four (4) dwelling units may elect to participate in the water utility's lead service line replacement program. An owner shall communicate to the water utility the owner's election to participate in the water utility's

program under this subdivision not later than forty-five (45) days after receiving the water utility's request. If the owner does not communicate the owner's election to participate in the water utility's program within the forty-five (45) day period set forth in this subdivision, the owner, or any future owner of the property, is responsible for replacing the customer owned portion of the lead service line through the owner's own agents or contractors and at the owner's own expense.

(4) In any case in which the conditions set forth in subdivision (2) apply and in which the water utility attempts to avail itself of the remedies set forth in subdivision (2) but is prevented from doing so by the owner of the property, the water utility may, in accordance with state law and rules adopted by the commission, disconnect water service to the property. Before water service may be restored to the property, the owner must provide the water utility with proof that:

(A) the owner has enrolled in the water utility's lead service line replacement program under subdivision (1)(A); or

(B) the customer owned service line has been replaced in accordance with subdivision (1)(B).

(5) In the case of any:

(A) building;

(B) structure; or

(C) dwelling;

that the water utility has determined, in accordance with any applicable law, to be abandoned or unserviceable, the water utility may disconnect water service to the property and require the owner, or any future owner, of the property to install a new service line through the owner's own agents or contractors and at the owner's own expense.

(6) The provisions set forth in this subsection may be incorporated into a water utility's plan that has been previously approved by the commission under this section. A water utility that incorporates the provisions set forth in this subsection into a previously approved plan is not required to obtain any additional approval from the commission with respect to the incorporated provisions.

(e) The commission shall approve a water utility's plan if the commission finds the plan to be reasonable and in the public interest. Subject to subsection (f), in general rate cases following the approval of a public utility's plan, the commission shall for ratemaking purposes add to the value of the public utility's property for purposes of

IC 8-1-2-6 the actual costs incurred by the public utility in replacing the customer owned portion of the lead service lines and in removing customer owned lead service lines from service in accordance with the public utility's plan, notwithstanding the continued ownership of the service line by the customer.

(f) To the extent a water utility incurs an annual cost under the water utility's plan in excess of the range set forth in subsection (c)(10) and approved by the commission under subsection (e), the additional costs are not eligible for the ratemaking treatment provided for in this section or in section 7, 8, or 10 of this chapter.

SECTION 122. IC 8-1-32.3-15, AS AMENDED BY P.L.9-2022, SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 15. (a) This chapter applies to permits issued by a permit authority to a communications service provider, under local law and consistent with IC 36-7, for the following:

(1) Construction of a new wireless support structure.

(2) Substantial modification of a wireless support structure.

(3) Collocation of wireless facilities on an existing structure.

(4) Construction, placement, and use of small cell facilities.

(b) A permit authority may not require an application or a permit for, or charge fees for, any of the following:

(1) The routine maintenance of wireless facilities.

(2) The replacement of wireless facilities with wireless facilities that are:

(A) substantially similar to; or

(B) the same size or smaller than;

the wireless facilities being replaced.

(3) The installation, placement, maintenance, or replacement of micro wireless facilities that are suspended on cables strung between existing utility poles in compliance with applicable codes by a communications service provider that is authorized to use the public rights-of-way. For purposes of this subdivision, "applicable codes" means uniform building, fire, electrical, plumbing, or mechanical codes that are:

(A) adopted by a recognized national code organization; and

(B) enacted solely to address imminent threats of destruction of property or injury to persons;

including any local amendments to those codes.

(c) With respect to the construction, placement, or use of a small cell facility and the associated supporting structure, a permit authority may prohibit the placement of a new utility pole or a new wireless support structure in a right-of-way within an area that is designated

strictly for underground or buried utilities, if all of the following apply:

(1) The area is designated strictly for underground or buried utilities before May 1, 2017.

(2) No above ground:

(A) wireless support structure;

(B) utility pole; or

(C) other utility superstructure;

other than light poles or small cell facilities approved as part of a waiver process described in subdivision (3)(C), exists in the area.

(3) The permit authority does all of the following:

(A) Allows the collocation of small cell facilities on existing:

(i) utility poles;

(ii) light poles; and

(iii) wireless support structures;

as a permitted use within the area.

(B) Allows the replacement or improvement of existing:

(i) utility poles;

(ii) light poles; and

(iii) wireless support structures;

as a permitted use within the area.

(C) Provides:

(i) a waiver;

(ii) a zoning process; or

(iii) another procedure;

that addresses requests to install new utility poles or new wireless support structures within the area.

(D) Upon receipt of an application for the construction, placement, or use of a small cell facility on one (1) or more new utility poles or one (1) or more new wireless support structures in an area that is designated strictly for underground or buried utilities, posts notice of the application on the permit authority's ~~Internet web site,~~ **website,** if the permit authority maintains ~~an Internet web site.~~ **a website.** The notice of the application required by this clause must include a statement indicating that the application is available to the public upon request.

(4) The prohibition or other restrictions with respect to the placement of new utility poles or new wireless support structures within the area are applied in a nondiscriminatory manner.

(5) The area is zoned strictly for residential land use before May 1, 2017.

(d) With respect to applications for the placement of one (1) or more

small cell facilities in an area that is zoned strictly for residential land use, and that is designated strictly for underground or buried utilities, a permit authority shall allow a neighborhood association or a homeowners association to register with the permit authority to:

(1) receive notice; and

(2) request that homeowners within the jurisdiction of the neighborhood association or homeowners association receive notice;

by United States mail or by electronic mail of any application filed with the permit authority for a permitted use described in subsection (c)(3)(A) or (c)(3)(B) or for the construction, placement, or use of a small cell facility on one (1) or more new utility poles or one (1) or more new wireless support structures in an area that is designated strictly for underground or buried utilities and that is within the jurisdiction of the neighborhood association or homeowners association. If the permit authority maintains ~~an Internet web site,~~ **a website,** the permit authority shall post on the permit authority's ~~Internet web site~~ **website** instructions for how a neighborhood association or homeowners association may register to receive notice under this subsection. A permit authority that receives a request under subdivision (2) may agree to provide notice to homeowners regarding a project for which applications described in this subsection have been filed with the permit authority, but not provide notice to homeowners regarding each permit application filed with the permit authority with respect to the project. A permit authority that receives a request under subdivision (2) may agree to provide notice only to certain homeowners. A permit authority may require a neighborhood association, homeowners association, or homeowner to pay the cost of postage associated with the mailed provision of notice to the neighborhood association, homeowners association, or homeowner under this subsection. A permit authority that chooses to provide mailed notice under this subsection at its own cost may choose to pass those costs along to a permit applicant. Any mailing costs passed through to an applicant under this subsection are not in addition to the application fee, and shall not increase the application fee beyond the limit set forth in section 26(a)(3) of this chapter. A permit authority may not pass through to an applicant any costs for notices provided electronically.

(e) This subsection does not apply to an application for a permitted use described in subsection (c)(3)(A) or (c)(3)(B). With respect to an area that is designated strictly for underground or buried utilities in accordance with subsection (c), to establish the standards that will

apply in a waiver, zoning process, or other procedure described in subsection (c)(3)(C), a permit authority may collaborate with a neighborhood association or a homeowners association on the preferred location and reasonable aesthetics of new utility poles or new wireless support structures added within the jurisdiction of the neighborhood association or homeowners association. For purposes of this subsection, a permit authority is considered to have collaborated with a neighborhood association or a homeowners association if the permit authority adopts neighborhood specific guidelines after providing notice and allowing public comment on the proposed guidelines. A permit authority must comply with any guidelines adopted under this subsection with respect to a particular application for a permit if:

(1) the guidelines have been adopted and published before the filing of the application in a manner consistent with this subsection;

(2) subject to subsection (f), compliance with the guidelines is technically feasible and cost-efficient, as determined by the applicant; and

(3) compliance with the guidelines does not result in a prohibition of the applicant's service or an effective prohibition of the applicant's service.

A permit authority that elects not to collaborate with a neighborhood association or a homeowners association to adopt neighborhood specific guidelines under this subsection is not precluded from using the waiver, zoning process, or other procedure described in subsection (c)(3)(C) with respect to any application to place one (1) or more new utility poles or new wireless support structures within the jurisdiction of the neighborhood association or homeowners association.

(f) In demonstrating that compliance with guidelines adopted by a permit authority under subsection (e) is not technically feasible under subsection (e)(2), a permit applicant may not be required to submit information about the need for a small cell facility or the associated wireless support structure, including:

(1) information about additional wireless coverage or capacity, or increased wireless speeds;

(2) propagation maps or telecommunications traffic studies; or

(3) information about the permit applicant's business decisions with respect to:

(A) service;

(B) customer demand; or

(C) quality of service;

to or from a particular area or site.

(g) Subject to section 26(b) of this chapter, with respect to the construction, placement, or use of a small cell facility and the associated supporting structure within an area:

(1) designated as a historic preservation district under IC 36-7-11;

(2) designated as a historic preservation area under IC 36-7-11.1; or

(3) that is subject to the jurisdiction of the Meridian Street preservation commission under IC 36-7-11.2;

a permit authority may apply any generally applicable procedures that require applicants to obtain a certificate of appropriateness.

(h) An applicant for the placement of a small cell facility and an associated supporting structure shall comply with applicable:

(1) Federal Communications Commission requirements; and

(2) industry standards;

for identifying the owner's name and contact information.

(i) A resolution, ordinance, or other regulation:

(1) adopted by a permit authority after April 14, 2017, and before May 2, 2017; and

(2) that designates an area within the jurisdiction of the permit authority as strictly for underground or buried utilities;

applies only to communications service providers and those geographic areas that are zoned residential and where all existing utility infrastructure is already buried.

(j) Nothing in this section extends the time periods set forth in section 20 of this chapter.

SECTION 123. IC 8-1-34-30, AS AMENDED BY P.L.177-2018, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 30. (a) As used in this section, "designated employee" means a holder's:

(1) employee; or

(2) authorized agent;

whom the holder designates or will designate to receive direct marketing authority.

(b) As used in this section, "direct marketing authority" means the authority granted by the commission to a holder to market any service or product offered by the holder directly to all households and businesses in a service area served by the holder.

(c) As used in this section, "political subdivision" has the meaning set forth in IC 36-1-2-13.

(d) A holder may apply to the commission, in the manner and form prescribed by the commission, for direct marketing authority. An application must include the following information with respect to each

designated employee of the holder:

(1) Name.

(2) Home address.

(3) Driver's license number.

(4) A certification described in subsection (e)(1).

(e) In an application under subsection (d), a holder shall include the following:

(1) A certification by the holder that each designated employee satisfies the following requirements:

(A) The employee is at least eighteen (18) years of age.

(B) The employee has a high school diploma or the equivalent of a high school diploma.

(C) The employee has not been convicted of a felony within the seven (7) years immediately preceding the date of the application.

(D) Within the seven (7) years immediately preceding the date of the application, the employee has not been released from incarceration after serving time for a felony conviction.

(E) The employee has not been convicted of:

(i) a misdemeanor involving fraud, deceit, or dishonesty;

(ii) a battery offense included in IC 35-42-2 as a misdemeanor; or

(iii) two (2) or more misdemeanors involving the illegal use of alcohol or the illegal sale, use, or possession of a controlled substance;

within the five (5) years immediately preceding the date of the application.

(F) The employee has a valid driver's license.

(2) Proof of financial responsibility.

(f) A holder may comply with subsection (e)(1) by submitting to the commission a document signed by the holder in which the holder:

(1) identifies each designated employee by name, home address, and driver's license number;

(2) certifies that each designated employee has been the subject of a criminal history background check for each jurisdiction in the United States in which the designated employee has lived or worked within the seven (7) years immediately preceding the date of the application; and

(3) affirms that the background check described in subdivision (2) for each designated employee indicates that the designated employee satisfies the requirements set forth in subsection (e)(1), as applicable.

(g) Not more than fifteen (15) days after the commission receives an application under subsection (d), the commission shall determine whether the application is complete and properly verified. If the commission determines that the application is incomplete or not properly verified, the commission shall notify the applicant holder of the deficiency and allow the holder to resubmit the application after correcting the deficiency. If the commission determines that the application is complete and properly verified, the commission shall issue an order granting the holder direct marketing authority. The order must contain the following:

(1) The name of the holder.

(2) The names of designated employees of the holder.

(3) A grant of direct marketing authority to the holder and designated employees of the holder.

(4) The date on which the order takes effect.

The commission shall provide public notice of an order granting direct marketing authority under this subsection by posting the order on the commission's ~~Internet web site.~~ **website.**

(h) A holder that has direct marketing authority shall notify the commission in a timely manner of any changes to the holder's list of designated employees. A designated employee may exercise direct marketing authority immediately upon the holder's submission to the commission of all information required under subsection (e)(1) with respect to the designated employee.

(i) Only the commission is authorized to grant direct marketing authority to a holder under this section. However, subject to subsection (j), with respect to direct marketing activities in a holder's service area within a political subdivision, this section does not prohibit a holder from electing to:

(1) apply for marketing or solicitation authority directly from the political subdivision; and

(2) exercise any marketing or solicitation authority under a license, permit, or other authority granted by the political subdivision before, on, or after June 30, 2013;

instead of applying for and exercising direct marketing authority granted by the commission under this section.

(j) A political subdivision may not do any of the following:

(1) Require a holder that is granted direct marketing authority from the commission under this section to also obtain marketing or solicitation authority from the political subdivision in order to engage in direct marketing in the holder's service area within the political subdivision.

(2) Impose any licensing requirement or fee on a holder in connection with any direct marketing authority granted to the holder by the commission under this section with respect to the holder's service area within the political subdivision.

(3) Except as provided in subsection (k), otherwise regulate a holder that is granted direct marketing authority from the commission under this section and that engages in direct marketing in the holder's service area within the political subdivision.

(k) A political subdivision may enforce any ordinance or regulation that:

(1) imposes restrictions as to the hours or manner in which direct marketing activities may be performed in the political subdivision; and

(2) applies uniformly to all persons engaging in direct marketing or other soliciting in the political subdivision, regardless of:

(A) the product or service being marketed; or

(B) the type of business engaged in by the person engaging in the direct marketing or other soliciting.

SECTION 124. IC 8-2-17-2, AS AMENDED BY P.L.152-2021, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 2. The legislative body shall not grant a license to the applicant until satisfactory evidence is produced showing that the application has been on file in the office of the city or town clerk for not less than fourteen (14) days and that notice of the filing of the application has been posted for at least two (2) weeks at the door of the city hall of any city or at some public place in any town and published once each week for two (2) consecutive weeks:

(1) with each publication of the notice made in a newspaper of general circulation in the city or town or where there is no newspaper, notice by posting is sufficient notice; or

(2) with the first publication made in a newspaper described in subdivision (1) and the second publication:

(A) in accordance with IC 5-3-5; and

(B) on the official ~~web site~~ **website** of the city or town.

SECTION 125. IC 8-2.1-28-5 IS REPEALED [EFFECTIVE JULY 1, 2025]. ~~Sec. 5. The department may adopt rules under IC 4-22-2 to carry out this chapter.~~

SECTION 126. IC 8-10-5-1, AS AMENDED BY P.L.152-2021, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 1. ~~As used in~~ **The following definitions apply throughout** this chapter:

(1) "Port authority" means a port authority created pursuant to authority of this chapter.

(2) The terms "port" or "harbor" may be used interchangeably and when used in this chapter shall mean any area used for servicing, storing, protecting, mooring, loading or unloading, or repairing any watercraft, on or adjacent to any body of water which may be wholly or partially within or wholly or partially adjacent to the state of Indiana. The terms include a breakwater area.

(3) The term "watercraft" shall mean any vessel, barge, boat, ship, tug, sailingcraft, skiff, raft, inboard or outboard propelled boat, or any contrivance known on March 13, 1959, or invented after March 13, 1959, used or designed for navigation of or use upon water, including a vessel permanently anchored in a port.

(4) "Publication" means publication once a week for two (2) consecutive weeks:

(A) with each publication of notice made in a newspaper of general circulation in the city, county, or counties where publication is required to be made; or

(B) with the first publication of notice made in a newspaper described in clause (A) and the second publication of notice:

(i) in accordance with IC 5-3-5; and

(ii) on the official ~~web site~~ **website** of the city, county, or counties where publication is required to be made.

(5) The term "governing body" shall mean the legislative authority of the governmental unit or units establishing or having established a port authority under the provisions of this chapter.

SECTION 127. IC 8-14-9-6, AS AMENDED BY P.L.152-2021, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 6. (a) A resolution adopted under section 5 of this chapter shall be made available for public inspection. The board shall publish notice of the adoption. The notice must contain a general description of the resolution, and it must indicate that the resolution and included materials may be inspected at a specified location.

(b) The notice shall be published once each week for two (2) consecutive weeks:

(1) with each publication of notice in one (1) newspaper of general circulation within the local county road and bridge district; or

(2) with the first publication of notice in a newspaper described in subdivision (1) and the second publication of notice:

(A) in accordance with IC 5-3-5; and

(B) on the official ~~web site~~ **website** of the county in which the

district is located.

(c) The notice shall specify a date, not less than ten (10) days after the date of last publication, on which the board will conduct a hearing at which interested or affected parties may object to the resolution.

SECTION 128. IC 8-15.5-4-1.5, AS AMENDED BY P.L.218-2017, SECTION 74, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 1.5. (a) This section applies only to a toll road project and not to a freeway project or a facility project.

(b) The authority may not issue a request for proposals for a toll road project under this article unless the authority has received a preliminary feasibility study and an economic impact study for the project from the department, conducted a public hearing, and concluded the periods for public comments and the authority's replies.

(c) The economic impact study must, at a minimum, include an analysis of the following matters with respect to the proposed project:

(1) Economic impacts on existing commercial and industrial development.

(2) Potential impacts on employment.

(3) Potential for future development near the project area, including consideration of locations for interchanges that will maximize opportunities for development.

(4) Fiscal impacts on revenues to local units of government.

(5) Demands on government services, such as public safety, public works, education, zoning and building, and local airports.

The authority shall post a copy of the economic impact study on the authority's ~~Internet web site~~ **website** and shall also provide copies of the study to the governor and the legislative council (in an electronic format under IC 5-14-6).

(d) After completion of the economic impact study, the authority must conduct a public hearing on the results of the study in the county seat of the county in which the proposed project would be located. At least ten (10) days before each public hearing, the authority shall:

(1) post notice of the public hearing on the authority's ~~Internet web site;~~ **website;**

(2) publish notice of the public hearing one (1) time in accordance with IC 5-3-1 in two (2) newspapers of general circulation in the county; and

(3) include in the notices under subdivisions (1) and (2):

(A) the date, time, and place of the hearing;

(B) the subject matter of the hearing;

(C) a description of the purpose of the economic impact study;

(D) a description of the proposed project and its location; and

(E) a statement concerning the availability of the study on the authority's ~~Internet web site.~~ **website.**

At the hearing, the authority shall allow the public to be heard on the economic impact study and the proposed project.

(e) For the thirty (30) days following the public hearing on the results of the economic impact study, the authority shall receive comments from the public on the proposed project. The comments may address any aspect of the proposed project.

(f) Within fifteen (15) days following the close of the public comment period, the authority shall publish on the authority's ~~Internet web site~~ **website** the authority's replies to the public comments submitted to the authority during the public comment period.

SECTION 129. IC 8-15.5-4-9, AS AMENDED BY P.L.91-2014, SECTION 24, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 9. (a) If the authority makes a preliminary selection of an operator under section 8 of this chapter, the authority shall schedule a public hearing on the preliminary selection and the terms of the public-private agreement for the project. The hearing shall be conducted in the county seat of any Indiana county in which the proposed project is to be located.

(b) At least ten (10) days before the public hearing, the authority shall post on its ~~Internet web site:~~ **website:**

(1) the proposal submitted by the offeror that has been preliminarily selected as the operator for the project, except for those parts of the proposal that are confidential under this article; and

(2) the proposed public-private agreement for the project.

(c) At least ten (10) days before the public hearing, the authority shall:

(1) post notice of the public hearing on the authority's ~~Internet web site;~~ **website;** and

(2) publish notice of the hearing one (1) time in accordance with IC 5-3-1 in two (2) newspapers of general circulation in the Indiana county in which the proposed project is to be located.

(d) The notices required by subsection (c) must include the following:

(1) The date, time, and place of the hearing.

(2) The subject matter of the hearing.

(3) A description of the project and of the public-private agreement to be awarded.

(4) The identity of the offeror that has been preliminarily selected as the operator for the project.

(5) The address and telephone number of the authority.

(6) A statement indicating that, subject to section 6 of this chapter, and except for those portions that are confidential under this chapter, the following are available on the authority's ~~Internet web site~~ **website** and are also available for public inspection and copying at the principal office of the authority during regular business hours:

(A) The selected offer.

(B) An explanation of the basis upon which the preliminary selection was made.

(C) The proposed public-private agreement for the project.

(e) At the hearing, the authority shall allow the public to be heard on the preliminary selection of the operator for the proposed project and the terms of the public-private agreement for the proposed project.

SECTION 130. IC 8-15.7-4-2, AS AMENDED BY P.L.163-2011, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 2. (a) This section establishes the competitive proposal procedure that the department shall use to enter into a public-private agreement with an operator under this article.

(b) The department may pursue a competitive proposal procedure using a request for qualifications and a request for proposals process or proceed directly to a request for proposals.

(c) If the department elects to use a request for qualifications phase, it must provide a public notice of the request for qualifications, for the period considered appropriate by the department, before the date set for receipt of submittals in response to the solicitation. The department shall provide the notice by posting in a designated public area and publication in a newspaper of general circulation, in the manner provided by IC 5-3-1. In addition, submittals in response to the solicitation may be solicited directly from potential offerors.

(d) The department shall evaluate qualification submittals based on the requirements and evaluation criteria set forth in the request for qualifications.

(e) If the department has undertaken a request for qualifications phase resulting in one (1) or more prequalified or shortlisted offerors, the request for proposals shall be limited to those offerors that have been prequalified or shortlisted.

(f) If the department has not issued a request for qualifications and intends to use only a one (1) phase request for proposals procurement, the department must provide a public notice of the request for proposals for the period considered appropriate by the department, before the date set for receipt of proposals. The department shall

provide the notice by posting in a designated public area and publication in a newspaper of general circulation, in the manner provided by IC 5-3-1. In addition, proposals may be solicited directly from potential offerors.

(g) The department shall submit a draft of the request for proposals to the budget committee for its review before the issuance by the department of the request for proposals to potential offerors. The request for proposals must:

(1) indicate in general terms the scope of work, goods, and services sought to be procured;

(2) contain or incorporate by reference the specifications and contractual terms and conditions applicable to the procurement and the qualifying project;

(3) specify the factors, criteria, and other information that will be used in evaluating the proposals;

(4) specify any requirements or goals for use of:

(A) minority business enterprises and women's business enterprises certified under IC 4-13-16.5;

(B) disadvantaged business enterprises under federal or state law;

(C) businesses defined under IC 5-22-15-20.5 as Indiana businesses, to the extent permitted by applicable federal and state law and regulations; and

(D) businesses that qualify for a small business set-aside under IC 4-13.6-2-11;

(5) if all or part of the project will consist of a tollway, require any offeror to submit a proposal based upon that part of the project that will consist of a tollway, as set forth in the request for proposals, and permit any offeror to submit one (1) or more alternative proposals based upon the assumption that a different part or none of the project will consist of a tollway;

(6) contain or incorporate by reference the other applicable contractual terms and conditions; and

(7) contain or incorporate by reference any other provisions, materials, or documents that the department considers appropriate.

If the draft of the request for proposals submitted for review provides for any tolls, the budget committee shall hold a meeting and conduct a review of the draft of the request for proposals not later than ninety (90) days after the date the draft request for proposals is submitted for review.

(h) The department shall determine the evaluation criteria that are

appropriate for each project and shall set those criteria forth in the request for proposals. The department may use a selection process that results in selection of the proposal offering the best value to the public, a selection process that results in selection of the proposal offering the lowest price or cost or the highest payment to, or revenue sharing with, the department, or any other selection process that the department determines is in the best interests of the state and the public.

(i) The department shall evaluate proposals based on the requirements and evaluation criteria set forth in the request for proposals.

(j) The department may select one (1) or more offerors for negotiations based on the evaluation criteria set forth in the request for proposals. If the department believes that negotiations with the selected offeror or offerors are not likely to result in a public-private agreement, or, in the case of a best value selection process, no longer reflect the best value to the state and the public, the department may commence negotiations with other responsive offerors, if any, and may suspend, terminate, or continue negotiations with the original offeror or offerors. If negotiations are unsuccessful, the department shall terminate the procurement, may not award the public-private agreement, and may commence a new procurement for a public-private agreement. If the department determines that negotiations with an offeror have been successfully completed, the department shall, subject to the other requirements of this article, award the public-private agreement to the offeror.

(k) Before awarding a public-private agreement to an operator, the department shall schedule a public hearing on the preliminary selection of the operator and the terms of the proposed public-private agreement. The hearing shall be conducted in the county seat of the county that would be an affected jurisdiction for purposes of the proposed project. The department shall do the following:

(1) At least ten (10) days before the public hearing, post on the department's ~~Internet web site:~~ **website:**

(A) the proposal submitted by the offeror that has been preliminarily selected as the operator for the project, except for those parts of the proposal that are confidential under this article; and

(B) the proposed public-private agreement for the project.

(2) At least ten (10) days before the public hearing:

(A) post notice of the public hearing on the department's ~~Internet web site;~~ **website;** and

(B) publish notice of the hearing one (1) time in accordance

with IC 5-3-1 in two (2) newspapers of general circulation in the county that would be an affected jurisdiction for purposes of the proposed project.

(3) Include the following in the notices required by subdivision (2):

(A) The date, time, and place of the hearing.

(B) The subject matter of the hearing.

(C) A description of the agreement to be awarded.

(D) The recommendation that has been made to award the agreement to an identified offeror or offerors.

(E) The address and telephone number of the department.

(F) A statement indicating that, subject to section 6 of this chapter, and except for those portions that are confidential under IC 5-14-3, the following are available on the department's ~~Internet web site~~ **website** and are also available for public inspection and copying at the principal office of the department during regular business hours:

(i) The selected offer.

(ii) An explanation of the basis upon which the preliminary selection was made.

(iii) The proposed public-private agreement for the project.

(l) At the hearing, the department shall allow the public to be heard on the preliminary selection of the operator and the terms of the proposed public-private agreement.

(m) When the terms and conditions of multiple awards are specified in the request for proposals, awards may be made to more than one (1) offeror.

SECTION 131. IC 8-23-30-9, AS ADDED BY P.L.44-2021, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 9. Not later than July 1, 2022, the department shall make asset management plans of local units approved under this chapter available in an electronic format specified by the department on ~~an Internet web site~~ **a website** maintained by:

(1) the department; or

(2) an entity contracted by the department to approve asset management plans.

SECTION 132. IC 9-13-2-46 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 46. ~~"Driveaway or towaway",~~ **"Drive away or tow away",** for purposes of IC 9-20-9-1, has the meaning set forth in IC 9-20-9-1(a).

SECTION 133. IC 9-13-2-92.3, AS ADDED BY P.L.211-2023, SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

JULY 1, 2025]: Sec. 92.3. ~~(a)~~ "Lawful status" means that an individual has lawful status as:

(1) a citizen or national of the United States; or

(2) an alien who:

(A) is lawfully admitted for permanent residence or temporary residence;

(B) has conditional permanent resident status;

(C) has a pending or approved application for asylum;

(D) has refugee status;

(E) has valid nonimmigrant status;

(F) has a pending or approved application for temporary protected status;

(G) has approved deferred action status; or

(H) has a pending application for lawful permanent resident status or conditional permanent resident status;

in the United States.

~~(b) The term does not include parole.~~

SECTION 134. IC 9-18.1-3-9, AS AMENDED BY P.L.9-2024, SECTION 310, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 9. A person that registers a vehicle may indicate the person's desire to donate money to organizations that promote the procurement of organs for anatomical gifts. The bureau must:

(1) allow the person registering the vehicle to indicate the amount the person desires to donate; and

(2) provide that the minimum amount a person may donate is one dollar ($1).

Funds collected under this section shall be deposited with the treasurer of state in a special account. The state comptroller shall monthly distribute the money in the special account to the anatomical gift promotion fund established by IC 16-19-3-26. The bureau may deduct from the funds collected under this ~~subdivision~~ **section** the costs incurred by the bureau in implementing and administering this ~~subdivision.~~ **section.**

SECTION 135. IC 9-18.1-11-8, AS AMENDED BY P.L.111-2021, SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 8. (a) If a license plate or other proof of registration is stolen, the person in whose name the license plate or other proof of registration was issued shall notify:

(1) the Indiana law enforcement agency that has jurisdiction where the theft occurred; or

(2) the law enforcement agency that has jurisdiction over the

address listed on the registration for the vehicle for which the license plate or other proof of registration was issued;

that the original license plate or other proof of registration has been stolen.

(b) A person may apply to the bureau to replace a license plate or other proof of registration that is lost, stolen, destroyed, or damaged. The bureau shall issue a duplicate or replacement license plate or other proof of registration after the person does the following:

(1) Pays a fee of nine dollars and fifty cents ($9.50). The fee shall be distributed as follows:

(A) Twenty-five cents ($0.25) to the state construction fund.

(B) Fifty cents ($0.50) to the state motor vehicle technology fund.

(C) One dollar ($1) to the crossroads 2000 fund.

(D) One dollar and fifty cents ($1.50) to the motor vehicle highway account.

(E) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund.

(F) Five dollars ($5) to the commission fund.

However, the bureau may waive the fee under this subsection for a duplicate certificate of registration that is processed on the ~~Internet web site~~ **website** of the bureau.

(2) If the proof of registration was lost or stolen, provides proof of compliance with subsection (a) in a manner and form prescribed by the bureau.

(c) A replacement proof of registration must be kept or displayed in the same manner as the original proof of registration.

SECTION 136. IC 9-18.1-13-4, AS ADDED BY P.L.198-2016, SECTION 326, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 4. (a) The department of state revenue shall administer vehicle registrations that are subject to the International Registration Plan according to the terms of the International Registration Plan and rules adopted by the department of state revenue under IC 4-22-2.

(b) A person that registers a vehicle under the International Registration Plan shall file electronically with the department of state revenue an application for the registration of the vehicle.

(c) The department of state revenue may audit records of persons that register trucks, trailers, semitrailers, buses, and rental cars under the International Registration Plan to verify the accuracy of the application and collect or refund fees due.

(d) The department of state revenue may issue a certificate of

registration or a license plate for a vehicle that is:

(1) subject to registration under apportioned registration of the International Registration Plan; and

(2) based and titled in a state other than Indiana subject to the conditions of the plan.

(e) A person that owns or leases a vehicle required to be registered under the International Registration Plan shall receive an apportioned plate and cab card as determined by the department of state revenue.

(f) A distinctive cab card:

(1) shall be issued for a vehicle registered under the International Registration Plan; and

(2) must be carried in the vehicle.

(g) The fee for a cab card issued under subsection (f) is five dollars ($5). The fee for a duplicate cab card is one dollar ($1). However, the department of state revenue may waive the fee for a duplicate cab card processed on the ~~Internet web site~~ **website** of the department.

(h) A recovery vehicle may be registered under the International Registration Plan and be issued an apportioned license plate.

(i) The department of state revenue shall issue a document to a person applying for registration under the International Registration Plan to serve as a temporary registration authorization pending issuance of a permanent registration plate and cab card. The document must be carried in the vehicle for which the document is issued.

SECTION 137. IC 9-18.5-34-5, AS ADDED BY P.L.141-2024, SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 5. (a) The bureau may not require a person, at the time of the renewal of:

(1) a registration for a collector vehicle under IC 9-18.1-5-5;

(2) a historic vehicle license plate under section 2 of this chapter; ~~and~~ **or**

(3) an authentic license plate under section 3 of this chapter;

to appear in person to affirm that the collector vehicle meets the requirements of IC 9-13-2-28.4.

(b) The bureau may require a person to appear in person for an initial inspection to determine the authenticity of an Indiana license plate from the model year of a collector vehicle under section 4(c) of this chapter.

SECTION 138. IC 9-21-3.5-14, AS ADDED BY P.L.152-2015, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 14. (a) The operator of a private toll facility may do the following:

(1) Fix, revise, charge, and collect tolls for the use of a private toll

facility by any person, partnership, association, limited liability company, or corporation desiring the use of any part of the private toll facility, including the right of way adjoining the paved portion of the private toll facility. For purposes of this subdivision, the use of a private toll facility includes the placement of telephone, telegraph, electric, or power lines on any part of the private toll facility.

(2) Fix the terms, conditions, and rates of charge for use of the private toll facility, including fees for nonpayment of required tolls. However, a fee imposed for nonpayment of a required toll may not exceed fifty dollars ($50) for each unpaid toll.

(3) Collect tolls and fees through manual or nonmanual methods, including automated traffic law enforcement systems, automatic vehicle identification systems, electronic toll collection systems, global positioning systems, and photo or video based toll collection or toll collection enforcement systems.

(b) The operator of a private toll facility may not impose a fee under subsection (a)(2) for nonpayment of a required toll until the operator has provided notice of the unpaid toll to the toll violator in accordance with notice requirements published on the ~~Internet web site~~ **website** of the private toll facility. The operator shall include with the notice of the unpaid toll a summary of the notice requirements published on the ~~Internet web site~~ **website** of the private toll facility.

SECTION 139. IC 9-21-3.5-15, AS AMENDED BY P.L.198-2016, SECTION 362, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 15. (a) The operator of a private toll facility may enter into an agreement with the bureau to obtain information under IC 9-14-12 necessary to enforce violations of section 9.1 of this chapter, including information regarding the registered owner of a vehicle operated in violation of section 9.1 of this chapter.

(b) The bureau may use any reciprocal arrangement that applies to the bureau to obtain information for purposes of subsection (a).

(c) An operator may use information provided under this section only for the purposes of this section.

(d) The operator of a private toll facility shall inform the bureau of the operator's process to notify the bureau of an owner's failure to pay a fine, charge, fee, or other assessment for a toll violation following the expiration of the deadline for payment of the fine, charge, fee, or other assessment as set forth in the operator's notice requirements published on the ~~Internet web site~~ **website** of the private toll facility under section 14(b) of this chapter.

SECTION 140. IC 9-22-1.7-5, AS ADDED BY P.L.198-2016,

SECTION 377, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 5. A landowner shall do the following:

(1) Request that a search be performed in the records of the bureau for the name and address of the manufactured home owner and the name and address of any person holding a lien or security interest on the manufactured home.

(2) After receiving the results of the search required by subdivision (1) and after the expiration of the thirty (30) day period described in sections 3 and 4 of this chapter, give notice to all the following:

(A) The manufactured home owner:

(i) by certified mail, return receipt requested, to the last known address of the manufactured home owner; ~~or~~

(ii) in person to the manufactured home owner; or

(iii) if the landowner is unable to determine the manufactured home owner's address or provide notice to the manufactured home owner in person, the landowner may satisfy the notice requirement under this subdivision by posting of the notice to the manufactured home owner on the manufactured home.

(B) Any lien holder (other than the landowner) with a perfected security interest in the manufactured home either by certified mail, return receipt requested, or in person.

(C) All other persons known to claim an interest in the manufactured home either by certified mail, return receipt requested, or in person.

(D) The county treasurer of the county in which the manufactured home is located, by certified mail, return receipt requested, or in person.

The notice must include a description of the manufactured home, a demand that the owner remove the manufactured home within a specified time not less than ten (10) days after receipt of the notice, a conspicuous statement that unless the manufactured home is removed within that time, the manufactured home will be advertised for sale by auction at a specified time and place, and a conspicuous statement that, in the case of a sale by auction of the manufactured home, a person or lienholder other than the county treasurer that fails to appear at the auction, or otherwise participate in the auction, waives any right the person may have as a lien holder in the manufactured home and any other rights that the person may have regarding the sale of the manufactured

home. In addition, the notice must include a statement that, if the manufactured home is removed before the auction takes place, all statutory liens against the manufactured home under IC 16-41-27-29 and all debts owed to the landowner that are associated with the placement of the manufactured home on the landowner's property must be paid.

(3) After the expiration of the ten (10) day period in subdivision (2), advertise that the manufactured home will be offered for sale at public auction in conformity with IC 26-1-2-328 and IC 26-1-7-210. The advertisement of sale must be published once each week for two (2) consecutive weeks in a newspaper of general circulation in the county where the manufactured home has been left without permission. The advertisement must include a description of the manufactured home, the name of the owner of the manufactured home, if ascertainable, and the time and place of the sale. The sale must take place at least fifteen (15) days after the first publication. If there is no newspaper of general circulation in the county where the sale is to be held, the advertisement must be posted at least ten (10) days before the sale in not less than six (6) conspicuous places in the neighborhood of the proposed sale.

(4) Provide a reasonable time before the sale for prospective purchasers to examine the manufactured home.

(5) Sell the manufactured home to the highest bidder, if any.

(6) Immediately after the auction, execute an affidavit of sale of disposal on a form prescribed by the bureau stating:

(A) that the requirements of this section have been met;

(B) the length of time that the manufactured home was left on the property without permission;

(C) any expenses incurred by the landowner, including the expenses of the sale and any lien of the landowner;

(D) the name and address of the purchaser of the manufactured home at the auction, if any; and

(E) the amount of the winning bid, if any.

If the manufactured home is not purchased by a bidder at the auction, the landowner shall note that fact on the affidavit and shall list the landowner, or any donee, as the purchaser on the affidavit of sale or disposal.

SECTION 141. IC 9-30-6-5, AS AMENDED BY P.L.38-2017, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 5. (a) The director of the state department of toxicology shall adopt rules under IC 4-22-2 concerning the following:

(1) Standards and regulations for the:
(A) selection;
(B) training; and
(C) certification;
of breath test operators.
(2) Standards and regulations for the:
(A) selection; and
(B) certification;
of breath test equipment and chemicals.
(3) The certification of the proper technique for administering a breath test.

(b) A certification in accordance with rules adopted under subsection (a) shall be:
(1) sent in writing to the clerk of the circuit court in each county where the breath test operator, equipment, or chemicals are used to administer breath tests; or
(2) published on the ~~Internet web site~~ **website** of the **state** department of toxicology.
However, failure to send or publish a certification as required by this subsection does not invalidate any test.

(c) A certification in accordance with rules adopted under subsection (a) that is sent in writing under subsection (b)(1) or published on the ~~Internet web site~~ **website** of the **state** department **of toxicology** under subsection (b)(2) and obtained from the **state** department **of toxicology** as an electronic record bearing an electronic signature:
(1) is admissible in a proceeding under this chapter, IC 9-30-5, IC 9-30-9, or IC 9-30-15;
(2) constitutes prima facie evidence that the equipment or chemical:
(A) was inspected and approved by the state department of toxicology on the date specified on the writing or electronic record; and
(B) was in proper working condition on the date the breath test was administered if the date of approval is not more than one hundred eighty (180) days before the date of the breath test;
(3) constitutes prima facie evidence of the approved technique for administering a breath test; and
(4) constitutes prima facie evidence that the breath test operator was certified by the state department of toxicology on the date specified on the writing or electronic record.

(d) Results of chemical tests that involve an analysis of a person's

breath are not admissible in a proceeding under this chapter, IC 9-30-5, IC 9-30-9, or IC 9-30-15 if:

(1) the test operator;

(2) the test equipment;

(3) the chemicals used in the test, if any; or

(4) the techniques used in the test;

have not been approved in accordance with the rules adopted under subsection (a).

SECTION 142. IC 9-32-9-29, AS AMENDED BY P.L.103-2024, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 29. (a) An automotive salvage recycler or an agent of an automotive salvage recycler may purchase a motor vehicle without a certificate of title for the motor vehicle if:

(1) the motor vehicle is at least fifteen (15) model years old;

(2) the purchase is solely for the purpose of dismantling or wrecking the motor vehicle for the recovery of scrap metal or the sale of parts;

(3) the automotive salvage recycler records all purchase transactions of motor vehicles as required in subsection (b); and

(4) the person selling the motor vehicle presents a certificate of authority as required under IC 9-22-5-18.

(b) An automotive salvage recycler shall maintain the following information with respect to each motor vehicle purchase transaction without a certificate of title to which the automotive salvage recycler is a party for at least five (5) years after the date of the purchase transaction:

(1) The name, address, and National Motor Vehicle Title Information System identification number of any scrap metal processor or automobile scrapyard.

(2) The name of the person entering the information.

(3) The date and time of the purchase transaction.

(4) A description of the motor vehicle that is the subject of the purchase transaction, including the make and model of the motor vehicle, if ~~discernable.~~ **discernible.**

(5) The vehicle identification number of the motor vehicle, to the extent the number is ~~discernable.~~ **discernible.**

(6) The amount of consideration given for the motor vehicle.

(7) A copy of the certificate of authority and a written statement signed by the seller or the seller's agent certifying the following:

(A) The seller or the seller's agent has the lawful right to sell and dispose of the motor vehicle.

(B) The motor vehicle is not subject to a security interest or

lien.

(C) The motor vehicle will not be titled again and will be dismantled or destroyed.

(D) The seller or the seller's agent acknowledges that a person who falsifies information contained in a statement under this subdivision is subject to criminal sanctions and restitution for losses incurred as a result of the sale of a motor vehicle based on falsified information.

(8) The name, date of birth, and address of the person from whom the motor vehicle is being purchased.

(9) A photocopy or electronic scan of one (1) of the following valid and unexpired forms of identification issued to the seller or the seller's agent:

(A) A driver's license.

(B) An identification card issued under IC 9-24-16-1, a photo exempt identification card issued under IC 9-24-16.5, or a similar card issued under the laws of another state or the federal government.

(C) A government issued document bearing an image of the seller or seller's agent, as applicable.

For purposes of complying with this subdivision, an automotive salvage recycler is not required to make a separate copy of the seller's or seller's agent's identification for each purchase transaction involving the seller or seller's agent but may instead refer to a copy maintained in reference to a particular purchase transaction.

(10) The license plate number, make, model, and color of the motor vehicle that is used to deliver the purchased motor vehicle to the automotive salvage recycler.

(11) The signature of the person receiving consideration from the seller or the seller's agent.

(12) A photographic or videographic image, taken when the motor vehicle is purchased, of the following:

(A) A frontal view of the facial features of the seller or the seller's agent.

(B) The motor vehicle that is the subject of the purchase transaction.

(c) An automotive salvage recycler may not complete a purchase transaction without the information required under subsection (b)(9).

(d) An automotive salvage recycler or an agent of an automotive salvage recycler that knowingly or intentionally buys a motor vehicle that is less than fifteen (15) model years old without a certificate of title

or certificate of authority for the motor vehicle commits a Level 6 felony.

(e) An automotive salvage recycler or an agent of an automotive salvage recycler may apply for a certificate of authority for a motor vehicle of any age on behalf of the seller with all required information collected at the point of sale.

(f) If an automotive salvage recycler or an agent of an automotive salvage recycler, in applying for a certificate of authority for a motor vehicle under subsection (e), learns:

(1) the motor vehicle was reported stolen; or

(2) the owner of the motor vehicle does not match the individual who provided the automotive salvage recycler or agent of the automotive salvage recycler with the motor vehicle;

the automotive salvage recycler must notify the law enforcement agency that has jurisdiction over the address of the automotive salvage recycler's established place of business.

SECTION 143. IC 10-10.5-4-2, AS ADDED BY P.L.86-2022, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 2. Section 1 of this chapter does not prohibit the broadcast or disclosure of identifying information other than a Social Security number to the public by other means, including news reports, press conferences, silver or Amber alerts, wanted notices, ~~Internet web site~~ **website** postings, and similar methods specifically intended to inform the public.

SECTION 144. IC 10-11-2-31.2, AS ADDED BY P.L.30-2019, SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 31.2. (a) As used in this section, "controlled substance" has the meaning set forth in IC 35-48-1-9.

(b) As used in this section, "property" means a dwelling (as defined in IC 13-11-2-61.3).

(c) Subject to specific appropriation by the general assembly, the department shall establish, maintain, and operate ~~an Internet web site~~ **a website** containing a list of properties that have been used in the illegal manufacture of a controlled substance. The list of properties shall be based on information received from a law enforcement agency under IC 5-2-15-3.

(d) Subject to specific appropriation by the general assembly, and in accordance with subsection (g), the department shall publish the list of properties that have been used in the illegal manufacture of a controlled substance on ~~an Internet web site~~ **a website** maintained by the department. If a controlled substance is manufactured in an apartment that is a unit of a multi-unit apartment complex, the

department shall publish only the address, including the apartment number, of the particular apartment in which the controlled substance was manufactured. The department shall design the ~~web site~~ **website** to enable a user to easily determine whether a particular property has been used as the site of the illegal manufacture of a controlled substance.

(e) The department shall remove a listed property from the ~~web site~~ **website** not later than ninety (90) days after the property has been certified as decontaminated by a qualified inspector certified under IC 16-19-3.1-1.

(f) If property has been certified as decontaminated by a qualified inspector certified under IC 16-19-3.1-1 before it is placed on the list required under subsection (c), the department may not place the property on the list.

(g) The department may not list a property that has been the site of the illegal manufacture of a controlled substance on the ~~web site~~ **website** until one hundred eighty (180) days after the date on which the department receives information from a law enforcement agency that the property has been the site of the illegal manufacture of a controlled substance.

SECTION 145. IC 10-13-8-12, AS ADDED BY P.L.38-2013, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 12. (a) A broadcaster or electronic billboard operator that has agreed to participate in the blue alert program and that:

(1) receives a blue alert notification from the department; and

(2) broadcasts or displays information contained in the notification that the department considers necessary;

is immune from civil liability based on the broadcast or display of the information received from the department.

(b) If:

(1) a person enters into an agreement with the department to establish or maintain a blue alert ~~web site;~~ **website;** and

(2) the agreement provides that only the department has the ability to place information on the ~~web site;~~ **website;**

the person is immune from civil liability for the information placed on the ~~web site~~ **website** by the department. However, this subsection does not affect the applicability of IC 34-13-3 to the department.

SECTION 146. IC 10-16-20-4, AS ADDED BY P.L.156-2015, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 4. (a) In addition to the rights and protections regarding consumer transactions, contracts, and service providers

included in Title III of the federal Servicemembers Civil Relief Act (50 U.S.C. App. 531 through 538), a servicemember may terminate a contract described in subsection (b) at any time after the date the servicemember receives military orders to relocate for a period of service of at least ninety (90) days to a location that does not support the contract.

(b) This section applies to a contract to provide any of the following:

(1) Telecommunication services.

(2) Internet services.

(3) Television services.

(4) Athletic club or gym memberships.

(5) Satellite radio services.

(c) Termination of a contract must be made by delivery of a written or electronic notice of the termination and a copy of the servicemember's military orders to the service provider. If a servicemember terminates a contract, the service provider shall provide the servicemember with a written or electronic notice of the servicemember's rights posted on the Indiana National Guard's ~~Internet web site~~ **website** as required by IC 10-16-6-13.

(d) For any contract terminated under this section, the service provider under the contract may not impose an early termination charge.

(e) Any tax or any other obligation or liability of the servicemember that, in accordance with the terms of the contract, is due and unpaid at the time of termination of the contract shall be paid by the servicemember.

(f) If the servicemember resubscribes to the service provided under a contract described in subsection (b) that was terminated under this chapter during the ninety (90) day period immediately following when the servicemember has returned from service, the service provider may not impose any charges or services fees, other than the usual and customary charges and fees for the installation or acquisition of customer equipment imposed on any other subscriber.

(g) Not later than sixty (60) days after the effective date of the termination of a contract described in subsection (b), the service provider under the contract shall refund to the servicemember all fees paid for services that extend past the termination date of the contract.

SECTION 147. IC 10-17-1-4.5, AS ADDED BY P.L.90-2016, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 4.5. (a) The definitions under IC 23-14-54.5-2 through IC 23-14-54.5-6 apply to this section.

(b) As used in this section, "cremated remains" has the meaning set

forth in IC 23-14-31-7.

(c) A veterans' service organization may apply to the department for approval to receive the following from a licensed funeral director under IC 23-14-54.5:

(1) Verification information.

(2) Cremated remains of a veteran or dependent of a veteran.

(d) The department shall establish standards that a veterans' service organization must meet to receive approval by the department under this section, including:

(1) an application for approval;

(2) the information that a veterans' service organization is required to submit to the department; and

(3) criteria and standards for approval.

(e) If a veterans' service organization meets the standards established by the department under subsection (d), the department shall approve the veterans' service organization for eligibility to receive verification information and cremated remains under IC 23-14-54.5.

(f) The department shall:

(1) maintain a list, with names and contact information, of veterans' service organizations that have been approved under subsection (e); and

(2) publish the list on the department's ~~Internet web site.~~ **website.**

(g) The department shall prepare and provide, upon request, sample forms for transfer of cremated remains and release of liability between a funeral director and an approved veterans' service organization.

SECTION 148. IC 10-18-2-9, AS AMENDED BY P.L.152-2021, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 9. (a) If a county executive has adopted designs or plans for the construction of world war memorial structures as provided in section 6 of this chapter, the county executive shall:

(1) contract with a reliable contractor for all or any part of the construction of the world war memorial structure, as provided in this chapter; and

(2) publish a notice informing the public and contractors:

(A) of the nature of the structures to be constructed;

(B) that the designs and plans are on file in the office of the county executive; and

(C) that sealed proposals for contractors to work on the construction of the world war memorial are due not earlier than thirty (30) days from the first published notice.

(b) A notice published under subsection (a)(2) shall be published for at least three (3) consecutive weeks:

(1) with each publication of notice in a newspaper of general circulation published in the county; or

(2) with the first publication of notice in a newspaper described in subdivision (1) and the two (2) subsequent publications:

(A) in accordance with IC 5-3-5; and

(B) on the county's official ~~web site.~~ **website.**

(c) A county executive shall, by order, impose conditions upon:

(1) bidders;

(2) contractors;

(3) subcontractors; and

(4) materialmen;

with regard to bond and surety and guaranteeing the faithful completion of work according to contract.

(d) All contracts with builders, architects, or materialmen must reserve to the county executive for good cause shown the right to cancel a contract and to relet work to others. If a contract is canceled, at least ten percent (10%) shall be reserved from payments on estimates on work done in progress until the contracts are completed and the work done, inspected, and accepted by the county executive.

(e) A payment, partial or final, may not be construed as a waiver of defective work or materials or as a release for damages on account of defective work or materials.

(f) A surety may not be released from any obligation on its bond if the contractor is paid the whole or any part of the percentages required to be reserved from current estimates. A surety may not be released by any final payment made to the contractor.

SECTION 149. IC 10-18-3-2, AS AMENDED BY P.L.152-2021, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 2. (a) The board of commissioners of a county or the common council of a city shall, on petition of at least one hundred (100) adult citizens of the county or city, appoint a committee to be known as the memorial committee. The appointments may not be made until after notice of the filing of the petition has been published for at least two (2) weeks, once each week:

(1) with each publication of notice made in a newspaper of general circulation in the county or city; or

(2) with the first publication of notice made in a newspaper described in subdivision (1) and the second publication of notice:

(A) in accordance with IC 5-3-5; and

(B) on the official ~~web site~~ **website** of the county or city.

(b) The committee must have at least five (5) but not more than fifteen (15) members. Each committee member must be a citizen of the

county or city in which the memorial is proposed. The members must be appointed based solely upon their fitness, and the committee must include representatives of educational, benevolent, labor, and other interests.

(c) The members of the committee serve without compensation. However, the board of commissioners or common council may compensate members for necessary expenses in the performance of their duty, including compensation of expert advisers. The board of commissioners or common council may make an appropriation in advance to compensate members for necessary expenses.

(d) The committee shall make a careful study of the subject of a suitable memorial in the county or city and report its conclusions to the board of commissioners or common council. The report must include:

(1) the kind of memorial regarded by the committee as appropriate;

(2) the estimated cost of erection and maintenance;

(3) the method of control; and

(4) any other matter the committee considers proper.

The committee shall make the report within six (6) months after appointment, unless a longer time is given by the board of commissioners or common council. A committee that fails to report within the time allowed is immediately regarded as dissolved, and the board of commissioners or common council shall appoint a new committee. A new committee appointed under this subsection is governed by the same rule regarding the filing of a report and dissolution.

(e) A vacancy in the committee shall be filled by the board of commissioners or common council.

(f) A county or city in which a memorial committee has been appointed may not erect or provide for the erection of a memorial until the committee has made its report.

SECTION 150. IC 10-18-3-3, AS AMENDED BY P.L.152-2021, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 3. (a) Public notice must be provided in the manner set forth under this section if a petition signed by:

(1) at least five hundred (500) citizens and taxpayers of a county; or

(2) at least two hundred (200) citizens and taxpayers of a city;

requests the establishment and maintenance within the county or city of a memorial for the soldiers and sailors of World War I. The petition must be addressed to the board of commissioners of the county or the common council of the city and filed in the office of the auditor of the

county or clerk of the city.

(b) The auditor or clerk shall:

(1) publish a notice that includes a copy of the petition or a summary of the petition in a newspaper of general circulation printed and published in the county or city;

(2) post a notice that includes a copy of the petition or a summary of the petition in at least ten (10) public places in the county; and

(3) post a notice that includes a copy of the petition or a summary of the petition at the door of the county courthouse.

Notice under this subsection must also include the day the petition will be presented to the board. The day of the hearing must be fixed by the auditor or clerk at least thirty (30) days but not more than forty (40) days after the day of the filing of the petition.

(c) Notice of the petition signed by the auditor or clerk must be posted for at least twenty (20) days and published for three (3) consecutive weeks:

(1) with each publication of notice in a newspaper of general circulation printed and published in the county or city; or

(2) with:

(A) the first publication of notice in a newspaper described in subdivision (1); and

(B) the two (2) subsequent publications of notice:

(i) in accordance with IC 5-3-5; and

(ii) on the official ~~web site~~ **website** of the county or city;

before the day designated by the auditor or clerk for the hearing.

SECTION 151. IC 10-18-4-10, AS AMENDED BY P.L.152-2021, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 10. (a) After the board of public works has adopted the necessary designs, plans, and specifications for construction of the World War memorial structures as provided in this chapter, the board of public works shall award contracts for all or any part of the World War memorial structures to competent and reliable contractors as provided in this section.

(b) The board of public works shall publish in accordance with subsection (c) a notice:

(1) informing the public and contractors of the general nature of the structures to be constructed and of the fact that designs, plans, drawings, and specifications are on file in the office of the board of public works; and

(2) calling for sealed proposals for the work on a day not earlier than thirty (30) days from the first of such publications.

(c) The notice shall be published for at least three (3) weeks:

(1) with each publication of notice in a newspaper of general circulation, printed and published in the English language in the city; or

(2) with the first publication of notice in a newspaper described in subdivision (1) and the two (2) subsequent publications of notice:

(A) in accordance with IC 5-3-5; and

(B) on the official ~~web site~~ **website** of the city.

(d) The board of public works shall, by order, impose conditions upon bidders, contractors, subcontractors, and materialmen with regard to bond and surety, guaranteeing the good faith and responsibility of the bidders, contractors, subcontractors, and materialmen and insuring the faithful completion of the work, according to contract, or for any other purpose.

(e) The board of public works shall reserve ten percent (10%) from payments or estimates on work in progress until the contract is completed and the work done is inspected and accepted by the board. All contracts with contractors, subcontractors, architects, or materialmen must reserve:

(1) to the board of public works, for good cause shown, the right to cancel the contract and to award the work to others; and

(2) at least ten percent (10%) from payments or estimates on work in progress until the contract is completed and the work done is inspected and accepted by the board.

(f) Payment by the board of public works, partial or final, may not be construed as a waiver of defective work or materials or as a release for damages on account of the defective work or materials. A surety may not be released from any obligation on the surety's bond if a contractor should be paid the whole or any part of the percentage required to be reserved from current estimates. A surety may not be released by any final payment made to a contractor.

SECTION 152. IC 10-20-2-8, AS ADDED BY P.L.73-2013, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 8. (a) The department may charge a fee for the following:

(1) Certifying and recertifying individuals who operate breath testing equipment.

(2) Maintaining and calibrating breath testing equipment, including offsetting the costs of replacing equipment and instruments used at the state and local levels for breath testing.

(3) Providing training services.

The amount of the fee is the amount that was being charged as of

January 1, 2013.

(b) The department may change the amount of a fee being charged under subsection (a) by adopting a rule under IC 4-22-2. In addition, at least six (6) months before a rule changing the amount of a fee may take effect, the department shall provide to:

(1) each agency that has paid a fee to the department in the previous twelve (12) months; and

(2) any other person that makes a request to be on the notification list;

a notice of the fee amount the department is proposing. The notice must be published on the department's ~~Internet web site~~ **website** and published in the Indiana Register. The notice required by subdivisions (1) and (2) may be provided by an electronic mail message that includes a direct link to the notice on the department's ~~Internet web site.~~ **website.**

(c) The fees that have been charged and collected by the department since July 1, 2011, for the items listed in subsection (a)(1) through (a)(3) are legalized and validated. The department may continue to charge a fee for the items listed in subsection (a)(1) through (a)(3) in the fee amount that was being charged by the department as of January 1, 2013, without the adoption of a rule. Before July 1, 2013, the department shall publish a schedule listing the current fee amounts being charged for the items listed in subsection (a)(1) through (a)(3) on the department's ~~Internet web site~~ **website** and in the Indiana Register, with a reference to this section's legalization and validation of these fee amounts.

(d) Fees collected under this section shall be deposited in the breath test training and certification fund established by section 9 of this chapter. In addition, money from fees collected by the state department of toxicology established under IC 21-45-3 (now repealed) and from fees collected by the department since July 1, 2011, shall be transferred to the fund.

SECTION 153. IC 11-8-2-13, AS AMENDED BY P.L.214-2013, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 13. (a) The Indiana sex and violent offender registry established under IC 36-2-13-5.5 and maintained by the department under section 12.4 of this chapter must include the names of each offender who is or has been required to register under IC 11-8-8.

(b) The department shall do the following:

(1) Ensure that the Indiana sex and violent offender registry is updated at least once per day with information provided by a local

law enforcement authority (as defined in IC 11-8-8-2).

(2) Publish the Indiana sex and violent offender registry on the Internet through the computer gateway administered by the office of technology established by IC 4-13.1-2-1, and ensure that the Indiana sex and violent offender registry displays the following or similar words:

"Based on information submitted to law enforcement, a person whose name appears in this registry has been convicted of a sex or violent offense or has been adjudicated a delinquent child for an act that would be a sex or violent offense if committed by an adult.".

(3) If:

(A) an offender's registration period has expired as described in IC 11-8-8-19; or

(B) an offender is deceased;

ensure that the offender's information is no longer published to the public portal of the sex and violent offender registry ~~Internet web site~~ **website** established under IC 36-2-13-5.5.

SECTION 154. IC 11-8-8-1.8, AS AMENDED BY P.L.85-2017, SECTION 43, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 1.8. As used in this chapter, "social networking ~~web site~~ **website** username" means an identifier or profile that allows a person to create, use, or modify a social networking ~~web site,~~ **website,** as defined in IC 35-31.5-2-307.

SECTION 155. IC 11-8-8-7, AS AMENDED BY P.L.214-2013, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 7. (a) Subject to section 19 of this chapter, the following persons must register under this chapter:

(1) A sex or violent offender who resides in Indiana. A sex or violent offender resides in Indiana if either of the following applies:

(A) The sex or violent offender spends or intends to spend at least seven (7) days (including part of a day) in Indiana during a one hundred eighty (180) day period.

(B) The sex or violent offender owns real property in Indiana and returns to Indiana at any time.

(2) A sex or violent offender who works or carries on a vocation or intends to work or carry on a vocation full time or part time for a period:

(A) exceeding seven (7) consecutive days; or

(B) for a total period exceeding fourteen (14) days;

during any calendar year in Indiana regardless of whether the sex

or violent offender is financially compensated, volunteered, or is acting for the purpose of government or educational benefit.

(3) A sex or violent offender who is enrolled or intends to be enrolled on a full-time or part-time basis in any public or private educational institution, including any secondary school, trade, or professional institution, or postsecondary educational institution.

(b) Except as provided in subsection (e), a sex or violent offender who resides in Indiana shall register with the local law enforcement authority in the county where the sex or violent offender resides. If a sex or violent offender resides in more than one (1) county, the sex or violent offender shall register with the local law enforcement authority in each county in which the sex or violent offender resides. If the sex or violent offender is also required to register under subsection (a)(2) or (a)(3), the sex or violent offender shall also register with the local law enforcement authority in the county in which the offender is required to register under subsection (c) or (d).

(c) A sex or violent offender described in subsection (a)(2) shall register with the local law enforcement authority in the county where the sex or violent offender is or intends to be employed or carry on a vocation. If a sex or violent offender is or intends to be employed or carry on a vocation in more than one (1) county, the sex or violent offender shall register with the local law enforcement authority in each county. If the sex or violent offender is also required to register under subsection (a)(1) or (a)(3), the sex or violent offender shall also register with the local law enforcement authority in the county in which the offender is required to register under subsection (b) or (d).

(d) A sex or violent offender described in subsection (a)(3) shall register with the local law enforcement authority in the county where the sex or violent offender is enrolled or intends to be enrolled as a student. If the sex or violent offender is also required to register under subsection (a)(1) or (a)(2), the sex or violent offender shall also register with the local law enforcement authority in the county in which the offender is required to register under subsection (b) or (c).

(e) A sex or violent offender described in subsection (a)(1)(B) shall register with the local law enforcement authority in the county in which the real property is located. If the sex or violent offender is also required to register under subsection (a)(1)(A), (a)(2), or (a)(3), the sex or violent offender shall also register with the local law enforcement authority in the county in which the offender is required to register under subsection (b), (c), or (d).

(f) A sex or violent offender committed to the department shall register with the department before the sex or violent offender is placed

in a community transition program, placed in a work release program, or released from incarceration, whichever occurs first. The department shall forward the sex or violent offender's registration information to the local law enforcement authority of every county in which the sex or violent offender is required to register. If a sex or violent offender released from the department under this subsection:

(1) informs the department of the offender's intended location of residence upon release; and

(2) does not move to this location upon release;

the offender shall, not later than seventy-two (72) hours after the date on which the offender is released, report in person to the local law enforcement authority having jurisdiction over the offender's current address or location.

(g) This subsection does not apply to a sex or violent offender who is a sexually violent predator. A sex or violent offender not committed to the department shall register not more than seven (7) days after the sex or violent offender:

(1) is released from a penal facility (as defined in IC 35-31.5-2-232);

(2) is released from a secure private facility (as defined in IC 31-9-2-115);

(3) is released from a juvenile detention facility;

(4) is transferred to a community transition program;

(5) is placed on parole;

(6) is placed on probation;

(7) is placed on home detention; or

(8) arrives at the place where the sex or violent offender is required to register under subsection (b), (c), or (d);

whichever occurs first. A sex or violent offender required to register in more than one (1) county under subsection (b), (c), (d), or (e) shall register in each appropriate county not more than seventy-two (72) hours after the sex or violent offender's arrival in that county or acquisition of real estate in that county.

(h) This subsection applies to a sex or violent offender who is a sexually violent predator. A sex or violent offender who is a sexually violent predator shall register not more than seventy-two (72) hours after the sex or violent offender:

(1) is released from a penal facility (as defined in IC 35-31.5-2-232);

(2) is released from a secure private facility (as defined in IC 31-9-2-115);

(3) is released from a juvenile detention facility;

(4) is transferred to a community transition program;

(5) is placed on parole;

(6) is placed on probation;

(7) is placed on home detention; or

(8) arrives at the place where the sexually violent predator is required to register under subsection (b), (c), or (d);

whichever occurs first. A sex or violent offender who is a sexually violent predator required to register in more than one (1) county under subsection (b), (c), (d), or (e) shall register in each appropriate county not more than seventy-two (72) hours after the offender's arrival in that county or acquisition of real estate in that county.

(i) The local law enforcement authority with whom a sex or violent offender registers under this section shall make and publish a photograph of the sex or violent offender on the Indiana sex and violent offender registry ~~web site~~ **website** established under IC 36-2-13-5.5. The local law enforcement authority shall make a photograph of the sex or violent offender that complies with the requirements of IC 36-2-13-5.5 at least once per year. The sheriff of a county containing a consolidated city shall provide the police chief of the consolidated city with all photographic and computer equipment necessary to enable the police chief of the consolidated city to transmit sex or violent offender photographs (and other identifying information required by IC 36-2-13-5.5) to the Indiana sex and violent offender registry ~~web site~~ **website** established under IC 36-2-13-5.5. In addition, the sheriff of a county containing a consolidated city shall provide all funding for the county's financial obligation for the establishment and maintenance of the Indiana sex and violent offender registry ~~web site~~ **website** established under IC 36-2-13-5.5.

(j) When a sex or violent offender registers, the local law enforcement authority shall:

(1) immediately update the Indiana sex and violent offender registry ~~web site~~ **website** established under IC 36-2-13-5.5;

(2) notify every law enforcement agency having jurisdiction in the county where the sex or violent offender resides; and

(3) update the National Crime Information Center National Sex Offender Registry data base via the Indiana data and communications system (IDACS).

When a sex or violent offender from a jurisdiction outside Indiana registers a change of address, electronic mail address, instant messaging username, electronic chat room username, social networking ~~web site~~ **website** username, employment, vocation, or enrollment in Indiana, the local law enforcement authority shall provide the

department with the information provided by the sex or violent offender during registration.

SECTION 156. IC 11-8-8-8, AS AMENDED BY P.L.214-2013, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 8. (a) The registration required under this chapter must include the following information:

(1) The sex or violent offender's full name, alias, any name by which the sex or violent offender was previously known, date of birth, sex, race, height, weight, hair color, eye color, any scars, marks, or tattoos, Social Security number, driver's license number or state identification card number, vehicle description, vehicle plate number, and vehicle identification number for any vehicle the sex or violent offender owns or operates on a regular basis, principal residence address, other address where the sex or violent offender spends more than seven (7) nights in a fourteen (14) day period, and mailing address, if different from the sex or violent offender's principal residence address.

(2) A description of the offense for which the sex or violent offender was convicted, the date of conviction, the county of the conviction, the cause number of the conviction, and the sentence imposed, if applicable.

(3) If the person is required to register under section 7(a)(2) or 7(a)(3) of this chapter, the name and address of each of the sex or violent offender's employers in Indiana, the name and address of each campus or location where the sex or violent offender is enrolled in school in Indiana, and the address where the sex or violent offender stays or intends to stay while in Indiana.

(4) A recent photograph of the sex or violent offender.

(5) If the sex or violent offender is a sexually violent predator, that the sex or violent offender is a sexually violent predator.

(6) If the sex or violent offender is required to register for life, that the sex or violent offender is required to register for life.

(7) Any electronic mail address, instant messaging username, electronic chat room username, or social networking ~~web site~~ **website** username that the sex or violent offender uses or intends to use.

(8) Any other information required by the department.

(b) If a sex or violent offender on probation or parole registers any information under subsection (a)(7), the offender shall sign a consent form authorizing the:

(1) search of the sex or violent offender's personal computer or device with Internet capability, at any time; and

(2) installation on the sex or violent offender's personal computer or device with Internet capability, at the sex or violent offender's expense, of hardware or software to monitor the sex or violent offender's Internet usage.

(c) If the information described in subsection (a) changes, the sex or violent offender shall report in person to the local law enforcement authority having jurisdiction over the sex or violent offender's principal address not later than seventy-two (72) hours after the change and submit the new information to the local law enforcement authority. Upon request of the local law enforcement authority, the sex or violent offender shall permit a new photograph of the sex or violent offender to be made.

SECTION 157. IC 11-8-8-11, AS AMENDED BY P.L.214-2013, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 11. (a) If a sex or violent offender who is required to register under this chapter changes:

(1) principal residence address; or

(2) if section 7(a)(2) or 7(a)(3) of this chapter applies, the place where the sex or violent offender stays in Indiana;

the sex or violent offender shall report in person to the local law enforcement authority having jurisdiction over the sex or violent offender's current principal address or location and, if the offender moves to a new county in Indiana, to the local law enforcement authority having jurisdiction over the sex or violent offender's new principal address or location not more than seventy-two (72) hours after the address change.

(b) If a sex or violent offender moves to a new county in Indiana, the local law enforcement authority where the sex or violent offender's current principal residence address is located shall inform the local law enforcement authority in the new county in Indiana of the sex or violent offender's residence and forward all relevant registration information concerning the sex or violent offender to the local law enforcement authority in the new county. The local law enforcement authority receiving notice under this subsection shall verify the address of the sex or violent offender under section 13 of this chapter not more than seven (7) days after receiving the notice.

(c) If a sex or violent offender who is required to register under section 7(a)(2) or 7(a)(3) of this chapter changes the sex or violent offender's principal place of employment, principal place of vocation, or campus or location where the sex or violent offender is enrolled in school, the sex or violent offender shall report in person:

(1) to the local law enforcement authority having jurisdiction over

the sex or violent offender's current principal place of employment, principal place of vocation, or campus or location where the sex or violent offender is enrolled in school; and

(2) if the sex or violent offender changes the sex or violent offender's place of employment, vocation, or enrollment to a new county in Indiana, to the local law enforcement authority having jurisdiction over the sex or violent offender's new principal place of employment, principal place of vocation, or campus or location where the sex or violent offender is enrolled in school;

not more than seventy-two (72) hours after the change.

(d) If a sex or violent offender moves the sex or violent offender's place of employment, vocation, or enrollment to a new county in Indiana, the local law enforcement authority having jurisdiction over the sex or violent offender's current principal place of employment, principal place of vocation, or campus or location where the sex or violent offender is enrolled in school shall inform the local law enforcement authority in the new county of the sex or violent offender's new principal place of employment, vocation, or enrollment by forwarding relevant registration information to the local law enforcement authority in the new county.

(e) If a sex or violent offender moves the sex or violent offender's residence, place of employment, vocation, or enrollment to a new state, the local law enforcement authority shall inform the state police in the new state of the sex or violent offender's new place of residence, employment, vocation, or enrollment.

(f) If a sex or violent offender who is required to register under this chapter changes or obtains a new:

(1) electronic mail address;

(2) instant messaging username;

(3) electronic chat room username; or

(4) social networking ~~web site~~ **website** username;

the sex or violent offender shall report in person to the local law enforcement authority having jurisdiction over the sex or violent offender's current principal address or location and shall provide the local law enforcement authority with the new address or username not more than seventy-two (72) hours after the change or creation of the address or username.

(g) A local law enforcement authority shall make registration information, including information concerning the duty to register and the penalty for failing to register, available to a sex or violent offender.

(h) A local law enforcement authority who is notified of a change under subsection (a), (c), or (f) shall:

(1) immediately update the Indiana sex and violent offender registry ~~web site~~ **website** established under IC 36-2-13-5.5;

(2) update the National Crime Information Center National Sex Offender Registry data base via the Indiana data and communications system (IDACS); and

(3) notify the department.

(i) If a sex or violent offender who is registered with a local law enforcement authority becomes incarcerated, the local law enforcement authority shall transmit a copy of the information provided by the sex or violent offender during registration to the department.

(j) If a sex or violent offender is no longer required to register due to the expiration of the registration period, or if a court grants a petition under section 22 of this chapter that removes the offender's duty to register under this chapter, the local law enforcement authority shall:

(1) ensure the offender's information is no longer published to the public portal of the sex and violent offender registry ~~Internet web site~~ **website** established under IC 36-2-13-5.5; and

(2) transmit a copy of the information provided by the sex or violent offender during registration to the department.

(k) This subsection applies only to a sex or violent offender who has:

(1) informed the local law enforcement authority of the offender's intention to move the offender's residence to a new location; and

(2) not moved the offender's residence to the new location.

Not later than seventy-two (72) hours after the date on which a sex or violent offender to whom this subsection applies was scheduled to move (according to information the offender provided to the local law enforcement authority before the move), the sex or violent offender shall report in person to the local law enforcement authority having jurisdiction over the offender's current address or location, even if the offender's address has not changed. An offender who fails to report as provided in this subsection may be prosecuted in the offender's original county of residence, in the county to which the offender intended to move, or in the offender's current county of residence.

SECTION 158. IC 11-8-8-19, AS AMENDED BY P.L.40-2019, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 19. (a) Except as provided in subsections (b) through (f), a sex or violent offender is required to register under this chapter until the expiration of ten (10) years after the date the sex or violent offender:

(1) is released from a penal facility (as defined in IC 35-31.5-2-232) or a secure juvenile detention facility of a state

or another jurisdiction;

(2) is placed in a community transition program;

(3) is placed in a community corrections program;

(4) is placed on parole; or

(5) is placed on probation;

for the sex or violent offense requiring registration, whichever occurs last. The registration period is tolled during any period that the sex or violent offender is incarcerated. The registration period does not restart if the offender is convicted of a subsequent offense. However, if the subsequent offense is a sex or violent offense, or an offense under ~~IC 11-8-8-17,~~ **section 17 of this chapter,** a new registration period may be imposed in accordance with this chapter. The department shall ensure that an offender who is no longer required to register as a sex or violent offender is notified that the obligation to register has expired, and shall ensure that the offender's information is no longer published to the public portal of the sex and violent offender registry ~~Internet web site~~ **website** established under IC 36-2-13-5.5.

(b) A sex or violent offender who is a sexually violent predator is required to register for life.

(c) A sex or violent offender who is convicted of at least one (1) offense under section 5(a) of this chapter that the sex or violent offender committed:

(1) when the person was at least eighteen (18) years of age; and

(2) against a victim who was less than twelve (12) years of age at the time of the crime;

is required to register for life.

(d) A sex or violent offender who is convicted of at least one (1) offense under section 5(a) of this chapter in which the sex offender:

(1) proximately caused serious bodily injury or death to the victim;

(2) used force or the threat of force against the victim or a member of the victim's family, unless the offense is sexual battery as a Class D felony (for an offense committed before July 1, 2014) or a Level 6 felony (for a crime committed after June 30, 2014); or

(3) rendered the victim unconscious or otherwise incapable of giving voluntary consent;

is required to register for life.

(e) A sex or violent offender who is convicted of at least two (2) unrelated offenses under section 5(a) of this chapter is required to register for life.

(f) A person who is required to register as a sex or violent offender

in any jurisdiction shall register for the period required by the other jurisdiction or the period described in this section, whichever is longer.

SECTION 159. IC 11-8-8-20, AS AMENDED BY P.L.3-2008, SECTION 88, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 20. (a) The department may enter into a compact or agreement with one (1) or more jurisdictions outside Indiana to exchange notifications concerning the change of address, employment, vocation, or enrollment of a sex or violent offender between Indiana and the other jurisdiction or the other jurisdiction and Indiana.

(b) If the department receives information that a sex or violent offender has relocated to Indiana to reside, engage in employment or a vocation, or enroll in school, or that a sex or violent offender has been convicted in Indiana but not sentenced to the department, the department shall determine:

(1) whether the person is defined as a:

(A) sex offender under ~~IC 11-8-8-4.5;~~ **section 4.5 of this chapter;** or

(B) sex or violent offender under ~~IC 11-8-8-5;~~ **section 5 of this chapter;**

(2) whether the person is a sexually violent predator under IC 35-38-1-7.5;

(3) the period for which the person will be required to register as a sex or violent offender in Indiana; and

(4) any other matter required by law to make a registration determination.

(c) After the department has made a determination under subsection (b), the department shall update the sex and violent offender registry ~~web site~~ **website** and transmit the department's determination to the local law enforcement authority having jurisdiction over the county where the sex or violent offender resides, is employed, and attends school. The department shall transmit:

(1) the sex or violent offender's name, date of relocation, and new address (if applicable), the offense or delinquent act committed by the sex or violent offender, and any other available descriptive information;

(2) whether the sex or violent offender is a sexually violent predator;

(3) the period for which the sex or violent offender will be required to register in Indiana; and

(4) anything else required by law to make a registration determination.

SECTION 160. IC 11-8-8-22, AS AMENDED BY P.L.214-2013,

SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 22. (a) As used in this section, "offender" means a sex offender (as defined in section 4.5 of this chapter) and a sex or violent offender (as defined in section 5 of this chapter).

(b) Subsection (g) applies to an offender required to register under this chapter if, due to a change in federal or state law after June 30, 2007, an individual who engaged in the same conduct as the offender:

(1) would not be required to register under this chapter; or

(2) would be required to register under this chapter but under less restrictive conditions than the offender is required to meet.

(c) A person to whom this section applies may petition a court to:

(1) remove the person's designation as an offender and order the department to remove all information regarding the person from the public portal of the sex and violent offender registry ~~Internet web site~~ **website** established under IC 36-2-13-5.5; or

(2) require the person to register under less restrictive conditions.

(d) A petition under this section shall be filed in the circuit or superior court of the county in which the offender resides. If the offender resides in more than one (1) county, the petition shall be filed in the circuit or superior court of the county in which the offender resides the greatest time. If the offender does not reside in Indiana, the petition shall be filed in the circuit or superior court of the county where the offender is employed the greatest time. If the offender does not reside or work in Indiana, but is a student in Indiana, the petition shall be filed in the circuit or superior court of the county where the offender is a student. If the offender is not a student in Indiana and does not reside or work in Indiana, the petition shall be filed in the county where the offender was most recently convicted of a crime listed in section 5 of this chapter.

(e) After receiving a petition under this section, the court may:

(1) summarily dismiss the petition; or

(2) give notice to:

(A) the department;

(B) the attorney general;

(C) the prosecuting attorney of:

(i) the county where the petition was filed;

(ii) the county where offender was most recently convicted of an offense listed in section 5 of this chapter; and

(iii) the county where the offender resides; and

(D) the sheriff of the county where the offender resides;

and set the matter for hearing. The date set for a hearing must not be less than sixty (60) days after the court gives notice under this

subsection.

(f) If a court sets a matter for a hearing under this section, the prosecuting attorney of the county in which the action is pending shall appear and respond, unless the prosecuting attorney requests the attorney general to appear and respond and the attorney general agrees to represent the interests of the state in the matter. If the attorney general agrees to appear, the attorney general shall give notice to:

(1) the prosecuting attorney; and

(2) the court.

(g) A court may grant a petition under this section if, following a hearing, the court makes the following findings:

(1) The law requiring the petitioner to register as an offender has changed since the date on which the petitioner was initially required to register.

(2) If the petitioner who was required to register as an offender before the change in law engaged in the same conduct after the change in law occurred, the petitioner would:

(A) not be required to register as an offender; or

(B) be required to register as an offender, but under less restrictive conditions.

(3) If the petitioner seeks relief under this section because a change in law makes a previously unavailable defense available to the petitioner, that the petitioner has proved the defense.

The court has the discretion to deny a petition under this section, even if the court makes the findings under this subsection.

(h) The petitioner has the burden of proof in a hearing under this section.

(i) If the court grants a petition under this section, the court shall notify:

(1) the victim of the offense, if applicable;

(2) the department of correction; and

(3) the local law enforcement authority of every county in which the petitioner is currently required to register.

(j) An offender may base a petition filed under this section on a claim that the application or registration requirements constitute ex post facto punishment.

(k) A petition filed under this section must:

(1) be submitted under the penalties of perjury;

(2) list each of the offender's criminal convictions and state for each conviction:

(A) the date of the judgment of conviction;

(B) the court that entered the judgment of conviction;

(C) the crime that the offender pled guilty to or was convicted of; and

(D) whether the offender was convicted of the crime in a trial or pled guilty to the criminal charges; and

(3) list each jurisdiction in which the offender is required to register as a sex offender or a violent offender.

(l) The attorney general may initiate an appeal from any order granting an offender relief under this section.

SECTION 161. IC 11-10-11.5-11, AS AMENDED BY P.L.209-2015, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 11. (a) While assigned to a community transition program, a person must comply with:

(1) the rules concerning the conduct of persons in the community transition program, including rules related to payments described in section 12 of this chapter, that are adopted by the community corrections advisory board establishing the program or, in counties that are not served by a community corrections program, that are jointly adopted by the courts in the county with felony jurisdiction; and

(2) any conditions established by the sentencing court for the person.

(b) As a rule of the community transition program, a person convicted of a sex offense (as defined in IC 11-8-8-5.2) may not use a social networking ~~web site~~ **website** (as defined in IC 35-31.5-2-307) or an instant messaging or chat room program (as defined in IC 35-31.5-2-173) to communicate, directly or through an intermediary, with a child less than sixteen (16) years of age. However, the rules of the community transition program may permit the offender to communicate using a social networking ~~web site~~ **website** or an instant messaging or chat room program with:

(1) the offender's own child, stepchild, or sibling; or

(2) another relative of the offender specifically named in the rules applicable to that person.

(c) As a rule of the community transition program, an individual may be required to receive:

(1) addiction counseling;

(2) inpatient detoxification;

(3) case management;

(4) daily living skills; and

(5) medication assisted treatment, including a federal Food and Drug Administration approved long acting, nonaddictive medication for the treatment of opioid or alcohol dependence.

SECTION 162. IC 11-10-12-6, AS AMENDED BY P.L.74-2015, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 6. (a) The department, during the ninety (90) days before a committed offender is:

(1) released on parole;

(2) assigned to a community transition program;

(3) discharged from the department; or

(4) released on probation;

shall allow the committed offender to have Internet access to use ~~web sites~~ **websites** that contain employment information in accordance with rules adopted by the department.

(b) The department shall provide employment counseling and Internet assistance to a committed offender who qualifies for Internet access under subsection (a), by a person trained in employment counseling and the use of Internet employment services.

(c) The department may restrict Internet access for a committed offender under subsection (a) if the committed offender:

(1) has a warrant or detainer seeking transfer of the person to a county or another jurisdiction;

(2) is no longer within ninety (90) days of release due to loss of educational credit or good time credit, or the imposition of an additional criminal sentence;

(3) does not reside in a department facility; or

(4) has engaged in misconduct involving use of the Internet.

SECTION 163. IC 11-13-3-4, AS AMENDED BY P.L.45-2022, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 4. (a) A condition to remaining on parole is that the parolee not commit a crime during the period of parole.

(b) The parole board may also adopt, under IC 4-22-2, additional conditions to remaining on parole and require a parolee to satisfy one (1) or more of these conditions. These conditions must be reasonably related to the parolee's successful reintegration into the community and not unduly restrictive of a fundamental right.

(c) If a person is released on parole, the parolee shall be given a written statement of the conditions of parole. Signed copies of this statement shall be:

(1) retained by the parolee;

(2) forwarded to any person charged with the parolee's supervision; and

(3) placed in the parolee's master file.

(d) The parole board may modify parole conditions if the parolee receives notice of that action and had ten (10) days after receipt of the

notice to express the parolee's views on the proposed modification. This subsection does not apply to modification of parole conditions after a revocation proceeding under section 10 of this chapter.

(e) As a condition of parole, the parole board may require the parolee to reside in a particular parole area. In determining a parolee's residence requirement, the parole board shall:

(1) consider:

(A) the residence of the parolee prior to the parolee's incarceration; and

(B) the parolee's place of employment; and

(2) assign the parolee to reside in the county where the parolee resided prior to the parolee's incarceration unless assignment on this basis would be detrimental to the parolee's successful reintegration into the community.

(f) As a condition of parole, the parole board may require the parolee to:

(1) periodically undergo a laboratory chemical test (as defined in IC 9-13-2-22) or series of tests to detect and confirm the presence of a controlled substance (as defined in IC 35-48-1-9); and

(2) have the results of any test under this subsection reported to the parole board by the laboratory.

The parolee is responsible for any charges resulting from a test required under this subsection. However, a person's parole may not be revoked on the basis of the person's inability to pay for a test under this subsection.

(g) As a condition of parole, the parole board:

(1) may require a parolee who is a sex offender (as defined in IC 11-8-8-4.5) to:

(A) participate in a treatment program for sex offenders approved by the parole board; and

(B) avoid contact with any person who is less than sixteen (16) years of age unless the parolee:

(i) receives the parole board's approval; or

(ii) successfully completes the treatment program referred to in clause (A); and

(2) shall:

(A) require a parolee who is a sex or violent offender (as defined in IC 11-8-8-5) to register with a local law enforcement authority under IC 11-8-8;

(B) prohibit a parolee who is a sex offender from residing within one thousand (1,000) feet of school property (as defined in IC 35-31.5-2-285) for the period of parole, unless the sex

offender obtains written approval from the parole board;

(C) prohibit a parolee who is a sex offender convicted of a sex offense (as defined in IC 35-38-2-2.5) from residing within one (1) mile of the victim of the sex offender's sex offense unless the sex offender obtains a waiver under IC 35-38-2-2.5;

(D) prohibit a parolee who is a sex offender from owning, operating, managing, being employed by, or volunteering at any attraction designed to be primarily enjoyed by children less than sixteen (16) years of age;

(E) require a parolee who is a sex offender to consent:

(i) to the search of the sex offender's personal computer at any time; and

(ii) to the installation on the sex offender's personal computer or device with Internet capability, at the sex offender's expense, of one (1) or more hardware or software systems to monitor Internet usage; and

(F) prohibit the sex offender from:

(i) accessing or using certain ~~web sites,~~ **websites,** chat rooms, or instant messaging programs frequented by children; and

(ii) deleting, erasing, or tampering with information on the sex offender's personal computer with intent to conceal an activity prohibited by item (i).

The parole board may not grant a sexually violent predator (as defined in IC 35-38-1-7.5) or a sex offender who is an offender against children under IC 35-42-4-11 a waiver under subdivision (2)(B) or (2)(C). If the parole board allows the sex offender to reside within one thousand (1,000) feet of school property under subdivision (2)(B), the parole board shall notify each school within one thousand (1,000) feet of the sex offender's residence of the order.

(h) The address of the victim of a parolee who is a sex offender convicted of a sex offense (as defined in IC 35-38-2-2.5) is confidential, even if the sex offender obtains a waiver under IC 35-38-2-2.5.

(i) As a condition of parole, the parole board may require a parolee to participate in a reentry court program.

(j) This subsection does not apply to a person on lifetime parole. As a condition of parole, the parole board shall require a parolee who is a sexually violent predator under IC 35-38-1-7.5 or who is a sex or violent offender (as defined in IC 11-8-8-5) to wear a monitoring device (as described in IC 35-38-2.5-3) that can transmit information twenty-four (24) hours each day regarding a person's precise location,

subject to a validated sex offender risk assessment, and subject to the amount appropriated to the department for a monitoring program as a condition of parole.

(k) As a condition of parole, the parole board may prohibit, in accordance with IC 35-38-2-2.6, a parolee who has been convicted of stalking from residing within one thousand (1,000) feet of the residence of the victim of the stalking for a period that does not exceed five (5) years.

(l) As a condition of parole, the parole board may prohibit a parolee convicted of an offense under IC 35-46-3 from owning, harboring, or training an animal, and, if the parole board prohibits a parolee convicted of an offense under IC 35-46-3 from having direct or indirect contact with an individual, the parole board may also prohibit the parolee from having direct or indirect contact with any animal belonging to the individual.

(m) As a condition of parole, the parole board may require a parolee to receive:

(1) addiction counseling;

(2) inpatient detoxification;

(3) case management;

(4) daily living skills; and

(5) medication assisted treatment, including a federal Food and Drug Administration approved long acting, nonaddictive medication for the treatment of opioid or alcohol dependence.

(n) A parolee may be responsible for the reasonable expenses, as determined by the department, of the parolee's participation in a treatment or other program required as a condition of parole under this section. However, a person's parole may not be revoked solely on the basis of the person's inability to pay for a program required as a condition of parole under this section.

(o) As a condition of parole, the parole board shall prohibit a person convicted of an animal abuse offense (as defined in IC 35-38-2-2.8) from owning, harboring, or training a companion animal (as defined in IC 35-38-2-2.8).

SECTION 164. IC 11-13-3-11, AS ADDED BY P.L.45-2022, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 11. (a) As used in this section, "Internet crime against a child" means a conviction for a violation of:

(1) IC 35-42-4-4(b) or IC 35-42-4-4(c) (child exploitation);

(2) IC 35-42-4-4(d) or IC 35-42-4-4(e) (possession of child pornography); or

(3) IC 35-42-4-6 (child solicitation).

(b) When a person is placed on lifetime parole, the department shall provide the parolee with a written statement of the conditions of lifetime parole. The parolee shall sign the statement, retain a copy, and provide a copy to the department. The department shall place the signed statement in the parolee's master file.

(c) As a condition of lifetime parole, the parole board shall:

(1) require a parolee who is a sexually violent predator (as defined in IC 35-38-1-7.5) to:

(A) inform the parolee's parole agent of any changes to the parolee's residence, employment, or contact information not later than seventy-two (72) hours after the change;

(B) report to the parole agent as instructed;

(C) avoid contact with any person who is less than sixteen (16) years of age, unless the parolee receives written authorization from the parole board; and

(D) avoid contact with the victim of any sex crime committed by that parolee, unless the parolee receives written authorization from the parole board;

(2) prohibit a parolee who is a sexually violent predator convicted of an Internet crime against a child from:

(A) accessing or using certain ~~Internet web sites,~~ **websites,** chat rooms, or instant messaging programs frequented by children; and

(B) deleting, erasing, or tampering with data on the parolee's personal computer;

(3) prohibit a parolee who is a sexually violent predator from owning, operating, managing, being employed by, or volunteering at an attraction designed to be primarily enjoyed by a child less than sixteen (16) years of age; and

(4) require a parolee to allow the parolee's supervising parole agent or another person authorized by the parole board to visit the parolee's residence, real property, or place of employment.

(d) As a condition of lifetime parole, the parole board may require a sexually violent predator to participate in a sex offender treatment program approved by the parole board.

(e) As a condition of lifetime parole, the parole board may require a parolee who is:

(1) a sexually violent predator; or

(2) required to register as a sex or violent offender under IC 11-8-8-5 due to a conviction for murder (IC 35-42-1-1) or voluntary manslaughter (IC 35-42-1-3);

to wear a monitoring device (as described in IC 35-38-2.5-3) that can

transmit information twenty-four (24) hours each day regarding a person's precise location, subject to a validated sex offender risk assessment or appropriate violent offender risk assessment, and subject to the amount appropriated to the department for a monitoring program as a condition of lifetime parole.

(f) When an offender is placed on lifetime parole, the parole board shall inform the sheriff and the prosecuting attorney of the offender's current county of residence:

(1) that the offender has been placed on lifetime parole; and

(2) whether the offender is required to wear a monitoring device as described in subsection (e).

(g) The parole board may adopt rules under IC 4-22-2 to impose additional conditions of lifetime parole and to implement this section.

SECTION 165. IC 12-7-2-22, AS AMENDED BY P.L.180-2022(ss), SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 22. "Board" ~~means~~ **has** the following **meaning:**

(1) For purposes of IC 12-8-6.5-14, the meaning set forth in IC 12-8-6.5-14(a).

(2) For purposes of IC 12-8-6.5-14.1, the meaning set forth in IC 12-8-6.5-14.1(a).

(3) For purposes of IC 12-8-6.5-14.3, the meaning set forth in IC 12-8-6.5-14.3(a).

(4) For purposes of IC 12-8-6.5-15, the meaning set forth in IC 12-8-6.5-15(a).

~~(2)~~ **(5)** For purposes of IC 12-10-10 and IC 12-10-11, the community and home options to institutional care for the elderly and disabled board established by IC 12-10-11-1.

~~(3)~~ **(6)** For purposes of IC 12-11-14, the meaning set forth in IC 12-11-14-3.

~~(4)~~ **(7)** For purposes of IC 12-12-7-5, the meaning set forth in IC 12-12-7-5(a).

~~(5)~~ **(8)** For purposes of IC 12-15-35, the meaning set forth in IC 12-15-35-2.

SECTION 166. IC 12-8-6.5-14.3, AS ADDED BY P.L.42-2024, SECTION 78, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 14.3. (a) As used in this section, "board" refers to the doula reimbursement advisory board established by section 14 of this chapter.

(b) A member of the general assembly appointed to the board serves a two (2) year term that expires June 30 of an odd-numbered year.

(c) The terms of the lay members of the board expire as follows:

(1) For a member appointed under ~~subsection~~ **section 14**(c)(2)(B), **14**(c)(2)(C), **14**(c)(2)(D), or **14**(c)(2)(E) **of this chapter,** June 30 of each odd-numbered year.

(2) For a member appointed under ~~subsection~~ **section 14**(c)(2)(A), **14**(c)(2)(F), **14**(c)(2)(G), **14**(c)(2)(H), or **14**(c)(2)(I) **of this chapter,** June 30, 2027, and every fourth year thereafter.

(d) A member of the board serves at the pleasure of the appointing authority and may be reappointed to successive terms.

(e) A vacancy on the board shall be filled by the appropriate appointing authority. An individual appointed to fill a vacancy serves for the unexpired term of the individual's predecessor.

SECTION 167. IC 12-14-2-23, AS AMENDED BY P.L.103-2023, SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 23. (a) This section applies only to a person's eligibility for assistance under section 5.1 of this chapter.

(b) As used in this section, "school" means a program resulting in high school graduation.

(c) Due to extraordinary circumstances, a person who is the parent of a dependent child, an essential person, or a dependent child may apply, in a manner prescribed by the division, for an exemption from the requirements of this chapter if the person can document that the person has complied with the personal responsibility agreement under section 21 of this chapter and the person demonstrates any of the following:

(1) The person has a substantial physical or mental disability that prevents the person from obtaining or participating in gainful employment.

(2) The person is a minor parent who is in school full time and who has a dependent child.

(3) The person is a minor parent who is enrolled full time in an educational program culminating in a high school equivalency certificate and who has a dependent child.

A person seeking an exemption under this section must show documentation to the division to substantiate the person's claim for an exemption under subdivision (1), (2), or (3).

(d) After receiving an application for exemption from a parent, an essential person, or a dependent child under subsection (c), the division shall investigate and determine if the parent, essential person, or dependent child qualifies for an exemption from this chapter. The director shall make a final determination regarding:

(1) whether to grant an exemption;

(2) the length of an exemption, if granted, subject to subsection

(f); and

(3) the extent of an exemption, if granted.

(e) If the director determines that a parent, an essential person, or a dependent child qualifies for an exemption under this chapter, the parent, essential person, or dependent child is entitled to receive one hundred percent (100%) of the payments that the parent, essential person, or dependent child is entitled to receive under this chapter, subject to any ratable reduction.

(f) An exemption granted under this section may not exceed one (1) year, but may be renewed.

(g) The division shall publish the number and type of exemptions granted under this section on the division's ~~Internet web site.~~ **website.**

(h) The division may adopt rules under IC 4-22-2 to carry out this section.

SECTION 168. IC 12-15-30.5-4, AS AMENDED BY P.L.156-2020, SECTION 56, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 4. (a) A broker must do the following:

(1) Submit monthly reports to the office of the secretary for the office of the secretary to post on the office of the secretary's ~~Internet web site~~ **website** of the following:

(A) A list and map by county of the number of vehicles, by vehicle type, that are contracted, credentialed, and available to provide nonemergency medical transportation in that county.

(B) Based upon a comparison of trip-leg identification numbers issued by the broker to the corresponding claim submitted with that trip-leg identification number, the number of instances in which a requested nonemergency medical transportation for an eligible Medicaid recipient was not provided, including whether:

(i) the instance related to picking up the recipient to go to an appointment;

(ii) the instance related to picking up the recipient from an appointment;

(iii) the instance related to a Medicaid recipient or transportation provider not being available;

(iv) the recipient resides in the community, a health facility, an intermediate care facility for individuals with intellectual disabilities, a hospital, or another location; and

(v) the instance resulted from the transportation request being canceled by the transportation provider more than forty-eight (48) hours before the appointment or within forty-eight (48) hours of the appointment.

(C) A summary of the complaints received by the broker, whether or not the complaints have been substantiated. Information under this clause must include the total number of complaints and whether the complaint related to:

(i) a scheduled ride to go to an appointment;

(ii) a scheduled ride from an appointment; and

(iii) a recipient who resided in the community, a health facility, an intermediate care facility for individuals with intellectual disabilities, a hospital, or another location.

(2) Submit monthly to the office of the secretary for the office of the secretary to post on the office of the secretary's ~~Internet web site~~ **website** a report comparing:

(A) the number of eligible Medicaid recipients; to

(B) the number of contracted and credentialed transportation vehicles, by type and by county, that are available to provide nonemergency medical transportation in a county;

and including the calculation of the ratio of eligible Medicaid recipients to vehicle type.

(3) Submit a monthly report to the office of the secretary that includes the following information for the previous month:

(A) The number of ride requests received and scheduled trip-leg identification numbers issued.

(B) Call center statistics.

(C) Information on claims payments, including claim denial reason codes.

(D) Program integrity referrals.

(E) Information concerning grievances and appeals, including the status of any grievance or appeal that is either open or closed in the month of the report.

(b) If the broker has not assigned a transportation provider to a request for nonemergency medical transportation within forty-eight (48) hours of the time in which the transportation is to be provided, the broker shall do the following:

(1) Take steps to notify the:

(A) Medicaid recipient for which the request was made; and

(B) health facility, if the Medicaid recipient resides in a health facility;

that a transportation provider has not yet been assigned.

(2) Continue to make every effort in securing transportation for the Medicaid recipient and immediately notify the recipient described in subdivision (1)(A) and, if applicable, the health facility described in subdivision (1)(B), when transportation has

been assigned.

(3) Document whether the notice required under subdivision (1) was communicated to the Medicaid recipient or a person on behalf of the Medicaid recipient, and the method of communication.

SECTION 169. IC 12-15-30.5-5, AS ADDED BY P.L.116-2019, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 5. (a) A broker shall establish, implement, and maintain the following:

(1) One (1) toll free telephone number clearly identified for the handling of complaints concerning the nonemergency medical transportation services.

(2) A link on the home page of the broker's ~~Internet web site~~ **website** titled "File a Complaint Here" that is accessible by the public and that allows for the submission of a complaint concerning the nonemergency medical transportation services.

(3) Instructions on the broker's ~~Internet web site~~ **website** on how to file a complaint concerning nonemergency medical transportation services.

(4) A process to notify a person who files a complaint about:

(A) the steps the broker will take to investigate the complaint; and

(B) the results of the investigation.

(b) Except for disclosure to the office of the secretary, the broker shall keep confidential the identity of any individual who submits a complaint with the broker concerning nonemergency medical transportation services.

(c) If a complaint concerning nonemergency medical transportation services made to the broker is substantiated, the broker shall develop a remediation plan concerning the complaint and submit the remediation plan to the office of the secretary for the office of the secretary to post the remediation plan on the office of the secretary's ~~Internet web site.~~ **website.**

SECTION 170. IC 12-15-35-50, AS ADDED BY P.L.187-2007, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 50. (a) IC 12-15-13-6 does not apply to this section.

(b) The office shall maintain ~~an Internet web site~~ **a website** and post on the ~~web site~~ **website** any changes concerning the office's maximum allowable cost schedule for drugs.

(c) A change in the office's maximum allowable cost schedule for drugs may not take effect less than thirty (30) days after the change is

posted on the office's ~~Internet web site.~~ **website.**

(d) The office is not required to mail a notice to providers concerning a change in the office's maximum allowable cost schedule for drugs.

(e) A pharmacy may determine not to participate in the Medicaid program because of a change to the office's maximum allowable cost schedule for drugs if the pharmacy notifies the office not less than thirty (30) days after the changes take effect.

SECTION 171. IC 12-17.2-2-1, AS AMENDED BY P.L.121-2020, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 1. The division shall perform the following duties:

(1) Administer the licensing and monitoring of child care centers or child care homes in accordance with this article.

(2) Ensure that a national criminal history background check of the following is completed through the state police department under IC 10-13-3-39 before issuing a license:

(A) An applicant for a license.

(B) An employee or volunteer of an applicant who may be present on the premises of the child care center or child care home during the operating hours of the child care center or child care home.

(C) If an applicant is applying for a license to operate a child care home, the following:

(i) The applicant's spouse.

(ii) The applicant's household members who are at least eighteen (18) years of age or who are less than eighteen (18) years of age but have previously been waived from juvenile court to adult court.

(3) Ensure that a national criminal history background check of the following is completed through the state police department under IC 10-13-3-39 before registering a child care ministry:

(A) An applicant for a child care ministry registration.

(B) An employee or volunteer of an applicant who may be present on the premises of the child care ministry during the operating hours of the child care ministry.

(4) Provide for the issuance, denial, suspension, and revocation of licenses.

(5) Cooperate with governing bodies of child care centers and child care homes and their staffs to improve standards of child care.

(6) Prepare at least biannually a directory of licensees with a description of the program capacity and type of children served

that will be distributed to the legislature, licensees, and other interested parties as a public document.

(7) Deposit all license application fees collected under section 2 of this chapter in the division of family resources child care fund established by section 3 of this chapter.

(8) Require each child care center or child care home to record proof of a child's date of birth before accepting the child. A child's date of birth may be proven by the child's original birth certificate or other reliable proof of the child's date of birth, including a duly attested transcript of a birth certificate.

(9) Provide ~~an Internet web site~~ **a website** through which members of the public may obtain the following information:

(A) Information concerning violations of this article by a licensed child care provider, including:

(i) the identity of the child care provider;

(ii) the date of the violation; and

(iii) action taken by the division in response to the violation.

(B) Current status of a child care provider's license.

(C) Other relevant information.

The ~~Internet web site~~ **website** may not contain the address of a child care home or information identifying an individual child. However, the ~~site~~ **website** may include the county and ZIP code in which a child care home is located.

(10) Provide or approve training concerning safe sleeping practices for children to:

(A) a provider who operates a child care program in the provider's home as described in IC 12-17.2-3.5-12.5;

(B) a child care home licensed under IC 12-17.2-5;

(C) a child care center licensed under IC 12-17.2-4; and

(D) a child care ministry registered under IC 12-17.2-6;

including practices to reduce the risk of sudden infant death syndrome.

SECTION 172. IC 12-17.2-3.5-3.5, AS ADDED BY P.L.134-2024, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 3.5. A child care provider is eligible to receive a voucher payment if the provider complies with this chapter and **meets any of the following:**

(1) Does not receive regular compensation.

(2) Cares only for children who are related to the provider.

(3) Cares for less than eight (8) children, not including children for whom the provider is a parent, stepparent, guardian, custodian, or other relative. ~~or~~

(4) Operates to serve migrant children.

SECTION 173. IC 12-17.2-7.2-1, AS AMENDED BY P.L.201-2023, SECTION 138, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 1. As used in this chapter, "eligible child" refers to an individual who:

(1) is at least four (4) years of age and less than five (5) years of age on August 1 of the state fiscal year for which a grant is sought under the prekindergarten ~~pilot~~ program;

(2) is a resident of Indiana or otherwise has legal settlement in Indiana, as determined under IC 20-26-11;

(3) is a member of a household with an annual income that does not exceed one hundred fifty percent (150%) of the federal poverty level;

(4) receives qualified early education services from an eligible provider, as determined by the office;

(5) has a parent or guardian who participates in a parental engagement and involvement component provided by the eligible provider;

(6) has a parent or guardian who agrees to ensure that the child meets the attendance requirements determined by the office; and

(7) meets the requirements under section 7.2(a) and 7.2(c) of this chapter.

SECTION 174. IC 12-18-9-13, AS ADDED BY P.L.258-2017, SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 13. (a) The statewide domestic violence fatality review committee shall submit to the legislative council, **the** governor, **the** Indiana criminal justice institute, and the coalition before December 31 of each even-numbered year a report that includes the following information:

(1) A summary of the data collected and reviewed by the statewide domestic violence fatality review committee.

(2) Trends and patterns that have been identified by the statewide domestic violence fatality review committee concerning deaths due to domestic violence in Indiana.

(3) Recommended actions or resources to prevent domestic violence fatalities in Indiana.

(b) A report submitted under this section to the legislative council must be in an electronic format under IC 5-14-6.

(c) The statewide domestic violence fatality review committee shall provide a copy of a report submitted under this section to a member of the public upon request.

(d) The Indiana criminal justice institute shall make the report

available on the Indiana criminal justice institute's ~~Internet web site.~~ **website.**

SECTION 175. IC 12-20-28-4, AS ADDED BY P.L.75-2021, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 4. (a) Each township trustee within a county shall collaborate together annually to prepare a written comprehensive list of assistance. The list shall include assistance that is available:

(1) to the homeless population for each township; and

(2) from both public and known private resources, including township assistance.

The list of assistance must provide the address and telephone number of each listed public and private resource.

(b) Not later than March 1 of each year, the list prepared under this section shall be:

(1) distributed to each city, town, and township within a county; and

(2) if the county has ~~an Internet web site,~~ **a website,** published and maintained on the county's ~~Internet web site.~~ **website.**

SECTION 176. IC 12-21-5-5, AS AMENDED BY P.L.10-2019, SECTION 61, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 5. (a) The division shall develop a statewide program for suicide prevention.

(b) The division shall employ a coordinator of the statewide program for suicide prevention to implement and maintain the statewide program for suicide prevention.

(c) The statewide program for suicide prevention must include a state plan for suicide prevention that must address the following:

(1) Educational opportunities and activities to increase awareness and knowledge of the public.

(2) Training for individuals who may have frequent contact with individuals at risk of suicide on warning signs and tendencies that may evidence that an individual is considering suicide.

(3) Materials to increase public awareness of suicide and suicide prevention.

(4) Enhancement of crisis services relating to suicide prevention.

(5) Assistance for school corporations on suicide awareness and intervention training.

(6) Coordination of county and regional advisory groups to support the statewide program.

(7) Coordination with appropriate entities to identify and address barriers in providing services to individuals at risk of suicide.

(8) Maintenance of ~~an Internet web site~~ **a website** containing

information and resources related to suicide awareness, prevention, and intervention.

(9) Development of recommendations for improved collection of data on suicide and factors related to suicide.

(10) Development and submission of proposals for funding from federal agencies or other sources of funding.

SECTION 177. IC 13-13-7.1-6, AS AMENDED BY P.L.42-2024, SECTION 99, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 6. The chairperson of the legislative council shall appoint the chair of the panel from the members appointed under section 2(1) or 2(2) of this chapter. The chair of the panel serves at the pleasure of the chairperson of the legislative council. The panel shall meet at the call of the ~~chairperson.~~ **chair of the panel.**

SECTION 178. IC 14-10-2-2.5, AS AMENDED BY P.L.128-2024, SECTION 34, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 2.5. (a) A person who is the party in a hearing under this title or IC 4-15-10.5 may move to have the:

(1) administrative law judge appointed under IC 4-15-10.5; or

(2) administrative law judge appointed under section 2 of this chapter;

consolidate multiple proceedings that are subject to the jurisdiction of both the office of administrative law proceedings and the division of hearings.

(b) An administrative law judge shall grant the motion made under subsection (a) if the following findings are made:

(1) The proceedings include the following:

(A) Common questions of law or fact.

(B) At least one (1) person, other than the department or the department of environmental management, who is a party to all the proceedings.

(C) Issues of water quality, water quantity, or both.

(2) Consolidation may support administrative efficiency.

(c) If a motion to consolidate proceedings has been granted under subsection (b), the hearing must be conducted by a panel that consists of at least two (2) administrative law judges. The panel is the ultimate authority for matters authorized under ~~IC 4-21.5-7-5~~ **IC 4-15-10.5** and this title. Any party, including the department and the department of environmental management, may petition an appropriate court for judicial review of a final determination of the panel.

(d) The office of administrative law proceedings and the division of hearings shall adopt joint rules to implement this section.

SECTION 179. IC 14-12-2-15, AS AMENDED BY P.L.42-2024,

SECTION 107, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 15. (a) As used in this section, "appointing authority" refers to:

(1) the governor in the case of a member appointed under section 14(b)(7) of this chapter; or

(2) the speaker of the house of representatives, the minority leader of the house of representatives, the president pro tempore of the senate, or the minority leader of the senate in the case of a member appointed under section 14(b)(8) of this chapter, whichever is applicable.

(b) As used in this section, "member" refers to a member of the project commission appointed under section 14(b)(7) through 14(b)(8) of this chapter.

(c) ~~Except as provided in subsection (e),~~ The term of a member begins on the later of the following:

(1) The day the term of the member who the individual is appointed to succeed expires.

(2) The day the individual is appointed by the appointing authority.

(d) A member serves at the pleasure of the appointing authority. The term of a member expires as follows:

(1) June 30 of an odd-numbered year for a member appointed under section 14(b)(8) of this chapter.

(2) June 30, 2025, and each fourth year thereafter for a member appointed under section 14(b)(7)(C)(i), 14(b)(7)(C)(iii), or 14(b)(7)(C)(v) of this chapter.

(3) December 31, 2025, and each fourth year thereafter for a member appointed under section 14(b)(7)(C)(ii) or 14(b)(7)(C)(iv) of this chapter.

(e) The appointing authority may reappoint a member for a new term.

(f) The appointing authority shall appoint an individual to fill a vacancy among the members. An individual appointed to fill a vacancy serves for the unexpired term of the individual's predecessor.

SECTION 180. IC 14-12-2-17, AS AMENDED BY P.L.42-2024, SECTION 109, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 17. (a) The project commission shall meet at least quarterly and at the call of the ~~chairman.~~ **chair.**

(b) The project commission may convene a meeting at any location in Indiana.

(c) The project commission shall plan and conduct meetings in a manner that promotes broad public participation and ensures that the

views of the members of the public attending the meetings may be fairly presented.

(d) The department of natural resources shall provide staff support to the project commission.

SECTION 181. IC 14-28-1-22, AS AMENDED BY P.L.105-2024, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 22. (a) As used in subsection (b)(1) with respect to a stream, "total length" means the length of the stream, expressed in miles, from the confluence of the stream with the receiving stream to the upstream or headward extremity of the stream, as indicated by the solid or dashed, blue or purple line depicting the stream on the most current edition of the seven and one-half (7 1/2) minute topographic quadrangle map published by the United States Geological Survey, measured along the meanders of the stream as depicted on the map.

(b) A person is not required to obtain a permit from the department for the following activities:

(1) A reconstruction or maintenance project (as defined in IC 36-9-27) on a stream or an open regulated drain if the total length of the stream or open drain is not more than ten (10) miles.

(2) A construction or reconstruction project on a state or county highway bridge in a rural area that crosses a stream having an upstream drainage area of not more than fifty (50) square miles and the relocation of utility lines associated with the construction or reconstruction project if confined to an area not more than one hundred (100) feet from the limits of the highway construction right-of-way.

(3) The performance of an activity described in subsection (c)(1) or (c)(2) by a surface coal mining operation that is operated under a permit issued under IC 14-34.

(4) Any other activity that is determined by the commission, according to rules adopted under IC 4-22-2, to pose not more than a minimal threat to floodway areas.

(5) An activity in a boundary river floodway to which section 26.5 of this chapter applies.

(6) The activities of a forestry operation that are:

(A) conducted in compliance with the Indiana Logging and Forestry Best Management Practices Field Guide published by the department of natural resources; and

(B) confined to a waterway that has a watershed not greater than ten (10) square miles.

(7) The removal of a logjam or mass of wood debris that has accumulated in a river or stream, subject to the following

conditions:

(A) Work must not be within a salmonid stream designated under 327 IAC 2-1.5-5 without the prior written approval of the department's division of fish and wildlife.

(B) Work must not be within a natural, scenic, or recreational river or stream designated under 312 IAC 7-2.

(C) Except as otherwise provided in Indiana law, the following apply to logs that are crossways in the channel:

(i) Free logs must be relocated and removed from the flood plain. A free log includes a log that is still attached to a root system that is no longer in the ground.

(ii) Affixed logs must be cut, relocated, and removed from the ~~floodplain.~~ **flood plain.** An affixed log includes a log that is still attached to a root system that is still in the ground. If the root system is still in the ground, the log must be cut so as to allow the root system to remain in the ground. However, cutting and removing the affixed log is not required if, in the opinion of the individual removing the log, the cutting and removing would create an unreasonable risk of bodily harm to the individual.

Logs may be maintained in the ~~floodplain~~ **flood plain** if properly anchored or otherwise secured so as to resist flotation or dislodging by the flow of water and placement in an area that is not a wetland. Logs must be removed and secured with a minimum of damage to vegetation.

(D) Isolated or single logs that are embedded, lodged, or rooted in the channel, and that do not span the channel or cause flow problems, must not be removed unless the logs are either of the following:

(i) Associated with or in close proximity to larger obstructions.

(ii) Posing a hazard to agriculture, business, navigation, or property.

(E) A leaning or severely damaged tree that is in immediate danger of falling into the waterway may be cut and removed. The root system and stump of the tree must be left in place.

(F) To the extent practicable, the construction of access roads must be minimized, and should not result in the elevation of the ~~floodplain.~~ **flood plain.**

(G) To the extent practicable, work should be performed exclusively from one (1) side of a waterway. Crossing the bed of a waterway is prohibited.

(H) To prevent the flow of sediment laden water back into the waterway, appropriate sediment control measures must be installed.

(I) Within fifteen (15) days, all bare and disturbed areas must be revegetated with a mixture of grasses and legumes. Tall fescue must not be used under this subdivision, except that low endophyte tall fescue may be used in the bottom of the waterway and on side slopes.

(J) A logjam or mass of wood debris that is removed from a river or stream may be burned so completely as to eliminate the risk that the resulting ash and remnants will not cause another logjam, unless a local ordinance specifies otherwise.

(K) ~~Subject to clause (M),~~ A person removing a logjam or a mass of wood debris from a river or stream under this subdivision without obtaining a permit:

(i) may use the means that the person believes to present the lowest risk of physical injury to individuals performing the removal work; and

(ii) may, subject to clause (G), use mechanical equipment appropriate to the task of removing the logjam or mass of wood debris.

(L) A person removing a logjam or a mass of wood debris from a river or stream under this subdivision must comply with the following:

(i) Section 404 of the federal Clean Water Act (33 U.S.C. 1344).

(ii) IC 13-18-22 (state regulated wetlands).

(c) Except for an activity under subsection (b), a person who desires to:

(1) erect, make, use, or maintain a structure, an obstruction, a deposit, or an excavation; or

(2) suffer or permit a structure, an obstruction, a deposit, or an excavation to be erected, made, used, or maintained;

in or on a floodway must file with the director a verified written application for a permit. The permit application must be accompanied by a nonrefundable minimum fee of two hundred dollars ($200).

(d) A permit application filed under this section:

(1) must set forth the material facts concerning the structure, obstruction, deposit, or excavation; and

(2) must be accompanied by plans and specifications for the structure, obstruction, deposit, or excavation.

(e) This subsection does not apply to the state or a county, city, or

town. A person who files a permit application under this section must provide:

(1) documentation of the person's ownership of the site where the proposed work will be performed; or

(2) an affidavit from the owner of the site where the proposed work will be performed expressly authorizing the performance of the proposed work on that site.

(f) A person who applies for a permit under this section may file an amendment to the person's permit application. The director may approve a permit application amendment filed under this subsection only if the permit, as amended by the amendment, would meet the requirements of this section.

(g) Two (2) or more persons may jointly apply for a permit under this section.

(h) A person described in subsection (c) must receive a permit from the director for the work before beginning construction. The director shall issue a permit only if, in the opinion of the director, the applicant has clearly proven that the structure, obstruction, deposit, or excavation will not do any of the following:

(1) Adversely affect the efficiency of or unduly restrict the capacity of the floodway.

(2) Constitute an unreasonable hazard to the safety of life or property.

(3) Result in unreasonably detrimental effects upon fish, wildlife, or botanical resources.

(i) In deciding whether to issue a permit under this section, the director shall consider the cumulative effects of the structure, obstruction, deposit, or excavation. The director may incorporate in and make a part of an order of authorization conditions and restrictions that the director considers necessary for the purposes of this chapter.

(j) The following apply to a permit issued under this section:

(1) Except as provided in subdivisions (2) and (3), a permit is valid for two (2) years after the date of issuance of the permit.

(2) A permit issued to:

(A) the Indiana department of transportation or a county highway department in connection with a construction project, if there is any federal funding for the project; or

(B) an electric utility for the construction of a power generating facility;

is valid for five (5) years from the date of issuance of the permit.

(3) A permit issued to a quarrying or aggregate company for the excavation of industrial materials, including:

(A) clay and shale;
(B) crushed limestone and dolostone;
(C) dimension limestone;
(D) dimension sandstone;
(E) gypsum;
(F) peat;
(G) construction sand and gravel; and
(H) industrial sand;

is valid for the duration of the permitted project, subject to periodic compliance evaluations.

However, a permit issued under this section expires if construction is not commenced within two (2) years after the permit is issued.

(k) The holder of a permit issued under subsection (j)(3) shall notify the commission of the completion of the permitted project within six (6) months after completing the permitted project.

(l) The following apply to the renewal of a permit issued under this section:

(1) A permit to which subsection (j)(1) applies may be renewed one (1) time for a period not to exceed two (2) additional years.

(2) A permit to which subsection (j)(2) applies may be renewed one (1) time for a period not to exceed five (5) additional years.

(m) The director shall send a copy of each permit issued under this section to each river basin commission organized under:

(1) IC 14-29-7 or IC 13-2-27 (before its repeal); or

(2) IC 14-13-9, IC 14-30-1 (before its repeal), or IC 36-7-6 (before its repeal);

that is affected.

(n) The permit holder shall post and maintain a permit issued under this section at the authorized site.

(o) For the purposes of this chapter, the lowest floor of a building, including a residence or abode, that is to be constructed or reconstructed in the one hundred (100) year ~~floodplain~~ **flood plain** of an area protected by a levee that is:

(1) inspected; and

(2) found to be in good or excellent condition;

by the United States Army Corps of Engineers shall not be lower than the one hundred (100) year frequency flood elevation plus one (1) foot.

SECTION 182. IC 16-19-3-4, AS AMENDED BY P.L.93-2024, SECTION 127, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 4. (a) The executive board may, by an affirmative vote of a majority of its members, adopt reasonable rules under IC 4-22-2 on behalf of the state department to protect or to

improve the public health in Indiana.

(b) The rules may concern but are not limited to the following:

(1) Nuisances dangerous to public health.

(2) The pollution of any water supply other than where jurisdiction is in the environmental rules board and department of environmental management.

(3) The disposition of excremental and sewage matter.

(4) The control of fly and mosquito breeding places.

(5) The detection, reporting, prevention, and control of diseases that affect public health.

(6) The care of maternity and infant cases and the conduct of maternity homes.

(7) The production, distribution, and sale of human food.

(8) Except as provided in section 4.4 of this chapter, the conduct of camps.

(9) Standards of cleanliness of eating facilities for the public.

(10) Standards of cleanliness of sanitary facilities offered for public use.

(11) The handling, disposal, disinterment, and reburial of dead human bodies.

(12) Vital statistics.

(13) Sanitary conditions and facilities in public buildings and grounds, including plumbing, drainage, sewage disposal, water supply, lighting, heating, and ventilation, other than where jurisdiction is vested by law in the fire prevention and building safety commission or other state agency.

(14) The design, construction, and operation of swimming and wading pools. However, the rules governing swimming and wading pools do not apply to a pool maintained by an individual for the sole use of the individual's household and house guests.

(c) The executive board shall adopt reasonable rules to regulate the following:

(1) The sanitary operation of tattoo parlors.

(2) The sanitary operation of body piercing facilities.

(d) The executive board may adopt rules on behalf of the state department for the efficient enforcement of this title, except as otherwise provided. However, fees for inspections relating to ~~weight~~ **weights** and measures may not be established by the rules.

(e) The executive board may declare that a rule described in subsection (d) is necessary to meet an emergency and adopt the rule under IC 4-22-2.

(f) The rules of the state department may not be inconsistent with

this title and or any other state law.

SECTION 183. IC 16-19-3-27, AS AMENDED BY P.L.160-2024, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 27. (a) The state department shall:

(1) study the use of:

(A) recirculation media filters;

(B) aeration treatment units;

(C) drip irrigation;

(D) ~~graveless~~ **gravelless** trenches; and

(E) new technologies;

for residential onsite sewage systems that will cause systems to perform satisfactorily as alternatives to currently operating systems that do not perform satisfactorily because of soil characteristics, lot sizes, topographical conditions, or high water tables; and

(2) take all actions necessary to develop plans and specifications for use of the technologies listed in subdivision (1) in residential onsite sewage systems.

(b) The executive board shall adopt reasonable rules under IC 4-22-2 to:

(1) promulgate the plans and specifications developed under subsection (a); and

(2) allow for the issuance of operating permits for:

(A) residential onsite sewage systems that are installed in compliance with the plans and specifications promulgated under subdivision (1); and

(B) onsite residential sewage discharging disposal systems in a county that complies with IC 13-18-12-9.

SECTION 184. IC 16-21-8-9, AS ADDED BY P.L.41-2007, SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 9. (a) Prior to the discharge of a victim from the hospital, a provider shall:

(1) require the victim to sign a form that notifies the victim of his or her rights under this chapter;

(2) provide a copy of the signed form to the victim; and

(3) inform law enforcement that the sample is available.

(b) The director of the Indiana criminal justice institute may delay the implementation of this section until the earlier of the following:

(1) A date set by the director.

(2) The date funding becomes available by a grant through the criminal justice institute or by an appropriation from the general assembly.

If the director of the criminal justice institute delays implementation of this section, the director shall notify the prosecuting attorney of each county of the director's action and when funding ~~become~~ **becomes** available to implement this section.

SECTION 185. IC 16-42-24-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 4. A neurosurgeon or an orthopedic surgeon may not be subjected to disciplinary action by the medical licensing board of Indiana for administering chymopapain to a patient under the ~~neurosurgeons's~~ **neurosurgeon's** or orthopedic surgeon's care to treat certain back ailments if the patient has signed the request form described in section 7 of this chapter.

SECTION 186. IC 20-21-3-6, AS AMENDED BY P.L.42-2024, SECTION 137, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 6. (a) At the board's last meeting before July 1 of each year, the board shall elect one (1) member to be chair of the board.

(b) The member elected chair of the board serves as chair beginning July 1 after elected by the board.

(c) The board may reelect a member as chair of the board.

(d) The board shall annually elect one (1) of its members to serve as the secretary for the board.

(e) The board shall meet at the call of the chair **of the board** at least five (5) times during each school year.

SECTION 187. IC 20-26-5-11.2, AS ADDED BY P.L.110-2023, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 11.2. (a) This section applies to:

(1) a school corporation;

(2) a charter school;

(3) a state accredited nonpublic school; and

(4) an entity with which the school corporation, charter school, or state accredited nonpublic school contracts for services;

concerning employees of the school corporation, charter school, state accredited nonpublic school, or entity who are likely to have direct, ongoing contact with children within the scope of the employees' employment.

(b) Subject to section 10(k) of this chapter and subsection (f), a school corporation, charter school, state accredited nonpublic school, or entity may not employ or contract with, and shall terminate the employment of or contract with, an individual convicted of any of the following offenses:

(1) Murder (IC 35-42-1-1).

(2) Causing suicide (IC 35-42-1-2).

(3) Assisting suicide (IC 35-42-1-2.5).
(4) Voluntary manslaughter (IC 35-42-1-3).
(5) Aggravated battery (IC 35-42-2-1.5).
(6) Kidnapping (IC 35-42-3-2).
(7) A sex offense (as defined in IC 11-8-8-5.2).
(8) Carjacking (IC 35-42-5-2) (repealed).
(9) Arson (IC 35-43-1-1).
(10) Public indecency (IC 35-45-4-1(a)(3), IC 35-45-4-1(a)(4), and IC 35-45-4-1(b)) committed:
(A) after June 30, 2003; or
(B) before July 1, 2003, if the person committed the offense by, in a public place, engaging in sexual intercourse or other sexual conduct (as defined in IC 35-31.5-2-221.5).
(11) Neglect of a dependent as a Class B felony (for a crime committed before July 1, 2014) or a Level 1 felony or Level 3 felony (for a crime committed after June 30, 2014) (IC 35-46-1-4(b)(2) and IC 35-46-1-4(b)(3)).
(12) Child selling (IC 35-46-1-4(d)).
(13) An offense relating to material or a performance that is harmful to minors or obscene under IC 35-49-3.

If an entity described in subsection (a)(4) obtains information that an individual employed by the entity who works at a particular school corporation, charter school, or state accredited nonpublic school has been convicted of an offense described in this subsection, the entity shall immediately notify the school corporation, charter school, or state accredited nonpublic school of the employee's conviction.

(c) After June 30, 2023, a school corporation, charter school, state accredited nonpublic school, or entity may employ or contract with an individual convicted of any of the following offenses if a majority of the members elected or appointed to the governing body of the school corporation, or the equivalent body for a charter school, approves the employment or contract as a separate, special agenda item, or if the school administrator of a state accredited nonpublic school informs the administrator's appointing authority of the hiring:

(1) An offense relating to operating a motor vehicle while intoxicated under IC 9-30-5.
(2) Reckless homicide (IC 35-42-1-5).
(3) Battery (IC 35-42-2-1).
(4) Domestic battery (IC 35-42-2-1.3).
(5) Criminal confinement (IC 35-42-3-3).
(6) Public indecency (IC 35-45-4-1(a)(1) or IC 35-45-4-1(a)(2)) committed:

(A) after June 30, 2003; or

(B) before July 1, 2003, if the person committed the offense by, in a public place, engaging in sexual intercourse or other sexual conduct (as defined in IC 35-31.5-2-221.5).

(7) Contributing to the delinquency of a minor (IC 35-46-1-8).

(8) An offense involving a weapon under IC 35-47 or IC 35-47.5.

(9) An offense relating to controlled substances under IC 35-48-4, other than an offense involving marijuana or paraphernalia used to consume marijuana.

(d) An individual employed by a school corporation, charter school, state accredited nonpublic school, or entity described in subsection (a) shall notify the governing body of the school, if during the course of the individual's employment, the individual:

(1) is convicted in Indiana or another jurisdiction of an offense described in subsection (b) or ~~subsection~~ (c); or

(2) is the subject of a substantiated report of child abuse or neglect.

(e) A school corporation, charter school, state accredited nonpublic school, or entity may use information obtained under section 10 of this chapter concerning an individual being the subject of a substantiated report of child abuse or neglect as grounds to not employ or contract with the individual.

(f) A school corporation, charter school, state accredited nonpublic school, or entity is not required to consider whether information concerning an individual's conviction:

(1) requires the school or entity to:

(A) not employ; or

(B) not contract with; or

(2) constitutes grounds to terminate the employment of or contract with;

an individual under subsection (b) if the individual's conviction is reversed, vacated, or set aside.

(g) Nothing in this section prohibits a school corporation, charter school, state accredited nonpublic school, or entity from establishing procedures to verify the accuracy of the information obtained under section 10 of this chapter concerning an individual's conviction.

(h) A school corporation, charter school, or state accredited nonpublic school may not hire or contract with an individual:

(1) who is required to wear an ankle monitor as the result of a criminal conviction;

(2) who entered into an agreement to settle an allegation of misconduct relating to the health, safety, or well-being of a

student at a school corporation, charter school, or state accredited nonpublic school, if the agreement included a nondisclosure agreement covering the alleged misconduct; or

(3) who, in an academic environment, engaged in a course of conduct involving repeated or continuing contact with a child that is intended to prepare or condition the child for sexual activity (as defined in IC 35-42-4-13);

unless a majority of the members elected or appointed to the governing body of the school corporation, or the equivalent body for a charter school, approves the hire or contract as a separate, special agenda item, or unless the school administrator of a state accredited nonpublic school informs the administrator's appointing authority of the hiring.

(i) For purposes of subsection (h), "misconduct relating to the health, safety, or well-being of a student" includes:

(1) engaging in a pattern of flirtatious or otherwise inappropriate comments;

(2) making any effort to gain unreasonable access to, and time alone with, any student with no ~~discernable~~ **discernible** educational purpose;

(3) engaging in any behavior that can reasonably be construed as involving an inappropriate and overly personal and intimate relationship with, conduct toward, or focus on a student;

(4) telling explicit sexual jokes and stories;

(5) making sexually related comments;

(6) engaging in sexual kidding or teasing;

(7) engaging in sexual innuendos or making comments with double entendre;

(8) inappropriate physical touching;

(9) using spoken, written, or any electronic communication to importune, invite, participate with, or entice a person to expose or touch the person's own or another person's intimate body parts or to observe the student's intimate body parts via any form of computer network or system, any social media platform, telephone network, or data network or by text message or instant messaging;

(10) sexual advances or requests for sexual favors;

(11) physical or romantic relationship including but not limited to sexual intercourse or oral sexual intercourse;

(12) discussion of one's personal romantic or sexual feelings or activities;

(13) discussion, outside of a professional teaching or counseling context endorsed or required by an employing school district, of

a student's romantic or sexual feelings or activities;

(14) displaying, sharing, or transmitting pornographic or sexually explicit materials;

(15) any physical contact that the student previously has indicated is unwelcome, unless such contact is professionally required, such as to teach a sport or other skill, or to protect the safety of the student or others;

(16) other than for purposes of addressing student dress code violations or concerns, referencing the physical appearance or clothes of a student in a way that could be interpreted as sexual; and

(17) self-disclosure or physical exposure of a sexual, romantic, or erotic nature.

SECTION 188. IC 20-26-7.1-4, AS AMENDED BY P.L.36-2024, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 4. (a) Not later than thirty (30) days after the date a governing body of a school corporation determines at a public meeting to cease using a covered school building for classroom instruction on student instructional days (as described in IC 20-30-2-2) for a school year as required under IC 20-30-2-3, a school corporation shall provide written notice to the department regarding the date that the covered school building has ceased or will cease being used for classroom instruction as described in this subsection.

(b) If the school corporation does not intend to make a covered school building available for lease or purchase in accordance with this chapter, the school corporation shall state in the notice required under subsection (a) the factual and legal basis for the school corporation's contention that the covered school building is not required to be made available under this chapter. Any claim for exclusion from a requirement to make the covered school building available under this chapter which is not stated in the notice under this subsection is waived.

(c) If a school corporation does not provide notice to the department under subsection (a), any claim for exclusion from a requirement to make the covered school building available under this chapter is waived.

(d) Not later than fifteen (15) days after the date that the department receives a notice from a school corporation under subsection (a), the department shall provide written notice to all interested persons regarding the notice from the school corporation submitted under subsection (a).

(e) If a notice from a school corporation under subsection (a)

acknowledges that the covered school building will be made available in accordance with this chapter, the department's notice to interested persons shall provide that any notice of interest by an interested person for the covered school building must be submitted to the department not later than sixty (60) days after the date the interested person receives the department's notice under subsection (d).

(f) If a notice from a school corporation under subsection (a) includes a claim that the covered school building will not be made available under this chapter, an interested person may submit to the department, not later than thirty (30) days after the date the interested person receives the notice from the department under subsection (d), a rebuttal to the factual and legal basis for the school corporation's contention that the covered school building is not required to be made available under this chapter.

(g) The department shall, not later than sixty (60) days after the date that a rebuttal is due under subsection (f), issue a determination to the school corporation and interested persons as to whether the covered school building must be made available under this chapter. The department shall publish a copy of the department's determination on the department's website.

(h) Not later than thirty (30) days after the date that the department issues a determination under subsection (g), a school corporation or interested person may appeal the determination to the state board. An appeal to the state board shall be subject to the procedure described in IC 20-26-11-15(b).

(i) Not later than fifteen (15) days after:

(1) the time expires for an appeal ~~of~~ **to** the state board of a department determination under subsection (g) or IC 20-26-7-47 that a covered school building be made available; or

(2) a determination by the state board that a covered school building is to be made available is issued;

the governing body shall take the actions specified by subsection (j). If the governing body fails to take the actions, the department shall request that the attorney general enforce the order under section 9(a) of this chapter.

(j) If a covered school building is to be made available, the governing body shall do the following:

(1) Make the covered school building available for inspection by a charter school or state educational institution that notifies the department that it is interested in leasing or purchasing the covered school building.

(2) Make the following information available to a charter school

or state educational institution described in subdivision (1):

(A) Estimates of the operating expenses for the covered school building for the past three (3) years.

(B) Written information regarding the condition of the covered school building, including the age of the roof and the HVAC system, and any known conditions which, in the governing body's opinion, require prompt repair or replacement.

(C) A legal description of the property.

(k) If the governing body fails to take the actions required under subsection (j), a charter school having notified the school corporation of its interest in the covered school building is entitled to an injunction requiring the governing body to take the actions under subsection (j).

(l) The school corporation shall lease the covered school building to a charter school or state educational institution for one dollar ($1) per year for as long as the state educational institution uses the covered school building for an academic purpose or the charter school uses the covered school building for classroom instruction, for a term at the state educational institution's or charter school's discretion, or sell the covered school building for one dollar ($1), if the charter school or state educational institution does the following:

(1) Within ninety (90) days of receiving the department's notice under subsection (d), a charter school or state educational institution must submit a preliminary request to purchase or lease the covered school building.

(2) Subject to subsection (m), within ninety (90) days of receiving the department's notice under subsection (d), a charter school or state educational institution must submit to the school corporation the following information:

(A) The name of the charter school or state educational institution that is interested in leasing or purchasing the covered school building.

(B) A time frame, which may not exceed three (3) years from the date that the covered school building is to be closed, no longer used, or no longer occupied, in which the:

(i) charter school intends to begin providing classroom instruction in the covered school building; or

(ii) state educational institution intends to begin using the covered school building for an academic purpose.

(C) A resolution, adopted by the board of the charter school or state educational institution stating that the board of the charter school or state educational institution has determined that, after the charter school or state educational institution has

made any necessary repairs or modifications, the covered school building will be sufficient to meet the charter school's or state educational institution's needs and can be operated within the charter school's or state educational institution's budget.

(m) If the department does not receive any preliminary requests to purchase or lease a covered school building within the time frame described in subsection (l)(1), the department shall send notification to the school corporation that the department has not received any preliminary requests to purchase or lease the covered school building. Upon receipt of the notification under this subsection, the school corporation may sell or otherwise dispose of the covered school building in accordance with IC 36-1-11, IC 20-25-4-14, and IC 20-26-5-4(a)(7).

(n) If only one (1) charter school submits a preliminary request to purchase or lease the covered school building, the department shall notify the school corporation of the identity of the charter school and direct the school corporation to complete a sale or lease to the charter school in accordance with subsection (r). In the event that two (2) or more charter schools submit a preliminary request to purchase or lease a covered school building within the time frame described in subsection (l)(1), the department shall send notification to each interested person and the school corporation that the department has received two (2) or more preliminary requests under this section. An authorizer committee shall be established, with each statewide authorizer that has authorized one (1) or more charter schools appointing a representative, and the committee shall establish the chairperson and procedures for the committee. Within sixty (60) days of receiving notice under this subsection, the committee shall select which charter school may proceed under subsection (r) to purchase or lease the covered school building or determine if two (2) or more charter schools should co-locate within the covered school building. The committee shall base the committee's decision on the following criteria:

(1) Preference shall be given to existing charter schools that have a proven track record of student academic performance.

(2) If two (2) or more charter schools of proven academic performance are competing and only one (1) charter school is operating in the county in which the covered school building is located, the charter school in the same county as the covered school building shall be given preference.

In the event that the committee determines that two (2) or more charter

schools should co-locate in the covered school building, the charter schools have sixty (60) days to submit a memorandum of understanding stating that the charter schools shall be jointly and severally liable for the obligations related to the sale or lease of the covered school building, and specifying how the charter schools will utilize the covered school building and share responsibility for operational, maintenance, and renovation expenses. If the charter schools are unable to agree, the charter schools shall be deemed to have revoked their prior request regarding the lease or sale of the covered school building. The committee shall give notice of the committee's decision to the school corporation and each interested person. A charter school that is not selected by the committee may appeal the decision to the state board not more than thirty (30) days after receipt of the committee's decision. The state board shall issue a final order in the appeal not more than sixty (60) days after receipt of a properly filed appeal. Notice of the appeal and the final order in the appeal must be given to the school corporation.

(o) If a charter school does not submit a preliminary request to purchase or lease the covered school building and only one (1) state educational institution submits a preliminary request to purchase or lease the covered school building, the department shall:

(1) notify the school corporation of the identity of the state educational institution; and

(2) direct the school corporation to complete a sale or lease to the state educational institution in accordance with subsection (r).

(p) If one (1) or more state educational institutions submit preliminary requests to purchase or lease a covered school building, a selection committee shall be established consisting of one (1) member appointed by the executive of the largest city or town in the county in which the covered school building is located, one (1) member appointed by the city or town council of the largest city or town in the county in which the covered school building is located, one (1) member appointed by the county commissioners of the county in which the covered school building is located, one (1) member appointed by the county council of the county in which the covered school building is located, and one (1) member appointed by the chamber of commerce of the county in which the covered school building is located.

(q) Not later than sixty (60) days after the date that a member is appointed under subsection (p), the committee shall:

(1) select which state educational institution may proceed to purchase or lease the covered school building; or

(2) determine whether more than one (1) state educational

institution should co-locate within the covered school building. In making the committee's determination, the committee shall give preference to a state educational institution whose proposed use of the covered school building is assessed as having the greatest educational benefit for prekindergarten through grade 12 education. A committee determination under this subsection may not be appealed.

(r) A school corporation shall lease the covered school building for one dollar ($1) per year to the charter school or state educational institution for as long as the:

(1) charter school uses the covered school building for classroom instruction for any combination of kindergarten through grade 12; or

(2) state educational institution uses the covered school building for an academic purpose.

The term of the lease shall be established at the charter school's or state educational institution's discretion and include an option for the state educational institution or charter school to purchase the covered school building for one dollar ($1). Alternatively, the school corporation shall sell the covered school building to the charter school or state educational institution for one dollar ($1), if the charter school or state educational institution has met the requirements set forth in subsection (l) and uses the covered school building in the manner prescribed by this subsection. If the charter school or state educational institution selected to lease or purchase the covered school building has met the requirements under subsection (l), the school corporation has not more than ninety (90) days after the date notice of a final unappealable decision is received by the school corporation to complete the lease or sale of the covered school building to the charter school or state educational institution. If the transaction is not completed within ninety (90) days, the department or the selected charter school or state educational institution may, under section 9 of this chapter, request that the attorney general enforce the sale or lease or may file suit to enforce the sale or lease. If a charter school or state educational institution has not met the requirements under subsection (l), the school corporation may sell or otherwise dispose of the covered school building in accordance with IC 36-1-11, IC 20-25-4-14, and IC 20-26-5-4(a)(7).

SECTION 189. IC 20-26-12-1, AS AMENDED BY P.L.93-2024, SECTION 141, AND AS AMENDED BY P.L.136-2024, SECTION 41, IS CORRECTED AND AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 1. (a) Except as provided in subsection (b) but notwithstanding any other law, each governing body of a school corporation and each organizer of a charter school shall

purchase from a publisher, either individually or through a purchasing cooperative of school corporations, as applicable, the curricular materials selected by the proper local officials, and shall provide at no cost the curricular materials to each student enrolled in the school corporation or charter school. Curricular materials provided to a student under this section remain the property of the governing body of the school corporation or organizer of the charter school.

(b) This section does not prohibit a governing body of a school corporation or an organizer of a charter school from assessing and collecting a reasonable fee for lost or significantly damaged curricular materials in accordance with rules established by the state board under subsection (c). Fees collected under this subsection must be deposited in the: ~~*separate curricular materials account established under IC 20-40-22-9 for*~~

(1) education fund of the school *corporation; or*

(2) education fund of the charter school, or, if the charter school does not have an education fund, the same fund into which state tuition support is deposited for the charter school;

in which the student was enrolled at the time the fee was imposed.

(c) The state board shall adopt rules under IC 4-22-2 ~~*including emergency rules in the manner provided in IC 4-22-2-37.1,*~~ to implement this section.

SECTION 190. IC 20-26-13-10, AS AMENDED BY P.L.150-2024, SECTION 18, AND AS AMENDED BY P.L.40-2024, SECTION 25, IS CORRECTED AND AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 10. (a) Except as provided in section 11 of this chapter and subject to IC 20-31-8-4.6 and IC 20-32-4-14, the four (4) year graduation rate for a cohort in a high school is the percentage determined under STEP FIVE of the following formula:

STEP ONE: Determine the grade 9 enrollment at the beginning of the reporting year three (3) years before the reporting year for which the graduation rate is being determined.

STEP TWO: Add:

(A) the number determined under STEP ONE; and

(B) the number of students who:

(i) have enrolled in the high school after the date on which the number determined under STEP ONE was determined; and

(ii) have the same expected graduation year as the cohort.

STEP THREE: Subtract from the sum determined under STEP TWO the number of students who have left the cohort for any of

the following reasons:

(A) Transfer to another public or nonpublic school.

(B) Except as provided in IC 20-33-2-28.6 and subsection (b), removal by the student's parents under IC 20-33-2-28 to provide instruction equivalent to that given in the public schools.

(C) Withdrawal because of a long term medical condition or death.

(D) Detention by a law enforcement agency or the department of correction.

(E) Placement by a court order or the department of child services.

(F) Enrollment in a virtual school.

(G) Leaving school, if the student attended school in Indiana for less than one (1) school year and the location of the student cannot be determined.

(H) Leaving school, if the location of the student cannot be determined and the student has been reported to the Indiana clearinghouse for information on missing children, *missing veterans at risk,* and missing endangered adults.

(I) Withdrawing from school before graduation, if the student is a high ability student (as defined in IC 20-36-1-3) who is a full-time student at an accredited institution of higher education during the semester in which the cohort graduates.

(J) Withdrawing from school before graduation pursuant to providing notice of withdrawal under section 17 of this chapter.

(K) Participating in the high school equivalency pilot program under IC 20-30-8.5, unless the student fails to successfully complete the high school equivalency pilot program in the two (2) year period. This clause expires June 30, ~~*2024.*~~ *2026.*

STEP FOUR: Determine the result of:

(A) the total number of students determined under STEP TWO who have graduated during the current reporting year or a previous reporting year; minus

(B) the amount by which the number of students who graduated through a waiver process required under IC 20-32-3 through IC 20-32-5.1 exceeds:

(i) nine percent (9%) of the total number of students determined under clause (A) for the 2023-2024 school year;

(ii) six percent (6%) of the total number of students determined under clause (A) for the 2024-2025 school year;

or

(iii) three percent (3%) of the total number of students determined under clause (A) for each school year after June 30, 2025.

STEP FIVE: Divide:

(A) the number determined under STEP FOUR; by

(B) the remainder determined under STEP THREE.

(b) This subsection applies to a high school in which:

(1) for a:

(A) cohort of one hundred (100) students or less, at least ten percent (10%) of the students left a particular cohort for a reason described in subsection (a) STEP THREE clause (B); or

(B) cohort of more than one hundred (100) students, at least five percent (5%) of the students left a particular cohort for a reason described in subsection (a) STEP THREE clause (B); and

(2) the students described in subdivision (1)(A) or (1)(B) are not on track to graduate with their cohort.

A high school must submit a request to the state board in a manner prescribed by the state board requesting that the students described in this subsection be included in the subsection (a) STEP THREE calculation. The state board shall review the request and may grant or deny the request. The state board shall deny the request unless the high school demonstrates good cause to justify that the students described in this subsection should be included in the subsection (a) STEP THREE calculation. If the state board denies the request the high school may not subtract the students described in this subsection under subsection (a) STEP THREE.

SECTION 191. IC 20-28-5-19.7, AS AMENDED BY P.L.150-2024, SECTION 23, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 19.7. (a) Not later than July 1, 2024, the state board shall establish and require a literacy endorsement for individuals first licensed after June 30, 2025, to teach a content area involving literacy instruction, including special education, in prekindergarten through grade 5.

(b) Except as provided in section ~~19.8(a)~~ **19.8** of this chapter, beginning July 1, 2027, the department may not renew a practitioner license or an accomplished practitioner license, or a comparable license under prior rules, issued to an individual who, based on the content area for which the individual is licensed, including special education, provides literacy instruction to students in prekindergarten through

grade 5 unless the individual receives a literacy endorsement under this section.

(c) To be eligible to receive a literacy endorsement, an individual must meet the following:

(1) Complete eighty (80) hours of evidence based professional development that is:

(A) aligned to the science of reading;

(B) provided by an organization that is:

(i) accredited by the International Dyslexia Association; or

(ii) aligned with Knowledge and Practice Standards for Teachers of Reading (KPS) as determined by the department; or

(C) approved by the department.

(2) Demonstrate proficiency in scientifically based reading instruction skills aligned to the science of reading on a written examination or through other procedures prescribed by the department in accordance with this section.

(d) The eighty (80) hours of evidence based professional development required under subsection (c)(1) must provide individualized and on demand support. The evidence based professional development required under subsection (c)(1) must:

(1) promote explicit, systematic, and cumulative instruction as the primary approach to literacy instruction;

(2) align with both word recognition and language comprehension;

(3) promote an understanding of how language, reading, and writing relate to each other;

(4) promote strategies for differentiated instruction for:

(A) students with:

(i) reading difficulties; or

(ii) disabilities; and

(B) English language learners;

(5) focus on phonemic awareness, phonics, fluency, vocabulary, and comprehension; and

(6) allow participants to implement the strategies into a classroom environment with the opportunity for feedback throughout the professional development experience.

(e) The written examination required under subsection (c)(2) shall ensure the individual demonstrates the ability to:

(1) effectively teach foundational reading skills, phonemic awareness, phonics, fluency, vocabulary, and comprehension;

(2) implement reading instruction using high quality instructional

materials aligned to the science of reading; and

(3) provide effective instruction and interventions for students with reading deficiencies.

(f) The department shall approve and provide the evidence based professional development necessary for an individual to receive a literacy endorsement under this section.

(g) The department shall establish the procedure for an existing teacher to add the literacy endorsement established under this section to the teacher's license.

(h) The state board shall adopt rules under IC 4-22-2 to do the following:

(1) Adopt, validate, and implement the examination or other procedures required by subsection (c)(2).

(2) Establish examination scores indicating proficiency.

(3) Otherwise carry out the purposes of this section.

SECTION 192. IC 20-28-9-28, AS AMENDED BY P.L.150-2024, SECTION 26, AND AS AMENDED BY P.L.136-2024, SECTION 43, IS CORRECTED AND AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 28. (a) *Subject to subsection ~~(g),~~* **(c),** for each school year in a state fiscal year beginning after June 30, 2023, a school corporation shall expend an amount for teacher compensation that is not less than an amount equal to sixty-two percent (62%) of the state tuition support, *other than the state tuition support described in subsection (b),* distributed to the school corporation during the state fiscal year. For purposes of determining whether a school corporation has complied with this requirement, the amount a school corporation expends for teacher compensation shall include the amount the school corporation expends for adjunct teachers, supplemental pay for teachers, stipends, and for participating in a special education cooperative or an interlocal agreement or consortium that is directly attributable to the compensation of teachers employed by the cooperative or interlocal agreement or consortium. *The amount a school corporation expends on teacher compensation shall also include the amount the school corporation expends on dropout recovery educational services for an at-risk student enrolled in the school corporation provided by an agreement with an eligible school that is directly attributable to the compensation of teachers employed by the eligible school.* Teacher benefits include all benefit categories collected by the department for Form 9 purposes.

~~(b) If a school corporation determines that the school corporation cannot comply with the requirement under subsection (a) for a particular school year, the school corporation shall apply for a waiver~~

~~*from the department.*~~

~~*(c) The waiver application must include an explanation of the financial challenges, with detailed data, that preclude the school corporation from meeting the requirement under subsection (a) and describe the cost saving measures taken by the school corporation in attempting to meet the requirement in subsection (a). The waiver may also include an explanation of an innovative or efficient approach in delivering instruction that is responsible for the school corporation being unable to meet the requirement under subsection (a).*~~

~~*(d) If, after review, the department determines that the school corporation has exhausted all reasonable efforts in attempting to meet the requirement in subsection (a), the department may grant the school corporation a one (1) year exception from the requirement.*~~

~~*(e) A school corporation that receives a waiver under this section shall work with the department to develop a plan to identify additional cost saving measures and any other steps that may be taken to allow the school corporation to meet the requirement under subsection (a).*~~

~~*(f) A school corporation may not receive more than three (3) waivers under this section.*~~

(b) State tuition support distributed to a school corporation for students enrolled in the school corporation who are receiving one hundred percent (100%) virtual instruction from a teacher employed by a third party provider with whom the school corporation has contracted is not included as state tuition support distributed to the school corporation for purposes of subsection (a).

~~*(g)*~~ **(c)** *For purposes of determining whether a school corporation has complied with the requirement in subsection (a), distributions from the curricular materials fund established by IC 20-40-22-5 that are deposited in a school corporation's education fund in a state fiscal year are not considered to be state tuition support distributed to the school corporation during the state fiscal year.*

~~*(c) (h)*~~ **(d)** Before November 1, 2022, and before November 1 of each year thereafter, the department shall submit a report to the legislative council in an electronic format under IC 5-14-6 and the state budget committee that contains information as to:

(1) the percent and amount that each school corporation expended and the statewide total expended for teacher compensation;

(2) the percent and amount that each school corporation expended and statewide total expended for teacher benefits, including health, dental, life insurance, and pension benefits; *and*

(3) whether the school corporation met the requirement set forth in subsection (a). ~~*and*~~

~~*(4) whether the school corporation received a waiver under subsection (d).*~~

~~*(d)*~~ **(e)** *The department shall publish the report described in subsection* ~~*(c)*~~ **(d)** *on the department's website.*

~~*(e)*~~ **(f)** *Beginning after June 30, 2024, for each state fiscal year that a school corporation fails to expend the amount for teacher compensation as required under subsection (a), the department shall submit in both a written and an electronic format a notice to the school corporation's:*

(1) superintendent;

(2) school business officer; and

(3) governing body;

that the school corporation failed to meet the requirements set forth in subsection (a) for the applicable state fiscal year.

~~*(f)*~~ **(g)** *If a school corporation's governing body receives a notice from the department under subsection* ~~*(e),*~~ **(f),** *the school corporation shall do the following:*

(1) Publicly acknowledge receipt of the notice from the department at the governing body's next public meeting.

(2) Enter into the governing body's official minutes for the meeting described in subdivision (1) acknowledgment of the notice.

(3) Not later than thirty (30) days after the meeting described in subdivision (1), publish on the school corporation's website:

(A) the department's notice; and

(B) any relevant individual reports prepared by the department.

~~*(g)*~~ **(h)** *If the department determines a school corporation that received one (1) or more notices from the department under subsection* ~~*(e)*~~ **(f)** *has met the expenditure requirements required under subsection (a) for a subsequent state fiscal year, the school corporation may remove from the school corporation's website any:*

(1) notices the school corporation received under subsection ~~*(e);*~~ **(f);** *and*

(2) relevant individual reports prepared by the department under subsection ~~*(f)(3).*~~ **(g)(3).**

SECTION 193. IC 20-32-8.5-2, AS AMENDED BY P.L.5-2024, SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 2. (a) Except as provided in subsection (b), the plan required by this chapter must include the following:

(1) Reading skill standards for grade 1 through grade 3.

(2) A method for making determinant evaluations by grade 3 that

remedial action is required for a student, including:

(A) beginning with evaluations administered during the 2024-2025 school year, and except as provided in subsection (c), retention of the student in grade 3 if the student has not achieved a passing score on the determinant evaluation of reading skills approved by the state board after the student has had an opportunity to retake the determinant evaluation in the summer; and

(B) the use of curricular materials and supplemental materials aligned to the science of reading that are designed to address deficiencies in reading;

after other methods of remediation have been evaluated or used, or both, if reading skills are below the standard. Appropriate consultation with parents or guardians must be part of the plan.

(3) A requirement that schools notify a student's parent of the following:

(A) The student's assessment results regarding skill level in:

(i) phonemic awareness;

(ii) phonics;

(iii) fluency;

(iv) vocabulary; and

(v) comprehension.

(B) The student's assessment results on the determinant evaluation of reading skills approved by the state board.

(C) Any intervention provided to the student or any remedial action taken.

(4) A requirement that schools monitor the progress of students who failed to achieve a valid passing score on the:

(A) determinant evaluation of reading skills approved by the state board; or

(B) statewide assessment program test.

(5) A requirement that schools provide reading instruction that includes a core reading program aligned with the science of reading to all students in kindergarten through grade 8.

(6) A requirement for the administration of the determinant evaluation of reading skills approved by the state board to students in grade 2.

(7) A requirement that all students take the determinant evaluation of reading skills approved by the state board until the student:

(A) receives a passing score, regardless of the student's grade level; or

(B) enters grade 7.

(8) A requirement that a school report the following to the department:

(A) The literacy interventions that will be used for students in grade 2 who are at risk of not being reading proficient and students in grade 3 who do not achieve a valid passing score on the determinant evaluation of reading skills approved by the state board.

(B) The literacy interventions in use before the adoption of the plan for students in grade 2 who are at risk of not being reading proficient and students in grade 3 who do not achieve a valid passing score on the determinant evaluation of reading skills approved by the state board.

(C) The literacy interventions in use before the adoption of the plan for students who do not achieve a valid passing score on the determinant evaluation of reading skills approved by the state board.

(D) The number of students being served by the interventions described in clauses (B) and (C).

(E) The cost of providing the interventions described in clauses (B) and (C).

(F) Any other information requested by the department.

(9) Requirements for a school in which fewer than seventy percent (70%) of students of the school achieved a valid passing score on the determinant evaluation of reading skills approved by the state board that must include the following:

(A) Use of curriculum that is:

(i) based on the science of reading; and

(ii) approved by the department.

(B) Employment of the following:

(i) Before July 1, 2025, an instructional coach who is trained in the science of reading, as determined by the department. This item expires January 1, 2026.

(ii) After June 30, 2025, an instructional coach with a literacy related endorsement who is trained in the science of reading.

(C) Use of only benchmark, formative, interim, or similar assessments that:

(i) show alignment with Indiana's academic standards; and

(ii) are approved by the department.

(D) Use of a screener procured under IC 20-32-5.1-17(j).

(10) The fiscal impact of each component of the plan, if any. In

determining whether a component has a fiscal impact, consideration shall be given to whether the component will increase costs to the state or a school corporation or require the state or school corporation to reallocate resources.

(b) A school may receive a waiver of the requirements provided in 511 IAC 6.2-3.1-4(a)(2) if the state board approves an alternative reading plan provided by the school.

(c) A student who would otherwise be subject to retention in grade 3 under the plan is not subject to the retention requirement only if the student meets one (1) of the following criteria:

(1) The student was subject to retention and has been retained in grade 3 for one (1) school year.

(2) The student has an intellectual disability or the student's individualized education program specifies that retention is not appropriate, and the student's case conference committee has determined that promotion to another grade is appropriate.

(3) The student is an English learner who has received services for fewer than two (2) years and a committee consisting of:

(A) the student's parent;

(B) a building level administrator or designee;

(C) a classroom teacher of service;

(D) an English learner teacher of record, if one exists; and

(E) an English learner district administrator, if one exists;

determines that promotion is appropriate based on the implementation of research based instructional practices outlined in the student's individual learning plan.

(4) The student received a score of proficient or above proficient in grade 3 math on the statewide summative assessment.

(5) The student:

(A) has received intensive intervention as determined by the department in reading for two (2) or more years; and

(B) was retained more than one (1) time throughout kindergarten, grade 1, or grade 2.

(d) A student who is not subject to the retention requirement as provided under **subsection** (c) must be provided with additional reading instruction that is aligned with the science of reading until the student achieves a passing score on the determinant evaluation of reading skills approved by the state board.

(e) This subsection applies after June 30, 2024. Before October 1 of each school year, the department shall:

(1) identify each incoming student (as defined in section 0.7 of this chapter) enrolled in kindergarten in a school in Indiana; and

(2) notify the parent or guardian of the student of the retention requirement under this chapter for grade 3 students who do not achieve a passing score on the Indiana reading evaluation and determination (IRead3).

(f) The department shall establish a standard reporting process and reporting window for schools to report students who qualify for an exemption under subsection (c).

SECTION 194. IC 20-33-5-15, AS ADDED BY P.L.9-2009, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 15. (a) Each school corporation shall provide each student who applies for free or reduced ~~priced~~ **price** lunches under the national school lunch program with an enrollment form for the twenty-first century scholars program under IC 21-12-6.

(b) The department shall provide each school corporation with sufficient application forms under this section.

(c) Each school shall give assistance in reading the instructions and completing the enrollment forms for the twenty-first century scholars program.

SECTION 195. IC 20-46-1-8, AS AMENDED BY P.L.162-2024, SECTION 25, AND AS AMENDED BY P.L.104-2024, SECTION 51, IS CORRECTED AND AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 8. (a) Subject to subsections (e), (f), and (g) and this chapter, the governing body of a school corporation may adopt a resolution to place a referendum under this chapter on the ballot for any of the following purposes:

(1) The governing body of the school corporation determines that it cannot, in a calendar year, carry out its public educational duty unless it imposes a referendum tax levy under this chapter.

(2) The governing body of the school corporation determines that a referendum tax levy under this chapter should be imposed to replace property tax revenue that the school corporation will not receive because of the application of the credit under IC 6-1.1-20.6.

(3) Except for resolutions described in subsection (b), the governing body makes the determination required under subdivision (1) or (2) and determines to share a portion of the referendum proceeds with a charter school, excluding a virtual charter school, in the manner prescribed in subsection (e).

(b) A resolution for a referendum for a county described in section 21 of this chapter that is adopted after May 10, 2023, shall specify that a portion of the proceeds collected from the proposed levy will be distributed to applicable charter schools in the manner described under

section 21 of this chapter.

(c) The governing body of the school corporation shall certify a copy of the resolution to place a referendum on the ballot to the following:

(1) The department of local government finance, including:

(A) the language for the question required by section 10 of this chapter, or in the case of a resolution to extend a referendum levy certified to the department of local government finance after March 15, 2016, section 10.1 of this chapter; and

(B) a copy of the revenue spending plan adopted under subsection (g).

The language of the public question must include the estimated average percentage increases certified by the county auditor under section 10(e) or 10.1(f) of this chapter, as applicable. The governing body of the school corporation shall also provide the county auditor's certification described in section 10(e) or 10.1(f) of this chapter, as applicable. The department of local government finance shall post the values certified by the county auditor to the department's website. The department shall review the language for compliance with section 10 or 10.1 of this chapter, whichever is applicable, and either approve or reject the language. The department shall send its decision to the governing body of the school corporation not more than ten (10) days after *both the certification of the county auditor described in section 10(e) or 10.1(f) of this chapter, as applicable, and* the resolution ~~*is*~~ *are* submitted to the department. If the language is approved, the governing body of the school corporation shall certify a copy of the resolution, including the language for the question and the department's approval.

(2) The county fiscal body of each county in which the school corporation is located (for informational purposes only).

(3) The circuit court clerk of each county in which the school corporation is located.

(d) If a school safety referendum tax levy under IC 20-46-9 has been approved by the voters in a school corporation at any time in the previous three (3) years, the school corporation may not:

(1) adopt a resolution to place a referendum under this chapter on the ballot; or

(2) otherwise place a referendum under this chapter on the ballot.

(e) Except as provided in section 21 of this chapter, the resolution described in subsection (a) must indicate whether proceeds in the school corporation's education fund collected from a tax levy under this

chapter will be used to provide a distribution to a charter school or charter schools, excluding a virtual charter school, under IC 20-40-3-5 as well as the amount that will be distributed to the particular charter school or charter schools. A school corporation may request from the designated charter school or charter schools any financial documentation necessary to demonstrate the financial need of the charter school or charter schools. *Distribution to a charter school of proceeds from a referendum held before May 10, 2023, does not provide exemption from this chapter.*

(f) This subsection applies to a resolution described in subsection (a) for a county described in section 21(a) of this chapter that is adopted after May 10, 2023. The resolution described in subsection (a) shall include a projection of the amount that the school corporation expects to be distributed to a particular charter school, excluding virtual charter schools or adult high schools, under section 21 of this chapter if the charter school voluntarily elects to participate in the referendum in the manner described in subsection (i). At least sixty (60) days before the resolution described in subsection (a) is voted on by the governing body, the school corporation shall contact the department to determine the number of students in kindergarten through grade 12 who have legal settlement in the school corporation but attend a charter school, excluding virtual charter schools or adult high schools, and who receive not more than fifty percent (50%) virtual instruction. The department shall provide the school corporation with the number of students with legal settlement in the school corporation who attend a charter school and who receive not more than fifty percent (50%) virtual instruction, which shall be disaggregated for each particular charter school, excluding a virtual charter school or adult high school. The projection may include an expected increase in charter schools during the term the levy is imposed under this chapter. The department of local government finance shall prescribe the manner in which the projection shall be calculated. The governing body shall take into consideration the projection when adopting the revenue spending plan under subsection (g).

(g) As part of the resolution described in subsection (a), the governing body of the school corporation shall adopt a revenue spending plan for the proposed referendum tax levy that includes:

(1) an estimate of the amount of annual revenue expected to be collected if a levy is imposed under this chapter;

(2) the specific purposes for which the revenue collected from a levy imposed under this chapter will be used;

(3) an estimate of the annual dollar amounts that will be expended

for each purpose described in subdivision (2); and

(4) for a resolution for a referendum that is adopted after May 10, 2023, for a county described in section 21(a) of this chapter, the projected revenue that shall be distributed to charter schools as provided in subsections (f) and (i). The revenue spending plan shall also take into consideration deviations in the proposed revenue spending plan if the actual charter school distributions exceed or are lower than the projected charter school distributions described in subsection (f). The resolution shall include for each charter school that elects to participate under subsection (i) information described in subdivisions (1) through (3).

(h) A school corporation shall specify in its proposed budget the school corporation's revenue spending plan adopted under subsection (g) and annually present the revenue spending plan at its public hearing on the proposed budget under IC 6-1.1-17-3.

(i) This subsection applies to a resolution described in subsection (a) for a county described in section 21(a) of this chapter that is adopted after May 10, 2023. At least forty-five (45) days before the resolution described in subsection (a) is voted on by the governing body, the school corporation shall contact each charter school, excluding virtual charter schools or adult high schools, disclosed by the department to the school corporation under subsection (f) to determine whether the charter school will participate in the referendum. *The notice must include the total amount of the school corporation's expected need, the corresponding estimate for that amount divided by the number of students enrolled in the school corporation, and the date on which the governing body of the school corporation will vote on the resolution.* The charter school must respond in writing to the school corporation, *which may be by electronic mail addressed to the superintendent of the school corporation,* at least fifteen (15) days prior to the date that the resolution described in subsection (a) is to be voted on by the governing body. If the charter school elects to not participate in the referendum, the school corporation may exclude distributions to the charter school under section 21 of this chapter and from the projection described in subsection (f). If the charter school elects to participate in the referendum, the charter school may receive distributions under section 21 of this chapter and must be included in the projection described in subsection (f). In addition, a charter school that elects to participate in the referendum under this subsection shall contribute a proportionate share of the cost to conduct the referendum based on the total combined ADM of the school corporation and any participating charter schools.

(j) This subsection applies to a resolution described in subsection (a) for a county described in section 21(a) of this chapter that is adopted after May 10, 2023. At least thirty (30) days before the ~~*resolution described in subsection (a)*~~ *referendum submitted to the voters under this chapter* is voted on by the ~~*governing body,*~~ *public in a primary or general election,* the school corporation that is pursuing the ~~*resolution*~~ *referendum* and any charter school that has elected to participate under subsection (i) shall post a referendum disclosure statement on each school's respective website that contains the following information:

(1) The salaries ~~*of all employees employed*~~ by *position within* the school corporation or charter school listed from highest salary to lowest salary *and a link to Gateway Indiana for access to individual salaries.*

(2) An acknowledgment that the school corporation or charter school is not committing any crime described in IC 35-44.1-1.

(3) A link to the school corporation's or charter school's most recent state board of accounts audit on the state board of accounts' website.

(4) The current enrollment of the school corporation or charter school disaggregated by student group and race.

(5) The school corporation's or charter school's high school graduation rate.

(6) The school corporation's or charter school's annual retention rate for teachers for the previous five (5) years.

SECTION 196. IC 20-46-9-6, AS AMENDED BY P.L.162-2024, SECTION 26, AND AS AMENDED BY P.L.156-2024, SECTION 30, IS CORRECTED AND AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 6. (a) Subject to this chapter, the governing body of a school corporation may adopt a resolution to place a referendum under this chapter on the ballot if the governing body of the school corporation determines that a referendum levy should be imposed for measures to improve school safety as described in IC 20-40-20-6(a) or IC 20-40-20-6(b).

(b) Except as provided in section 22 of this chapter, a school corporation may, with the approval of the majority of members of the governing body, distribute a portion of the proceeds of a tax levy collected under this chapter that is deposited in the fund to a charter school, excluding a virtual charter school, that is located within the attendance area of the school corporation, to be used by the charter school for the purposes described in IC 20-40-20-6(a).

(c) This subsection applies to a resolution described in subsection

(a) that is adopted after May 10, 2023, in a county described in section 22(a) of this chapter. A resolution shall specify that a portion of the proceeds of the proposed levy will be distributed to applicable charter schools in the manner described under section 22 of this chapter if the charter school voluntarily elects to participate in the referendum in the manner described in subsection (i).

(d) This subsection applies to a resolution described in subsection (a) that is adopted after May 10, 2023, in a county described in section 22(a) of this chapter. The resolution described in subsection (a) shall include a projection of the amount that the school corporation expects to be distributed to a particular charter school, excluding virtual charter schools or adult high schools, under section 22 of this chapter that elects to participate in the referendum under subsection (i). At least sixty (60) days before the resolution described in subsection (a) is voted on by the governing body, the school corporation shall contact the department to determine the number of students in kindergarten through grade 12 who have legal settlement in the school corporation but attend a charter school, excluding virtual charter schools or adult high schools, and who receive not more than fifty percent (50%) virtual instruction. The department shall provide the school corporation with the number of students with legal settlement in the school corporation who attend a charter school, which shall be disaggregated for each particular charter school, excluding a virtual charter school or adult high school. The projection may include an expected increase in charter schools during the term the levy is imposed. The department of local government finance shall prescribe the manner in which the projection shall be calculated. The governing body shall take into consideration the projection when adopting the revenue spending plan under subsection (g).

(e) The governing body of the school corporation shall certify a copy of the resolution to the following:

(1) The department of local government finance, including:

(A) the language for the question required by section 9 of this chapter, or in the case of a resolution to extend a referendum levy certified to the department of local government finance, section 10 of this chapter; and

(B) a copy of the revenue spending plan adopted under subsection (g).

The language of the public question must include the estimated average percentage increases certified by the county auditor under section 9(d) or 10(f) of this chapter, as applicable. The governing body of the school corporation shall also provide the county

auditor's certification described in section 9(d) or 10(f) of this chapter, as applicable. The department of local government finance shall post the values certified by the county auditor to the department's website. The department shall review the language for compliance with section 9 or 10 of this chapter, whichever is applicable, and either approve or reject the language. The department shall send its decision to the governing body of the school corporation not more than ten (10) days after *both the certification of the county auditor described in section 9(d) or 10(f) of this chapter, as applicable, and* the resolution ~~is~~ *are* submitted to the department. If the language is approved, the governing body of the school corporation shall certify a copy of the resolution, including the language for the question and the department's approval.

(2) The county fiscal body of each county in which the school corporation is located (for informational purposes only).

(3) The circuit court clerk of each county in which the school corporation is located.

(f) Except as provided in section 22 of this chapter, the resolution described in subsection (a) must indicate whether proceeds in the school corporation's fund collected from a tax levy under this chapter will be used to provide a distribution to a charter school or charter schools, excluding a virtual charter school, under IC 20-40-20-6(b) as well as the amount that will be distributed to the particular charter school or charter schools. A school corporation may request from the designated charter school or charter schools any financial documentation necessary to demonstrate the financial need of the charter school or charter schools.

(g) As part of the resolution described in subsection (a), the governing body of the school corporation shall adopt a revenue spending plan for the proposed referendum tax levy that includes:

(1) an estimate of the amount of annual revenue expected to be collected if a levy is imposed under this chapter;

(2) the specific purposes described in IC 20-40-20-6 for which the revenue collected from a levy imposed under this chapter will be used;

(3) an estimate of the annual dollar amounts that will be expended for each purpose described in subdivision (2); and

(4) for a resolution for a referendum that is adopted after May 10, 2023, for a county described in section 22(a) of this chapter, the projected revenue that shall be distributed to charter schools as provided in subsection (d). The revenue spending plan shall also

take into consideration deviations in the proposed revenue spending plan if the actual charter school distributions exceed or are lower than the projected charter school distributions described in subsection (d). The resolution shall include for each charter school that elects to participate under subsection (i) information described in subdivisions (1) through (3).

(h) A school corporation shall specify in its proposed budget the school corporation's revenue spending plan adopted under subsection (g) and annually present the revenue spending plan at its public hearing on the proposed budget under IC 6-1.1-17-3.

(i) This subsection applies to a resolution described in subsection (a) for a county described in section 22(a) of this chapter that is adopted after May 10, 2023. At least forty-five (45) days before the resolution described in subsection (a) is voted on by the governing body, the school corporation shall contact each charter school, excluding virtual charter schools or adult high schools, disclosed by the department to the school corporation under subsection (f) to determine whether the charter school will participate in the referendum. *The notice must include the total amount of the school corporation's expected need, the corresponding estimate of that amount divided by the number of students enrolled in the school corporation, and the date on which the governing body of the school corporation will vote on the resolution.* The charter school must respond in writing to the school corporation, *which may be by electronic mail addressed to the superintendent of the school corporation,* at least fifteen (15) days prior to the date that the resolution described in subsection (a) is to be voted on by the governing body. If the charter school elects to not participate in the referendum, the school corporation may exclude distributions to the charter school under section 22 of this chapter and from the projection described in subsection (d). If the charter school elects to participate in the referendum, the charter school may receive distributions under section 22 of this chapter and must be included in the projection described in subsection (d). In addition, a charter school that elects to participate in the referendum under this subsection shall contribute a proportionate share of the cost to conduct the referendum based on the total combined ADM of the school corporation and any participating charter schools.

(j) This subsection applies to a resolution described in subsection (a) for a county described in section 22(a) of this chapter that is adopted after May 10, 2023. At least thirty (30) days before the ~~*resolution described in subsection (a)*~~ *referendum submitted to the voters under this chapter* is voted on by the ~~*governing body,*~~ *public in*

a primary or general election, the school corporation that is pursuing the ~~*resolution*~~ *referendum* and any charter school that has elected to participate under subsection (i) shall post a referendum disclosure statement on each school's respective website that contains the following information:

(1) The salaries ~~*of all employees employed*~~ by *position within* the school corporation or charter school listed from highest salary to lowest salary *and a link to Gateway Indiana for access to individual salaries.*

(2) An acknowledgment that the school corporation or charter school is not committing any crime described in IC 35-44.1-1.

(3) A link to the school corporation's or charter school's most recent state board of accounts audit on the state board of accounts' website.

(4) The current enrollment of the school corporation or charter school disaggregated by student group and race.

(5) The school corporation's or charter school's high school graduation rate.

(6) The school corporation's or charter school's annual retention rate for teachers for the previous five (5) years.

SECTION 197. IC 20-51.4-2-4, AS AMENDED BY P.L.127-2024, SECTION 3, AND AS AMENDED BY P.L.162-2024, SECTION 28, IS CORRECTED AND AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 4. "Eligible student" refers to an individual who:

(1) has legal settlement in Indiana;

(2) is at least five (5) years of age and less than twenty-two (22) years of age ~~*on the date in the school year specified in IC 20-33-2-7;*~~ *on October 1 of the applicable school year;*

(3) is a student:

(A) with a disability at the time the account is established who requires special education and for whom:

~~*(A)*~~ *(i)* an individualized education program;

~~*(B)*~~ *(ii)* a service plan developed under 511 IAC 7-34; or

~~*(C)*~~ *(iii)* a choice special education plan developed under 511 IAC 7-49;

has been developed; ~~*and*~~ *or*

(B) who is a sibling of a student described in clause (A) who has had an ESA account established in the student's name under IC 20-51.4-4-1; and

(4) meets the annual income qualification requirement for a choice scholarship student under IC 20-51-1.

SECTION 198. IC 20-51.4-4-1, AS AMENDED BY P.L.127-2024, SECTION 5, AND AS AMENDED BY P.L.150-2024, SECTION 69, IS CORRECTED AND AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 1. (a) After June 30, 2022, a parent of an eligible student or an emancipated eligible student may establish an Indiana education scholarship account for the eligible student by entering into a written agreement with the treasurer of state on a form prepared by the treasurer of state. The treasurer of state shall establish a date by which an application to establish an ESA account for the upcoming school year must be submitted. However, for a school year beginning after July 1, 2022, applications must be submitted for an eligible student not later than September 1 for the immediately following school year. The ESA account of an eligible student shall be made in the name of the eligible student. The treasurer of state shall make the agreement available on the website of the treasurer of state. To be eligible, a parent of an eligible student or an emancipated eligible student wishing to participate in the ESA program must agree that:

(1) *subject to subsection (i),* a grant deposited in the eligible student's ESA account under section 2 of this chapter and any interest that may accrue in the ESA account will be used only for the eligible student's ESA qualified expenses;

(2) if the eligible student participates in the CSA program, a grant deposited in the eligible student's ESA account under IC 20-51.4-4.5-3 and any interest that may accrue in the ESA account will be used only for the eligible student's ESA qualified expenses;

(3) money in the ESA account when the ESA account is terminated reverts to the state general fund;

(4) the parent of the eligible student or the emancipated eligible student will use part of the money in the ESA account:

(A) for the eligible student's study in the subject of reading, grammar, mathematics, social studies, or science; or

(B) for use in accordance with the eligible student's:

(i) individualized education program;

(ii) service plan developed under 511 IAC 7-34;

(iii) choice special education plan developed under 511 IAC 7-49; or

(iv) plan developed under Section 504 of the federal Rehabilitation Act of 1973, 29 U.S.C. 794;

(5) the eligible student will not be enrolled in a school that receives tuition support under IC 20-43; and

(6) the eligible student will take the statewide *summative* assessment, as applicable based on the eligible student's grade level, as provided under IC 20-32-5.1, or the assessment specified in the eligible student's:

(A) individualized education program developed under IC 20-35;

(B) service plan developed under 511 IAC 7-34;

(C) choice special education plan developed under 511 IAC 7-49; or

(D) plan developed under Section 504 of the federal Rehabilitation Act of 1973, 29 U.S.C. 794.

(b) A parent of an eligible student may enter into a separate agreement under subsection (a) for each child of the parent. However, not more than one (1) ESA account may be established for each eligible student.

(c) The ESA account must be established under subsection (a) by a parent of an eligible student or an emancipated eligible student for a school year on or before a date established by the treasurer of state, which must be at least thirty (30) days before the fall count day of ADM established under IC 20-43-4-3. A parent of an eligible student or an emancipated eligible student may not enter into an agreement under this section or maintain an ESA account under this chapter if the eligible student receives a choice scholarship under IC 20-51-4 for the same school year. An eligible student may not receive a grant under section 2 of this chapter if the eligible student is currently included in a school corporation's ADM count under IC 20-43-4.

(d) Except as provided in subsections (e) and (f), an agreement made under this section is valid for one (1) school year while the eligible student is in kindergarten through grade 12 and may be renewed annually. Upon graduation, or receipt of a certificate of completion under the eligible student's individualized education program, the eligible student's ESA account is terminated.

(e) An agreement entered into under this section terminates automatically for an eligible student if:

(1) the eligible student no longer resides in Indiana while the eligible student is eligible to receive grants under section 2 of this chapter; or

(2) the ESA account is not renewed within three hundred ninety-five (395) days after the date the ESA account was either established or last renewed.

If an ESA account is terminated under this section, money in the eligible student's ESA account, including any interest accrued, reverts

to the state general fund.

(f) An agreement made under this section for an eligible student while the eligible student is in kindergarten through grade 12 may be terminated before the end of the school year if the parent of the eligible student or the emancipated eligible student notifies the treasurer of state in a manner specified by the treasurer of state.

(g) A distribution made to an ESA account under section 2 of this chapter is considered tax exempt as long as the distribution is used for an ESA qualified expense. The amount is subtracted from the definition of adjusted federal gross income under IC 6-3-1-3.5 to the extent the distribution used for the ESA qualified expense is included in the taxpayer's adjusted federal gross income under the Internal Revenue Code.

(h) The department shall establish a student test number as described in IC 20-19-3-9.4 for each eligible student. The treasurer of state shall provide the department information necessary for the department to comply with this subsection.

(i) A student described in IC 20-51.4-2-4(3)(B) may not use the money deposited into the eligible student's ESA account for ESA qualified expenses described in IC 20-51.4-2-9(a)(3), IC 20-51.4-2-9(a)(6), IC 20-51.4-2-9(a)(7), or IC 20-51.4-2-9(a)(9).

SECTION 199. IC 21-12-3-9, AS AMENDED BY P.L.10-2019, SECTION 92, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 9. (a) A higher education award for a student in a program leading to a baccalaureate degree may be renewed for a total of three (3) undergraduate academic years following the academic year of the first award or until an earlier time as the student receives a degree normally obtained in four (4) undergraduate academic years. A higher education award for a student in a program leading to a technical certificate or an undergraduate associate degree may be renewed for the number of academic years normally required to obtain a certificate or degree in the student's program. The commission may grant a renewal only upon application and only upon its finding that:

(1) the applicant has successfully completed the work of a preceding year;

(2) the applicant remains domiciled in Indiana;

(3) the recipient's financial situation continues to warrant an award, based on the financial requirements set forth in ~~section (1)(a)(3)~~ **section 1(a)(3)** of this chapter;

(4) the applicant is eligible under section 2 of this chapter;

(5) the student maintains satisfactory academic progress, as determined by the eligible institution; and

(6) beginning in an academic year beginning after August 31, 2017, the student successfully completes:

(A) at least twenty-four (24) credit hours or the equivalent during the last academic year in which the student received state financial aid; or

(B) at least twenty-four (24) credit hours or the equivalent during the last academic year in which the student was enrolled in a postsecondary educational institution.

(b) In determining eligibility under subsection (a)(6), the commission shall apply all the following types of credits regardless of whether the credits were completed during the last academic year described in subsection (a)(6)(A) or (a)(6)(B):

(1) Credits earned from dual credit, advanced placement, Cambridge International, and international baccalaureate courses.

(2) College credits earned during high school.

(3) Credits earned exceeding thirty (30) credit hours during a previous academic year in which a student received state financial aid.

SECTION 200. IC 21-12-6-5, AS AMENDED BY P.L.235-2023, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 5. (a) Unless a student qualifies under subsection (b), to qualify to participate in the program, a student must meet the following requirements:

(1) Be a resident of Indiana.

(2) Be:

(A) enrolled in grade 7 or 8 at a:

(i) public school; or

(ii) nonpublic school that is accredited either by the Indiana state board of education or by a national or regional accrediting agency whose accreditation is accepted as a school improvement plan under IC 20-31-4.1-2; or

(B) otherwise qualified under the rules of the commission that are adopted under IC 21-18.5-4-9(2) to include students who are in grades other than grade 8 as eligible students.

(3) Be a member of a household with an annual income of not more than the amount required for the individual to qualify for free or reduced ~~priced~~ **price** lunches under the national school lunch program, as determined for the immediately preceding taxable year for the household for which the student was claimed as a dependent.

(4) Agree that the student will:

(A) graduate from a secondary school located in Indiana that

meets the admission criteria of an eligible institution;

(B) not illegally use controlled substances (as defined in IC 35-48-1-9);

(C) not commit a crime or an infraction described in IC 9-30-5;

(D) not commit any other crime or delinquent act (as described in IC 31-37-1-2 or IC 31-37-2-2 through IC 31-37-2-5 (or IC 31-6-4-1(a)(1) through IC 31-6-4-1(a)(5) before their repeal));

(E) timely apply, when the eligible student is a senior in high school:

(i) for admission to an eligible institution; and

(ii) for any federal and state student financial assistance available to the eligible student to attend an eligible institution;

(F) achieve a cumulative grade point average upon graduation of:

(i) at least 2.0, if the student graduates from high school before July 1, 2014; and

(ii) at least 2.5, if the student graduates from high school after June 30, 2014;

on a 4.0 grading scale (or its equivalent if another grading scale is used) for courses taken during grades 9, 10, 11, and 12; and

(G) complete an academic success program required under the rules adopted by the commission, if the student initially enrolls in high school after June 30, 2013.

(b) A student qualifies to participate in the program if the student:

(1) before or during grade 7 or grade 8, is placed by or with the consent of the department of child services, by a court order, or by a child placing agency in:

(A) a foster family home;

(B) the home of a relative or other unlicensed caretaker;

(C) a child caring institution; or

(D) a group home;

(2) meets the requirements in subsection (a)(1) through (a)(2); and

(3) agrees in writing, together with the student's caseworker (as defined in IC 31-9-2-11) or legal guardian, to the conditions set forth in subsection (a)(4).

(c) The commission may require that an applicant apply electronically to participate in the program using an online Internet

application on the commission's website.

SECTION 201. IC 21-16-5-1.5, AS AMENDED BY P.L.42-2024, SECTION 143, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 1.5. (a) The board of directors of the nonprofit corporation is composed of nine (9) members. The members must be appointed as follows:

(1) Five (5) members appointed by the governor.

(2) One (1) member appointed by the president pro tempore of the senate.

(3) One (1) member appointed by the minority leader of the senate.

(4) One (1) member appointed by the speaker of the house of representatives.

(5) One (1) member appointed by the minority leader of the house of representatives.

(b) None of the members appointed to the board may be members of the general assembly. Not more than five (5) members may belong to the same political party. Members serve at the pleasure of the appointing authority.

(c) The board shall elect from among its members a chair and vice chair.

(d) Five (5) members ~~constitutes~~ **constitute** a quorum for the transaction of business. An affirmative vote of at least five (5) members is necessary for the board to take action. Members of the board may not vote by proxy.

(e) Meetings of the board shall be held at the call of the chair or whenever any five (5) voting members request a meeting. The members shall meet at least once every three (3) months to attend to the business of the corporation.

(f) Each member of the ~~commission~~ **board** who is not a state employee is entitled to:

(1) a salary per diem for attending meetings equal to the per diem provided by law for members of the general assembly; and

(2) reimbursement for mileage and traveling expenses as provided under IC 4-13-1-4, and other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.

(g) Each member of the ~~commission~~ **board** who is a state employee is entitled to reimbursement for traveling expenses as provided under IC 4-13-1-4 and other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures

established by the Indiana department of administration and approved by the budget agency.

(h) The corporation shall pay expenses incurred under subsections **(f) and** (g) ~~and (h)~~ from the revenues of the corporation.

(i) The corporation shall provide staff support to the board.

SECTION 202. IC 21-30-7-1.8 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: **Sec. 1.8. As used in this chapter, "commission" means the commission for higher education of the state of Indiana established under IC 21-18-2.**

SECTION 203. IC 21-40-1-6, AS ADDED BY P.L.2-2007, SECTION 281, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 6. "Documentation of exemption" means a form that:

(1) is acceptable to a state educational institution; and

(2) indicates the circumstances as described in IC 21-40-5-4 and IC 21-40-5-6 entitling the student to an exemption from the requirements in ~~sections~~ IC 21-40-5-2 and IC 21-40-5-3.

SECTION 204. IC 22-2-18.1-16, AS AMENDED BY P.L.133-2024, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 16. (a) Except as provided in subsections (b) and (c), sections 17 and 22 of this chapter apply only to the employment of a minor who is less than sixteen (16) years of age.

(b) Sections 17 and 22 of this chapter do not apply to the following:

(1) A minor who is at least fourteen (14) years of age but less than sixteen (16) years of age who:

(A) performs:

(i) farm labor; or

(ii) domestic service;

(B) acts as a caddie for a person playing the game of golf; or

(C) is employed to perform sports-attending services at professional sporting events as set forth in 29 CFR 570.35(c)(2).

(2) A minor who is:

(A) at least twelve (12) years of age but less than sixteen (16) years of age; and

(B) employed or works as a youth athletic program referee, umpire, or official under section 13 of this chapter.

(c) Sections 12(b), 17(2)(A), 17(2)(B), and 22 of this chapter do not apply to a minor who is at least fourteen (14) years of age and less than sixteen (16) years of age who:

(1) has graduated from high school;

(2) has completed grade 8, **who** is excused from the compulsory school attendance requirements, and whose parent submits a statement in accordance with subsection (d);

(3) has a child to support, **who** is excused from the compulsory school attendance requirements, and whose parent submits a statement in accordance with subsection (d);

(4) is subject to an order issued by a court that has jurisdiction over the minor that prohibits the minor from attending school; or

(5) has been expelled from school and is not required to attend an alternative school or an alternative educational program.

(d) To qualify for an exemption under subsection (c)(2) or (c)(3), the minor's parent must submit to the minor's current or prospective employer:

(1) a signed statement from the parent declaring that the minor has been excused from the compulsory school attendance requirements; and

(2) proof supporting the statement made under subdivision (1).

SECTION 205. IC 22-12-6-15, AS AMENDED BY P.L.187-2021, SECTION 72, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 15. (a) As used in this section, "credit card" means a bank card, debit card, charge card, prepaid card, or other similar device used for payment.

(b) In addition to other methods of payment allowed by law, the department may accept payment by credit card for certifications, licenses, and fees, and other amounts payable to the following:

(1) The department.

(2) The fire prevention and building safety commission.

(3) The Indiana homeland security foundation **(before its repeal).**

(c) The department may enter into appropriate agreements with banks or other organizations authorized to do business in Indiana to enable the department to accept payment by credit card.

(d) The department may recognize net amounts remitted by the bank or other organization as payment in full of amounts due the department.

(e) The department may pay any applicable credit card service charge or fee.

SECTION 206. IC 24-4-23-1, AS ADDED BY P.L.98-2024, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 1. **As used in this chapter,** "adult oriented website" means a publicly accessible website that publishes material harmful to minors, if at least one-third (1/3) of the images and videos published on the website depict material harmful to minors.

SECTION 207. IC 24-4-23-2, AS ADDED BY P.L.98-2024,

SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 2. **As used in this chapter,** "adult oriented website operator" means a person that owns or operates an adult oriented website. The term does not include the following:

(1) A newspaper or news service that publishes news related information through a website.

(2) A cloud service provider.

(3) An Internet provider, an affiliate or subsidiary of an Internet provider, or a search engine that:

(A) solely provides access or connection to a website or other Internet content that is not under the control of that Internet service provider, affiliate or subsidiary, or search engine; and

(B) is not responsible for creating or publishing the content that constitutes material harmful to minors.

SECTION 208. IC 24-4-23-3, AS ADDED BY P.L.98-2024, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 3. **As used in this chapter,** "material harmful to minors" means matter or a performance described in IC 35-49-2-2.

SECTION 209. IC 24-4-23-4, AS ADDED BY P.L.98-2024, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 4. **As used in this chapter,** "minor" means a person less than eighteen (18) years of age.

SECTION 210. IC 24-4-23-5, AS ADDED BY P.L.98-2024, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 5. **As used in this chapter,** "mobile credential" has the meaning set forth in IC 9-13-2-103.4.

SECTION 211. IC 24-4-23-6, AS ADDED BY P.L.98-2024, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 6. **As used in this chapter,** "person" means a human being, a corporation, a limited liability company, a partnership, an unincorporated association, or a governmental entity.

SECTION 212. IC 24-4-23-7, AS ADDED BY P.L.98-2024, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 7. **As used in this chapter,** "reasonable age verification method" means a method of determining that an individual seeking to access a website containing material harmful to minors is not a minor by using one (1) or more of the following methods:

(1) A mobile credential.

(2) An independent third party age verification service that compares the identifying information entered by the individual who is seeking access with material that is available from a commercially available data base, or an aggregate of data bases,

that is regularly used by government agencies and businesses for the purpose of age and identity verification.

(3) Any commercially reasonable method that relies on public or private transactional data to verify the age of the individual attempting to access the material.

SECTION 213. IC 24-4-23-8, AS ADDED BY P.L.98-2024, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 8. **As used in this chapter,** "transactional data" means a sequence of information that documents an exchange, agreement, or transfer between an individual, commercial entity, or third party used for the purpose of satisfying a request or event. The term includes records that relate to a mortgage, education, or employment.

SECTION 214. IC 24-4-23-9, AS ADDED BY P.L.98-2024, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 9. **As used in this chapter,** "verification information" means all information, data, and documents provided by an individual for the purposes of verification of identity or age under this chapter.

SECTION 215. IC 25-23.6-8-1, AS AMENDED BY P.L.177-2009, SECTION 46, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 1. An individual who applies for a license as a marriage and family therapist must meet the following requirements:

(1) Furnish satisfactory evidence to the board that the individual has:

(A) received a master's or doctor's degree in marriage and family therapy, or in a related area as determined by the board from an eligible postsecondary educational institution that meets the requirements under section 2.1(a)(1) of this chapter or from a foreign school that has a program of study that meets the requirements under section 2.1(a)(2) or ~~(2.1)(a)(3)~~ **2.1(a)(3)** of this chapter; and

(B) completed the educational requirements under section 2.5 of this chapter.

(2) Furnish satisfactory evidence to the board that the individual has met the clinical experience requirements under section 2.7 of this chapter.

(3) Furnish satisfactory evidence to the board that the individual:

(A) except as provided in section 1.7 of this chapter, holds a marriage and family therapist associate license, in good standing, issued under section 5 of this chapter; or

(B) is licensed or certified to practice as a marriage and family

therapist in another state and is otherwise qualified under this chapter.

(4) Furnish satisfactory evidence to the board that the individual does not have a conviction for a crime that has a direct bearing on the individual's ability to practice competently.

(5) Furnish satisfactory evidence to the board that the individual has not been the subject of a disciplinary action by a licensing or certification agency of another state or jurisdiction on the grounds that the individual was not able to practice as a marriage and family therapist without endangering the public.

(6) Pay the fee established by the board.

SECTION 216. IC 25-23.6-8-2.7, AS AMENDED BY P.L.83-2024, SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 2.7. (a) For purposes of this section, "virtual supervision" means supervision of an applicant for a license as a marriage and family therapist by a qualified supervisor through an electronic platform that provides for synchronous visual and audio interaction in real time, and which is compliant with the federal Health Insurance Portability and Accountability Act (HIPAA). Virtual supervision does not include telephone calls, electronic mail, or text messages.

(b) As used in this section, "first available examination" means the first examination:

(1) after the date of an individual's:

(A) graduation; or

(B) moving into Indiana;

that has an application deadline that is at least thirty (30) days after the date of graduation or the date of moving into Indiana, unless the individual chooses to meet a deadline that is less than thirty (30) days after either of those events; or

(2) during the individual's last academic semester, trimester, or quarter, if the individual is eligible to take the exam pursuant to section 3 of this chapter.

(c) An applicant for a license as a marriage and family therapist under section 1 of this chapter must have at least two (2) years of postdegree clinical experience, during which at least fifty percent (50%) of the applicant's clients were receiving marriage and family therapy services. The applicant's clinical experience must include one thousand (1,000) hours of postdegree clinical experience and two hundred (200) hours of postdegree clinical supervision, of which one hundred (100) hours must be individual supervision, under the supervision of a licensed marriage and family therapist who has at least

five (5) years of experience or an equivalent supervisor, as determined by the board.

(d) If an individual applies for, takes, and passes the first available examination, the individual may not count more than five hundred (500) hours of the postdegree clinical experience that is:

(1) required under subsection (c); and

(2) accumulated before taking the examination toward licensure as a marriage and family therapist.

(e) If an individual does not pass the first available examination, the individual may:

(1) retain the hours accumulated before taking the examination;

(2) continue working; and

(3) not accumulate any additional hours toward licensure as a marriage and family therapist until passing the examination.

(f) If an individual does not take the first available examination, the individual may not begin accumulating any postdegree clinical experience hours toward licensure as a marriage and family therapist until the individual passes the examination.

(g) When obtaining the clinical experience required under subsection (c), the applicant must provide direct individual, group, and family therapy and counseling to the following categories of cases:

(1) Unmarried romantic relationships and relational systems.

(2) Married couples.

(3) Separating or divorcing couples.

(4) Family systems and groupings, including children and minors.

(h) A doctoral internship may be applied toward the supervised work experience requirement.

(i) Except as provided in subsection (j), the experience requirement may be met by work performed at or away from the premises of the supervising marriage and family therapist.

~~(i)~~ (j) Except as provided in subsection (k), the work requirement may not be performed away from the supervising marriage and family therapist's premises if:

(1) the work is the independent private practice of marriage and family therapy; and

(2) the work is not performed at a place that has the supervision of a licensed marriage and family therapist or an equivalent supervisor, as determined by the board.

(k) Up to one hundred percent (100%) of the supervised postdegree clinical experience hours required under subsection (c) may be accounted for through virtual supervision by a licensed marriage and family therapist or equivalent supervisor described in subsection (c).

SECTION 217. IC 25-24-1-3.2, AS AMENDED BY P.L.157-2006, SECTION 64, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 3.2. (a) Notwithstanding section 3 of this chapter, the board may issue or renew a limited license to practice optometry at the Indiana University School of Optometry if the applicant:

(1) holds an active license in another jurisdiction; and

(2) meets the continuing education requirements under section 14.1 of this chapter.

(b) A limited license issued under this section is valid for two (2) years.

(c) A limited license issued under this section does not allow the holder of the license to be granted or have renewed a certificate to administer, dispense, or prescribe legend drugs unless the holder of the license meets the requirements of IC 25-24-3-12, IC 25-24-3-13, and ~~IC 25-23-3-15.~~ **IC 25-24-3-15.**

SECTION 218. IC 25-40-1-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 5. "Employee assistance professional" means an individual who:

(1) practices the employee assistance profession by providing workplace based services designed to address employer and employee productivity issues;

(2) practices the employee assistance profession by assisting employees and dependents of the employees with identifying and finding the means to resolve personal problems that affect the employee or the performance of the employee, not to include services provided by licensed mental health professionals; and

(3) is:

(A) a certified employee assistance professional; or

(B) experienced and trained in providing the services described in subdivisions (1) through (2), including the subjects described in ~~IC 24-40-2-1(1)~~ **IC 25-40-2-1(1)** through ~~IC 24-40-2-1(5).~~ **IC 25-40-2-1(5).**

SECTION 219. IC 26-1-2-326 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 326. (1) Unless otherwise agreed, if delivered goods may be returned by the buyer even though they conform to the contract, the transaction is:

(a) a "sale on approval" if the goods are delivered primarily for use; and

(b) a "sale or return" if the goods are delivered primarily for resale.

(2) Goods held on approval are not subject to the claims of the buyer's creditors until acceptance. Goods held on sale or return are

subject to such claims while in the buyer's possession.

(3) Any "or return" term of a contract for sale is to be treated as a separate contract for sale within the statute of frauds section ~~(IC 26-2-2-201)~~ **(IC 26-1-2-201)** and as contradicting the sale aspect of the contract within the provisions of IC 26-1-2-202 on parol or extrinsic evidence.

SECTION 220. IC 28-1-3.1-18 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 18. Upon presentation of the articles of dissolution as provided in section 17 of this chapter, the secretary of state shall:

(1) endorse ~~his~~ **the secretary of state's** approval upon each of the triplicate copies of the articles if ~~he~~ **the secretary of state** finds that they conform to law; **and**

(2) when all fees have been paid as required by law:

(A) file one (1) copy of the articles in ~~his~~ **the secretary of state's** office;

(B) issue a certificate of dissolution to the department; and

(C) return the certificate of dissolution to the department, together with two (2) copies of the articles of dissolution bearing the endorsement of ~~his~~ **the secretary of state's** approval.

SECTION 221. IC 28-8-4.1-1203, AS ADDED BY P.L.198-2023, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 1203. (a) A person licensed in Indiana to engage in the business of money transmission under ~~IC 24-8-4~~ **IC 28-8-4** (before its repeal on January 1, 2024) is not subject to the provisions of this chapter, to the extent that the provisions of this chapter:

(1) conflict with ~~IC 24-8-4~~ **IC 28-8-4** (before its repeal on January 1, 2024); or

(2) establish new requirements not imposed under ~~IC 24-8-4~~ **IC 28-8-4** (before its repeal on January 1, 2024);

until after December 31, 2023.

(b) Notwithstanding subsection (a), a person licensed in Indiana to engage in the business of money transmission under ~~IC 24-8-4~~ **IC 28-8-4** (before its repeal on January 1, 2024) shall be required to amend its authorized delegated contracts so that such contracts comply with this chapter only with respect to contracts entered into or amended after December 31, 2023.

(c) Nothing in this section shall be construed as limiting an authorized delegate's obligations to operate in full compliance with this chapter, as required by section 801(c) of this chapter, after December 31, 2023.

SECTION 222. IC 29-1-7-16.5, AS ADDED BY P.L.38-2023, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 16.5. (a) A testator or a testator's agent at the testator's direction may send a written notice under this section to the following:

(1) Any person named as a beneficiary in the testator's will.

(2) Any person who would be entitled to inherit from the testator under IC 29-1-2-1 if the testator died intestate on the date the notice is received.

(3) Any person who the testator wishes to bar from contesting the validity of the testator's will under this chapter.

(b) If a testator's will includes a provision exercising a power of appointment, the testator or the testator's agent acting at the testator's direction may send a written notice that complies with this section to the following:

(1) Any person named in the exercise of the power of appointment as a beneficiary.

(2) Any person who would be entitled to receive property for which the testator exercises the power of appointment if the testator failed to validly exercise the power of appointment.

(3) A trustee of a trust holding property subject to the power of appointment.

(4) A person the testator wishes to be bound to the validity of the exercise of the power of appointment under the testator's will.

(c) A testator or a testator's agent must send a written notice under this section to a recipient described in subsection (a) in accordance with Rules 4.1 through 4.6 of the Indiana Rules of Trial Procedure.

(d) A written notice under this section must include the following:

(1) A copy of the testator's will.

(2) The name and address of each person to whom the testator has sent the written notice.

(e) A person who wishes to contest the validity of the will must file a proceeding to contest the will within ninety (90) days after the receipt of the notice, unless the testator dies before the ninety (90) day period has elapsed.

(f) Transmission of notice under this section to a recipient at the recipient's last known address is prima facie evidence that notice was received, unless controverted by competent evidence to the contrary. A person is deemed to have received a written notice under this section if the written notice was sent to any person who under IC 29-1-1-20 may represent and bind that person.

(g) A person who receives a written notice under this section and

wishes to contest the will or the testator's exercise of a power of appointment must file a proceeding in the court that would have subject matter jurisdiction of the testator's will, as a separate cause of action, not later than ninety (90) days after the person's receipt of the written notice.

(h) A proceeding to contest filed under subsection (g) must name the following persons, if the persons exist or are living, as party defendants:

(1) The testator.

(2) The testator's spouse.

(3) Any person who would be entitled to inherit under IC 29-1-2-1 if the testator died intestate on the date of the written notice sent under this section.

(4) Beneficiaries named or who are ~~discernable~~ **discernible** as part of a class identified in the will.

(5) The primary personal representative nominated in the will.

(6) Any person who was sent a written notice under this section.

(i) A proceeding filed under subsection (g) must allege at least one (1) of the following:

(1) The will does not meet the requirements for the execution of a valid will under IC 29-1-5-3 or IC 29-1-21-4.

(2) The testator was of unsound mind at the time the will was executed.

(3) The will was unduly executed.

(4) The will was executed under duress or was obtained by fraud.

(5) Any other objection to the validity of the will, the probate of the will, or the testator's exercise of a power of appointment.

(j) If:

(1) a testator resided in Indiana at the time of death;

(2) a notice sent under subsection (c) was received by a person;

(3) ninety (90) days or more have passed after the person received the notice before the testator's death; and

(4) the person did not file a will contest under this section within ninety (90) days after the person's receipt of the notice;

that person is barred from filing a proceeding under section 17 of this chapter or under this section. That person may not seek relief as a co-plaintiff or intervenor in a proceeding commenced by another person under section 17 of this chapter or this section.

(k) If the testator dies before the end of the ninety (90) day period under subsection (e), the bar and limitation set forth under subsection (g) do not apply to the testator's will that was disclosed under subsection (d), and section 17 of this chapter applies to a will contest

after the entry of an order admitting a will of the testator to probate.

(l) If the ninety (90) day period described in subsection (e) has not expired as of the date of the death of the testator, the bar and limitation under subsection (g) do not apply to the testator's will that was disclosed in the written notice.

(m) The failure of a testator to use the procedures or adhere to the requirements of this section may not be offered or cited as evidence that a will is not valid.

(n) Nothing in this section precludes a testator who provides a written notice under this section from executing a later will or codicil, but the written notice sent with respect to an earlier will or a proceeding under this section has no effect on a determination of the validity of the later will or codicil.

(o) Nothing in this section shall be construed as abrogating the right or cutting short the time period for a spouse to seek an elective share under IC 29-1-3-1.

SECTION 223. IC 31-27-2-4, AS AMENDED BY P.L.93-2024, SECTION 204, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 4. (a) The department shall adopt rules under IC 4-22-2 concerning the licensing and inspection of:

(1) child caring institutions, foster family homes, group homes, and child placing agencies after consultation with the: ~~following:~~

(A) Indiana department of health; **and**

(B) fire prevention and building safety commission; and

(2) child caring institutions and group homes that are licensed for infants and toddlers after consultation with the division of family resources.

(b) The rules adopted under subsection (a) shall be applied by the department and state fire marshal in the licensing and inspection of applicants for a license and licensees under this article.

(c) The rules adopted under IC 4-22-2 must establish minimum standards for the care and treatment of children in a secure private facility.

(d) The rules described in subsection (c) must include standards governing the following:

(1) Admission criteria.

(2) General physical and environmental conditions.

(3) Services and programs to be provided to confined children.

(4) Procedures for ongoing monitoring and discharge planning.

(5) Procedures for the care and control of confined persons that are necessary to ensure the health, safety, and treatment of confined children.

(e) The department shall license a facility as a secure private facility if the facility:

(1) meets the minimum standards required under subsection (c);

(2) provides a continuum of care and services; and

(3) is licensed under IC 31-27-3.

(f) A waiver of the rules may not be granted for treatment and reporting requirements.

SECTION 224. IC 33-38-9.5-2.5, AS ADDED BY P.L.42-2024, SECTION 154, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 2.5. (a) Except as provided in subsection (e), a member of the advisory council is not entitled to the minimum salary per diem provided by IC 4-10-11-2.1(b).

(b) A member of the advisory council who is a state employee is entitled to reimbursement for traveling expenses as provided under IC 4-13-1-4 and other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.

(c) A member of the advisory council who is not a state employee is entitled to reimbursement for mileage, traveling expenses as provided under IC 4-13-1-4, and other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.

(d) Except as provided in subsection (e), the expenses of the advisory council shall be paid by the office of judicial administration from funds appropriated to the office of judicial administration for the administrative costs of the ~~justice reinvestment~~ advisory council.

(e) Each member of the advisory council who is a member of the general assembly is entitled to receive the same per diem, mileage, and travel allowances paid to legislative members of interim study committees established by the legislative council. Per diem, mileage, and travel allowances paid under this subsection shall be paid from appropriations made to the legislative council or the legislative services agency.

SECTION 225. IC 33-40-6-5, AS AMENDED BY P.L.111-2024, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 5. (a) As used in this section, "commission" means the Indiana commission on court appointed attorneys established by IC 33-40-5-2.

(b) Except as provided under section 6 of this chapter, upon certification by a county auditor and a determination by the

commission that the request is in compliance with the guidelines and standards set by the commission, the commission shall quarterly authorize an amount of reimbursement due the county or multicounty public defender's office:

(1) that is equal to fifty percent (50%) of the county's or multicounty public defender's office's certified expenditures for indigent defense services provided for a defendant against whom the death sentence is sought under IC 35-50-2-9; and

(2) except as provided in subsection (c), that is equal to forty percent (40%) of the county's or multicounty public defender's office's certified expenditures for defense services provided in noncapital cases except misdemeanors.

The commission shall then certify to the state comptroller the amount of reimbursement owed to a county or multicounty public defender's office under this chapter.

(c) This subsection applies to a county that is one (1) of up to twelve (12) counties that shall be selected by the ~~Indiana~~ commission ~~on court appointed attorneys~~ based on population and geographic diversity. Upon certification by a county auditor and a determination by the commission that the request is in compliance with the guidelines and standards set by the commission, the commission may quarterly authorize an amount of reimbursement due the county or multicounty public defender's office that is up to forty percent (40%) of the county's or multicounty public defender's office's certified expenditures for defense services provided in misdemeanor cases. This subsection expires June 30, 2029.

(d) The ~~Indiana~~ commission ~~on court appointed attorneys~~ may substitute a county described in subsection (c) with a county with similar population and geographic characteristics if the county described in subsection (c) declines to participate in the misdemeanor reimbursement. If a county is substituted under this subsection, the commission shall publish on its website the replacement county.

(e) Upon receiving certification from the commission, the state comptroller shall issue a warrant to the treasurer of state for disbursement to the county or multicounty public defender's office of the amount certified.

(f) The commission shall include in its report under IC 33-40-5-4(a)(5) information regarding requested reimbursements and amounts certified for reimbursements to each county or multicounty public defender's office under subsections (b) and (c).

SECTION 226. IC 34-13-3-2.3, AS ADDED BY P.L.6-2018, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

JULY 1, 2025]: Sec. 2.3. This chapter applies to a claim or suit in tort against the following:

(1) The host committee for the NCSL 2020 Legislative Summit established under IC 2-5-41-7 **(expired).**

(2) A member of the host committee.

(3) The state coordinator of the host committee.

SECTION 227. IC 34-13-3-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 7. (a) An offender must file an administrative claim with the department of correction to recover compensation for the loss of the offender's personal property alleged to have occurred during the offender's confinement as a result of an act or omission of the department or any of its agents, former officers, employees, or contractors. A claim must be filed within one hundred eighty (180) days after the date of the alleged loss.

(b) The department of correction shall evaluate each claim filed under subsection (a) and determine the amount due, if any. If the amount due is not more than five thousand dollars ($5,000), the department shall approve the claim for payment and recommend to the office of the attorney general payment under subsection (c). The department shall submit all claims in which the amount due exceeds five thousand dollars ($5,000), with any recommendation the department considers appropriate, to the office of the attorney general. The attorney general, in acting upon the claim, shall consider recommendations of the department to determine whether to deny the claim or recommend the claim to the governor for approval of payment.

(c) Payment of claims under this section shall be made in the same manner as payment of claims under ~~IC 34-4-16.5-22.~~ **sections 24 and 25 of this chapter.**

(d) The department of correction shall adopt rules under IC 4-22-2 necessary to carry out this section.

SECTION 228. IC 34-30-2.1-525.2 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: **Sec. 525.2. IC 32-21-16.5-6 (Concerning a homeowner for nullifying an agreement with an unlicensed real estate solicitor).**

SECTION 229. IC 35-31.5-2-10, AS AMENDED BY P.L.109-2015, SECTION 50, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 10. "Advisory sentence", for purposes of ~~IC 35-50-1-2,~~ IC 35-50-2 and this chapter, has the meaning set forth in IC 35-50-2-1.3.

SECTION 230. IC 35-47-2-3, AS AMENDED BY P.L.9-2024, SECTION 538, IS AMENDED TO READ AS FOLLOWS

[EFFECTIVE JULY 1, 2025]: Sec. 3. (a) A person who is at least eighteen (18) years of age and is not otherwise prohibited from carrying or possessing a handgun under state or federal law is not required to obtain or possess a license or permit from the state to carry a handgun in Indiana. A person who wishes to carry a firearm in another state under a reciprocity agreement entered into by this state and another state may obtain a license to carry a handgun in Indiana under this chapter by applying as follows:

(1) If the applicant is a resident of this state:

(A) to the chief of police or corresponding law enforcement officer of the municipality in which the applicant resides; or

(B) if that municipality has no such officer, or if the applicant does not reside in a municipality, to the sheriff of the county in which the applicant resides after the applicant has obtained an application form prescribed by the superintendent.

(2) If the applicant is a resident of another state and has a regular place of business or employment in Indiana, to the sheriff of the county in which the applicant has a regular place of business or employment.

The superintendent and local law enforcement agencies shall allow an applicant desiring to obtain or renew a license to carry a handgun to submit an application electronically under this chapter if funds are available to establish and maintain an electronic application system.

(b) This subsection applies before July 1, 2020. The law enforcement agency which accepts an application for a handgun license shall collect the following application fees:

(1) From a person applying for a four (4) year handgun license, a ten dollar ($10) application fee, five dollars ($5) of which shall be refunded if the license is not issued.

(2) From a person applying for a lifetime handgun license who does not currently possess a valid Indiana handgun license, a fifty dollar ($50) application fee, thirty dollars ($30) of which shall be refunded if the license is not issued.

(3) From a person applying for a lifetime handgun license who currently possesses a valid Indiana handgun license, a forty dollar ($40) application fee, thirty dollars ($30) of which shall be refunded if the license is not issued.

Except as provided in subsection (j), the fee shall be deposited into the law enforcement agency's firearms training fund or other appropriate training activities fund and used by the agency to train law enforcement officers in the proper use of firearms or in other law enforcement duties, or to purchase firearms, firearm related equipment, or body

armor (as defined in IC 35-47-5-13(a)) for the law enforcement officers employed by the law enforcement agency. The state board of accounts shall establish rules for the proper accounting and expenditure of funds collected under this subsection.

(c) This subsection applies after June 30, 2020, and before July 1, 2021. The law enforcement agency which accepts an application for a handgun license shall not collect a fee from a person applying for a five (5) year handgun license and shall collect the following application fees:

(1) From a person applying for a lifetime handgun license who does not currently possess a valid Indiana handgun license, a fifty dollar ($50) application fee, thirty dollars ($30) of which shall be refunded if the license is not issued.

(2) From a person applying for a lifetime handgun license who currently possesses a valid Indiana handgun license, a forty dollar ($40) application fee, thirty dollars ($30) of which shall be refunded if the license is not issued.

Except as provided in subsection (j), the fee shall be deposited into the law enforcement agency's firearms training fund or other appropriate training activities fund and used by the agency to train law enforcement officers in the proper use of firearms or in other law enforcement duties, or to purchase firearms, firearm related equipment, or body armor (as defined in IC 35-47-5-13(a)) for the law enforcement officers employed by the law enforcement agency. The state board of accounts shall establish rules for the proper accounting and expenditure of funds collected under this subsection.

(d) This subsection applies after June 30, 2021. The law enforcement agency which accepts an application for a handgun license shall not collect a fee from a person applying for a handgun license.

(e) The officer to whom the application is made shall ascertain the applicant's name, full address, length of residence in the community, whether the applicant's residence is located within the limits of any city or town, the applicant's occupation, place of business or employment, criminal record, if any, and convictions (minor traffic offenses excepted), age, race, sex, nationality, date of birth, citizenship, height, weight, build, color of hair, color of eyes, scars and marks, whether the applicant has previously held an Indiana license to carry a handgun and, if so, the serial number of the license and year issued, whether the applicant's license has ever been suspended or revoked, and if so, the year and reason for the suspension or revocation, and the applicant's reason for desiring a license. If the applicant is not a United States citizen, the officer to whom the application is made shall ascertain the

applicant's country of citizenship, place of birth, and any alien or admission number issued by the United States Citizenship and Immigration Services or United States Customs and Border Protection or any successor agency as applicable. The officer to whom the application is made shall conduct an investigation into the applicant's official records and verify thereby the applicant's character and reputation, and shall in addition verify for accuracy the information contained in the application, and shall forward this information together with the officer's recommendation for approval or disapproval and one (1) set of legible and classifiable fingerprints of the applicant to the superintendent. An investigation conducted under this section must include the consulting of available local, state, and federal criminal history data banks, including the National Instant Criminal Background Check System (NICS), to determine whether possession of a firearm by an applicant would be a violation of state or federal law.

(f) The superintendent may make whatever further investigation the superintendent deems necessary. Whenever disapproval is recommended, the officer to whom the application is made shall provide the superintendent and the applicant with the officer's complete and specific reasons, in writing, for the recommendation of disapproval.

(g) If it appears to the superintendent that the applicant:

(1) has a proper reason for receiving a license to carry a handgun;

(2) is of good character and reputation;

(3) is a proper person to be licensed; and

(4) is:

(A) a citizen of the United States; or

(B) not a citizen of the United States but is allowed to carry a firearm in the United States under federal law;

the superintendent shall issue to the applicant a license to carry a handgun in Indiana. The original license shall be delivered to the licensee. A copy shall be delivered to the officer to whom the application for license was made. A copy shall be retained by the superintendent for at least five (5) years in the case of a five (5) year license. The superintendent may adopt guidelines to establish a records retention policy for a lifetime license. A five (5) year license shall be valid for a period of five (5) years from the date of issue. A lifetime license is valid for the life of the individual receiving the license. The license of police officers, sheriffs or their deputies, and law enforcement officers of the United States government who have twenty (20) or more years of service shall be valid for the life of these individuals. However, a lifetime license is automatically revoked if the

license holder does not remain a proper person.

(h) At the time a license is issued and delivered to a licensee under subsection (g), the superintendent shall include with the license information concerning firearms safety rules that:

(1) neither opposes nor supports an individual's right to bear arms; and

(2) is:

(A) recommended by a nonprofit educational organization that is dedicated to providing education on safe handling and use of firearms;

(B) prepared by the state police department; and

(C) approved by the superintendent.

The superintendent may not deny a license under this section because the information required under this subsection is unavailable at the time the superintendent would otherwise issue a license. The state police department may accept private donations or grants to defray the cost of printing and mailing the information required under this subsection.

(i) A license to carry a handgun shall not be issued to any person who:

(1) has been convicted of a felony;

(2) has had a license to carry a handgun suspended, unless the person's license has been reinstated;

(3) is under eighteen (18) years of age;

(4) is under twenty-three (23) years of age if the person has been adjudicated a delinquent child for an act that would be a felony if committed by an adult;

(5) has been arrested for a Class A or Class B felony for an offense committed before July 1, 2014, for a Level 1, Level 2, Level 3, or Level 4 felony for an offense committed after June 30, 2014, or any other felony that was committed while armed with a deadly weapon or that involved the use of violence, if a court has found probable cause to believe that the person committed the offense charged;

(6) is prohibited by federal law from possessing or receiving firearms under 18 U.S.C. 922(g); or

(7) is described in section 1.5 of this chapter, unless exempted by section 1.5 of this chapter.

In the case of an arrest under subdivision (5), a license to carry a handgun may be issued to a person who has been acquitted of the specific offense charged or if the charges for the specific offense are dismissed. The superintendent shall prescribe all forms to be used in

connection with the administration of this chapter.

(j) If the law enforcement agency that charges a fee under subsection (b) or (c) is a city or town law enforcement agency, the fee shall be deposited in the law enforcement continuing education fund established under IC 5-2-8-2.

(k) If a person who holds a valid license to carry a handgun issued under this chapter:

(1) changes the person's name;

(2) changes the person's address; or

(3) experiences a change, including an arrest or a conviction, that may affect the person's status as a proper person (as defined in IC 35-47-1-7) or otherwise disqualify the person from holding a license;

the person shall, not later than thirty (30) days after the date of a change described under subdivision (3), and not later than sixty (60) days after the date of the change described under subdivision (1) or (2), notify the superintendent, in writing, of the event described under subdivision (3) or, in the case of a change under subdivision (1) or (2), the person's new name or new address.

(l) The state police **department** shall indicate on the form for a license to carry a handgun the notification requirements of subsection (k).

(m) The state police department shall adopt rules under IC 4-22-2 to implement an electronic application system under subsection (a). Rules adopted under this section must require the superintendent to keep on file one (1) set of classifiable and legible fingerprints from every person who has received a license to carry a handgun so that a person who applies to renew a license will not be required to submit an additional set of fingerprints.

(n) Except as provided in subsection (o), for purposes of IC 5-14-3-4(a)(1), the following information is confidential, may not be published, and is not open to public inspection:

(1) Information submitted by a person under this section to:

(A) obtain; or

(B) renew;

a license to carry a handgun.

(2) Information obtained by a federal, state, or local government entity in the course of an investigation concerning a person who applies to:

(A) obtain; or

(B) renew;

a license to carry a handgun issued under this chapter.

(3) The name, address, and any other information that may be used to identify a person who holds a license to carry a handgun issued under this chapter.

(o) Notwithstanding subsection (n):

(1) any information concerning an applicant for or a person who holds a license to carry a handgun issued under this chapter may be released to a:

(A) state or local government entity:

(i) for law enforcement purposes; or

(ii) to determine the validity of a license to carry a handgun; or

(B) federal government entity for the purpose of a single entry query of an applicant or license holder who is:

(i) a subject of interest in an active criminal investigation; or

(ii) arrested for a crime; and

(2) general information concerning the issuance of licenses to carry handguns in Indiana may be released to a person conducting journalistic or academic research, but only if all personal information that could disclose the identity of any person who holds a license to carry a handgun issued under this chapter has been removed from the general information.

(p) A person who holds a valid license to carry a handgun under this chapter is licensed to carry a handgun in Indiana.

(q) A person who knowingly or intentionally violates this section commits a Class B misdemeanor.

SECTION 231. IC 35-47-4-5, AS AMENDED BY P.L.28-2023, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 5. (a) As used in this section, "serious violent felon" means a person who has been convicted of committing a serious violent felony.

(b) As used in this section, "serious violent felony" means:

(1) murder (IC 35-42-1-1);

(2) attempted murder (IC 35-41-5-1);

(3) voluntary manslaughter (IC 35-42-1-3);

(4) reckless homicide not committed by means of a vehicle (IC 35-42-1-5);

(5) battery (IC 35-42-2-1) as a:

(A) Class A felony, Class B felony, or Class C felony, for a crime committed before July 1, 2014; or

(B) Level 2 felony, Level 3 felony, Level 4 felony, or Level 5 felony, for a crime committed after June 30, 2014;

(6) domestic battery (IC 35-42-2-1.3) as a Level 2 felony, Level

3 felony, Level 4 felony, or Level 5 felony;
(7) aggravated battery (IC 35-42-2-1.5);
(8) strangulation (IC 35-42-2-9);
(9) kidnapping (IC 35-42-3-2);
(10) criminal confinement (IC 35-42-3-3);
(11) a human or sexual trafficking offense under IC 35-42-3.5;
(12) rape (IC 35-42-4-1);
(13) criminal deviate conduct (IC 35-42-4-2) (before its repeal);
(14) child molesting (IC 35-42-4-3);
(15) sexual battery (IC 35-42-4-8) as a:
(A) Class C felony, for a crime committed before July 1, 2014; or
(B) Level 5 felony, for a crime committed after June 30, 2014;
(16) robbery (IC 35-42-5-1);
(17) carjacking ~~(IC 5-42-5-2)~~ **(IC 35-42-5-2)** (before its repeal);
(18) arson (IC 35-43-1-1(a)) as a:
(A) Class A felony or Class B felony, for a crime committed before July 1, 2014; or
(B) Level 2 felony, Level 3 felony, or Level 4 felony, for a crime committed after June 30, 2014;
(19) burglary (IC 35-43-2-1) as a:
(A) Class A felony or Class B felony, for a crime committed before July 1, 2014; or
(B) Level 1 felony, Level 2 felony, Level 3 felony, or Level 4 felony, for a crime committed after June 30, 2014;
(20) assisting a criminal (IC 35-44.1-2-5) as a:
(A) Class C felony, for a crime committed before July 1, 2014; or
(B) Level 5 felony, for a crime committed after June 30, 2014;
(21) resisting law enforcement (IC 35-44.1-3-1) as a:
(A) Class B felony or Class C felony, for a crime committed before July 1, 2014; or
(B) Level 2 felony, Level 3 felony, or Level 5 felony, for a crime committed after June 30, 2014;
(22) escape (IC 35-44.1-3-4) as a:
(A) Class B felony or Class C felony, for a crime committed before July 1, 2014; or
(B) Level 4 felony or Level 5 felony, for a crime committed after June 30, 2014;
(23) trafficking with an inmate (IC 35-44.1-3-5) as a:
(A) Class C felony, for a crime committed before July 1, 2014; or

(B) Level 5 felony, for a crime committed after June 30, 2014;

(24) criminal organization intimidation (IC 35-45-9-4);

(25) stalking (IC 35-45-10-5) as a:

(A) Class B felony or Class C felony, for a crime committed before July 1, 2014; or

(B) Level 4 felony or Level 5 felony, for a crime committed after June 30, 2014;

(26) incest (IC 35-46-1-3);

(27) dealing in or manufacturing cocaine or a narcotic drug (IC 35-48-4-1);

(28) dealing in methamphetamine (IC 35-48-4-1.1) or manufacturing methamphetamine (IC 35-48-4-1.2);

(29) dealing in a schedule I, II, or III controlled substance (IC 35-48-4-2);

(30) dealing in a schedule IV controlled substance (IC 35-48-4-3);

(31) dealing in a schedule V controlled substance (IC 35-48-4-4); or

(32) dealing in a controlled substance resulting in death (IC 35-42-1-1.5).

(c) A serious violent felon who knowingly or intentionally possesses a firearm commits unlawful possession of a firearm by a serious violent felon, a Level 4 felony.

SECTION 232. IC 36-1-4-22, AS AMENDED BY P.L.157-2024, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 22. (a) As used in this section, "license bond" refers to a surety bond required by a political subdivision as a condition that the political subdivision issue a license or a permit to a person. The term does not refer to a performance bond.

(b) If a political subdivision requires a person to post a license bond, a surety bond posted by the person is considered sufficient if the following conditions are satisfied:

(1) The bond is written by a surety company authorized to transact business in Indiana.

(2) The obligation on the bond is for an amount that is at least the amount required by the political subdivision for the issuance of the particular license or permit. A political subdivision may not require the obligation on a license bond to be more than fifteen thousand dollars ($15,000).

(3) The obligee or obligees named on the bond are any of the following:

(A) The political subdivision that requires the license bond.

(B) Specifically named political subdivisions in the county that

include the name of the political subdivision that requires the license bond.

(C) All political subdivisions in the county in which the political subdivision that requires the license bond is located.

(D) All political subdivisions of the same kind as the political subdivision that requires the license bond located in the county.

(4) The conditions of the bond otherwise comply with the requirements of the ordinance that imposes the license bond condition.

(c) A person required to post a license bond satisfies the posting requirement if the person files a copy of the license bond with the political subdivision or appropriate agency of the political subdivision that requires the license bond. A political subdivision may not require that the person record the license bond. In addition, a political subdivision may not impose any other requirement to identify the particular political subdivision as an obligee on the license bond other than what is required in subsection (b)(3).

(d) Nothing in this section may be construed to prohibit a political subdivision from requiring a person to meet registration requirements in order to ensure that the person meets professional standards or qualifications necessary for the person to perform the services for which the license bond is required.

(e) This subsection does not apply to a person that has had a license bond revoked by a political subdivision located in the same county as the political subdivision that is named an obligee on the ~~licensee~~ **license** bond within one (1) year prior to the date the political subdivision refused to recognize the license bond that is subject to this subsection. If a license bond meets the requirements described in subsection (b) and a political subdivision that is named as an obligee on the license bond in the manner provided in subsection (b)(3) does not recognize or otherwise allow the obligor to post the license bond to obtain a license or permit, the obligor may initiate a civil action against the political subdivision. In a successful civil action against the political subdivision, the court shall award the obligor an amount equal to:

(1) three hundred percent (300%) of the cost of obtaining the license bond;

(2) damages compensating the obligor for the political subdivision's failure to recognize or otherwise allow the obligor to post the license bond; and

(3) reasonable attorney's fees.

SECTION 233. IC 36-2-2.9-8, AS ADDED BY P.L.139-2024, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 8. If: ~~the contract:~~

(1) **the contract** is not disapproved under section 7 of this chapter; and

(2) the county executive finds the contract:

(A) complies with IC 36-2-2.8; and

(B) is otherwise acceptable;

the county executive may approve and authorize execution of the contract by the county officer or the county executive.

SECTION 234. IC 36-2-2.9-13, AS ADDED BY P.L.139-2024, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 13. (a) A county officer must submit the contract to the county auditor not more than ten (10) days after the contract is executed.

(b) A contract that is executed by a county officer:

(1) under section 12(b)(2) **of this chapter;** and

(2) submitted to the county auditor more than ten (10) days after execution;

is voidable by the county executive.

SECTION 235. IC 36-4-3-7, AS AMENDED BY P.L.105-2022, SECTION 39, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 7. (a) After an ordinance is adopted under section 3, 4, 5, 5.1, or 5.2 of this chapter, it must be published in the manner prescribed by IC 5-3-1. Except as provided in subsection (b), (c), or (e), in the absence of remonstrance and appeal under section 11 or 15.5 of this chapter, the ordinance takes effect at least ninety (90) days after its publication and upon the filing required by section 22(a) of this chapter.

(b) For the purposes of this section, territory that has been:

(1) added to an existing fire protection district under IC 36-8-11-11; or

(2) approved by ordinance of the county legislative body to be added to an existing fire protection district under IC 36-8-11-11, notwithstanding that the territory's addition to the fire protection district has not yet taken effect;

shall be considered a part of the fire protection district as of the date that the fire protection district was originally established.

(c) This subsection applies only to a fire protection district established after July 1, 1987. This subsection does not apply to an annexation under subsection ~~(g).~~ **(f).** Whenever a municipality annexes territory, all or part of which lies within a fire protection district (IC

36-8-11), the annexation ordinance (in the absence of remonstrance and appeal under section 11 or 15.5 of this chapter) takes effect the second January 1 that follows the date the ordinance is adopted and upon the filing required by section 22(a) of this chapter. The municipality shall:

(1) provide fire protection to that territory beginning the date the ordinance is effective; and

(2) send written notice to the fire protection district of the date the municipality will begin to provide fire protection to the annexed territory within ten (10) days of the date the ordinance is adopted.

(d) This subsection applies only to a fire protection district established after July 1, 1987. This subsection does not apply to an annexation under subsection ~~(g)~~. **(f).** If the fire protection district from which a municipality annexes territory is indebted or has outstanding unpaid bonds or other obligations at the time the annexation is effective, the municipality is liable for and shall pay that indebtedness in the same ratio as the assessed valuation of the property in the annexed territory (that is part of the fire protection district) bears to the assessed valuation of all property in the fire protection district, as shown by the most recent assessment for taxation before the annexation, unless the assessed property within the municipality is already liable for the indebtedness. The annexing municipality shall pay its indebtedness under this section to the board of fire trustees. If the indebtedness consists of outstanding unpaid bonds or notes of the fire protection district, the payments to the board of fire trustees shall be made as the principal or interest on the bonds or notes becomes due.

(e) This subsection applies to an annexation initiated by property owners under section 5.1 of this chapter in which all property owners within the area to be annexed petition the municipality to be annexed. Subject to subsection (c), and in the absence of an appeal under section 15.5 of this chapter, an annexation ordinance takes effect at least thirty (30) days after its publication and upon the filing required by section 22(a) of this chapter.

(f) Whenever a municipality annexes territory that lies within a fire protection district that has a total net assessed value (as determined by the county auditor) of more than one billion dollars ($1,000,000,000) on the date the annexation ordinance is adopted:

(1) the annexed area shall remain a part of the fire protection district after the annexation takes effect; and

(2) the fire protection district shall continue to provide fire protection services to the annexed area.

The municipality shall not tax the annexed territory for fire protection

services. The annexing municipality shall establish a special fire fund for all fire protection services that are provided by the municipality within the area of the municipality that is not within the fire protection district, and which shall not be assessed to the annexed special taxing district. The annexed territory that lies within the fire protection district shall continue to be part of the fire protection district special taxing district.

SECTION 236. IC 36-4-3-7.2, AS ADDED BY P.L.23-2022, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 7.2. (a) This section applies to an annexation that satisfies all of the following:

(1) The annexation ordinance is adopted after December 31, 2020.

(2) The annexation is initiated by property owners under section 5.1 of this chapter in which all property owners within the annexation territory petition the municipality to be annexed.

(3) All or part of the annexation territory is within a fire protection district that was established after July 1, 1987.

(4) At least a majority of the members of the board of trustees of the fire protection district adopt a resolution consenting to the annexation.

(5) The portion of the annexation territory located within the fire protection district constitutes less than three percent (3%) of the total net assessed value (as determined by the county auditor) of the fire protection district on the date the annexation ordinance is adopted.

(b) Section 7(b) ~~7(c), and 7(c)~~ **and 7(d)** of this chapter apply to an annexation under this section.

(c) Section 7(a), ~~7(d), 7(f), and 7(g)~~ **7(c), 7(e), and 7(f)** of this chapter do not apply to an annexation under this section.

(d) After an annexation ordinance is adopted, the ordinance must be published in the manner prescribed by IC 5-3-1. In the absence of an appeal under section 15.5 of this chapter, the annexation ordinance takes effect at least thirty (30) days after its publication and upon the filing required by section 22(a) of this chapter.

SECTION 237. IC 36-4-3-11.4, AS ADDED BY P.L.228-2015, SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 11.4. (a) This section applies only to an annexation that ~~the~~ meets all of the following requirements:

(1) The annexation ordinance is adopted after December 31, 2016.

(2) Notwithstanding the contiguity requirements of section 1.5 of

this chapter, at least one-tenth (1/10) of the aggregate external boundaries of the territory sought to be annexed coincides with the boundaries of:

(A) the municipality; and

(B) the site of an economic development project.

(b) As used in this section, "economic development project" means any project developed by the municipality that meets all of the following requirements:

(1) The annexing municipality determines that the project will:

(A) promote significant opportunities for the gainful employment of its citizens;

(B) attract a major new business enterprise to the municipality; or

(C) retain or expand a significant business enterprise within the municipality.

(2) The project involves expenditures by the annexing municipality for any of the following:

(A) Land acquisition, interests in land, site improvements, infrastructure improvements, buildings, or structures.

(B) Rehabilitation, renovation, and enlargement of buildings and structures.

(C) Machinery, equipment, furnishings, or facilities.

(D) Substance removal or remedial action.

(c) Notwithstanding section 11.3(b) of this chapter, even if a remonstrance has enough signatures to satisfy the requirements of section 11.3(b) of this chapter, the annexation ordinance is not void and may be appealed to the court under section 11 of this chapter, if all of the following requirements are met:

(1) The economic development project site needs the following capital services that the municipality is lawfully able to provide:

(A) water;

(B) sewer;

(C) gas; or

(D) any combination of the capital services described in clauses (A) through (C).

(2) The municipality finds that it is in the municipality's best interest to annex the annexation territory in order to extend, construct, or operate the capital services that are provided to the economic development project site.

(3) Before the date the annexation ordinance is adopted, a taxpayer whose business will occupy the economic development project site has done at least one (1) of the following:

(A) Filed a statement of benefits under IC 6-1.1-12.1 with the designating body for the annexing municipality for a deduction or abatement.

(B) Entered into an agreement with the Indiana economic development corporation for a credit under IC 6-3.1-13.

(d) If the economic development project:

(1) has not commenced within twelve (12) months after the date the annexation ordinance is adopted; or

(2) is not completed within thirty-six (36) months after the date the annexation ordinance is adopted;

the annexation territory is disannexed from the municipality and reverts to the jurisdiction of the unit having jurisdiction before the annexation. For purposes of this subsection, ~~a~~ **an** economic development project is considered to have commenced on the day that the physical erection, installation, alteration, repair, or remodeling of a building or structure commences on the site of the economic development project.

SECTION 238. IC 36-7-40-14, AS ADDED BY P.L.169-2024, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 14. If the legislative body of a city has adopted an ordinance to establish an economic enhancement district under this chapter before **March 15, 2024** (the effective date of ~~HEA 1199-2024,~~ **P.L.169-2024),** that ordinance shall be void, but may be revised and reenacted by the legislative body of the city by the adoption of a new ordinance under section 4 of this chapter, which must comply with the provisions of this chapter as amended by ~~HEA 1199-2024.~~ **P.L.169-2024.**

SECTION 239. IC 36-8-16.7-0.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: **Sec. 0.5. (a) As used in this chapter, "911 service" means a communications service that uses the three (3) digit number 911 to send:**

(1) automatic number identification or its functional equivalent or successor; and

(2) automatic location information or its functional equivalent or successor;

for reporting police, fire, medical, or other emergency situations.

(b) The term includes both Phase I and Phase II enhanced 911 services, as described in 47 CFR 9.10.

SECTION 240. IC 36-8-16.7-9 IS REPEALED [EFFECTIVE JULY 1, 2025]. ~~Sec. 9. (a) As used in this chapter, "911 service" means a communications service that uses the three (3) digit number 911 to send:~~

~~(1) automatic number identification or its functional equivalent or successor; and~~

~~(2) automatic location information or its functional equivalent or successor;~~

~~for reporting police, fire, medical, or other emergency situations.~~

~~(b) The term includes both Phase I and Phase II enhanced 911 services, as described in 47 CFR 20.18.~~

SECTION 241. [EFFECTIVE UPON PASSAGE] **(a) This act may be referred to as the "technical corrections bill of the 2025 general assembly".**

(b) The phrase "technical corrections bill of the 2025 general assembly" may be used in the lead-in line of a SECTION of an act other than this act to identify provisions added, amended, or repealed by this act that are also amended or repealed in the other act.

(c) This SECTION expires December 31, 2025.

SECTION 242. [EFFECTIVE UPON PASSAGE] **(a) This SECTION applies to publication of the following:**

(1) A provision of the Indiana Code that is:

(A) added or amended by this act; and

(B) repealed by another act without recognizing the existence of the amendment made by this act by an appropriate reference in the lead-in line of the SECTION of the other act repealing the same provision of the Indiana Code.

(2) A provision of the Indiana Code that is:

(A) amended by this act; and

(B) amended by another act without recognizing the existence of the amendment made by this act by an appropriate reference in the lead-in line of the SECTION of the other act amending the same provision of the Indiana Code.

(b) As used in this SECTION, "other act" refers to an act enacted in the 2025 session of the general assembly other than this act. "Another act" has a corresponding meaning.

(c) Except as provided in subsections (d) and (e), a provision repealed by another act shall be considered repealed, regardless of whether there is a difference in the effective date of the provision added or amended by this act and the provision repealed by the other act. Except as provided in subsection (d), the lawful compilers of the Indiana Code, in publishing the affected Indiana Code provision, shall publish only the version of the Indiana Code

provision that is repealed by the other act. The history line for an Indiana Code provision that is repealed by the other act must reference that act.

(d) This subsection applies if a provision described in subsection (a) that is added or amended by this act takes effect before the corresponding provision repeal in the other act. The lawful compilers of the Indiana Code, in publishing the provision added or amended in this act, shall publish that version of the provision and note that the provision is effective until the effective date of the corresponding provision repeal in the other act. On and after the effective date of the corresponding provision repeal in the other act, the provision repealed by the other act shall be considered repealed, regardless of whether there is a difference in the effective date of the provision added or amended by this act and the provision repealed by the other act. The lawful compilers of the Indiana Code, in publishing the affected Indiana Code provision, shall publish the version of the Indiana Code provision that is repealed by the other act, and shall note that this version of the provision is effective on the effective date of the repealed provision of the other act.

(e) If, during the same year, two (2) or more other acts repeal the same Indiana Code provision as the Indiana Code provision added or amended by this act, the lawful compilers of the Indiana Code, in publishing the Indiana Code provision, shall follow the principles set forth in this SECTION.

(f) Except as provided in subsections (g) and (h), a provision amended by another act that includes all amendments made to the provision by this act shall be published in the Indiana Code only in the version of the provision amended by the other act. The history line for an Indiana Code provision that is amended by the other act must reference that act.

(g) This subsection applies if a provision in this act described in subsection (f) takes effect before the corresponding provision in the other act. The lawful compilers of the Indiana Code, in publishing the provision amended in this act, shall publish this version of the provision and note that the provision is effective until the effective date of the corresponding provision in the other act. The lawful compilers of the Indiana Code, in publishing the corresponding provision in the other act, shall publish that version of the provision and note that the provision is effective on and after the effective date of the provision in the other act.

(h) If, during the same year, two (2) or more other acts amend

the same Indiana Code provision as the Indiana Code provision amended by this act, the lawful compilers of the Indiana Code, in publishing the Indiana Code provision, shall follow the principles set forth in this SECTION.

(i) This SECTION expires December 31, 2025.

SECTION 243. **An emergency is declared for this act.**

Speaker of the House of Representatives

President of the Senate

President Pro Tempore

Governor of the State of Indiana

Date: _____ Time: _____