

# **2021 Indiana Legislative Bills Relevant to Environmental Health**

Submitted by the General Environmental Health Services Committee

v. 04/07/2021

*Italicized text marks an updated digest.*

~~A strikethrough indicates the bill will no longer proceed through the legislative process~~

## **SB 5: Appeal of local health enforcement actions.**

**Authored by Sen. Chris Garten, Sen. Ron Alting, Sen. Mark Messmer.**

**Digest:** *Local health departments; public health emergencies. Provides that if a local order addresses an aspect of a declared emergency addressed by an executive order, the local order may be less stringent than the executive order to the extent permitted by the executive order. Provides that if a local order addresses an aspect of a declared emergency that is not addressed by an executive order or if a local order addresses an aspect of a declared emergency more stringently than an executive order, the local order may not take effect, or remain in effect, unless the local order is approved by the county legislative body (in the case of a county health department) or by an ordinance adopted by the city legislative body and approved by the mayor (in the case of a city health department). Provides that the appointment of a county health officer is subject to the approval of the county legislative body. Adds other good cause to the reasons for which a local health officer may be removed in counties other than Marion County. Specifies that a local health officer serves until a successor is appointed and qualified. Establishes an appeals process before legislative bodies of enforcement actions taken by local boards of health and local health officers in response to declared state and local public health emergencies.*

### **Bill Actions as of 04/07/2021**

S04/07/2021 Motion to dissent filed

H04/07/2021 Returned to the Senate with amendments

H04/06/2021 Third reading: passed; Roll Call 363: yeas 65, nays 28

H04/05/2021 Amendment #1 (Morris) failed; Division of the House: yeas 32, nays 59

H04/05/2021 Amendment #12 (Jacob) ruled out of order voice vote

H04/05/2021 Amendment #2 (Lehman) prevailed; voice vote

H04/05/2021 Second reading: amended, ordered engrossed

H04/01/2021 Committee report: amend do pass, adopted

H03/01/2021 Representative Clere added as cosponsor

H02/23/2021 First reading: referred to Committee on Rules and Legislative Procedures

S02/09/2021 Referred to the House

S02/08/2021 Cosponsor: Representative Morrison

S02/08/2021 House sponsor: Representative Lehman

S02/08/2021 Third reading: passed; Roll Call 65: yeas 40, nays 8

S02/02/2021 Amendment #4 (Tallian) failed; voice vote

S02/02/2021 Amendment #2 (Garten) prevailed; voice vote

S02/02/2021 Second reading: amended, ordered engrossed

S01/28/2021 Committee report: amend do pass, adopted

S01/07/2021 First reading: referred to Committee on Public Policy

S01/07/2021 Coauthored by Senators Doriot, Zay, Holdman, Houchin, Baldwin, Sandlin, Buchanan, Koch, Perfect, Rogers, Brown L, Buck, Leising, Charbonneau, Raatz, Tomes, Freeman, Bassler, Niemeyer, Young M, Crane, Boots, Ford Jon, Gaskill, Walker G, Busch, Walker K, Donato, Glick, Grooms, Kruse, Bohacek

S01/07/2021 Authored by Senators Garten, Alting, Messmer

## **SB 20: Regulation of micro market food sales.**

**Authored by Sen. Jon Ford.**

**Digest:** *Regulation of micro market food sales. Specifies that "micro market display" includes a hot beverage brewer. Specifies that a "vending machine" includes a self-service*

*device that can be activated by the use of a software application on a smartphone. Provides that a micro market can sell hot beverages. Provides that an owner or operator of a micro market shall not be required to: (1) submit any documentation; or (2) be subject to any pre-plan review, inspection process, or approval process by the state department, corporation, or local health department before the installation of a micro market. Provides that an owner or operator of a micro market must notify the corporation or local health department where the micro market is located no later than 10 business days after the installation of the micro market. Provides that an owner or operator of a micro market shall not be subject to any fee associated with providing notice to a corporation or local health department.*

**Bill Actions as of 04/07/2021**

S04/05/2021Senate concurred in House amendments; Roll Call 342: yeas 47, nays 0

S04/01/2021Motion to concur filed

H03/26/2021Returned to the Senate with amendments

H03/25/2021Third reading: passed; Roll Call 301: yeas 83, nays 5

H03/22/2021Representative Carbaugh added as cosponsor

H03/22/2021Second reading: ordered engrossed

H03/18/2021Committee report: amend do pass, adopted

H03/04/2021First reading: referred to Committee on Commerce, Small Business and Economic Development

S02/24/2021Referred to the House

S02/23/2021Senator Charbonneau added as third author

S02/23/2021House sponsor: Representative Morrison

S02/23/2021Third reading: passed; Roll Call 167: yeas 49, nays 0

S02/22/2021Senator Grooms added as second author

S02/22/2021Second reading: ordered engrossed

S02/18/2021Committee report: do pass, adopted

S01/25/2021Senator Niezgodski added as coauthor

S01/04/2021First reading: referred to Committee on Health and Provider Services

S01/04/2021Authored by Senator Ford Jon

**SB 53: Testing and reporting of diseased animals.**

**Authored by Authored by Sen. Jean Leising, Sen. Susan Glick.**

**Digest:** Testing and reporting of diseased animals. Provides that a veterinarian, owner, caretaker, or custodian of an animal who knows or suspects that an animal has a disease or condition declared reportable by the state board of animal health (board) must report the existence of the disease or condition to the state veterinarian or local health officer not later than 24 hours after discovering the occurrence or suspected occurrence of the disease or condition. (Currently, they have 48 hours to report a disease.) Provides that a laboratory or animal health professional shall report: (1) the type of test performed; and (2) positive diagnoses for certain diseases; not later than 24 hours after a test renders a positive diagnosis. Authorizes the board to adopt rules it considers necessary to carry out the reporting of diseases and conditions. Provides that the board may issue notice by electronic mail.

**Bill Actions as of 04/07/2021**

S04/01/2021Public Law 5

S04/01/2021Signed by the Governor

S03/31/2021Signed by the President of the Senate

H03/23/2021Signed by the Speaker

S03/17/2021Signed by the President Pro Tempore

H03/16/2021Returned to the Senate without amendments

H03/15/2021Third reading: passed; Roll Call 255: yeas 95, nays 0

H03/11/2021Representative Klinker added as cosponsor

H03/11/2021 Second reading: ordered engrossed  
H03/09/2021 Committee report: do pass, adopted  
H02/23/2021 First reading: referred to Committee on Agriculture and Rural Development  
S01/26/2021 Referred to the House  
S01/26/2021 Senator Randolph added as coauthor  
S01/25/2021 Cosponsor: Representative Prescott  
S01/25/2021 House sponsor: Representative Lehe  
S01/25/2021 Third reading: passed; Roll Call 9: yeas 49, nays 0  
S01/14/2021 Senator Glick added as second author  
S01/14/2021 Second reading: ordered engrossed  
S01/12/2021 Committee report: do pass, adopted  
S01/04/2021 First reading: referred to Committee on Agriculture  
S01/04/2021 Authored by Senator Leising

**SB 185: Home based vendors.**

**Authored by Sen. Greg Walker, Sen. Kyle Walker.**

**Digest:** *Home based vendors. Beginning April 1, 2022, allows a home based vendor's food products that are not potentially hazardous to be: (1) sold in person or by telephone or the Internet; and (2) delivered by the vendor or a third party carrier to the end consumer. Requires that the state department of health, state board of animal health, and state department of agriculture shall, in consultation with industry groups and food safety experts, submit recommendations concerning home based vendors to the general assembly.*

**Bill Actions as of 04/07/2021**

S04/01/2021 Senator Randolph added as coauthor  
S03/29/2021 Motion to concur filed  
H03/16/2021 Returned to the Senate with amendments  
H03/15/2021 Third reading: passed; Roll Call 258: yeas 94, nays 0  
H03/11/2021 Representative Ledbetter C added as cosponsor  
H03/11/2021 Representative Clere added as cosponsor  
H03/11/2021 Second reading: ordered engrossed  
H03/09/2021 Committee report: amend do pass, adopted  
H03/01/2021 First reading: referred to Committee on Agriculture and Rural Development  
S02/16/2021 Referred to the House  
S02/15/2021 Cosponsor: Representative Lehe  
S02/15/2021 House sponsor: Representative Davisson  
S02/15/2021 Third reading: passed; Roll Call 108: yeas 46, nays 0  
S02/11/2021 Senator Walker K added as second author  
S02/11/2021 Second reading: ordered engrossed  
S02/08/2021 Committee report: amend do pass, adopted  
S02/04/2021 Senator Doriot added as coauthor  
S01/05/2021 First reading: referred to Committee on Agriculture  
S01/05/2021 Authored by Senator Walker G

**SB 271: Environmental matters.**

**Authored by Sen. Mark Messmer.**

**Digest:** *Environmental matters. Provides that a property owner claiming the industrial waste control facility property tax exemption must: (1) provide a written statement attesting that the property claimed as exempt meets the requirements for the exemption; and (2) file the statement along with the exemption claim. Eliminates provisions under which the property owner must mail a copy of the exemption claim to the department of environmental management (department) and the assessor is required to allow the total exemption claimed by the property owner if the department does not certify its determination to the assessor*

*within 120 days. Amends the law concerning the department's preparation of a list of impaired waters to provide for the list to be posted to the department's Internet web site instead of being published in the Indiana Register and to require that the list be made available for public comment for at least 45 days instead of at least 90 days. Requires the department to establish a state permit program for the implementation of federal regulations for the disposal of coal combustion residuals in landfills and surface impoundments. Requires the environmental rules board (board) to adopt rules for the establishment of the state permit program. Requires the department, not later than May 15, 2021, to notify the United States Environmental Protection Agency of its intention to establish the state permit program and seek federal approval of the program. Establishes the CCR program fund to pay costs incurred by the department in operating the state permit program and conducting program funding reviews. Changes, from January 1, 2022, to January 1, 2023, the expiration date of a noncode SECTION of HEA 1278-2019 concerning the adoption of rules to increase the amounts of certain environmental fees.*

**Bill Actions as of 04/07/2021**

H04/06/2021 Amendment #3 (Boy) motion withdrawn  
H04/06/2021 Amendment #4 (Thompson) prevailed; Roll Call 361: yeas 71, nays 22  
H04/06/2021 Second reading: amended, ordered engrossed  
H04/01/2021 Committee report: amend do pass, adopted  
H03/18/2021 Referred to the Ways and Means pursuant to House Rule 127  
H03/16/2021 Committee report: amend do pass, adopted  
H03/11/2021 Representative Gutwein added as cosponsor  
H03/11/2021 Representative Aylesworth added as sponsor  
H03/11/2021 Representative Gutwein removed as sponsor  
H03/02/2021 First reading: referred to Committee on Environmental Affairs  
S02/10/2021 Referred to the House  
S02/09/2021 House sponsor: Representative Gutwein  
S02/09/2021 Third reading: passed; Roll Call 88: yeas 47, nays 0  
S02/08/2021 Amendment #1 (Tallian) prevailed; voice vote  
S02/08/2021 Second reading: amended, ordered engrossed  
S02/04/2021 Senator Randolph added as coauthor  
S02/04/2021 Senator Niemeyer added as second author  
S02/01/2021 Committee report: do pass, adopted  
S01/11/2021 First reading: referred to Committee on Environmental Affairs  
S01/11/2021 Authored by Senator Messmer

**SB 348: Wastewater task force.**

**Authored by Sen. Eric Koch.**

**Digest:** *Wastewater task force. Establishes the task force on wastewater infrastructure investment and service to underserved areas (task force). Provides that the task force consists of the following 16 members: (1) Five members of the senate, with the president pro tempore appointing three members (one of whom serves as co-chair of the task force), and the minority leader appointing two members. (2) Five members of the house of representatives, with the speaker appointing three members (one of whom serves as co-chair of the task force), and the minority leader appointing two members. (3) Six gubernatorial appointees, including the following: (A) One officer or employee of the state. (B) One member representing operators of wastewater management systems. (C) One engineer, or another professional, with expertise in wastewater management systems. (D) One member representing ratepayers. (E) One member representing municipalities served by a wastewater operator not under the jurisdiction of the utility regulatory commission. (F) One member of the general public. Sets forth the duties of the task force. Requires the task force to develop a long term plan for addressing wastewater needs in Indiana. Requires the*

task force to issue a report setting forth its recommendations to: (1) the executive director of the legislative services agency for distribution to members of the general assembly; and (2) the governor; not later than December 1, 2021. Provides that the bill's provisions concerning the task force expire January 1, 2022. Establishes the water infrastructure grant program (program) to be administered by the Indiana finance authority (authority). Establishes the water infrastructure grant fund (fund) as a source of money for grants, loans, and other financial assistance to, or for the benefit of, participants in the program. Sets forth purposes for which money in the fund may be used, including the planning, designing, acquisition, construction, renovation, improvement, or expansion of: (1) water systems; and (2) wastewater or storm water collection and treatment systems. Requires the authority to adopt guidelines to establish criteria for the making of grants, loans, and other financial assistance from the water infrastructure grant fund. Sets forth certain conditions that apply to the making of grants, the making of loans, and the providing of other financial assistance from the fund. Requires the authority to establish a project prioritization system for the purposes of awarding loans and grants from the fund. Sets forth certain variables that the project prioritization system must include. Provides that the authority may provide advisory services and other services to a participant in connection with a grant, a loan, or other financial assistance from fund. Requires the public finance director to submit to the budget committee and the legislative council, each odd-numbered year through 2023, a report concerning grants, loans, or other financial assistance made available to participants from the fund.

#### **Bill Actions as of 04/07/2021**

H04/06/2021 Amendment #2 (VanNatter) prevailed; voice vote  
H04/06/2021 Amendment #4 (Soliday) prevailed; voice vote  
H04/06/2021 Amendment #3 (Soliday) prevailed; voice vote  
H04/06/2021 Second reading: amended, ordered engrossed  
H03/23/2021 Committee report: amend do pass, adopted  
H03/22/2021 Representatives Manning and Hamilton added as cosponsors  
H03/02/2021 First reading: referred to Committee on Utilities, Energy and Telecommunications  
S02/05/2021 Referred to the House  
S02/04/2021 Senator Randolph added as coauthor  
S02/02/2021 Senator Zay added as coauthor  
S02/02/2021 Senator Kruse added as coauthor  
S02/02/2021 Senators Doriot, Perfect, Glick, Yoder added as coauthors  
S02/02/2021 Senator Houchin added as third author  
S02/02/2021 Senator Charbonneau added as second author  
S02/02/2021 House sponsor: Representative Soliday  
S02/02/2021 Third reading: passed; Roll Call 59: yeas 45, nays 0  
S02/01/2021 Amendment #1 (Koch) prevailed; voice vote  
S02/01/2021 Second reading: amended, ordered engrossed  
S01/28/2021 Committee report: do pass, adopted  
S01/11/2021 First reading: referred to Committee on Utilities  
S01/11/2021 Authored by Senator Koch

#### **SB 389: Repeals state regulated wetlands law.**

**Authored by Sen. Chris Garten, Sen. Mark Messmer, Sen. Linda Rogers.**

**Digest:** *Repeals state regulated wetlands law. Repeals the law requiring a permit from the department of environmental management for wetland activity in a state regulated wetland. Makes corresponding changes to eliminate references to that law. States that the repeal of that law is not intended to affect: (1) the regulation in Indiana under the federal Clean Water Act of the discharge of dredged or fill material into waters of the United States; or (2) the authorization of the state of Indiana to administer the National Pollutant Discharge*

*Elimination System permit program. Provides that the repeal of that law extinguishes any judicial or administrative proceeding concerning an alleged violation of IC 13-18-22, an administrative rule concerning IC 13-18-22, or the terms of a permit issued under IC 13-18-22.*

**Bill Actions as of 04/07/2021**

H03/25/2021 Representative Morrison added as cosponsor  
H03/02/2021 First reading: referred to Committee on Environmental Affairs  
S02/02/2021 Referred to the House  
S02/01/2021 Senators Holdman, Kruse, Tomes, Leising added as coauthors  
S02/01/2021 Senator Boots added as coauthor  
S02/01/2021 Cosponsors: Representatives Gutwein and Thompson  
S02/01/2021 House sponsor: Representative Lehman  
S02/01/2021 Third reading: passed; Roll Call 33: yeas 29, nays 19  
S01/28/2021 Senators Buck and Perfect added as coauthors  
S01/28/2021 Amendment #1 (Tallian) failed; Roll Call 24: yeas 19, nays 29  
S01/28/2021 Second reading: ordered engrossed  
S01/26/2021 Senator Crane added as coauthor  
S01/26/2021 Senator Busch added as coauthor  
S01/26/2021 Committee report: amend do pass, adopted  
S01/25/2021 Senator Houchin added as coauthor  
S01/25/2021 Senators Freeman and Koch added as coauthors  
S01/25/2021 Senator Brown L added as coauthor  
S01/14/2021 First reading: referred to Committee on Environmental Affairs  
S01/14/2021 Coauthored by Senators Baldwin, Zay, Sandlin, Doriot, Gaskill, Niemeyer  
S01/14/2021 Authored by Senators Garten, Messmer, Rogers

## **HB 1001: State budget.**

**Authored by Rep. Timothy Brown.**

**Digest:** *State budget. Appropriates money for capital expenditures, the operation of the state, K-12 and higher education, the delivery of Medicaid and other services, and various other distributions and purposes. Replaces the governor with the budget director or the budget director's designee on the state board of finance. Renames the personal services/fringe benefits contingency fund as the budget agency contingency fund (fund). Adds the following authorized fund uses: (1) Emergency capital project expenses. (2) Necessary expenses for existing programs as determined by the governor and budget director. Removes a provision that prevents transfers from the fund for other purposes. Requires the budget committee to be advised of each transfer from the fund that exceeds \$500,000. Replaces the state librarian with the budget director as a member of the enhanced access fee committee. Transfers the operations of the Indiana department of gaming research into a newly established gaming research division of the Indiana gaming commission. Repeals the exoneration fund. Provides that any money remaining in the fund is transferred to the state general fund. Replaces the director of the budget agency with the director of the office of management and budget as an ex officio voting member of the board of trustees of the Indiana public retirement system. Removes the annual appropriation provision for the examinations fund of the state board of accounts. Replaces the state superintendent of public instruction with the secretary of education or the secretary's designee as a member of the distressed unit appeal board. Amends the venture capital investment tax credit to apply to taxpayers that provide qualified investment capital to certain qualified Indiana investment funds (qualified fund). Provides that the Indiana economic development corporation (IEDC) may only certify a fund as a qualified fund if the fund meets the definition of a venture capital fund under federal regulations and the fund makes investments according to specified policy requirements and priorities. Provides that a taxpayer may not claim a credit certified with regard to a qualified fund before July 1, 2023. Specifies the maximum available tax credits in a calendar year with regard to a qualified fund. Increases the maximum available tax credits in a calendar year with regard to qualified Indiana businesses under current law, including an additional increase in the maximum amount if the qualified Indiana business is a minority business enterprise or a women's business enterprise. Caps the total amount of credits that the IEDC may award in a calendar year at \$20,000,000, provided that not more than \$7,500,000 is awarded for proposed investments in a qualified fund. Provides that, beginning July 1, 2021, all aviation fuel excise tax revenue is transferred to the airport development grant fund (under current law, 50% of the aviation fuel excise tax revenue is transferred to the general fund and 50% is transferred to the airport development grant fund). Adjusts the distributions from the excise fund to increase the amount transferred to the enforcement and administration fund and correspondingly decrease the amount transferred to the state general fund. Clarifies the equal opportunity procurement and contracting requirements for certain projects. Removes the sunset of provisions regarding public-private agreements that provide that legislative approval is not required to impose tolls on certain projects. Specifies that, except for those certain projects, the general assembly must enact authorizing legislation before the Indiana department of transportation (INDOT), the Indiana finance authority (IFA), or an operator may enter into public-private agreements that impose user fees on motor vehicles for use on highways and roads in existence or under construction on July 1, 2011. Provides that the IFA must be a party to any public-private agreement that requires payments to be made to an operator after the operator receives final payment for construction. Specifies the IFA's bonding authority for public-private partnership projects. Removes annual budget committee review of the distribution formula established by INDOT for the public mass transportation fund. Extends the expiration of the hospital assessment fee and the quality assessment fee from June 30, 2021, to June 30, 2023. Removes a provision that prevents unused money*

appropriated to the department of education for the advanced placement program from reverting to the state general fund. Provides that any increase in the maximum higher education award and freedom of choice award by the commission for higher education is subject to approval by the budget agency. (Under current law, the commission's annual determination of the maximum awards is subject to approval by the budget agency with review by the budget committee.) Requires money from judicial insurance adjustment fees to be deposited in the state general fund. Appropriates amounts for defeasing bonds. Allows the budget agency to augment the county jail maintenance contingency fund appropriation from the state general fund for the 2020-2021 state fiscal year by an amount necessary to cover jail and parole holds. Specifies the uses for the augmented amount. Allows the horse racing commission to authorize a permit holder to conduct more than 14 races on one racing day. Allows a permit holder to conduct pari-mutuel wagering at the permit holder's racetrack or satellite facility on certain horse races that are conducted during a time when the permit holder's facility is not open. Provides that unexpended and unencumbered amounts appropriated to the legislative services agency in a state fiscal year ending before July 1, 2022, do not revert to the state general fund. Increases the Medicaid reimbursement rate for certain services delivered by a direct care staff. Requires an authorized service provider to use at least 85% (instead of 75%) of the reimbursement rate increase to pay payroll tax liabilities and to increase wages and benefits paid to direct care staff. Increases the tax credit that a taxpayer can claim for contributions made to a scholarship granting organization. Phases in increases to the household income percentage required to qualify as an eligible student for purposes of a scholarship granting organization. Increases the amount of a grant under the charter and innovation network school grant program. Extends the expiration date for funding of certain charter schools for adults. Repeals the deposit of a part of the wine excise tax rate collected on each gallon of wine in the wine grape market development fund and requires the department of state revenue to instead deposit that part of the wine excise tax in the state general fund. Increases the cigarette tax to \$1.50 per pack of regular size cigarettes and a corresponding increase for larger cigarettes. Makes corresponding adjustments to the distribution percentages of revenue received from imposition of the cigarette tax. Changes the definition of "Internal Revenue Code" in the adjusted gross income tax law to mean the Internal Revenue Code of 1986 as amended and in effect on January 1, 2021. Provides that in the case of an amendment to a federal statute that is made outside of Title 26 of the United States Code and affects federal adjusted gross income, federal taxable income, federal tax credits, or other federal tax attributes, the federal statute shall be considered to be part of the Internal Revenue Code as amended and in effect on January 1, 2021. Imposes an excise tax, known as the electronic cigarette tax, on the retail sale of vapor products and consumable material in Indiana. Provides that the excise tax equals 10% of the gross retail income received by the retail dealer for the sale. Defines "vapor product". Defines "consumable material". Requires a retail dealer to obtain an electronic cigarette retail dealer's certificate from the department of state revenue (in addition to a retail merchant's certificate). Deposits the revenue from the excise tax in the state general fund. Establishes the next level regional recovery fund to provide grants and loans to support economic development and regional recovery. Provides that the IEDC administers the next level regional recovery fund. Provides that the board of the IEDC may review applications for grants and loans from the next level regional recovery fund. Requires the IEDC to establish a policy for the next level regional recovery initiative. Requires that the February count of a school corporation's average daily membership (ADM) must be increased by the number of students who, during the preceding school year: (1) were enrolled in the school corporation on the September ADM count day; (2) completed graduation requirements before the February ADM count day; and (3) were not enrolled in the school corporation on the February ADM count day. Establishes the Indiana education scholarship account program (program). Requires the treasurer of state to establish an



*application date by which a parent of an eligible student or an emancipated eligible student may establish an account in the program. Defines an eligible student as: (1) a student with a disability who requires special education; (2) a student with a parent who is on active duty service in the armed forces of the United States or national guard; or (3) a student placed in foster care or otherwise under care and supervision of the department of child services. Provides that an eligible student who has an account and attends a qualified school is eligible to receive an annual grant amount that may be used to pay for tuition at an accredited nonpublic school or education related expenses. Provides that the treasurer of state shall administer the program. Provides a deduction from Indiana adjusted gross income for a grant amount that is distributed to a taxpayer's account and used for a qualified expense, to the extent the distribution is included in the taxpayer's federal adjusted gross income. Changes the eligibility requirements to receive choice scholarships. Makes changes to the amount of tuition an eligible choice scholarship student is entitled to receive to attend a choice scholarship school. Establishes the Indiana education scholarship account program advisory council to provide guidance on the implementation of the program as well as to provide recommendations for program improvements to the treasurer of state and to the general assembly. Repeals provisions that provide eligibility to certain students if the student's household income increases. Provides that the department of education shall provide services that offer objective advice upon request to parents of an eligible student or an emancipated eligible student relating to services that can help meet the eligible student's or emancipated eligible student's particular needs. Makes corresponding changes.*

#### **Bill Actions as of 04/07/2021**

H03/16/2021 Representative Sullivan removed as coauthor

S02/24/2021 First reading: referred to Committee on Appropriations

H02/23/2021 Referred to the Senate

H02/22/2021 Senate sponsor: Senator Mishler

H02/22/2021 Third reading: passed; Roll Call 235: yeas 65, nays 30

H02/17/2021 Amendment #23 (Pryor) failed; Roll Call 175: yeas 27, nays 69

H02/17/2021 Amendment #19 (Austin) failed; Roll Call 174: yeas 28, nays 70

H02/17/2021 Amendment #43 (Jacob) motion withdrawn

H02/17/2021 Amendment #22 (Pryor) failed; Roll Call 173: yeas 28, nays 70

H02/17/2021 Amendment #8 (DeLaney) failed; Roll Call 172: yeas 27, nays 71

H02/17/2021 Amendment #24 (Shackleford) failed; Roll Call 171: yeas 29, nays 68

H02/17/2021 Amendment #25 (Hatfield) failed; Roll Call 170: yeas 29, nays 67

H02/17/2021 Amendment #27 (Nisly) ruled out of order

H02/17/2021 Amendment #18 (Pfaff) failed; Roll Call 169: yeas 30, nays 65

H02/17/2021 Amendment #7 (DeLaney) failed; Roll Call 168: yeas 29, nays 68

H02/17/2021 Amendment #21 (Pryor) failed; Roll Call 167: yeas 28, nays 66

H02/17/2021 Amendment #32 (Smaltz) prevailed; Roll Call 166: yeas 91, nays 7

H02/17/2021 Amendment #17 (Harris) failed; Roll Call 165: yeas 29, nays 67

H02/17/2021 Amendment #29 (Ellington) motion withdrawn

H02/17/2021 Amendment #26 (Porter) failed; Roll Call 164: yeas 29, nays 68

H02/17/2021 Amendment #33 (Clere) prevailed; Roll Call 163: yeas 91, nays 0

H02/17/2021 Amendment #1 (Porter) failed; Roll Call 162: yeas 28, nays 63

H02/17/2021 Amendment #37 (Sullivan) prevailed; Roll Call 161: yeas 91, nays 0

H02/17/2021 Amendment #34 (Brown T) prevailed; voice vote

H02/17/2021 Second reading: amended, ordered engrossed

H02/15/2021 Committee report: amend do pass, adopted

H01/14/2021 First reading: referred to Committee on Ways and Means

H01/14/2021 Coauthored by Representatives Porter, Cherry and Sullivan

H01/14/2021 Authored by Representative Brown T

**HB 1077: Child operated refreshment stands.****Authored by Rep. Jim Pressel.**

**Digest:** Child operated refreshment stands. Provides that a local health department, the health and hospital corporation, a county, a municipality, or a township may not adopt or enforce a law, rule, ordinance, or resolution that prohibits or regulates, including by requiring a license, permit, or fee, the sale of lemonade or other nonalcoholic beverages from a stand on private property or in a public park by an individual who is less than 18 years of age. Provides that the individual who operates the stand must comply with certain requirements. Provides that a stand is not considered a food establishment and does not require a certified food protection manager. Provides that the governing documents of a homeowners association may not prohibit or regulate, including by requiring a permit or fee, the sale of lemonade or other nonalcoholic beverages from a stand on property located in the subdivision by an individual who is less than 18 years of age. Provides that a homeowners association: (1) does not owe a duty of care to persons participating in a beverage sale; and (2) is not liable for any injury to persons participating in a beverage sale; except for willful or wanton acts or gross negligence of the homeowners association.

**Bill Actions as of 04/07/2021**

S02/23/2021 First reading: referred to Committee on Commerce and Technology

H02/10/2021 Referred to the Senate

H02/09/2021 Senate sponsor: Senator Bohacek

H02/09/2021 Third reading: passed; Roll Call 101: yeas 96, nays 0

H02/08/2021 Representative Carbaugh added as coauthor

H02/08/2021 Second reading: ordered engrossed

H02/04/2021 Committee report: amend do pass, adopted

H01/04/2021 First reading: referred to Committee on Commerce, Small Business and Economic Development

H01/04/2021 Coauthored by Representative Lindauer

H01/04/2021 Authored by Representative Pressel

**HB 1103: Home based vendors.****Authored by Rep. Steven Davisson.**

**Digest:** Home based vendors. Beginning January 1, 2022, allows a home based vendor's food products to be: (1) sold in person or by telephone or the Internet; and (2) delivered by the vendor or a third party carrier to the end consumer. Requires the state department of health, the Indiana state board of animal health, and the Indiana state department of agriculture, in consultation with industry groups and food safety experts, to submit recommendations concerning home based vendors to the general assembly.

**Bill Actions as of 04/07/2021**

S02/23/2021 First reading: referred to Committee on Agriculture

H02/17/2021 Referred to the Senate

H02/16/2021 Senate sponsor: Senator Walker G

H02/16/2021 Third reading: passed; Roll Call 137: yeas 95, nays 1

H02/15/2021 Representatives Ledbetter C and Fleming added as coauthors

H02/15/2021 Representative Clere added as coauthor

H02/15/2021 Second reading: ordered engrossed

H02/11/2021 Committee report: amend do pass, adopted

H01/07/2021 First reading: referred to Committee on Agriculture and Rural Development

H01/07/2021 Authored by Representative Davisson

**++HB 1123: Legislative oversight of certain fiscal and emergency matters.**

**Authored by Rep. Lehman.**

**Digest:** Legislative oversight of certain fiscal and emergency matters. Specifies that the bill is severable. Provides that the general assembly may convene in an emergency session if the legislative council adopts a resolution making certain findings concerning a state of emergency declared by the governor. Specifies the maximum length of an emergency session. Provides that in an emergency session the general assembly may enact only bills relating to the agenda stated in the legislative council's resolution. Provides that the general assembly may adopt concurrent resolutions and each house may adopt simple resolutions during an emergency session. Establishes the legislative state of emergency advisory group. Creates the economic stimulus fund (ESF) for the deposit of all discretionary funds received by the state. Defines "discretionary funds" to mean federal economic stimulus funds received under federal legislation granting the state authority to determine the amounts and manner in which the federal economic stimulus funds may be expended. Provides that discretionary funds deposited into the ESF during a period in which the general assembly is convened in a regular session, an emergency session, or a special session may not be allotted or expended unless appropriated by the general assembly or reviewed by the budget committee. Provides that before discretionary funds deposited into the ESF during a period in which the general assembly is not convened in a regular session, an emergency session, or a special session may be allotted to or expended by a state agency or instrumentality, the allotment or expenditure must be reviewed by the budget committee. Provides that discretionary funds deposited into the ESF may not be expended, transferred, assigned, or otherwise removed from the ESF by the state board of finance, the budget agency, or any other state agency except as permitted under the provisions of the statute. Exempts federal economic stimulus funds obligated or expended before April 29, 2021, from the application of the statute. Provides that a violation of the disaster statute (IC 10-14-3) or an order authorized by that statute is a Class B infraction instead of a Class B misdemeanor.

**Bill Actions as of 04/07/2021**

S04/06/2021 Signed by the President Pro Tempore

H04/06/2021 Signed by the Speaker

S04/05/2021 Conference Committee Report 1: adopted by the Senate; Roll Call 346: yeas 37, nays 10

H04/05/2021 Conference Committee Report 1: adopted by the House; Roll Call 347: yeas 64, nays 33

S04/01/2021 CCR # 1 filed in the Senate

H04/01/2021 CCR # 1 filed in the House

S04/01/2021 Senator Glick added as conferee

S04/01/2021 Senator Taylor G removed as conferee

S04/01/2021 Senator Glick removed as advisor

S03/30/2021 Senate advisors appointed: Glick, Mrvan and Gaskill

S03/30/2021 Senate conferees appointed: Bray and Taylor G

H03/30/2021 House conferees appointed: Huston and GiaQuinta

H03/30/2021 House dissented from Senate amendments

H03/30/2021 Motion to dissent filed

S03/29/2021 Returned to the House with amendments

S03/29/2021 Senator Leising added as cosponsor

S03/29/2021 Senator Koch added as cosponsor

S03/29/2021 Senator Houchin added as cosponsor

S03/29/2021 Third reading: passed; Roll Call 275: yeas 39, nays 10

S03/25/2021 Amendment #9 (Glick) prevailed; voice vote

S03/25/2021 Amendment #6 (Tallian) prevailed; voice vote

S03/25/2021 Second reading: amended, ordered engrossed  
S03/22/2021 Committee report: amend do pass, adopted  
S03/04/2021 Senator Holdman added as cosponsor  
S02/23/2021 First reading: referred to Committee on Rules and Legislative Procedure  
H02/10/2021 Referred to the Senate  
H02/09/2021 Representatives Abbott D, Baird, Barrett, Bartels, Borders, Carbaugh, Cherry, Clere, Cook, Davis M, Davisson, Ellington, Goodrich, Gutwein, Heine, Judy, Karickhoff, King J, Lehe, Leonard, Lindauer, Manning, Mayfield, May, McNamara, Miller, Morris, Negele, Olthoff, Payne Z, Prescott, Saunders, Schaibley, Slager, Snow C, Soliday, Steuerwald, Teshka J, Thompson, VanNatter, Wesco, Young J, Zent, Huston added as coauthors  
H02/09/2021 Rule 105.1 suspended  
H02/09/2021 Cosponsor: Senator Messmer  
H02/09/2021 Senate sponsors: Senators Glick, Garten, Gaskill  
H02/09/2021 Third reading: passed; Roll Call 103: yeas 69, nays 27  
H02/08/2021 Representative Lauer added as coauthor  
H02/08/2021 Amendment #9 (Jacob) failed; Roll Call 79: yeas 4, nays 94  
H02/08/2021 Amendment #8 (Jacob) failed; Roll Call 78: yeas 11, nays 85  
H02/08/2021 Amendment #7 (Jacob) failed; Roll Call 77: yeas 6, nays 90  
H02/08/2021 Amendment #4 (Nisly) failed; Roll Call 76: yeas 6, nays 91  
H02/08/2021 Amendment #6 (Jacob) failed; Roll Call 75: yeas 6, nays 92  
H02/08/2021 Amendment #3 (Nisly) failed; Roll Call 74: yeas 3, nays 93  
H02/08/2021 Amendment #13 (DeLaney) failed; Roll Call 73: yeas 23, nays 75  
H02/08/2021 Amendment #5 (Jacob) failed; Roll Call 72: yeas 5, nays 92  
H02/08/2021 Amendment #12 (Porter) ruled out of order  
H02/08/2021 Amendment #2 (Nisly) failed; Roll Call 71: yeas 3, nays 93  
H02/08/2021 Second reading: ordered engrossed  
H02/04/2021 Committee report: amend do pass, adopted  
H01/04/2021 First reading: referred to Committee on Rules and Legislative Procedures  
H01/04/2021 Coauthored by Representatives Smaltz and Pressel  
H01/04/2021 Authored by Representative Lehman

## **HB 1287: Water or wastewater service for underserved areas.**

**Authored by Rep. Jim Pressel.**

**Digest:** Water or wastewater service for underserved areas. Allows a water or wastewater utility to extend service to a developed but underserved area without a deposit from customers if the extension of service will result in a positive contribution to the utility's overall cost of service over a 20 year period. Defines "developed but underserved area" as an area in which prospective service would be provided predominantly to existing and occupied structures that receive water from private wells or from which wastewater is disposed of through onsite private systems such as septic tanks. Provides that a water or wastewater utility's extension of service to a developed but underserved area will be considered as resulting in a positive contribution to the utility's overall cost of service over a 20 year period to the extent that rates to be paid by 50% or more of the customers who could be served by the extension of service would enable the utility to fully recover the weighted cost of debt and depreciation expense attributable to the cost of the main extension for the extension of service. Provides that if a water or wastewater utility determines that an extension of service to a developed but underserved area will not result in a positive contribution to the utility's overall cost of service over a 20 year period, the utility may require a deposit or other adequate assurance of performance from the customers to be served by the extension of service. Provides that if a property owner makes an improvement to the property owner's property, the property owner is not required to upgrade the property's septic tank soil absorption system or to connect to a sewer system, and to discontinue use of a septic tank

soil absorption system if the improvement does not include the addition of a bedroom or bedroom equivalent and the property owner receives a written determination from a qualified inspector that the septic tank soil absorption system is not failing.

**Bill Actions as of 04/07/2021**

S03/25/2021 Committee report: do pass, adopted

S02/18/2021 First reading: referred to Committee on Utilities

H02/03/2021 Referred to the Senate

H02/02/2021 Senate sponsors: Senators Ford Jon and Koch

H02/02/2021 Third reading: passed; Roll Call 52: yeas 95, nays 0

H02/01/2021 Second reading: ordered engrossed

H01/28/2021 Committee report: amend do pass, adopted

H01/14/2021 First reading: referred to Committee on Utilities, Energy and Telecommunications

H01/14/2021 Coauthored by Representative Manning

H01/14/2021 Authored by Representative Pressel

## 2021 Session Legislative Deadlines—obtained from <http://iga.in.gov/>

Date	Description
<b>Monday, October 19, 2020</b>	Senators may begin filing bills for the 2021 Session (Senate Rule 44). Senators can file no more than a total of ten bills or joint resolutions (Senate Rule 48(a)).
<b>Tuesday, November 17, 2020</b>	Organization Day for the 2021 Session (IC 2-2.1-1-2(a)). Representatives may begin filing bills (House Rule 103).
<b>Wednesday, January 6, 2021</b>	Senators may file only two bills per business day beginning today (Senate Rule 48(b)).

<b>Date</b>	<b>Description</b>
<b>Friday, January 8, 2021</b>	Deadline for filing Senate bills (Senate Rule 48(b)) not later than 4:00 p.m.
<b>Monday, January 11, 2021</b>	Latest day session must reconvene (IC 2-2.1-1-2(d)).
<b>Wednesday, January 13, 2021</b>	Deadline for filing House bills (Fourth meeting day in January)(House Rule 107.1, not later than 2:00 p.m).
<b>Thursday, January 14, 2021</b>	Filing of House vehicle bills (Fifth meeting day in January)(House Rule 106.1).
<b>Friday, January 15, 2021</b>	Last day Senate bills may be assigned to Senate committees (Seven (7) calendar days following the last day for filing Senate bills and resolutions (Senate Rule 49(a)).
<b>Monday, February 22, 2021</b>	Last day for 3rd reading of House bills in House (House Rules 147.1 & 2.1).
<b>Tuesday, February 23, 2021</b>	Last day for Senate to receive House bills (Senate Rule 79(c), subject to Senate Rule 88(b)).
<b>Tuesday, February 23, 2021</b>	Last day for 3rd reading of Senate bills in Senate (Senate Rule 79(a), subject to Senate Rule 88(b)).
<b>Monday, April 19, 2021</b>	Last day for House adoption of conference committee reports without Rules Committee approval (House Rule 161.1).
<b>Monday, April 19, 2021</b>	Last day for 3rd reading of Senate bills in House (House Rule 148.1).

Date	Description
<b>Tuesday, April 20, 2021</b>	Last day for 3rd reading of House bills in the Senate (Senate Rule 79(b)).
<b>Tuesday, April 20, 2021</b>	Last day for Senate adoption of conference committee reports without Rules Committee approval (Senate Rule 86(k)).
<b>Thursday, April 29, 2021</b>	Last day for adjournment of both houses (IC 2-2.1-1-2(e)).