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**Report created on February 3, 2017**

**HB1047 DEFAULT PUBLIC EMPLOYEES' RETIREMENT PLAN (CULVER W)** Provides that after June 30, 2017, an individual who becomes a full-time employee of the state for the first time becomes a member of the public employees' defined contribution plan (plan) unless the individual elects to become a member of the public employees' retirement fund (fund). (Under current law, an eligible employee becomes a member of the fund unless the employee elects to become a member of the plan.)

***Current Status:*** 1/4/2017 - Referred to House Employment, Labor and Pensions

***Recent Status:*** 1/4/2017 - First Reading  
1/4/2017 - Authored By Wes Culver

***State Bill Page:*** [HB1047](#)

**HB1051 FIREARMS AND FEDERALISM (JUDY C)** Prohibits a state agency, political subdivision, or employee of an agency or political subdivision from: (1) participating in the enforcement of a federal firearms law enacted after January 1, 2017; or (2) using any state funds to aid the federal government in the enforcement of a federal firearms law enacted after January 1, 2017; unless the participation or use of state funds is required by a court order. Provides that a state

employee, an employee of a political subdivision, or an agent of the state or a political subdivision who participates in the enforcement of a federal firearms law enacted after January 1, 2017, commits a Class B infraction, and increases the penalty to a Class A misdemeanor if the person has a prior adjudication or conviction. Specifies that a political subdivision may not receive state grant funds if the political subdivision requires the political subdivision or an employee to participate in the enforcement of a federal firearms law adopted after January 1, 2017.

***Current Status:*** 1/12/2017 - Representatives Lucas and Morris added as coauthors

***Recent Status:*** 1/4/2017 - Referred to House Public Policy  
1/4/2017 - First Reading

***State Bill Page:*** [HB1051](#)

### **HB1055 PENSION COST OF LIVING ADJUSTMENTS**

(CARBAUGH M) Provides for cost of living adjustments for certain members of: (1) the public employees' retirement fund; (2) the Indiana state teachers' retirement fund; (3) the state police 1987 benefit system; and (4) the state police pre-1987 benefit system. (The introduced version of this bill was prepared by the interim study committee on pension management oversight.)

***Current Status:*** 1/23/2017 - Representative Smaltz added as coauthor

***Recent Status:*** 1/4/2017 - Referred to House Employment, Labor and Pensions  
1/4/2017 - First Reading

***State Bill Page:*** [HB1055](#)

**HB1056 PROPERTY TAX RELIEF (PRYOR C)** Permits a board of county commissioners (outside Marion County), a county council, a city-county council, a city common council, or a

town council to establish a neighborhood enhancement property tax relief program. Provides an assessed value deduction for longtime owner-occupants of homesteads having an assessed value of less than \$100,000. Provides that the homesteads must be located in designated distressed areas where real property values have risen markedly as a consequence of the renovation of other residences or the construction of new residences in the area. Specifies that the deduction applies only to the extent the assessed value of a homestead has increased by more than 3% from the previous year. Provides that only homesteads and owners that qualify for the program on the first assessment date under the program are granted a deduction unless the local unit allows others to qualify. Specifies that there must be at least five homesteads in a designated area. Specifies that not more than 5% of the territory of the unit may be included in designated areas. Allows a local unit to include additional requirements in the ordinance establishing the program. Prohibits income of the owner of a homestead from being a consideration. Adds the same penalty provision for wrongly receiving the deduction that applies to the homestead standard deduction.

*Current Status:* 1/4/2017 - Referred to House Ways and Means

*Recent Status:* 1/4/2017 - First Reading

1/4/2017 - Authored By Cherrish Pryor

*State Bill Page:* [HB1056](#)

## **HB1057 RACIAL PROFILING AND PRETEXTUAL STOPS**

(PRYOR C) Prohibits a law enforcement agency or a law enforcement officer from engaging in racial profiling or conducting pretextual stops. Requires a law enforcement agency to adopt a detailed policy that defines the elements of racial profiling and pretextual stops, and requires a law enforcement agency to collect certain data relating to stops

made by law enforcement officers. Requires cultural diversity awareness training and training on unlawful racial profiling and pretextual stops as part of the mandatory training for law enforcement officers. Specifies that a law enforcement agency shall transmit to the attorney general information concerning racial profiling complaints, investigations, and any action taken, as well as data collected relating to stops made by the law enforcement agency. Requires the attorney general to: (1) submit an annual report to the legislative council based on the information; (2) submit the data to a third party for statistical analysis; and (3) publish the results of the analysis on the attorney general's Internet web site. Establishes the racial profiling review commission to review complaints of unlawful racial profiling and unlawful pretextual stops. Permits a person to bring a civil action based on unlawful racial profiling and unlawful pretextual stops. Permits a law enforcement agency to use certain federal funds to purchase vehicle cameras and body cameras, and establishes training standards and standards for use.

***Current Status:*** 1/4/2017 - Referred to House Courts and Criminal Code

***Recent Status:*** 1/4/2017 - First Reading  
1/4/2017 - Authored By Cherrish Pryor

***State Bill Page:*** [HB1057](#)

**HB1058 POLICE TRANSPARENCY AND COMMUNITY TRUST (SHACKLEFORD R)** Not later than January 1, 2018, requires the law enforcement training board to adopt minimum standards for training of law enforcement officers (officers) regarding: (1) racial equity and bias-free policing; and (2) body worn cameras and recordings. Beginning April 1, 2018, requires the state police department and each local law enforcement agency to submit an annual report to the attorney general of data on all stops and searches conducted during the

preceding year. Requires the attorney general to develop guidelines not later than October 1, 2017, for the data collection and reporting. Establishes a law enforcement matching grant program and fund administered by the Indiana criminal justice institute to award grants to local law enforcement agencies for various law enforcement programs, including body worn camera programs. Requires the criminal justice institute to develop guidelines and standards for the matching grant program. Not later than October 1, 2017, requires the state police department and local law enforcement agencies to develop and implement guidelines and policies to: (1) achieve racial and ethnic diversity through recruitment, retention, and promotion of minority law enforcement officers; and (2) promote gender diversity. Requires a local law enforcement agency serving a community in which more than 25% of residents are minorities to make efforts to achieve racial and ethnic diversity that is representative of the community served by the law enforcement agency. Makes an appropriation.

***Current Status:*** 1/9/2017 - Representative Pryor added as coauthor

***Recent Status:*** 1/4/2017 - Referred to House Veterans Affairs and Public Safety  
1/4/2017 - First Reading

***State Bill Page:*** [HB1058](#)

**HB1066 BIAS MOTIVATED CRIMES (PORTER G)** Provides that a bias motivated crime is a crime in which the person who commits the crime knowingly or intentionally selects: (1) the individual against whom the crime was committed; or (2) any property damaged or otherwise affected by the crime; in whole or in part because of the actual or perceived race, color, religion, ethnicity, national origin, sexual orientation, gender, gender identity or expression, or disability of the individual or

a group of individuals, whether or not the person's belief or perception was correct. Amends the law that requires law enforcement agencies to collect and report information concerning bias motivated crimes. Makes it an aggravating circumstance that may be considered by a judge when the judge imposes a sentence for a crime if the crime is a bias motivated crime.

***Current Status:*** 1/4/2017 - Referred to House Courts and Criminal Code

***Recent Status:*** 1/4/2017 - First Reading  
1/4/2017 - Authored By Gregory Porter

***State Bill Page:*** [HB1066](#)

#### **HB1071 AUTHORIZATION TO CARRY A HANDGUN**

(EBERHART S) Provides that certain persons protected by a civil protection order may carry a handgun without a license for: (1) 60 days after the date the civil protection order is issued; or (2) 60 days after the date the person applies for a license to carry a handgun, if the person applies for the license during the 60 day period following issuance of the civil protection order; whichever is later. Makes a technical correction.

***Current Status:*** 1/4/2017 - Referred to House Public Policy

***Recent Status:*** 1/4/2017 - First Reading  
1/4/2017 - Coauthored by Representatives Kirchhofer, Mayfield and Goodin

***State Bill Page:*** [HB1071](#)

#### **HB1084 EMERGENCY CONTACT DATA BASE (COOK**

A) Requires a law enforcement officer to: (1) access the Indiana emergency contact data base (data base); and (2) attempt to contact emergency contact persons (emergency contacts); within a reasonable amount of time after learning of death or serious bodily injury to an individual holding certain

credentials issued by the bureau of motor vehicles (credential holder). Provides civil immunity to a law enforcement officer who makes a good faith effort to: (1) access the data base; and (2) attempt to contact a credential holder's emergency contacts. Extends civil immunity to the law enforcement agency employing a responding law enforcement officer when the officer makes a good faith effort to: (1) access the data base; and (2) attempt to contact the credential holder's emergency contacts. Requires the bureau of motor vehicles (bureau) to create, maintain, and operate the data base. Requires the bureau to allow credential holders to voluntarily submit information for not more than two emergency contacts whenever a credential is: (1) applied for; or (2) renewed. Requires an emergency contact to be: (1) at least 18 years of age; and (2) in possession of at least one valid credential. Limits emergency contacts to parents or guardians when credential holders are unemancipated minors. Allows a credential holder to: (1) delete; (2) submit; or (3) update; emergency contact information for an emergency contact at any time. Requires a credential holder to provide the bureau with the following information regarding an emergency contact: (1) Name. (2) Date of birth. (3) Residential address. (4) Phone number. (5) Description of the relationship with the credential holder. Prohibits the bureau from assessing a fee against a credential holder for any service related to the data base. Provides that information contained in the data base is confidential and exempt from disclosure or public inspection. Creates certain exceptions. Provides the bureau with immunity from civil liability for issues related to the data base in certain circumstances. Provides the bureau with rulemaking authority for issues related to the creation, maintenance, and operation of the data base and all associated paperwork and protocols. Requires the data base to be operational and accessible to law enforcement officers not later than July 1, 2019. Defines certain terms.

**Current Status:** 1/12/2017 - Representatives Mahan and Wright added as coauthors

**Recent Status:** 1/5/2017 - Referred to House Roads and Transportation  
1/5/2017 - First Reading

**State Bill Page:** [HB1084](#)

**HB1085 IMMUNITY FOR RESCUING AN ANIMAL FROM A MOTOR VEHICLE (COOK A)** Provides that a person who removes a domestic animal from a motor vehicle is immune from civil liability for any bodily injury or property damage resulting from the person's forcible entry of the motor vehicle to remove the animal if the person: (1) reasonably believes that the animal is in imminent danger of suffering serious bodily harm; (2) dials 911 or otherwise attempts to contact a law enforcement officer or other emergency responder; (3) uses no more force than the person reasonably believes necessary to enter the vehicle and remove the animal; and (4) remains with the animal until a law enforcement officer or other emergency responder arrives. Provides that a person who recklessly, knowingly, or intentionally: (1) parks, in an outdoor place, a motor vehicle in which a domestic animal is confined; and (2) leaves the immediate area in which the vehicle is parked; commits endangering a domestic animal inside a parked vehicle, a Class C infraction, if conditions prevailing while the vehicle is parked, such as the temperature and sunlight, would lead a reasonable person to believe that the animal would be in imminent danger of suffering serious bodily harm if the animal remained in the vehicle.

**Current Status:** 2/6/2017 - House Judiciary, (Bill Scheduled for Hearing); **Time & Location:** 10:30 AM, Rm. 156-D

**Recent Status:** 2/2/2017 - Representative Karickhoff added as coauthor

2/2/2017 - Representative Schaibley added  
as coauthor

*State Bill Page:* [HB1085](#)

**HB1095 PLASTIC-COATED AMMUNITION (BURTON**

W) Defines "armor piercing ammunition", and prohibits certain persons from possessing, manufacturing, selling, or delivering armor piercing ammunition. Repeals a superseded provision concerning armor piercing handgun ammunition.

*Current Status:* 2/6/2017 - House Bills on Second Reading

*Recent Status:* 2/2/2017 - Committee Report do pass,  
adopted

2/1/2017 - DO PASS Yeas: 12; Nays: 1

*State Bill Page:* [HB1095](#)

**HB1122 CRITICAL INCIDENT STRESS MANAGEMENT**

**SERVICES (WESCO T)** Provides confidentiality protection to communications that emergency responders make to critical incident stress management personnel or records that are generated by critical incident stress management personnel after providing critical incident stress management services to emergency responders following a critical incident. Provides that critical incident stress management personnel are immune from liability for any acts, errors, or omissions committed in providing critical incident stress management services to emergency responders, unless the act, error, or omission constitutes wanton, willful, or intentional misconduct.

*Current Status:* 1/24/2017 - Senate sponsor: Senator Zakas

*Recent Status:* 1/24/2017 - Third reading passed; Roll Call  
19: yeas 91, nays 0

1/24/2017 - House Bills on Third Reading

*Comments:* Very important bill. We are working with other interested parties and the sponsor to make the bill inclusive and accomplish

much needed confidentiality protections.

*State Bill Page:* [HB1122](#)

**HB1159 REGULATION OF FIREARMS (LUCAS J)** Repeals the law that requires a person to obtain a license to carry a handgun in Indiana. Specifies that a person who may otherwise legally carry a handgun is not required to obtain or possess a license or permit from the state to carry a handgun in Indiana. Makes conforming amendments. Allows a resident of Indiana who wishes to carry a firearm in another state under a reciprocity agreement entered into by Indiana and the other state to obtain an Indiana firearms reciprocity license from the superintendent of the state police department.

*Current Status:* 1/9/2017 - Representative Arnold added as coauthor

*Recent Status:* 1/9/2017 - Referred to House Public Policy  
1/9/2017 - First Reading

*State Bill Page:* [HB1159](#)

**HB1161 INCOME TAX CREDIT FOR FIREARMS SAFETY EXPENSES (LUCAS J)** Provides a state income tax credit for expenses incurred to receive qualified firearms instruction or to purchase a qualified firearms storage device. Provides that the credit is equal to the amount of the incurred expenses. Provides that the maximum amount allowed as a credit is \$200 for individuals filing single returns or \$400 for married couples filing joint returns. Provides that a tax credit may not exceed the taxpayer's state income tax liability. Provides that a taxpayer is not entitled to a carryover, carryback, or refund of any unused tax credit.

*Current Status:* 1/9/2017 - Referred to House Public Policy

*Recent Status:* 1/9/2017 - First Reading  
1/9/2017 - Authored By Jim Lucas

*State Bill Page:* [HB1161](#)

**HB1162 ARMED OFFICERS ON SCHOOL PROPERTY (LUCAS J)** Allows: (1) off duty; and (2) retired; law enforcement officers to carry a handgun in or on school property. Allows: (1) reserve; and (2) former reserve; law enforcement officers to carry a handgun in or on school property.

***Current Status:*** 1/9/2017 - Referred to House Public Policy

***Recent Status:*** 1/9/2017 - First Reading

1/9/2017 - Authored By Jim Lucas

***State Bill Page:*** [HB1162](#)

**HB1182 STATE BOARD OF ACCOUNTS (MAHAN K)** Authorizes the state examiner to appoint an employee of the state board of accounts as the director of special investigations (director). Requires that the director must have completed certain law enforcement training programs and must have at least 10 years of law enforcement experience. Provides that the director is a law enforcement officer for purposes of the criminal law. Adds the director to the definition of "police officer" for purposes of the statute providing a sentence enhancement for individuals who point a firearm or discharge a firearm at a police officer while committing certain crimes. (The introduced version of this bill was prepared by the audit and financial reporting subcommittee of the legislative council.)

***Current Status:*** 1/9/2017 - Referred to House Government and Regulatory Reform

***Recent Status:*** 1/9/2017 - First Reading

1/9/2017 - Coauthored by Representatives Lehman, Gutwein and Stemler

***State Bill Page:*** [HB1182](#)

**HB1189 CRIME REPORTING REQUIREMENTS (OBER D)** Requires local law enforcement agencies to provide criminal justice data to the Indiana state police. Requires local

law enforcement agencies to participate in a statewide uniform crime report program with the National Incident Based Reporting System (NIBRS). Requires the criminal justice data division of the state police department to report crime statistics to the governor semiannually (rather than annually, as required under current law).

**Current Status:** 2/7/2017 - House Veterans Affairs and Public Safety, (Bill Scheduled for Hearing);

**Time & Location:** 10:30 AM, Rm. 156-D

**Recent Status:** 2/2/2017 - Representative Harris added as coauthor

1/10/2017 - Referred to House Veterans Affairs and Public Safety

**State Bill Page:** [HB1189](#)

#### **HB1242 SENTENCE ENHANCEMENT FOR USE OF A**

**FIREARM (HAMM D)** Requires the state to seek to have a person who allegedly committed a felony sentenced to an additional fixed term of imprisonment of 10 years if the state can show beyond a reasonable doubt that the person knowingly or intentionally used a firearm in the commission of the felony. Provides that if the state proves beyond a reasonable doubt that a person knowingly or intentionally used a firearm in the commission of a felony, the court is required to sentence the person to an additional fixed term of imprisonment of 10 years. Specifies that the additional fixed term of imprisonment is nonsuspendible. Prohibits a plea agreement from being made by a prosecuting attorney to a court if the plea agreement would prohibit: (1) the prosecuting attorney from seeking to have a person sentenced to the additional fixed term of imprisonment of 10 years; or (2) the court from sentencing a person to the additional fixed term of imprisonment of 10 years; if the state can show beyond a reasonable doubt that the person knowingly or intentionally used a firearm in the

commission of a felony. Makes conforming amendments.  
Repeals superseded provisions.

**Current Status:** 1/10/2017 - Referred to House Courts and  
Criminal Code

**Recent Status:** 1/10/2017 - First Reading  
1/10/2017 - Authored By Richard Hamm

**State Bill Page:** [HB1242](#)

**HB1250 HANDGUN LICENSES AND LAW ENFORCEMENT OFFICERS** (GOODIN T) Provides that police officers, sheriffs or their deputies, and law enforcement officers of the United States government who have 20 or more years of service are entitled to a lifetime license to carry a handgun in Indiana. (Current law states police officers, sheriffs or their deputies, and law enforcement officers of the United States government must have been honorably retired by a lawfully created pension board or its equivalent after 20 or more years of service to be entitled to a lifetime license to carry a handgun.) Provides that these individuals are exempt from the payment of fees for the lifetime license to carry a handgun. Makes conforming amendments.

**Current Status:** 1/10/2017 - Referred to House Public Policy

**Recent Status:** 1/10/2017 - First Reading  
1/10/2017 - Authored By Terry Goodin

**State Bill Page:** [HB1250](#)

**HB1253 EARLY RETIREMENT OF PUBLIC EMPLOYEES** (CULVER W) Provides that for new hires of: (1) the state excise police, gaming agent, gaming control officer, and conservation enforcement officers' retirement plan; (2) the public employees' retirement fund; (3) the Indiana state teachers' retirement fund; (4) the Indiana judges' retirement fund: 1985 retirement, disability, and death system; and (5) the prosecuting attorneys retirement fund; eligibility for early

retirement according to the "rule of 85" is incrementally changed to a "rule of 95" over the period beginning July 1, 2017, and ending July 1, 2034.

***Current Status:*** 1/10/2017 - Referred to House Employment, Labor and Pensions

***Recent Status:*** 1/10/2017 - First Reading  
1/10/2017 - Authored By Wes Culver

***State Bill Page:*** [HB1253](#)

**HB1255 USE OF TELECOMMUNICATIONS DEVICES WHILE DRIVING (SMITH M)** Requires a person to use hands free or voice operated technology to place or receive a telephone call while operating a moving motor vehicle unless the device is used to call 911 to report a bona fide emergency. Revises the term "telecommunications device" for purposes related to motor vehicle operation.

***Current Status:*** 1/10/2017 - Referred to House Roads and Transportation

***Recent Status:*** 1/10/2017 - First Reading  
1/10/2017 - Authored By Milo Smith

***State Bill Page:*** [HB1255](#)

**HB1258 FIREARMS ON STATE UNIVERSITY CAMPUSES (LUCAS J)** Prohibits a regional campus (campus) of a state educational institution from imposing an enactment, measure, policy, or rule that prohibits or limits the legal carrying, possession, or transportation of a firearm while: (1) on land; or (2) in a building or other structure; leased or owned by the state educational institution. Allows a person adversely affected by campus firearm restrictions to bring a court action against the campus. Requires that 10% of the total operating appropriation for the campus of a state educational institution for the current state fiscal year must be withheld if the person prevails in the court action. Provides that appropriated money

withheld from a campus shall be released to the campus upon the dissolution of any imposed firearms restrictions that were found to have adversely affected the person. Provides that the release of withheld money to a campus does not prevent or prohibit a person adversely affected by the firearms restrictions of the campus from seeking any additional relief permitted under state or federal law.

***Current Status:*** 1/10/2017 - Referred to House Public Policy

***Recent Status:*** 1/10/2017 - First Reading

1/10/2017 - Authored By Jim Lucas

***State Bill Page:*** [HB1258](#)

## **HB1297 CRIMES AGAINST PUBLIC SAFETY OFFICIALS**

(KARICKHOFF M) Increases the penalty for battery if it is committed against a public safety official or a relative of a public safety official because of the official's status or perceived status as a public safety official, and increases the penalty for criminal recklessness if it is committed against: (1) a public safety official while the official is engaged in the official's official duties; or (2) a public safety official or a relative of a public safety official if the offense is committed because of the official's status or perceived status as a public safety official.

***Current Status:*** 1/10/2017 - Referred to House Courts and Criminal Code

***Recent Status:*** 1/10/2017 - First Reading

1/10/2017 - Coauthored by Representatives VanNatter, Mahan and Goodin

***Comments:*** This bill appears to be dead We are working on the Senate version (SB10) Necessary language from SB10 will be put into SB438 See SB438 for more details

***State Bill Page:*** [HB1297](#)

**HB1310 PUBLIC SAFETY OFFICER HEALTH STUDIES (FRYE R)** Establishes the public safety research fund. Provides that \$500,000 shall be appropriated from the state general fund and disbursed to the public safety research fund on July 1 of each year. Requires money disbursed to the public safety research fund be used for longitudinal research studies related to the health, safety, and well-being of public safety officers. Requires longitudinal research studies to be performed by the national institute for public safety and health (NIPSH). Requires NIPSH to provide a report of ongoing or performed longitudinal research studies to the executive director of the department of homeland security before December 31 of each year. Provides that money not allotted for a longitudinal research study reverts to the state general fund at the end of each state fiscal year.

***Current Status:*** 1/10/2017 - Referred to House Ways and Means

***Recent Status:*** 1/10/2017 - First Reading  
1/10/2017 - Authored By Randall Frye

***State Bill Page:*** [HB1310](#)

**HB1348 LOCAL SERVICE FEES ON TAX EXEMPT PROPERTY (SAUNDERS T)** Allows a county fiscal body to impose a local service fee on tax exempt property within the county (other than a building used for religious worship and the parcel of land on which such a building is located). Provides that after June 30, 2018, a municipal fiscal body may impose a local service fee on such tax exempt property within the municipality if the county fiscal body has not imposed a local service fee. Provides that the fiscal body of a county or municipality imposing a local service fee shall determine the amount of the fee to be imposed. Authorizes a fiscal body to exercise reasonable discretion in adopting different schedules of local service fee rates or making classifications in schedules

of local service fee rates, based on variations in the costs of furnishing basic and essential government services, including capital expenditures required. Provides that the revenue from a local service fee shall be distributed to the county, the municipality (if any), and the township in which the tax exempt property is located. Specifies that the revenue shall be distributed proportionally based on the county's, the municipality's, and the township's tax rate. Specifies that the revenue from a local service fee may be used for any legal or corporate purpose of the county, municipality, or township to which the revenue is distributed.

***Current Status:*** 1/12/2017 - Referred to House Ways and Means

***Recent Status:*** 1/12/2017 - First Reading  
1/12/2017 - Authored By Thomas Saunders

***State Bill Page:*** [HB1348](#)

**HB1358 RESPONSES TO SEXUAL ASSAULT (ERRINGTON**

**S)** Requires, before January 1, 2018, the attorney general to develop comprehensive guidelines for the establishment of a law enforcement agency policy governing the response to and investigation of incidents of sexual assault or abuse. Requires every law enforcement agency to adopt a policy governing the response to and investigation of sexual assault and sexual abuse incidents, based on the attorney general's guidelines, before July 1, 2018. Specifies: (1) minimum requirements for the guidelines and policy concerning incidents of sexual assault or abuse; (2) the contents of an incident report; and (3) procedures and policies concerning the collection, storage, and testing of sexual assault evidence.

***Current Status:*** 1/18/2017 - Representatives Macer and Olthoff added as coauthors

***Recent Status:*** 1/12/2017 - Referred to House Veterans Affairs and Public Safety

1/12/2017 - First Reading

*State Bill Page:* [HB1358](#)

**HB1398 TERRORISTIC THREATS (MCNAMARA W)** Provides that a person who threatens a public safety official commits making a terroristic threat, a Level 5 felony. Makes a technical correction.

*Current Status:* 1/17/2017 - Referred to House Courts and Criminal Code

*Recent Status:* 1/17/2017 - First Reading  
1/17/2017 - Coauthored by Representatives Kirchhofer, Lawson L and Arnold L

*State Bill Page:* [HB1398](#)

**HB1452 SERVICE OF PROCESS FEE (MAYFIELD P)** Eliminates the ability of the legislative body of a county to adopt by ordinance a separate schedule of document fees. Provides that the service of process fee is \$38. (Under current law the fee is \$25.) Allows a sheriff to charge \$73 for service of process outside of Indiana. (Under current law the fee is \$60.) Provides that a clerk shall charge a \$5 fee for a certificate under seal attached in authentication of a copy of any record, paper, or transcript. (Under current law the fee is \$1.) Repeals the \$13 fee for a verified claim of service by a sheriff.

*Current Status:* 1/18/2017 - Referred to House Courts and Criminal Code

*Recent Status:* 1/18/2017 - First Reading  
1/18/2017 - Authored By Peggy Mayfield

*State Bill Page:* [HB1452](#)

**HB1463 TEACHERS' DEFINED CONTRIBUTION PLAN (CARBAUGH M)** Establishes the teachers' defined contribution plan (plan) as an account within the Indiana state teachers' retirement fund (fund). Provides that an individual

who begins employment with a school corporation in a covered position that would otherwise be eligible for membership in the fund may elect to become a member of the plan. Provides that an individual who does not elect to become a member of the plan becomes a member of the fund. Provides that an individual has 36 months after the individual's initial election to make a second election concerning membership in the fund or the plan. Requires the board of trustees of the Indiana public retirement system (board) to establish, subject to any approval from the Internal Revenue Service that the board considers necessary or desirable, alternative investment programs within the annuity savings account as the initial alternative investment programs for the plan. Provides that, if the board considers it necessary or appropriate, the board may establish different or additional alternative investment programs for the plan, except that the board shall maintain the stable value fund. Provides that each member's contribution to the plan is 3% of the member's compensation and requires the employer to pay the member's contribution on behalf of the member. Allows a member to make additional contributions to the plan up to 10% of the member's compensation. Provides that the employer's contribution rate for the plan is equal to the employer's contribution rate for the fund as determined by the board, although the amount credited from the employer's contribution rate to the member's account may not be greater than the normal cost of the fund, and any amount not credited to the member's account is applied to the unfunded accrued liability of the fund. Provides that an employer's minimum contribution to the plan is 3% of the compensation of all members of the plan. Provides that member contributions and net earnings on the member contributions belong to the member at all times and do not belong to the employer. Provides that a member vests in the employer contribution subaccount at 50% after four years of participation in the plan with full vesting after five years of participation. Provides that,

if a member separates from service with an employer before the member is fully vested in the employer contribution subaccount, the amount in the subaccount that is not vested is: (1) transferred to the member's new employer, if the new employer participates in the plan; or (2) forfeited, if the new employer does not participate in the plan. Provides that a member who: (1) terminates service in a covered position; and (2) does not perform any service in a covered position for at least 30 days after the date on which the member terminates service; is entitled to withdraw vested amounts in the member's account. Provides that a member may elect to have withdrawals paid as: (1) a lump sum; (2) a direct rollover to another eligible retirement plan; or (3) if the member is at least 62 years of age with at least five years of participation in the plan, a monthly annuity in accordance with the rules of the board. Provides that, on the plan's effective date, school corporations become participants in the plan.

***Current Status:*** 1/18/2017 - Referred to House Employment, Labor and Pensions

***Recent Status:*** 1/18/2017 - First Reading

1/18/2017 - Authored By Martin Carbaugh

***State Bill Page:*** [HB1463](#)

**HB1500 STATE POLICE SALARIES (SMALTZ B)** Requires the office of management and budget to annually prepare and submit a report to the budget committee and the legislative council that compares the base salaries of: (1) police employees of the state police department; and (2) police officers of the three largest local police departments in Indiana. Requires the budget committee to review the report. Provides that the budget committee may make findings and recommendations regarding base salary parity among state police department police employees and the local police officers used for comparison. Requires the budget committee

to report its findings and recommendations to the legislative council.

***Current Status:*** 1/18/2017 - Referred to House Ways and Means

***Recent Status:*** 1/18/2017 - First Reading  
1/18/2017 - Authored By Ben Smaltz

***State Bill Page:*** [HB1500](#)

**HB1514 LAW ENFORCEMENT MATTERS (OLTHOFF J)** Creates a \$5 law enforcement body camera fee. Requires that the law enforcement body camera fee must be collected in any action involving the violation of an infraction or an ordinance. Requires the clerk of a circuit court to distribute the law enforcement body camera fees to the county auditor or controller. Requires the county auditor or controller to deposit money generated by the law enforcement body camera fee into a law enforcement body camera fund in certain instances. Creates a law enforcement body camera fund. Creates a \$3 law enforcement training fund fee. Requires that the law enforcement training fund fee must be collected in any action involving the commission of a traffic infraction. Requires the clerk of a circuit court to distribute the law enforcement training fund fee to the auditor of state. Requires the auditor of state to deposit money generated by the law enforcement training fund fee into the law enforcement training fund. Creates the law enforcement training fund. Adds reserve: (1) county; (2) city; (3) town; and (4) conservation; officers to the statutory definition of "law enforcement officer". Adds reserve sheriffs to the statutory definition of "law enforcement officer". Permits the state to seek a sentencing enhancement against a person who commits a crime against an individual with the intent to harm or intimidate the individual due to the individual's employment as a law enforcement officer. Specifies that the sentencing enhancement is: (1) for a felony,

the lesser of the advisory sentence or 10 years; and (2) for a misdemeanor, not more than one-half of the maximum sentence for the misdemeanor. Creates a municipal law enforcement body camera fund for units that equip their law enforcement officers with body cameras. Specifies how money in a law enforcement body camera fund may be spent. Creates a law enforcement training fund.

***Current Status:*** 1/18/2017 - Referred to House Courts and Criminal Code

***Recent Status:*** 1/18/2017 - First Reading  
1/18/2017 - Authored By Julie Olthoff

***State Bill Page:*** [HB1514](#)

#### **HB1534 ORDERS OF PROTECTION AND FIREARMS**

(MCNAMARA W) Requires a court to prohibit a person who is subject to an order for protection from using or possessing firearms or ammunition if the domestic or family violence giving rise to the order of protection involved the use or threat of use of a firearm. Requires a court to order the surrender of firearms and ammunition owned or possessed by a person who is subject to an order for protection if the domestic or family violence giving rise to the order of protection involved the use or threat of use of a firearm.

***Current Status:*** 1/31/2017 - Representative Lawson added as coauthor

***Recent Status:*** 1/18/2017 - Referred to House Public Policy  
1/18/2017 - First Reading

***State Bill Page:*** [HB1534](#)

#### **HB1535 LAW ENFORCEMENT TRAINING AND EDUCATION**

(MCNAMARA W) Repeals certain statutes concerning law enforcement academies and law enforcement training currently located in the state and local administration law (Title 5). Recodifies the repealed statutes in the public safety law (Title

10). Changes the name of the law enforcement training board to the peace officer standards and training commission (commission). Enables individuals to obtain law enforcement training without an appointment by a law enforcement agency. Authorizes a state educational institution to enter into contractual agreements with the commission for specific programs to be wholly supported by the commission without the approval of the commission for higher education. Authorizes a qualified postsecondary educational institution to: (1) submit an application to the commission for a certificate of authority to conduct law enforcement training programs; and (2) cooperate with the commission for the development of specialized courses of study in police science and administration. Specifies that local law enforcement agencies may require police officer trainees to complete pre-basic courses and basic training provided by any authorized entity. Makes conforming changes. Makes an appropriation.

***Current Status:*** 1/31/2017 - Representatives Lawson, Mahan, Karickhoff added as coauthors

***Recent Status:*** 1/18/2017 - Referred to House Veterans Affairs and Public Safety

1/18/2017 - First Reading

***State Bill Page:*** [HB1535](#)

## **HB1537 PENSION THIRTEENTH CHECKS (GUTWEIN**

D) Provides for a thirteenth check in 2017 for certain members of the: (1) Indiana state teachers' retirement fund; (2) public employees' retirement fund; (3) state excise police, gaming agent, gaming control officer, and conservation enforcement officers' retirement plan; (4) state police pre-1987 benefit system; and (5) state police 1987 benefit system.

***Current Status:*** 1/31/2017 - Referred to the Committee on Ways and Means pursuant to House Rule

**Recent Status:** 1/31/2017 - Committee Report do pass,  
adopted  
1/31/2017 - DO PASS Yeas: 11; Nays: 0

**State Bill Page:** [HB1537](#)

**HB1552 CRIMINAL LAW MATTERS (DEVON D)** Reclassifies the level of the offense for causing the death of another person or a law enforcement animal when operating a vehicle in certain circumstances if: (1) the person has a previous conviction of operating while intoxicated within the five years preceding the commission of the offense; or (2) the person operated the vehicle when the person knew that the person's driver's license, driving privilege, or permit is suspended or revoked. Provides that if a person is convicted of harassment or public harassment, the victim of the offense has a civil cause of action against the convicted person. Reclassifies reckless homicide from a Level 5 felony to a Level 4 felony. Reclassifies certain acts of criminal recklessness from Level 5 felonies to Level 4 felonies. Specifies that a person who knowingly or intentionally breaks and enters a building or a structure, other than a dwelling, of another person without the other person's consent commits criminal trespass, a Class A misdemeanor. Defines the crime of public harassment, a Class A misdemeanor.

**Current Status:** 1/23/2017 - Referred to House Courts and Criminal Code

**Recent Status:** 1/23/2017 - First Reading  
1/23/2017 - Authored By Dale DeVon

**State Bill Page:** [HB1552](#)

**HB1555 POLICE RESERVE OFFICERS (MAYFIELD P)** Provides that town police reserve officers are eligible for a line of duty death benefit from the special death benefit fund. Provides that, after December 31, 2017, a county, city, or town shall

furnish without charge to a police reserve officer (officer) who is injured or contracts an illness in the course of or as the result of the performance of duties as an officer all necessary physician, surgical, hospital, and nursing services and supplies, and that this obligation supersedes any obligations that another medical insurance carrier has to pay the officer's medical expenses. Provides that, after December 31, 2017, a county, city, or town shall provide to an officer who is unable to pursue the officer's usual vocation as the result of an injury or illness occurring in the course of or as the result of the performance of duties as an officer a weekly amount equal to the Indiana minimum wage computed on the basis of a 40 hour work week for a maximum of 260 weeks. Provides that a county, city, or town may meet its obligations by purchasing policies of group insurance, establishing a plan of self-insurance, or participating in the medical treatment and burial expense provisions of the worker's compensation and occupational diseases law.

***Current Status:*** 1/23/2017 - Referred to House Veterans Affairs and Public Safety

***Recent Status:*** 1/23/2017 - First Reading

1/23/2017 - Authored By Peggy Mayfield

***State Bill Page:*** [HB1555](#)

**HB1588 FIREARMS ON PUBLIC PROPERTY (LUCAS J)** Repeals statutes prohibiting the carrying or possession of firearms on: (1) school property; and (2) a school bus. Provides that the state of Indiana may not regulate: (1) firearms, ammunition, and firearm accessories; (2) the ownership, possession, carrying, transportation, registration, transfer, and storage of firearms, ammunition, and firearm accessories; or (3) commerce in and taxation of firearms, firearms ammunition, and firearm accessories. Provides certain exceptions. Provides that any provision of an ordinance, measure, enactment, rule,

or policy enacted by the state pertaining to firearms regulation is void. Provides that a person not otherwise prohibited from carrying or possessing a firearm under federal or state law may carry or possess a firearm, without restriction, on property affiliated with the following state agencies: (1) the Indiana department of natural resources; (2) the Indiana state fair commission; (3) the Indiana department of administration; (4) the Indiana horse racing commission; (5) the Indiana department of workforce development; and (6) the Indiana gaming commission. Defines certain terms. Makes conforming amendments.

***Current Status:*** 1/23/2017 - Referred to House Public Policy

***Recent Status:*** 1/23/2017 - First Reading

1/23/2017 - Authored By Jim Lucas

***State Bill Page:*** [HB1588](#)

## **HB1617 1977 FUND AND SHERIFF'S DISABILITY BENEFITS**

(SPEEDY M) Provides that: (1) a fund member of the 1977 police officers' and firefighters' pension and disability fund (1977 fund); and (2) an employee beneficiary of a sheriff's pension trust; who has a permanent and total disability that is the direct result of a catastrophic personal injury that occurs in the line of duty after July 1, 2017, and that permanently prevents the fund member or employee beneficiary from performing any gainful work receives for the remainder of the individual's life a disability benefit equal to the monthly salary of a first class patrolman or firefighter (1977 fund) or the average monthly wage being received by the employee beneficiary (sheriff's pension trust) at the commencement of the disability. Provides that: (1) the 1977 fund member's disability benefit increases at a rate equal to the increases in the monthly salary of a first class patrolman or firefighter; and (2) the sheriff's pension trust employee beneficiary's disability benefit increases at a rate equal to the increases to the average

monthly wage that the employee beneficiary would have received, if the employee beneficiary had remained in active service.

***Current Status:*** 1/30/2017 - Representatives Karickhoff, Pryor, VanNatter added as coauthors

***Recent Status:*** 1/23/2017 - Referred to House Employment, Labor and Pensions

1/23/2017 - First Reading

***State Bill Page:*** [HB1617](#)

**HB1618 PERMANENT DISABLING HARM TO FIRST RESPONDERS (SPEEDY M)** Defines "permanent disabling harm" and permits imposition of a nonsuspendible sentencing enhancement of five to 10 years if the state proves beyond a reasonable doubt that a person committed a felony that caused a public safety official to suffer permanent disabling harm.

***Current Status:*** 1/23/2017 - Referred to House Courts and Criminal Code

***Recent Status:*** 1/23/2017 - First Reading

1/23/2017 - Authored By Mike Speedy

***State Bill Page:*** [HB1618](#)

**HB1636 PROPERTY TAX COLLECTION (SMITH V)** Requires a person that applies to register a vehicle (applicant) to furnish proof, as a condition of registering a vehicle, that the applicant has paid all relevant property taxes, special assessments, interest, and penalties for which the applicant is liable. Provides that county auditors shall issue certifications to eligible registrants of motor vehicles in their respective counties that: (1) the registrant's liability for all relevant property taxes, special assessments, penalties, and interest is paid in full; or (2) the registrant is not liable for any property taxes, special assessments, penalties, or interest. Requires the bureau of motor vehicles, in cooperation with the department

of local government finance, the county auditors, and the county treasurers, to produce a computerized information system for verifying whether an applicant has paid all the relevant property taxes, special assessments, interest, and penalties for which the applicant is liable.

***Current Status:*** 1/24/2017 - Referred to House Roads and Transportation

***Recent Status:*** 1/24/2017 - First Reading  
1/24/2017 - Authored By Vernon Smith

***State Bill Page:*** [HB1636](#)

**HB1645 LAW ENFORCEMENT OMBUDSMAN (SUMMERS**

V) Establishes the office of the law enforcement ombudsman (ombudsman). Provides that the governor appoints the ombudsman, who must be a licensed attorney and devote full time to the duties of the office. Provides that the ombudsman receives and investigates complaints made against law enforcement officers of state and local law enforcement agencies to determine if the law enforcement agency's investigation of the law enforcement officer's actions was complete, thorough, objective, and fair. Requires the ombudsman to have access to any local or state agency records that are relevant to the complaint. Provides that if the ombudsman determines that a law enforcement agency's handling of the complaint against a law enforcement officer is insufficient, the ombudsman shall submit a written recommendation of further action to the police chief, governor (if a state agency), or municipal or county executive and legislative body. Allows an ombudsman to mediate a complaint between the complainant and the law enforcement officer or law enforcement agency if all parties consent. Makes it a Class A misdemeanor to interfere with the ombudsman or a person who files a complaint with the ombudsman.

***Current Status:*** 1/24/2017 - Referred to House Veterans

Affairs and Public Safety

*Recent Status:* 1/24/2017 - First Reading

1/24/2017 - Authored By Vanessa Summers

*State Bill Page:* [HB1645](#)

**HB1647 CIVIL RIGHTS COMMISSION (SUMMERS V)** Provides that: (1) an order by the civil rights commission may include a requirement that reasonable attorney's fees incurred by certain complainants be paid; and (2) a civil action based on a claim that is the basis for a complaint filed with the civil rights commission may be tried by a court or by a jury. Eliminates the requirement that both the complainant and respondent must agree in writing to have a claim that is the basis for a finding of probable cause by the civil rights commission decided in a court.

*Current Status:* 1/24/2017 - Referred to House Judiciary

*Recent Status:* 1/24/2017 - First Reading

1/24/2017 - Authored By Vanessa Summers

*State Bill Page:* [HB1647](#)

**HB1650 GRAND JURY INDICTMENT PROHIBITED IN CERTAIN CASES (PORTER G)** Provides that a law enforcement officer who is alleged to have unlawfully caused bodily injury to a civilian by discharging a firearm or using physical force may be charged only by information. (Under current law, the law enforcement officer may be charged by information or by grand jury indictment.)

*Current Status:* 1/24/2017 - Referred to House Courts and Criminal Code

*Recent Status:* 1/24/2017 - First Reading

1/24/2017 - Authored By Gregory Porter

*State Bill Page:* [HB1650](#)

**HB1651 STATE FUNDING OF CERTAIN TRIALS OF POLICE OFFICERS (PORTER G)** Establishes the special prosecution fund (fund) to reimburse a county for expenses incurred in the appointment of a special prosecutor to prosecute a law enforcement officer who is alleged to have unlawfully caused bodily injury to another person by discharging a firearm or using physical force. Establishes a procedure for the county auditor to seek reimbursement from the fund, and provides that the attorney general administers the fund and evaluates claims for reimbursement. Appropriates \$200,000 to the fund.

*Current Status:* 1/24/2017 - Referred to House Courts and Criminal Code

*Recent Status:* 1/24/2017 - First Reading  
1/24/2017 - Authored By Gregory Porter

*State Bill Page:* [HB1651](#)

**SB3 PAID PERSONAL LEAVE (RANDOLPH L)** Urges the legislative council to assign to a study committee during the 2017 legislative interim the topic of paid personal leave from employment.

*Current Status:* 1/3/2017 - Referred to Senate Pensions and Labor

*Recent Status:* 1/3/2017 - First Reading  
1/3/2017 - Authored By Lonnie Randolph

*State Bill Page:* [SB3](#)

**SB4 OPERATION OF DASHBOARD CAMERAS (RANDOLPH L)** Requires a state or local government law enforcement agency that installs audiovisual recording systems in the agency's patrol cars to adopt a policy meeting certain requirements regarding the use of the recording system.

*Current Status:* 1/3/2017 - Referred to Senate Homeland Security and Transportation

*Recent Status:* 1/3/2017 - First Reading

1/3/2017 - Authored By Lonnie Randolph

*State Bill Page:* [SB4](#)

**SB8**     **FORFEITURE (BOOTS P)** Permits seized property to be forfeited to the state only if the owner of the property has been convicted of a criminal offense. Repeals a provision permitting the state to turn over seized property to the federal government. Makes conforming amendments and repeals an obsolete section.

*Current Status:* 1/17/2017 - Senator Randolph added as coauthor

*Recent Status:* 1/12/2017 - Senator Kruse added as third author

1/10/2017 - Senate Corrections and Criminal Law, (Bill Scheduled for Hearing); **Time & Location:** 10:00 AM, Rm. 130

*State Bill Page:* [SB8](#)

**SB10**     **CRIMES AGAINST PUBLIC SAFETY OFFICIALS (MERRITT J)** Increases the penalty for battery if it is committed against a public safety official or a relative of a public safety official because of the official's status or perceived status as a public safety official, and increases the penalty for criminal recklessness if it is committed against: (1) a public safety official while the official is engaged in the official's official duties; or (2) a public safety official or a relative of a public safety official if the offense is committed because of the official's status or perceived status as a public safety official.

*Current Status:* 1/3/2017 - Referred to Senate Corrections and Criminal Law

*Recent Status:* 1/3/2017 - First Reading

1/3/2017 - Authored By James Merritt

*Comments:* FOP bill. We have been working with

Senator Merritt all summer on this bill and will be doing all that we can to shepherd it through the legislative process. As of Tuesday, February 7th, 2017, appropriate language from SB10 will be added to SB438 to accomplish our goals Please see SB438

*State Bill Page:* [SB10](#)

**SB12 RESIDENCY REQUIREMENTS FOR POLICE AND FIREFIGHTERS (ZAKAS J)** Allows a member of a city police or fire department to reside within a county located outside Indiana that is contiguous to the county in which the city is located.

*Current Status:* 1/18/2017 - Senators Niezgodski and Bohacek added as coauthors

*Recent Status:* 1/18/2017 - Senator Niemeyer added as third author

1/11/2017 - Senate Local Government, (Bill Scheduled for Hearing); **Time & Location:** 1:30 PM, Rm. 130

*State Bill Page:* [SB12](#)

**SB19 SHERIFF'S COMMISSARY FUND REPORTING (BROWN L)** Specifies information that must be contained in a county jail commissary report.

*Current Status:* 1/30/2017 - Senator Randolph added as coauthor

*Recent Status:* 1/30/2017 - House sponsor: Representative Morris

1/30/2017 - Third reading passed; Roll Call 29: yeas 49, nays 0

*State Bill Page:* [SB19](#)

**SB26 SEIZURE AND FORFEITURE OF PROPERTY USED IN**

**CRIMES (RANDOLPH L)** Provides that when property is seized under the law concerning forfeiture of property used in violation of certain criminal statutes, the state or local law enforcement agency making the seizure shall: (1) identify the owner of the property; and (2) provide the owner with notice of the intent of the state or local unit of government to seek forfeiture of the property. Requires a prosecuting attorney to show by clear and convincing evidence that the owner of the property was: (1) convicted of; or (2) entered a plea of guilty or nolo contendere to; the offense that gave rise to the forfeiture before the property may be forfeited. Allows the owner of, or another putative interest holder in, property seized to file a motion for the hardship release of the property at any time after the property is seized. Requires the court to order the release of the seized property if the owner or putative interest holder establishes certain criteria by a preponderance of the evidence. Requires a court to determine whether the forfeiture of the property would be disproportional to the offense that gave rise to the forfeiture. Provides that the prosecuting attorney has the burden of establishing proportionality by clear and convincing evidence. Requires the court to dismiss a forfeiture action if the court determines the forfeiture of the property is disproportional to the offense.

*Current Status:* 1/3/2017 - Referred to Senate Corrections and Criminal Law

*Recent Status:* 1/3/2017 - First Reading

1/3/2017 - Authored By Lonnie Randolph

*State Bill Page:* [SB26](#)

**SB37 CERTIFICATIONS CONCERNING BREATH TESTS**  
(ZAKAS J) Authorizes the department of toxicology (department) to publish certifications of breath test operators, breath test equipment and chemicals, and proper breath test administration techniques on its Internet web site. Provides

that a certification published on the department's Internet web site and obtained from the department as an electronic record bearing an electronic signature: (1) is admissible in a proceeding involving the offense of operating a vehicle while intoxicated; and (2) constitutes prima facie evidence concerning the equipment used in administering a breath test, the technique used in administering the breath test, or the certification of the operator who administered the breath test.

***Current Status:*** 1/23/2017 - Cosponsor: Representative Ober

***Recent Status:*** 1/23/2017 - House sponsor: Representative Steuerwald

1/23/2017 - Third reading passed; Roll Call  
12: yeas 50, nays 0

***State Bill Page:*** [SB37](#)

## **SB41**

### **USE OF FORFEITURE PROCEEDS (GROOMS**

R) Provides that, in a forfeiture proceeding, 1/3 of the proceeds may be provided to the prosecuting attorney or an attorney retained by the prosecuting attorney in a forfeiture action, unless the prosecuting attorney has declined a request from the state police department to transfer the forfeiture to federal jurisdiction, in which case 20% of the proceeds but not more than \$5,000 may be transferred to the prosecuting attorney. Provides that of the remaining proceeds, 15% shall be provided to the common school fund and 85% shall be distributed to an account for distribution to law enforcement agencies participating in the seizure as necessary law enforcement expenses. Specifies that money or the proceeds of seized property placed in a county asset forfeiture account may be disbursed only by action of the county legislative body under a claim submitted by a law enforcement agency or prosecuting attorney, and must be disbursed under an interlocal agreement, if applicable. Permits a prosecuting attorney to retain an attorney to bring a forfeiture action only if the

attorney general reviews the compensation agreement between the prosecuting attorney and the retained attorney, and requires that the compensation agreement with the retained attorney be capped at: (1) 33 1/3% of the first \$10,000 of the amount of the proceeds or money obtained; (2) 25% of the part of the amount between \$10,000 and \$100,000; and (3) 20% of the part of the amount that is at least \$100,000; unless a court finds that the forfeiture action is unusually complex. Requires a court to notify the Indiana criminal justice institute of the amount and manner of a forfeiture distribution. Provides that a prosecuting attorney or deputy prosecuting attorney who engages in a forfeiture action for the prosecuting attorney's office may not receive a contingency fee.

***Current Status:*** 1/3/2017 - Referred to Senate Corrections and Criminal Law

***Recent Status:*** 1/3/2017 - First Reading

1/3/2017 - Authored By Ronald Grooms

***State Bill Page:*** [SB41](#)

**SB46**     **VARIOUS PENSION MATTERS (BOOTS P)** Establishes a single special death benefit fund to replace the two separate death benefit funds established under current law to pay death benefit claims to the beneficiaries of public safety officers or other state public employees who die in the line of duty. Provides that death benefits paid to beneficiaries of members of the following funds who die in the line of duty are to be paid from the special death benefit fund instead of the pension relief fund: (1) The 1925 police pension fund. (2) The 1937 firefighters' fund. (3) The 1953 police pension fund (Indianapolis). (4) The 1977 police officers' and firefighters' pension and disability fund. Allows an individual who is a member of both the public employees' retirement fund (PERF) and the Indiana state teachers' retirement fund (TRF) to make independent elections concerning the amounts credited to the

member in the annuity savings account of each fund. Allows a member of PERF or TRF, or both, to do the following with the money credited to the member in a PERF or TRF annuity savings account, in any combination: (1) Retain and continue to invest all or part of the money in the annuity savings account. (2) Receive one or more distributions of all or part of the money in the annuity savings account. (3) Obtain an annuity with all or part of the money in the annuity savings account. Provides that if survivor benefits under PERF or TRF are forfeited for the failure of a survivor to claim the benefits within three years of the death of a member, the money to pay the benefits must be credited in the manner provided by the board of trustees of the Indiana public retirement system, rather than to PERF or TRF specifically. Provides that the minimum pension benefit for a regularly retired member of TRF who receives an unreduced pension benefit is \$185 per month. Makes an appropriation. (The introduced version of this bill was prepared by the interim study committee on pension management oversight.)

***Current Status:*** 1/23/2017 - Senator Randolph added as coauthor

***Recent Status:*** 1/23/2017 - Senator Niezgodski added as coauthor

1/23/2017 - Cosponsor: Representative Burton

***State Bill Page:*** [SB46](#)

**SB47**     **C AND E FUND DEDUCTIONS FROM RETIREMENT BENEFITS (BOOTS P)** Allows a participant in the state excise police, gaming agent, gaming control officer, and conservation enforcement officers' retirement plan (C and E fund) to authorize a deduction from the participant's monthly retirement benefit for the purpose of paying insurance premiums, charitable contributions, or labor organization dues.

**Current Status:** 1/24/2017 - Senator Eckerty added as coauthor

**Recent Status:** 1/23/2017 - Senator Niezgodski added as third author

1/23/2017 - Senator Randolph added as coauthor

**State Bill Page:** [SB47](#)

**SB80 DEFERRED RETIREMENT OPTION PLAN**

**DISABILITY BENEFIT (BOOTS P)** Revises, for a member of the 1925 police pension fund, the 1937 firefighters' pension fund, the 1953 police pension fund, or the 1977 police officers' and firefighters' pension and disability fund who retires after June 30, 2017, because of a disability at least 12 months after the date the member enters the deferred retirement option plan (DROP), the calculation of the retirement benefit paid to the member. Allows a member who retired after January 1, 2015, and before July 1, 2017, because of a disability at least 12 months after the date the member entered the DROP to elect to have the member's retirement benefit recalculated under the new provision.

**Current Status:** 1/24/2017 - Senator Eckerty added as coauthor

**Recent Status:** 1/23/2017 - Senator Randolph added as coauthor

1/23/2017 - Senator Tallian added as coauthor

**Comments:** FOP Bill. Needed to correct a problem when an active member in the DROP becomes disabled due to an IOD situation.

**State Bill Page:** [SB80](#)

**SB104 DNA SAMPLE FROM FELONY ARRESTEES (ZAKAS**

**J)** Requires every person arrested for a felony after June 30,

2017, to submit a DNA sample, and specifies that the sample may be taken only by buccal swab. Provides for the expungement of a DNA sample taken from the person if the person is acquitted of all felony charges, all felony charges are dismissed, or no charges have been filed after 30 days. Requires the officer who obtains a DNA sample from a person to inform the person of the right to DNA expungement and to provide the person with a form that may be used for DNA expungement, and permits the use of evidence other than a court order for expungement. Increases the DNA sample processing fee from \$2 to \$4. Allocates an additional \$500,000 semiannually to: (1) hold harmless all funds that receive distributions from the state share of collected court fees; and (2) provide an additional amount to the DNA processing fund. Specifies that the discovery of DNA evidence tending to show previously unknown crimes committed by a person on bail may lead to revocation of bail or an increase in the amount of bail.

***Current Status:*** 1/3/2017 - Referred to Senate Judiciary

***Recent Status:*** 1/3/2017 - First Reading

1/3/2017 - Authored By Joseph Zakas

***State Bill Page:*** [SB104](#)

**SB112 HOSPITAL POLICE DEPARTMENTS (KRUSE**

D) Defines "health system". Allows for health systems to establish police departments. Expands the area in which hospital police officers may exercise police powers.

***Current Status:*** 1/24/2017 - Cosponsors: Representatives Smaltz, Ober and GiaQuinta

***Recent Status:*** 1/24/2017 - House sponsor: Representative Morris

1/24/2017 - Third reading passed; Roll Call 22: yeas 45, nays 2

***State Bill Page:*** [SB112](#)

**SB113 SEIZURE AND FORFEITURE REPORTING (KRUSE D)** Provides that forfeiture may only occur following a criminal conviction. Establishes a procedure for criminal forfeiture, and repeals provisions relating to civil forfeiture. Requires that certain information concerning forfeitures be annually reported to the legislative council. Makes conforming amendments.

*Current Status:* 1/4/2017 - Referred to Senate Corrections and Criminal Law

*Recent Status:* 1/4/2017 - First Reading  
1/4/2017 - Authored By Dennis Kruse

*State Bill Page:* [SB113](#)

**SB123 HANDGUN TRAINING (BREAUX J)** Requires a person who applies after December 31, 2017, for a license to carry a handgun to first complete an eight hour handgun safety and training program, unless the person is a law enforcement officer, a retired law enforcement officer, or an active or honorably discharged member of the armed forces of the United States. Eliminates a requirement that an applicant for a handgun license must inform the officer to whom the application is made of the reason the applicant is applying for the license.

*Current Status:* 1/4/2017 - Referred to Senate Judiciary

*Recent Status:* 1/4/2017 - First Reading  
1/4/2017 - Authored By Jean Breaux

*State Bill Page:* [SB123](#)

**SB140 MATCHING GRANT FUND FOR LOCAL POLICE DEPARTMENTS (SANDLIN J)** Establishes the law enforcement emergency response equipment matching grant fund to be administered by the department of homeland security. Allows local law enforcement agencies to apply for

matching grants to purchase equipment needed for emergency response situations.

**Current Status:** 1/24/2017 - Senator Ford added as coauthor

**Recent Status:** 1/23/2017 - Senators Delph, Niezgodski, Merritt, Crider, Mrvan added as coauthors  
1/17/2017 - Committee Report do pass adopted; reassigned to Committee on Appropriations

**State Bill Page:** [SB140](#)

**SB144 CHARITY GAMING OPERATIONS (RANDOLPH**

L) Allows an operator of or a worker at a charity gaming event (other than a full-time employee of the qualified organization conducting the event) to receive remuneration of not more than \$50 for conducting or assisting in conducting the event.

Provides that meals, recognition dinners, and social events for operators and workers are permitted if they do not constitute an unreasonable expenditure in the conduct of an allowable event. Relocates the prohibition on paying volunteer ticket agents to the statute imposing other rules on the use of a volunteer ticket agent.

**Current Status:** 1/4/2017 - Referred to Senate Public Policy

**Recent Status:** 1/4/2017 - First Reading

1/4/2017 - Authored By Lonnie Randolph

**State Bill Page:** [SB144](#)

**SB146 DEATH SENTENCE ELIMINATION (RANDOLPH**

L) Abolishes the death penalty. Repeals the law concerning the imposition and execution of death sentences, and makes conforming amendments. Specifies that if a person was sentenced to death and is awaiting execution of the death sentence, the person's death sentence is commuted to a sentence of life imprisonment without parole. Provides that when a defendant is charged with a murder for which the state

seeks a sentence of life imprisonment without parole, the defendant may file a petition alleging that the defendant is an individual with an intellectual disability. Provides that if a defendant who is determined to be an individual with an intellectual disability is convicted of murder, the court may sentence the defendant only to a fixed term of imprisonment. Makes technical corrections.

***Current Status:*** 1/4/2017 - Referred to Senate Judiciary

***Recent Status:*** 1/4/2017 - First Reading

1/4/2017 - Authored By Lonnie Randolph

***State Bill Page:*** [SB146](#)

**SB160 1977 FUND SURVIVING SPOUSE BENEFIT**

(NIEMEYER R) Increases, from 60% to 80% of the member's monthly benefit, the monthly benefit of a surviving spouse of an individual who: (1) is a member of the 1977 police officers' and firefighters' pension and disability fund; and (2) dies other than in the line of duty after June 30, 2017.

***Current Status:*** 1/4/2017 - Referred to Senate Pensions and Labor

***Recent Status:*** 1/4/2017 - First Reading

1/4/2017 - Authored By Rick Niemeyer

***State Bill Page:*** [SB160](#)

**SB163 DISTRIBUTIONS OF PUBLIC SAFETY INCOME TAX REVENUE**

(NIEMEYER R) Requires the distribution of public safety local income tax revenues to a township that provides fire protection or emergency medical services.

***Current Status:*** 1/4/2017 - Referred to Senate Tax and Fiscal Policy

***Recent Status:*** 1/4/2017 - First Reading

1/4/2017 - Authored By Rick Niemeyer

***State Bill Page:*** [SB163](#)

**SB177 RESISTING LAW ENFORCEMENT (GLICK S)** Specifies that a person who recklessly, knowingly, or intentionally fails to comply with the lawful order of a law enforcement officer with authority to direct traffic commits a Class C infraction. (Under current law, a person commits the infraction only if the failure to comply is done knowingly.) Provides that a person who knowingly or intentionally fails to comply with the lawful order of a law enforcement officer while the officer is engaged in the officer's official duties commits resisting law enforcement, a Class A misdemeanor.

*Current Status:* 1/9/2017 - Referred to Senate Corrections and Criminal Law

*Recent Status:* 1/9/2017 - First Reading  
1/9/2017 - Authored By Susan Glick

*State Bill Page:* [SB177](#)

**SB191 DISPOSAL OF FIREARMS (LONG D)** Establishes a procedure for the return or disposal of certain firearms in the custody of a law enforcement agency.

*Current Status:* 1/30/2017 - Senator Randolph added as coauthor

*Recent Status:* 1/30/2017 - Senator Crane added as second author  
1/30/2017 - House sponsor: Representative Cherry

*State Bill Page:* [SB191](#)

**SB223 RESISTING LAW ENFORCEMENT (BRAY R)** Specifies that a person who recklessly, knowingly, or intentionally fails to comply with the lawful order of a law enforcement officer with authority to direct traffic commits a Class C infraction. (Under current law, a person commits the infraction only if the failure to comply is done "knowingly".) Provides that a person

who knowingly or intentionally refuses to comply with the lawful order of a law enforcement officer after having been detained based on: (1) probable cause; (2) reasonable suspicion; (3) a warrant; or (4) another court order; commits resisting law enforcement as a Class C misdemeanor. Makes conforming amendments.

**Current Status:** 1/9/2017 - Referred to Senate Corrections and Criminal Law

**Recent Status:** 1/9/2017 - First Reading  
1/9/2017 - Authored By Rodric Bray

**State Bill Page:** [SB223](#)

**SB239 VICTIM NOTIFICATION (HEAD R)** Provides that if the discharge or release date of an offender is changed during the 40 day notification period before an offender's planned discharge or release, the department of correction shall notify the victim as soon as possible but not more than 48 hours after the change in the discharge or release date.

**Current Status:** 1/31/2017 - Senator Zakas added as coauthor

**Recent Status:** 1/30/2017 - Senator Randolph added as coauthor  
1/30/2017 - Senators Freeman and Young M added as coauthors

**State Bill Page:** [SB239](#)

**SB261 PRIVATE CLUB ALCOHOL BEVERAGE PERMITS (TALLIAN K)** Increases, from four days to seven days, the number of days in a calendar month that may be designated as guest days by the holder of a club permit for alcoholic beverages.

**Current Status:** 1/9/2017 - Referred to Senate Public Policy

**Recent Status:** 1/9/2017 - First Reading  
1/9/2017 - Authored By Karen Tallian

*State Bill Page:* [SB261](#)

**SB271 DISCLOSURE OF EXCULPATORY EVIDENCE**

(RANDOLPH L) Creates the crime of criminal concealment of evidence. Provides that a prosecuting attorney who knowingly or intentionally: (1) withholds; (2) destroys; or (3) fails to disclose the existence of; new, material, or credible evidence creating a reasonable possibility that a convicted defendant did not commit the offense for which the defendant was convicted commits the crime of criminal concealment of evidence, a Level 6 felony. Creates a good faith exception for the crime of criminal concealment of evidence. Provides that a prosecuting attorney shall: (1) disclose exculpatory evidence to the defendant or defense attorney of record; (2) undertake further investigation to determine whether a defendant is guilty of the offense committed; and (3) remedy an erroneous conviction in certain instances. Requires the attorney general's office to investigate and prosecute allegations of criminal concealment of evidence. Provides the attorney general with certain powers to assist with the investigation and prosecution of criminal concealment of evidence. Allows the attorney general to criminally prosecute claims alleging criminal concealment of evidence. Allows the attorney general to request the assistance of a special prosecutor when prosecuting an allegation of criminal concealment of evidence. Specifies that a prosecuting attorney's existing pretrial discovery obligations regarding exculpatory evidence are not superseded or modified.

*Current Status:* 1/9/2017 - Referred to Senate Corrections and Criminal Law

*Recent Status:* 1/9/2017 - First Reading  
1/9/2017 - Authored By Lonnie Randolph

*State Bill Page:* [SB271](#)

**SB285 TRAFFIC OBSTRUCTION BY PROTESTORS (TOMES**

J) Defines "mass traffic obstruction" and "responsible public official". Requires a responsible public official to, not later than 15 minutes after the responsible public official learns of a mass traffic obstruction, dispatch all available law enforcement personnel with instructions to clear the roads of persons unlawfully obstructing vehicular traffic.

***Current Status:*** 1/18/2017 - Senate Local Government, (Bill Scheduled for Hearing); ***Time & Location:*** 1:30 PM, Rm. 130

***Recent Status:*** 1/9/2017 - Referred to Senate Local Government  
1/9/2017 - First Reading

***State Bill Page:*** [SB285](#)

**SB289** **LEGISLATIVE ETHICS (DELPH M)** Provides that a lobbyist and certain persons associated with state educational institutions may not give a gift to a legislative person with certain stated exceptions. Requires a lobbyist who communicates with certain legislative persons to make a log of the communication. Requires a lobbyist to submit a copy of the communications log electronically to the lobby registration commission ("commission") on a weekly basis. Requires a lobbyist to maintain a copy of written communications and an archived copy of certain electronic communications for four years. Provides that upon the request of the commission, a lobbyist shall provide the commission with an electronic copy of a communication that is required to be maintained or archived. Requires the commission to provide an electronic copy of any of those communications to any person who makes a request to inspect the communication. Repeals superseded statutes. Makes conforming changes.

***Current Status:*** 1/9/2017 - Referred to Senate Rules and Legislative Procedure

***Recent Status:*** 1/9/2017 - First Reading

1/9/2017 - Authored By Michael Delph

*State Bill Page:* [SB289](#)

**SB291 RIGHT TO WORK OUT (NIEZGODSKI D)** Provides that after June 30, 2017, a health spa may not require an individual to: (1) become or remain a member of a health spa; (2) enter into a contract with the health spa; or (3) pay dues, fees, assessments, or other charges of any kind or amount to the health spa; as a condition to use the health spa's health spa services.

*Current Status:* 1/9/2017 - Referred to Senate Rules and Legislative Procedure

*Recent Status:* 1/9/2017 - First Reading

1/9/2017 - Authored By David Niezgodski

*State Bill Page:* [SB291](#)

**SB312 USE OF CRIMINAL HISTORY INFORMATION IN HIRING (BOOTS P)** Provides that a political subdivision may not prohibit an employer from obtaining or using criminal history information during the hiring process to the extent allowed by federal or state law, rules, or regulations. Provides that a political subdivision may not prohibit an employer, at the time an individual makes an initial application for employment, from making an inquiry regarding the individual's criminal history information or requiring the individual to disclose criminal history information.

*Current Status:* 1/9/2017 - Referred to Senate Pensions and Labor

*Recent Status:* 1/9/2017 - First Reading

1/9/2017 - Authored By Philip Boots

*State Bill Page:* [SB312](#)

**SB322 DNA FOR FELONY ARRESTEES (HOUCHIN E)** Requires every person arrested for a felony after June 30, 2017, to

submit a DNA sample, and specifies that the sample may be obtained only by buccal swab. Provides for the expungement of a DNA sample taken from a person if the person is acquitted of all felony charges. Requires the officer who obtains a DNA sample from a person to inform the person of the right to DNA expungement and to provide the person with a form that may be used for DNA expungement, and permits the use of evidence other than a court order for expungement. Increases the DNA sample processing fee from \$2 to \$4. Allocates \$500,000 semiannually to hold harmless all funds and to provide an additional amount to the DNA processing fund. Specifies that the discovery of DNA evidence tending to show previously unknown crimes committed by a person on bail may lead to revocation of bail or an increase in the amount of bail.

***Current Status:*** 1/24/2017 - Senator Sandlin J added as coauthor

***Recent Status:*** 1/24/2017 - Senator Merritt added as third author

1/24/2017 - Senator Zakas added as second author

***State Bill Page:*** [SB322](#)

**SB333 BIAS CRIMES (TAYLOR G)** Requires law enforcement officers to receive training in identifying, responding to, and reporting bias motivated crimes in which the person who committed a criminal offense selected the victim who was injured or whose property was damaged because of the individual's actual or perceived race, color, creed, disability, national origin, religion, sexual orientation, gender, or gender identity. Allows an individual who suffers a personal injury or property damage because of a criminal offense or delinquent act to bring a civil action to recover damages, including punitive damages, if the person who committed the criminal

offense or delinquent act that caused the injury or property damage selected the individual because of the individual's actual or perceived race, color, creed, disability, national origin, religion, sexual orientation, gender, or gender identity. Establishes a sentencing procedure that requires a court, when sentencing an individual who has committed a crime that is motivated by a bias against another individual's race, color, creed, disability, national origin, religion, sexual orientation, gender, or gender identity, to impose an additional fixed term of imprisonment not to exceed five years.

***Current Status:*** 1/9/2017 - Referred to Senate Corrections and Criminal Law

***Recent Status:*** 1/9/2017 - First Reading

1/9/2017 - Authored By Greg Taylor

***State Bill Page:*** [SB333](#)

**SB336 BIAS CRIMES (TAYLOR G)** Provides that a bias motivated crime is a crime in which the person who commits the crime knowingly or intentionally selects: (1) an individual against whom the crime was committed; or (2) any property damaged or otherwise affected by the crime; in whole or in part because of the actual or perceived race, color, religion, ethnicity, national origin, sexual orientation, gender, gender identity or expression, or disability of the individual or a group of individuals, whether or not the person's belief or perception was correct. Requires law enforcement officers to receive training in identifying, responding to, and reporting bias motivated crimes. Amends the law that requires law enforcement agencies to collect and report information concerning bias motivated crimes. Makes it an aggravating circumstance that may be considered by a judge when the judge imposes a sentence for a crime if the crime is a bias motivated crime.

***Current Status:*** 1/9/2017 - Referred to Senate Corrections

and Criminal Law

**Recent Status:** 1/9/2017 - First Reading

1/9/2017 - Authored By Greg Taylor

**State Bill Page:** [SB336](#)

**SB338 EMPLOYERS AND EXPUNGEMENT (TAYLOR**

G) Specifies that the prohibition against questioning a person applying for: (1) employment; (2) a license; or (3) another right or privilege; concerning an expunged arrest or conviction also applies during an interview. Provides that a person who unlawfully questions an applicant about an expunged criminal record commits a Class C infraction, and increases the penalty to a Class B infraction for a subsequent violation. Limits the number of violations that may be charged to: (1) one violation against a person without a prior adjudication; and (2) not more than one violation per month against a person with one or more prior adjudications; regardless of the number of individual violations the person may have committed.

**Current Status:** 1/9/2017 - Referred to Senate Civil Law

**Recent Status:** 1/9/2017 - First Reading

1/9/2017 - Authored By Greg Taylor

**State Bill Page:** [SB338](#)

**SB344 POSSESSION OF A FIREARM BY AN ILLEGAL ALIEN**

(YOUNG M) Provides that an alien who is illegally or unlawfully present in the United States and knowingly or intentionally possesses a firearm commits unlawful possession of a firearm by an alien, a Level 6 felony.

**Current Status:** 1/9/2017 - Referred to Senate Corrections and Criminal Law

**Recent Status:** 1/9/2017 - First Reading

1/9/2017 - Authored By Michael Young

**State Bill Page:** [SB344](#)

**SB373 HOMELAND SECURITY MATTERS (DELPH M)** Establishes the Indiana advisory security council to advise the governor concerning Indiana's homeland security policy and preparedness and to coordinate homeland security efforts among state agencies. Requires the executive director of the Indiana department of homeland security to prepare emergency response plans to address the following: (1) A failure of Indiana's electrical grid and related systems. (2) An earthquake in the New Madrid seismic zone or Wabash Valley seismic zone. Requires political subdivisions to comply with the National Incident Management System developed by the Federal Emergency Management Agency.

***Current Status:*** 1/10/2017 - Referred to Senate Homeland Security and Transportation

***Recent Status:*** 1/10/2017 - First Reading  
1/10/2017 - Authored By Michael Delph

***State Bill Page:*** [SB373](#)

**SB377 FIRE DEPARTMENT RESIDENCY REQUIREMENTS (RAATZ J)** Allows a city, town, or township to adopt an ordinance or resolution that allows a member of a fire department to reside within a county that is: (1) located outside Indiana and contiguous to the county in which the city, town, or township is located; or (2) any Indiana county, if the member resides within 25 miles from the boundaries of the city, town, or township where the fire department is located.

***Current Status:*** 1/10/2017 - Referred to Senate Local Government

***Recent Status:*** 1/10/2017 - First Reading  
1/10/2017 - Senator Zakas added as second author

***State Bill Page:*** [SB377](#)

**SB383 SURVIVOR HEALTH COVERAGE (CRIDER M)** Provides

that, if the employer of a public safety officer who dies in the line of duty after June 30, 2017, offers health coverage for active employees, the employer shall offer to provide and pay for health coverage under the plan covering active employees for the surviving spouse and each natural child, stepchild, and adopted child of the public safety officer. Provides that health coverage for a surviving child continues: (1) until the child becomes 18 years of age; (2) until the child becomes 23 years of age, if the child is: (A) enrolled in and regularly attending a secondary school; or (B) a full-time student at an accredited college or university; or (3) during the entire period of the child's physical or mental disability; whichever period is longest.

**Current Status:** 1/10/2017 - Referred to Senate Insurance and Financial Institutions

**Recent Status:** 1/10/2017 - First Reading  
1/10/2017 - Authored By Michael Crider

**State Bill Page:** [SB383](#)

**SB384 ELIMINATION OF STATE AGENCY PUBLIC SAFETY COMMITTEE (CRIDER M)** Abolishes the state agency public safety committee.

**Current Status:** 2/7/2017 - Senate Homeland Security and Transportation, (Bill Scheduled for Hearing); **Time & Location:** 9:00 AM, Rm. 431

**Recent Status:** 1/10/2017 - Referred to Senate Homeland Security and Transportation  
1/10/2017 - First Reading

**State Bill Page:** [SB384](#)

**SB398 FEE FOR PUBLIC SAFETY PROTECTION (KOCH E)** Authorizes a municipal corporation providing public safety protection to property owned by the department of natural

resources (department) to establish fees for providing public safety protection, unless the municipal corporation and the department have entered into an interlocal cooperation agreement that establishes the fees for providing public safety protection to the department's property.

***Current Status:*** 1/10/2017 - Referred to Senate Natural Resources

***Recent Status:*** 1/10/2017 - First Reading  
1/10/2017 - Authored By Eric Koch

***State Bill Page:*** [SB398](#)

**SB409 COLLECTIVE BARGAINING (HOUCHIN E)** Provides that formal collective bargaining between a school corporation and an exclusive representative may not begin before September 15. Provides that before September 15 of the first year of the state budget biennium, the department of education shall provide the parties with an estimate of the general fund revenue available for bargaining in the school corporation from the school funding formula. Provides that if the parties do not receive a certified estimate from the department of education within 30 days after the fall count of ADM, the parties may use the school corporation's estimate of the general fund revenue available based on the school corporation's fall count of ADM. Provides that a factfinder must conduct a public hearing not before November 15, and the hearing must be completed by February 15 of the calendar year after the start of formal collective bargaining.

***Current Status:*** 1/31/2017 - House sponsor: Representative Torr

***Recent Status:*** 1/31/2017 - Third reading passed; Roll Call 51: yeas 49, nays 0  
1/31/2017 - Senate Bills on Third Reading

***State Bill Page:*** [SB409](#)

**SB410 STATE POLICE SALARIES (HOUCHIN E)** Requires, beginning July 1, 2018, the salaries of police employees of the state police department to be adjusted annually to incorporate any increase in the Consumer Price Index.

*Current Status:* 1/24/2017 - Senator Sandlin J added as third author

*Recent Status:* 1/24/2017 - Senator Freeman added as second author

1/10/2017 - Referred to Senate Appropriations

*State Bill Page:* [SB410](#)

**SB426 OPEN CARRY OF RIFLES (TAYLOR G)** Defines "prohibited weapon" as a centerfire rifle with an internal magazine or the ability to accept a detachable magazine and at least one of the following characteristics: (1) A pistol grip that protrudes beneath the action of the weapon. (2) A thumb hole stock. (3) A folding or telescoping stock. (4) A mount or lug capable of accepting or affixing a bayonet, flare launcher, or grenade launcher. (5) A flash suppressor. (6) A forward pistol grip. Defines "openly carries" as the carrying of a firearm in a manner that displays or presents any part of a firearm to the plain view of passersby from more than one angle. Provides that a person who: (1) knowingly or intentionally; and (2) openly carries; a prohibited weapon in a public place or place of public resort commits carrying a prohibited firearm, a Class A misdemeanor. Specifies certain exceptions. Defines certain terms.

*Current Status:* 1/12/2017 - Referred to Senate Judiciary

*Recent Status:* 1/12/2017 - First Reading

1/12/2017 - Authored By Greg Taylor

*State Bill Page:* [SB426](#)

**SB427 ACCESS TO EXPUNGED RECORDS (TAYLOR**

G) Provides that law enforcement officers lacking a court order may access expunged information or records only when acting in an: (1) enforcement; or (2) investigative; capacity.

**Current Status:** 1/12/2017 - Referred to Senate Judiciary

**Recent Status:** 1/12/2017 - First Reading

1/12/2017 - Authored By Greg Taylor

**State Bill Page:** [SB427](#)

**SB438 BIAS MOTIVATED CRIMES (GLICK S)** Makes it an aggravating circumstance (for purposes of imposing a criminal sentence) that the crime was committed with the intent to harm or intimidate an individual because of certain perceived or actual characteristics of the individual. Requires law enforcement agencies to report bias motivated crimes to the Federal Bureau of Investigation.

**Current Status:** 2/7/2017 - Senate Corrections and Criminal Law, (Bill Scheduled for Hearing); **Time & Location:** 9:30 AM, Rm. 130

**Recent Status:** 1/30/2017 - Senator Ruckelshaus added as second author  
1/12/2017 - Referred to Senate Corrections and Criminal Law

**Comments:** This bill will be combined with appropriate language to accomplish our goals from SB10 We are hopeful to move this bill through the Senate and on to the House for further action

**State Bill Page:** [SB438](#)

**SB439 BIAS CRIMES (GLICK S)** Makes it an aggravating circumstance (for purposes of imposing a criminal sentence) that the crime was committed with the intent to harm or intimidate an individual because of certain perceived or actual characteristics of the individual.

**Current Status:** 1/24/2017 - Senator Ruckelshaus added as second author

**Recent Status:** 1/12/2017 - Referred to Senate Corrections and Criminal Law

1/12/2017 - First Reading

**State Bill Page:** [SB439](#)

**SB458 BINGO SUPPLIES FOR THE VISUALLY IMPAIRED**

(HEAD R) Provides that the gaming commission shall require an entity that sells, distributes, or manufactures a bingo item to sell, distribute, or manufacture such an item in large print and in a form readable by individuals with a visual impairment.

**Current Status:** 1/12/2017 - Referred to Senate Public Policy

**Recent Status:** 1/12/2017 - First Reading

1/12/2017 - Authored By Randall Head

**State Bill Page:** [SB458](#)

**SB461 ALLOCATION OF CIVIL FORFEITURE REVENUES**

(HERSHMAN B) Establishes the multijurisdictional drug task force fund (fund), to be administered by the state police department. Specifies that, if a multijurisdictional drug task force is involved in a seizure or the investigation that led to a seizure, 1/3 of the proceeds from a civil forfeiture related to the seizure shall be deposited in the fund to be used to defray personnel expenses incurred in connection with multijurisdictional drug task forces.

**Current Status:** 1/12/2017 - Referred to Senate Judiciary

**Recent Status:** 1/12/2017 - First Reading

1/12/2017 - Authored By Brandt Hershman

**State Bill Page:** [SB461](#)

**SB467 PUBLIC SAFETY FUNDING (BUCK J)** Requires a property insurer to pay a fire department reimbursement provided in a

policy in response to the property owner's claim against the insurer. Allows a fire department to charge the property owner if the reimbursement is not paid. Allows a county, municipality, township, or fire protection district to impose a public safety user fee to replace property taxes imposed by the entity. Specifies the purposes for which the public safety user fee may be used. Provides that a public safety user fee may be imposed on the owner of each lot, parcel of property, or building or other real property improvement, regardless of whether the property is exempt from ad valorem property taxes. Specifies that the public safety user fees imposed for a calendar year by an entity are considered property taxes for purposes of: (1) calculating the entity's maximum permissible property tax levy; (2) calculating the amount of circuit breaker credits; and (3) the distribution of any excise taxes or local income taxes that are distributed on the basis of property taxes. Provides that such a public safety user fee is in addition to any other fee, rate, or charge imposed under any other statute or under home rule powers. Allows the imposition of an impact fee for capital improvements for public safety purposes. Provides that for purposes of the impact fee statutes, impact costs do not include the costs of infrastructure necessitated by annexation.

***Current Status:*** 2/8/2017 - Senate Local Government, (Bill Scheduled for Hearing); ***Time & Location:***  
1:30 PM, Rm. 130

***Recent Status:*** 1/12/2017 - Referred to Senate Local Government  
1/12/2017 - First Reading

***State Bill Page:*** [SB467](#)

**SB532** **SERVICE OF PROCESS FEES (BOOTS P)** Reduces the service of process fee from \$25 to \$13. Deletes a prohibition on collection of service of process fees more than one time in a

case.

**Current Status:** 1/17/2017 - Referred to Senate Civil Law

**Recent Status:** 1/17/2017 - First Reading

1/17/2017 - Authored By Philip Boots

**State Bill Page:** [SB532](#)

**SB543 ADMINISTRATIVE LAW JUDGES (DELPH M)** Requires each agency to provide a list to the clerk of the supreme court of the administrative law judges, including environmental law judges, employed or otherwise appointed by the agency to preside over administrative matters. Requires an agency in need of an administrative law judge for a matter to submit a written request to the clerk of the supreme court for assignment of an administrative law judge. Provides that the clerk of the supreme court shall randomly choose three names to provide to the parties. Provides that the parties may each strike the name of one judge from the list of nominees. Makes conforming amendments. Repeals superseded provisions.

**Current Status:** 1/17/2017 - Referred to Senate Judiciary

**Recent Status:** 1/17/2017 - First Reading

1/17/2017 - Authored By Michael Delph

**State Bill Page:** [SB543](#)

**SB552 1977 FUND AND SHERIFF'S DISABILITY BENEFITS (SANDLIN J)** Provides that: (1) a fund member of the 1977 police officers' and firefighters' pension and disability fund (1977 fund); and (2) an employee beneficiary of a sheriff's pension trust; who has a permanent and total disability that is the direct result of a catastrophic personal injury that occurs in the line of duty after July 1, 2017, and that permanently prevents the fund member or employee beneficiary from performing any gainful work receives for the remainder of the individual's life a disability benefit equal to the monthly salary of a first class patrolman or firefighter (1977 fund) or the

average monthly wage being received by the employee beneficiary (sheriff's pension trust) at the commencement of the disability. Provides that: (1) the 1977 fund member's disability benefit increases at a rate equal to the increases in the monthly salary of a first class patrolman or firefighter; and (2) the sheriff's pension trust employee beneficiary's disability benefit increases at a rate equal to the increases to the average monthly wage that the employee beneficiary would have received, if the employee beneficiary had remained in active service.

***Current Status:*** 1/24/2017 - Senator Freeman added as coauthor

***Recent Status:*** 1/17/2017 - Referred to Senate Pensions and Labor  
1/17/2017 - First Reading

***State Bill Page:*** [SB552](#)

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