

Southwest Indiana Chamber Bill Report

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HB1012 PRODUCT LIABILITY ACTIONS (TORR J) Specifies causes of action that may constitute a product liability action. Repeals provisions pertaining to product liability actions that are based on: (1) property damage resulting from asbestos; and (2) personal injury, disability, disease, or death resulting from exposure to asbestos.

Current Status: 1/3/2019 - Referred to House Judiciary

State Bill Page: [HB1012](#)

HB1020 HATE CRIMES (COOK A) 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 or a group of individuals because of certain perceived or actual characteristics of the individual or group of individuals. Requires law enforcement agencies to report hate crimes to the Federal Bureau of Investigation. Requires the law enforcement training board to adopt, not later than January 1, 2020, minimum standards for training of law enforcement officers regarding: (1) identifying hate crimes; (2) responding to hate crimes; and (3) reporting hate crimes.

Recent Status: 1/3/2019 - Referred to House Courts and Criminal Code

State Bill Page: [HB1020](#)

HB1031 CERTIFICATE OF EMPLOYABILITY (HARRIS JR. E) Creates a certificate of employability for persons convicted of misdemeanors and certain felonies. Provides that a court shall issue a certificate of employability to persons convicted of misdemeanors and Class D or Level 6 felonies under certain circumstances, and that a court may issue a certificate of employability to persons convicted of certain more serious felonies. Establishes a procedure to petition for a certificate of employability and requires payment of the civil filing fee to petition for a certificate of employability. Provides that a petition for a certificate of employability may be filed not earlier than: (1) six months after the date of conviction, in the case of a misdemeanor; (2) one year after the date of conviction, in the case of Class D or Level 6 felonies; (3) three years after the date of conviction or one year after the date the sentence is completed, in the case of more serious felonies; and (4) six years after the date of conviction or two years after the date the sentence is completed, in the case of the most serious felonies. Prohibits the granting of a certificate of employability to sex and violent offenders and persons convicted of specified serious crimes. Provides immunity to employers in negligent hiring cases who hire persons with a certificate of employability under certain circumstances.

Current Status: 1/3/2019 - Referred to House Courts and Criminal Code

State Bill Page: [HB1031](#)

HB1033 LOCAL INCOME TAXES (THOMPSON J) Expires the existing local income tax law on December 31, 2021, and adds a new local income tax law effective in 2022 and thereafter. Does the following under the new local income tax law: (1) Authorizes counties, municipalities, and school corporations to each enact a property tax relief rate of not more than 0.5% in the case of counties and municipalities and not more than 0.25% in the case of school corporations. Provides that in Marion County, municipalities may not enact a property tax relief rate, but the Marion County city-county council may adopt a 1% property tax relief rate. (2) Authorizes counties, municipalities (other than municipalities in Marion County), and school corporations to each enact an expenditure rate. (3) Provides that an expenditure rate may not exceed: (A) 1.25% in the case of counties other than Marion County or 2% in the case of Marion County; (B) 1% in the case of municipalities (other than municipalities in Marion County); and (C) 0.25% in the case of school corporations. (4) Provides that, if an expenditure

rate is imposed by a municipality, the municipality shall receive the revenue from the tax, and specifies that the revenue may be used for any legal purpose of the municipality (including providing additional property tax credits). (5) Specifies that a school corporation may not adopt an expenditure rate unless: (A) the expenditure rate is approved by the voters of the school corporation in a local public question; or (B) the revenue from the expenditure rate is used to provide additional property tax credits. Provides that, if a school corporation's expenditure rate is approved by the voters, the revenue may be used for any legal purpose of the school corporation (including providing additional property tax credits). Provides that the maximum period for an expenditure rate approved by the voters of a school corporation is eight years, but that the expenditure rate may be reimposed by the school corporation if approved by the voters. (6) Provides that, if an expenditure rate is imposed by a county other than Marion County, the revenue shall be distributed as certified shares to civil taxing units in the county (other than municipalities and school corporations) on the basis of property tax levies. Specifies that, in counties other than Marion County, the revenue from the county's expenditure rate may be allocated to a public safety answering point or used to provide additional property tax credits before the remaining revenue is distributed as certified shares. (7) Provides that, the 2% maximum expenditure rate in Marion County consists of: (A) an expenditure rate of not more than 1%, to be distributed as certified shares to the county and to excluded cities in the county on the basis of property tax levies; and (B) an expenditure rate of not more than 1%, to be distributed as certified shares to the county and to townships in the county on the basis of property tax levies. (8) Specifies that in Marion County: (A) the revenue from the county's expenditure rate may be allocated to a public communications systems and computer facilities district, a public library, or a public transportation corporation, or for additional property tax credits before the remaining revenue is distributed as certified shares; and (B) revenue distributed as certified shares may be used for any legal purpose of the unit receiving the certified shares. (9) Provides that, after May 31, 2019, a political subdivision may not pledge for the payment of bonds, leases, or other obligations any tax revenue received under the current local income tax law (other than a special purpose rate). (10) Maintains the existing special purpose rates. (11) Provides that, after December 31, 2021, a local income tax rate imposed for transit purposes after approval in a local public question: (A) is a separate special purpose rate; and (B) is not part of the county's expenditure rate or considered in determining whether the county is imposing its maximum expenditure rate. (12) For property taxes due and payable in 2022 and thereafter, requires the department of local government finance to adjust each maximum property tax levy for which a levy freeze amount was applied under the existing local income tax law in 2021. (13) Authorizes a political subdivision to appeal to the department of local government finance for the authority to impose an additional local income tax rate if the political subdivision's expected local income tax distributions will be insufficient to pay obligations for which a pledge of revenue was made under the prior local income tax laws. (14) Specifies that the legislative council shall provide for the preparation and introduction of legislation in the 2020 session of the general assembly to correct cross references and make other changes to the Indiana Code, as necessary, to bring other provisions of the Indiana Code into conformity with this act.

Current Status: 1/3/2019 - Referred to House Ways and Means

State Bill Page: [HB1033](#)

HB1034 POLITICAL SUBDIVISION CONTROLLED PROJECTS AND DEBT (THOMPSON J) Provides that for a controlled project subject to approval by referendum, the political subdivision proposing the controlled project may issue a request for proposals under the design-build process before completing the referendum process. Modifies the threshold amounts used for determining whether a political subdivision's project is a controlled project and whether the petition and remonstrance process or the referendum process applies. Bases these threshold amounts on gross assessed value. Provides that for a road or street project, only the costs paid from property taxes are considered when applying these threshold amounts. Provides that if

the estimated increase in a political subdivision's property tax levy for debt service for a proposed controlled project will be offset in whole or in part because of the retirement of existing debt of the political subdivision, the proper officers of the political subdivision may adopt a resolution that includes certain information and statements. Specifies the ballot language for the referendum on such a proposed controlled project. Provides that the restrictions on supporting a position on a controlled project apply to any political subdivision that has assessed value within the same taxing district as the political subdivision proposing the project.

Current Status: 1/3/2019 - Referred to House Ways and Means

State Bill Page: [HB1034](#)

HB1037 COMPLETE COUNT COMMISSION (PRYOR C) Establishes the complete count commission to develop, recommend, and assist in the administration of a census outreach strategy to encourage full participation in the 2020 federal decennial census.

Current Status: 1/3/2019 - Referred to House Elections and Apportionment

State Bill Page: [HB1037](#)

HB1052 LOCAL INCOME TAX (THOMPSON J) Specifies that a county fiscal body may adopt an ordinance to fund a correctional or rehabilitation facility with local income tax (LIT) revenue only if a local income tax council is not the adopting body or the local income tax council has failed to dedicate at least 0.2% of the expenditure tax rate to this funding. Requires an additional expenditure rate to be adopted by a county fiscal body for funding a public safety access point or a correctional or rehabilitation facility unless all civil taxing units receiving a distribution approve a reallocation under the existing expenditure rate. Limits the use of LIT revenue to constructing or making improvements to a correctional or rehabilitation facility. Beginning in 2021, redistributes the first 0.25% of the expenditure rate in counties that had adopted the former county option income tax (COIT) to match the allocations in counties that had adopted the former county adjusted gross income tax (CAGIT). Changes the allocation of LIT revenue that is based on property taxes to be based on maximum permissible property tax levies instead of actual levies. Makes technical corrections.

Current Status: 1/3/2019 - Referred to House Ways and Means

State Bill Page: [HB1052](#)

HB1057 VANDERBURGH COUNTY MAGISTRATES (MCNAMARA W) Allows the judge of the Vanderburgh circuit court to appoint an additional magistrate to serve the Vanderburgh circuit court. Allows the judges of the Vanderburgh superior court to jointly appoint an additional magistrate to serve the Vanderburgh superior court.

Recent Status: 1/3/2019 - Referred to House Courts and Criminal Code

State Bill Page: [HB1057](#)

HB1062 UNEMPLOYMENT MATTERS (LEONARD D) Makes various changes to unemployment compensation law concerning confidentiality, the method of sending notices to claimants and employers, the removal of the cap on expenditures from the special employment and training services fund, employing units subject to the Federal Unemployment Tax Act, and appeals regarding seasonal determinations. Updates and eliminates outdated language. Makes technical corrections.

Current Status: 1/3/2019 - Referred to House Employment, Labor and Pensions

State Bill Page: [HB1062](#)

HB1088 SALES TAX EXEMPTION FOR DATA WAREHOUSE EQUIPMENT (PRESSEL J) Provides a state sales and use tax exemption (exemption) for the purchase of certain enterprise information technology equipment and the sale of electricity used to operate the enterprise information technology equipment. Provides that, to be eligible for the exemption, a business must invest in the aggregate at least \$10,000,000 in enterprise information technology equipment that will be located at one or more data centers in Indiana. Requires the Indiana economic development corporation (IEDC) to take applications for the exemption and certify an entity as a business eligible for the exemption. Provides that the IEDC may not certify eligible businesses after June 30, 2029. Provides that a business once certified by the IEDC may use the exemption for purchases of enterprise information technology equipment after June 30, 2029. Sunsets the sales and use tax exemption for the sale of electricity used to operate the enterprise information technology equipment on June 30, 2029.

Recent Status: 1/3/2019 - Referred to House Ways and Means

State Bill Page: [HB1088](#)

HB1093 BIAS CRIMES (STEUERWALD G) Makes it an aggravating circumstance (for purposes of imposing a criminal sentence) that a crime was committed with bias and with the intent to harm or intimidate: (1) an individual; (2) a group of individuals; (3) the property of an individual; or (4) the property of a group of individuals; because of the individual's or the group's real or perceived characteristic, trait, belief, practice, association, or other attribute the court chooses to consider.

Recent Status: 1/3/2019 - Referred to House Courts and Criminal Code

State Bill Page: [HB1093](#)

SB12 BIAS MOTIVATED CRIMES (BOHACEK M) Makes it an aggravating circumstance (for purposes of imposing a criminal sentence) that a crime was committed with the intent to harm or intimidate an individual or a group of individuals because of certain perceived or actual characteristics of the individual or group of individuals. Requires law enforcement agencies to report bias motivated crimes to the Federal Bureau of Investigation.

Current Status: 1/3/2019 - Referred to Senate Rules and Legislative Procedure

State Bill Page: [SB12](#)

SB33 COMPREHENSIVE ADDICTION RECOVERY CENTERS (MERRITT J) Establishes a comprehensive addiction recovery center grant program (grant program) to be administered by the division of mental health and addiction (division). Sets forth requirements for a grant. Requires entities that are awarded a grant to report specified data to the division. Appropriates \$9,000,000 to the division from the state general fund for the biennium beginning July 1, 2019, for purposes of the grant program. Provides that the division may award only one grant per congressional district, and specifies that not more than \$1,000,000 may be granted per congressional district.

Current Status: 1/3/2019 - Referred to Senate Health and Provider Services

State Bill Page: [SB33](#)

SB83 TAX INCREMENT FINANCING (MELTON E) Allows a redevelopment commission (including the Indianapolis metropolitan development commission) to the use up to 15% of the property tax proceeds allocated to a redevelopment district in a fiscal year for ongoing maintenance and repair of: (1) public ways; and (2) sewers, utility services, off street parking facilities, and levees; that are located in an allocation area and that were funded in whole or in part with tax proceeds allocated to the redevelopment district.

Current Status: 1/3/2019 - Referred to Senate Tax and Fiscal Policy

State Bill Page: [SB83](#)

SB93 LET INDIANA WORK FOR YOU PROGRAM (RUCKELSHAUS J) Requires the commission for higher education (commission) to establish, in coordination with the department of workforce development (department) and the Indiana economic development corporation, the Let Indiana Work for You program (program) to: (1) provide to students attending colleges and universities in Indiana information concerning workforce opportunities in Indiana and other benefits of residing and working in Indiana after graduating from the college or university; (2) implement the program; and (3) upon approval by the college or university, present in-person and use other communication mediums to provide to students of each college or university information concerning workforce opportunities and the benefits of residing and working in Indiana. Requires the Indiana economic development corporation to assemble and provide to the commission and the department information concerning the economic benefits of residing and working in Indiana.

Current Status: 1/3/2019 - Referred to Senate Education and Career Development

State Bill Page: [SB93](#)

SB111 SUBSTANCE ABUSE PREVENTION GRANT PROGRAMS (KOCH E) Requires the division of mental health and addiction to establish and administer the: (1) community and faith based substance abuse programs grant; and (2) community and faith based substance abuse transportation assistance grant program. Sets forth requirements and establishes accounts for the grants. Appropriates \$100,000 annually to the community and faith based substance abuse programs grant. Appropriates \$50,000 annually to the community and faith based substance abuse transportation assistance grant program.

Current Status: 1/3/2019 - Referred to Senate Family and Children Services

State Bill Page: [SB111](#)

SB114 VANDERBURGH COUNTY MAGISTRATES (BECKER V) Allows the judge of the Vanderburgh circuit court to appoint an additional magistrate to serve the Vanderburgh circuit court. Allows the judges of the Vanderburgh superior court to jointly appoint an additional magistrate to serve the Vanderburgh superior court.

Current Status: 1/16/2019 - Senate Judiciary, (Bill Scheduled for Hearing)

State Bill Page: [SB114](#)

SB120 SHERIFF REIMBURSEMENT RATE (TOMES J) Provides that the per diem rate paid from the county jail maintenance contingency fund or any other fund after June 30, 2019, and before July 1, 2021, may not be less than \$55 per day for persons convicted of felonies, including: (1) persons convicted of a Level 6 felony; and (2) convicted felons who are incarcerated for more than five days after the day of sentencing or the date upon which the department of correction receives the abstract of judgment and sentencing order, whichever occurs later.

Current Status: 1/3/2019 - Referred to Senate Appropriations

State Bill Page: [SB120](#)

SB143 SALES TAX DISTRICT FOR HEALTHY FOOD PROGRAMS (TAYLOR G) Allows the fiscal body of a county (fiscal body) to adopt an ordinance to impose an additional sales tax in an area designated by the fiscal body as a special food desert district (district). Requires a district designated by a fiscal body to be located in a census tract with low median income and low access to the nearest supermarket as determined by the United States Department of Agriculture in its Food Access Research Atlas. Provides that an additional sales tax applies to retail transactions within the district. Provides that the additional sales tax rate must be imposed in an increment of .25% and may not exceed 1%. Specifies that this additional sales tax is imposed, paid, and collected in the same manner as the state sales tax. Establishes the

healthy food and community development financing fund (fund) under the administration of the Indiana housing and community development authority (IHCDA). Requires the amounts received from the additional sales tax to be paid monthly by the treasurer of state to the fund. Requires the IHCDA to: (1) establish an account within the fund for each district designated by a county; (2) deposit money received from the treasurer of state from the tax collected in a district in the district's account; and (3) expend money from the account only for projects within the district in which the tax revenue is collected. Authorizes the IHCDA to conduct a healthy food and community development financing program (program), in coordination with each county that has designated a district, to provide financing in the form of grants or loans for eligible projects. Provides that the projects eligible for financing may include: (1) healthy food; (2) affordable housing; and (3) community development; projects. Provides that the fiscal body of the county that designated the district may adopt an ordinance to specify the types of eligible projects that may be financed within the district. Provides that the IHCDA may contract with one or more nonprofit organizations or community development financial institutions to administer the program through a public-private partnership. Provides that an applicant for a grant or a loan from the fund must demonstrate the capacity to implement the project successfully and the ability to repay the loan. Specifies that an applicant that is a grocery store must agree to the following: (1) To accept Supplemental Nutrition Assistance Program benefits. (2) To accept Special Supplemental Nutrition Program for Women, Infants, and Children benefits. (3) To promote the hiring of local residents. Specifies the purposes for which financing for a project may be used. Continuously appropriates money in the fund.

Current Status: 1/3/2019 - Referred to Senate Tax and Fiscal Policy

State Bill Page: [SB143](#)

SB154 SMALL BUSINESS COUNCIL (RANDOLPH L) Establishes the small business council (council) to provide oversight and guidance to the Indiana economic development corporation (IEDC) with regard to small business development. Designates the membership of the council. Specifies the duties of the council. Requires the IEDC to report to the council and the council to meet at least twice each year to hear the IEDC's reports. Requires the council to submit an annual report to the legislative council. Specifies that the IEDC may not refuse to provide assistance or information to an individual or entity with regard to small business development because of the individual's or entity's income or other compensation, credit history, credit score, employment history, or criminal history.

Current Status: 1/3/2019 - Referred to Senate Commerce and Technology

State Bill Page: [SB154](#)

SB157 ECONOMIC DEVELOPMENT INCENTIVE ACCOUNTABILITY (RANDOLPH L) Renames the annual "economic incentives and compliance report" in current law to the "job creation incentives and compliance report" (report). Adds various job and employee definitions to the Indiana economic development corporation (IEDC) laws. Requires an incentive recipient to submit an annual compliance report on the number of jobs created or retained, employee pay, and various other information concerning the use of the incentives, and requires the IEDC to compile this information and include it in the IEDC's annual report. Provides that information submitted in an annual compliance report and other information maintained by the IEDC must be made available in accordance with the open records law. Repeals and relocates several definitions without change to maintain alphabetical order.

Current Status: 1/3/2019 - Referred to Senate Tax and Fiscal Policy

State Bill Page: [SB157](#)

- SB158 INDIANA YOUTH SERVICE PROGRAM** (RUCKELSHAUS J) Establishes the Indiana youth service program (program) to provide high school graduates with the opportunity to learn various skills and participate in nine months of service at host sites throughout Indiana. Establishes the Indiana youth service program fund (fund). Provides that the department of workforce development shall administer the program and the fund.
Current Status: 1/3/2019 - Referred to Senate Pensions and Labor
State Bill Page: [SB158](#)
- SB171 REPEAL OF CERTAIN TAX INCENTIVES** (HOLDMAN T) Repeals the coal conversion system property tax deduction, the coal combustion product property tax deduction, the recycled coal combustion byproduct personal property tax deduction, the aircraft property tax deduction, the intrastate aircraft property tax deduction, the Hoosier alternative fuel vehicle manufacturer investment income tax credit, and the local income tax option hiring incentive credit.
Current Status: 1/3/2019 - Referred to Senate Tax and Fiscal Policy
State Bill Page: [SB171](#)
- SB178 PROPERTY TAX EXEMPTION** (ALTING R) Provides that a property owner may submit a property tax exemption application before September 1, 2019, for any real and personal property: (1) for which an exemption application was filed after April 1, 2017, and before April 10, 2017; and (2) that would have been eligible for a property tax exemption if an exemption application had been properly and timely filed for the real and personal property. Specifies that if a property owner files such an exemption application, the property tax exemption shall be allowed and granted for the January 1, 2017, assessment date, and the property owner is entitled to a refund for any taxes, penalties, and interest paid with respect to the property for that assessment date.
Current Status: 1/3/2019 - Referred to Senate Tax and Fiscal Policy
State Bill Page: [SB178](#)
- SB215 COUNTY REDEVELOPMENT COMMISSION APPOINTMENTS** (BOOTS P) Provides that for appointments made to a five member county redevelopment commission after December 31, 2019: (1) the county executive appoints two (instead of three) members; and (2) the county fiscal body appoints three (instead of two) members. Provides that for appointments made to a seven member county redevelopment commission after December 31, 2019: (1) the county executive appoints three (instead of four) members; and (2) the county fiscal body appoints four (instead of three) members.
Current Status: 1/3/2019 - Referred to Senate Local Government
State Bill Page: [SB215](#)
- SB255 CULTURAL DISTRICT DEVELOPMENT** (FORD J) Provides that an arts and cultural district (district) certified by the Indiana arts commission (commission) is subject to annual review by the commission and must be recertified every four years. Specifies certain requirements for certification (or recertification) of a district. Permits a city, town, or county that has a certified district to establish a cultural district development area (tax area) within the district to capture incremental sales tax and income tax to be transferred to the Indiana arts commission trust fund and used only for the benefit of the tax area. Provides that a city, town, or county that wishes to establish a tax area must adopt an ordinance to do so. Provides that the total incremental taxes captured in a tax area in a state fiscal year may not exceed \$500,000. Authorizes the commission to revoke the city's, town's, or county's right to distributions of incremental tax revenue from a tax area under certain circumstances.
Current Status: 1/3/2019 - Referred to Senate Tax and Fiscal Policy
State Bill Page: [SB255](#)