

2002 REGULAR SESSION DIGESTS OF ENACTMENTS

DIGEST OF SB 10 (Updated February 26, 2002 11:29 AM - DI 84)

Aircraft offenses. Specifies that a person may not be placed in legal jeopardy for using reasonable force to protect the person or a third person. Allows a person to use reasonable force to stop another person from hijacking or otherwise seizing unlawful control of an aircraft in flight. Makes it a Class D felony for a person to enter a secured area of an airport. Makes it a Class A felony for a person to use force or violence to hijack an aircraft in flight. Makes it a Class B felony for a person to commit criminal confinement on an aircraft.

DIGEST OF SB 17 (Updated March 13, 2002 9:21 PM - DI 44)

Rainy day fund loans. Authorizes the state board of finance to make loans from the rainy day fund for the taxing units located in Porter County that will experience a budget shortfall as the result of the bankruptcy of a steel manufacturer located in the county. Provides that the loans must be repaid over a period not to exceed ten years. Provides that interest on a loan may not exceed the percent of increase in the federal Consumer Price Index for Urban Wage Earners and Clerical Workers during the most recent 12 month period for which data is available as of the date of the loan application. Provides that interest may not be charged if a county income tax is adopted before a unit applies for a loan. Provides that interest on a loan ceases to accrue when the board receives notice from the county auditor that the county has adopted at least one of the county income taxes. Provides that not more than one-third of the total amount to be loaned may be disbursed at any particular time without the review of the budget committee and the approval of the budget agency. Provides for expedited distributions of county adjusted gross income taxes (CAGIT) or county economic development income taxes (CEDIT) in the first year following adoption by Porter County. Extends the deadline for imposition of CAGIT, CEDIT, or county option income in Porter County during 2002 from April 1 to May 15.

DIGEST OF SB 19 (Updated March 14, 2002 5:02 PM - DI 103)

Property tax exemption for certain property. Provides that the 150 acre property tax exemption for educational institutions also applies to a tract of land that: (1) contains a building owned, occupied, and used by a person for educational, literary, scientific, religious, or charitable purposes; or (2) contains a building used for religious worship. Preserves the 15 acre limitation for a tract of land that contains a parsonage and the 200 acre limitation for a 4-H fairgrounds. Allows a church or religious institution to file a claim for a refund for taxes due and payable in 2001. Imposes a moratorium on the possible taxation of property that has not previously been taxed under existing law. Establishes an interim study committee to study tax exemptions granted to exempt organizations. Prescribes the membership of the committee.

DIGEST OF SB 20 (Updated February 26, 2002 7:24 PM - DI 84)

Amber alert program. Allows the missing child clearinghouse to work with radio and television stations to establish an abducted child alert system (the "Amber alert program"). Requires the state police department to adopt guidelines governing the Amber alert program.

DIGEST OF SB 22 (Updated March 14, 2002 5:41 PM - DI 77)

Natural resources matters. Changes the residency requirements for obtaining department of natural resources (DNR) fish and wildlife licenses or permits. Provides that it is a Class C infraction to violate the current statute prohibiting the operation of an off-road vehicle on public property without consent. Changes the fee for Ohio River commercial fishing licenses and gear tags. Changes the law concerning property damage by wild animals by expanding applicability of the law to: (1) the property of other legal entities and public bodies; (2) persons not owning but having an interest in the property; and (3) threatened damage. Requires the DNR director to prescribe the disposition of wild animals taken, killed, or captured under this law. Changes the reporting date for a soil conservation district to certify certain information to the division of soil conservation. (The introduced version of this bill was approved by the natural resources study committee.)

DIGEST OF SB 25 (Updated March 14, 2002 9:25 PM - DI 102)

Extends the public college and university tuition and fee remission program to children of veterans who, after June 30, 1999, serve during a war or perform hazardous duty. (The introduced version of this bill was prepared by the commission on military and veterans affairs.)

DIGEST OF SB 29 (Updated March 14, 2002 5:32 PM - DI 101)

Clean coal and energy projects and research. Creates a center for coal technology research to develop technologies to advance the use of Indiana coal. Requires the department of commerce to pursue available private and public sources of money for the coal research grant fund. Eliminates the requirement in existing law that energy generating facilities must be primarily fueled by Indiana coal in order to recover in their rates construction costs for clean coal technologies, for construction that begins after March 31, 2002. Encourages: (1) new energy generating facilities in Indiana that use clean coal technology and are fueled using Illinois Basin coal resources; (2) advanced technologies that reduce regulated air emissions from existing generating plants primarily fueled by Illinois Basin coal; (3) projects to provide electric transmission facilities to serve a new generating facility; (4) projects to develop alternative energy sources, including renewable energy projects; and (5) the purchase by energy utilities of fuels produced by coal gasification facilities in Indiana. Directs the utility regulatory commission (IURC) to encourage clean coal and energy projects through financial incentives. Provides that the IURC shall encourage and provide incentives for certain clean coal and energy projects only if the projects are reasonable and necessary. Directs the state utility forecasting group to conduct

an annual study on the use, availability, and economics of using renewable energy resources in Indiana and to submit a report of its findings to the IURC. Allows the IURC to review any approved clean coal and energy project to determine that the project continues to comply with the IURC's order initially approving incentives for the project. Allows the IURC to revoke any incentive if it finds that the project no longer complies with the provisions in the order concerning the incentive. Provides that for ratemaking purposes, wages paid by a utility to an independent contractor for construction of clean coal and energy projects are not excessive if the wages are those normally paid for work of the same type and quality in the labor market.

DIGEST OF SB 43 (Updated February 26, 2002 8:26 PM - DI 84)

County funding for septic systems. Establishes a system for county funding of private septic systems and other private sewage disposal systems.

DIGEST OF SB 50 (Updated February 26, 2002 7:59 PM - DI 84)

September 11 terrorist attack victim tax relief. Excludes from taxable adjusted gross income the amount of compensation paid to an individual who died in the September 11, 2001, terrorist attack, the individual's spouse or child, or an estate or trust of the individual, spouse, or child.

DIGEST OF SB 52 (Updated March 14, 2002 11:53 PM - DI 52)

Implements the federal Mobile Telecommunications Sourcing Act, which provides that taxes, charges, and fees levied on wireless telephone service shall be paid to the jurisdiction where the customer's primary use of the service occurs, irrespective of where the wireless telephone service originates, terminates, or passes through. Makes conforming changes in the statutes concerning the sales tax on intrastate telecommunications service and the monthly emergency wireless enhanced 911 fee on wireless service. Specifies that implementation of the federal act does not authorize the imposition of new taxes, charges, or fees that are not otherwise authorized by law. Authorizes a provider of wireless telephone service, in the absence of an electronic data base provided by the department of state revenue or another designated data base provider, to rely on enhanced ZIP codes for purposes of assigning customer addresses to taxing jurisdictions. Provides that "bundled" offerings of taxable and nontaxable wireless service are considered taxable unless the provider of the service provides information that supports the nontaxability of a part of those services.

DIGEST OF SB 57 (Updated February 26, 2002 8:04 PM - DI 84)

Title 32 recodification. Recodifies Title 32 concerning property to reorganize and restate the law without substantive change. Makes amendments to Indiana Code provisions outside Title 32 to conform to the Title 32 recodification. Repeals current Title 32 provisions.

DIGEST OF SB 59 (Updated February 26, 2002 6:52 PM - DI 84)

PERF and TRF administrative issues. Permits the pooling of the assets of the public employees' retirement fund (PERF) and the teachers' retirement fund (TRF) for investment purposes. Authorizes PERF and TRF to enter into investment contracts for a term longer than 5 years. Allows certain units in the 1977 police officers' and firefighters' pension and disability fund (1977 fund) to buy back additional members' service. Permits a PERF or TRF member to suspend the member's right to a pension benefit and use the member's annuity savings account to purchase service in another governmental retirement plan. Permits PERF and TRF to offer dental, vision, and long term care coverage to retirees. Liberalizes rollover distributions and trustee to trustee transfers for certain public retirement funds as permitted by the federal Economic Growth and Tax Relief Reconciliation Act of 2001. Permits PERF and TRF members to purchase at actuarial cost additional service credit. Allows a state or political subdivision to pay all or a part of a member's contribution to purchase additional service credit. Authorizes school corporations to make payments to PERF and TRF using electronic funds transfer. Authorizes political subdivisions to make payments to PERF using electronic funds transfer. Reduces from 75 to 70 the age at which a PERF or TRF member may elect to begin receiving retirement benefits while continuing to work in a covered position. (The introduced version of this bill was prepared by the pension management oversight commission.)

DIGEST OF SB 60 (Updated February 26, 2002 12:09 PM - DI 84)

DROP for police and firefighters. Establishes a deferred retirement option plan (DROP) for members of all police and firefighter pension funds. Provides that the DROP is available on January 1, 2003, and expires on December 31, 2007. Provides that a member is eligible to participate in the DROP if the member may retire and receive an unreduced benefit. Provides that a member who wishes to participate in the DROP must make an irrevocable election and choose a retirement date that is no sooner than 12 months and no later than 36 months after the member enters the DROP. Provides that a member in the DROP continues in active service and both the member and the member's employer continue to make contributions to the applicable fund. Provides that a member retiring from the DROP receives a monthly benefit plus an additional amount paid either in a lump sum or in installments. Permits a civil taxing unit to exceed the property tax levy limits to pay the additional amount. Provides that if a member exits the DROP for any reason other than retirement on the member's chosen retirement date, the member's or the member's survivors' benefits are calculated as if the member never entered the DROP. Makes certain changes to the "dies in the line of duty" definition for the police and firefighter pension funds established by IC 36-8-8. (The introduced version of this bill was prepared by the pension management oversight commission.)

DIGEST OF SB 73 (Updated February 26, 2002 12:25 PM - DI 84)

Building services fund. Establishes the building services fund to receive money from: (1) the

emergency management, fire and building services, and public safety training foundation; and (2) the sale of safety first license plates.

DIGEST OF SB 77 (Updated February 26, 2002 7:28 PM - DI 84)

Uniform principal and income act. Adopts the Uniform Principal and Income Act. Provides notice requirements for proposed actions of a trustee. Provides that a trustee or beneficiary may petition a court for modification or denial of a proposed action. Creates an abuse of discretion standard for overturning a fiduciary's use of discretionary power. Removes a provision that prevents the trustee from making an adjustment if the trustee is not a beneficiary but the adjustment would affect the trustee directly or indirectly. Provides civil immunity for a trustee in certain circumstances. Specifies that if an obligation to pay money to the trustee is held as an asset of a charitable remainder trust, what is distributable as income is an increase in the value of an obligation to pay money to the trustee over the value of the obligation at the time it was acquired by the trust. Specifies that if a private or commercial deferred annuity is held as an asset of a charitable remainder trust, what is distributable as income is an increase in the value of the obligation over the value of the obligation at the time of the acquisition by the trust. Amends the definition of "principal" to include property that remains perpetually vested in the trustee in addition to property held for distribution to a remainder beneficiary when the trust terminates. In a provision concerning deferred compensation, annuities, and similar payments: (1) amends the definition of "payment" to specify that the trustee may have the option to receive the payment in lump sum or some other form; (2) amends a provision concerning allocating more of a payment to income in order to obtain an estate tax marital deduction to include obtaining a gift tax marital deduction; and (3) adds a provision concerning allocating a payment between income and principal if a payment is not characterized as interest or a dividend, and if the payment is made from an individual account corresponding to an original participant. Amends a provision concerning the trustee's power to adjust between income and principal to make the consideration of some factors in exercising the power discretionary instead of mandatory. Repeals trust code statutes that are superseded and makes other conforming changes.

DIGEST OF SB 79 (Updated February 26, 2002 7:57 PM - DI 84)

Septic system disclosure in residential sale. Requires the Indiana real estate commission to include on its sales disclosure form a provision concerning disclosure by an owner of residential real estate of the known condition of additions that may require improvements to the sewage disposal system.

DIGEST OF SB 97 (Updated February 26, 2002 12:29 PM - DI 84)

Tracking of beer kegs. Provides for the tracking of the seller and buyer of kegs of beer.

DIGEST OF SB 99 (Updated March 14, 2002 11:48 PM - DI 52)

Allows the establishment of county onsite waste management districts. Specifies the

requirements for: (1) establishment through a petition and hearing process; (2) inclusion of an area in a municipality under certain circumstances; (3) dissolution; and (4) operations. Specifies that in certain counties imposition of rates and charges by the district must be approved by the county council.

DIGEST OF SB 100 (Updated March 14, 2002 9:27 PM - DI 102)

Soldiers' and Sailors' Children's Home. Eliminates the requirement that the superintendent of the home be an honorably discharged veteran. Establishes a preference for the appointment of an honorably discharged veteran when at least two candidates otherwise meet the requirements for appointment. Eliminates the admissions committee for the home and allows the superintendent to decide whether to admit a child to the home with the approval of the state health commissioner.

DIGEST OF SB 102 (Updated March 14, 2002 9:26 PM - DI 102)

Licensing of manufactured home installers. Establishes on July 1, 2003, the manufactured home installer licensing board to regulate installers of manufactured homes. Sets the qualifications for licensed manufactured home installers. Provides that a person who installs manufactured homes without a license commits a Class B misdemeanor.

DIGEST OF SB 104 (Updated February 26, 2002 12:33 PM - DI 84)

Permits for explosives magazines. Requires an applicant for a regulated explosives magazine permit to demonstrate that ignition devices are not allowed within a room containing an indoor magazine, in conformity with United States Bureau of Alcohol, Tobacco, and Firearms regulations.

DIGEST OF SB 107 (Updated March 14, 2002 10:59 PM - DI 97)

Prescription drug advisory committee. Adds a township trustee as a member of the prescription drug advisory committee. Extends the expiration date of the committee to December 31, 2005. Extends the date by which the committee must make prescription drug program design recommendations.

DIGEST OF SB 109 (Updated February 26, 2002 7:00 PM - DI 84)

Accreditation of disabilities services providers. Modifies the definition of "community mental retardation and other developmental disabilities centers". Requires the rehabilitation services bureau of the division of disability, aging, and rehabilitative services (bureau), when contracting for certain services, to contract with entities or individuals that are accredited by certain organizations. Requires the bureau to include in the contract any specific requirement not

covered by the entity's or individual's accreditation. Makes conforming amendments. (The introduced version of this bill was prepared by the commission on mental retardation and developmental disabilities.)

DIGEST OF SB 136 (Updated February 26, 2002 8:12 PM - DI 84)

Telephone calling system for confined offenders. Makes the requirements for a solicitation for a telephone calling system provided to an offender located in a county with a population greater than or equal to 75,000 who is confined in: (1) a community corrections facility; (2) a juvenile detention facility; (3) a juvenile detention center; or (4) a county jail equivalent to the solicitation requirements for a department of correction facility. Requires the department of administration to accept the most advantageous proposal for a telephone calling system for confined offenders. Provides that commissions received under a contract for a telephone calling system for confined offenders entered into by the department of administration shall be used to fund capital improvement projects at department of correction facilities. Provides that money in the correctional facilities calling system fund may not be spent without a specific appropriation.

DIGEST OF SB 137 (Updated February 26, 2002 8:19 PM - DI 84)

Change of names of Medicaid bodies. Makes technical changes to reflect the change of name of: (1) the select joint committee on Medicaid oversight to the select joint commission on Medicaid oversight made by P.L.256-2001; and (2) the federal Health Care Financing Administration to the Centers for Medicare and Medicaid Services.

DIGEST OF SB 139 (Updated February 26, 2002 7:01 PM - DI 84)

Birth defects registry. Requires the state department of health to: (1) inform parents of children with birth problems about physicians and local community resources; and (2) report to the legislative council any birth problem trends identified through data collected. (The introduced version of this bill was prepared by the health finance commission.)

DIGEST OF SB 144 (Updated February 26, 2002 12:53 PM - DI 84)

Civil liability of city controllers. Provides that the city controller of a second class city or a consolidated city is not individually liable for an act or omission that occurs in connection with the controller's duty as fiscal officer of the city.

DIGEST OF SB 148 (Updated February 26, 2002 7:11 PM - DI 84)

State bidding procedures. Increases the dollar threshold for qualification of bidders and for bidding and awarding of contracts for public works projects. Provides that the director of the

division of public works may waive the filing of any public works contractor's financial statement.

DIGEST OF SB 149 (Updated February 26, 2002 12:57 PM - DI 84)

Certificate of birth following stillbirth. Establishes a certificate of birth for births ending in stillbirth and provides for the issuance of the certificate upon a parent's request.

DIGEST OF SB 152 (Updated March 14, 2002 5:11 PM - DI 94)

Municipal and county public work projects. Provides that the workforce of a municipality or a county may perform certain public works projects if the cost of the project is estimated to be less than \$150,000. Gives a public works contractor discretion to have the board that contracts for the public work to: (1) hold the retainage; or (2) place the retainage in an escrow account. Provides that the board shall not be required to pay interest on the retainage that the board holds. Specifies notice and public meeting requirements that must be satisfied before a public work project may be performed by the municipality's or county's own workforce. Adds requirements for examination reports prepared by the state board of accounts concerning public work projects performed by the municipality's or county's own workforce. Provides that if the cost of public work by a municipal or county hospital is less than \$75,000, the hospital may have the work done without receiving bids and by means of its own workforce.

DIGEST OF SB 153 (Updated February 26, 2002 7:52 PM - DI 84)

Hypnotists. Provides that additional health care professionals may form professional corporations. Provides that an individual who teaches hypnotism is a hypnotist. Revises the requirements to serve on the hypnotist board and the requirements for hypnotist certification. Revises acts that are prohibited by a hypnotist. Makes practicing hypnotism without certification a Class A misdemeanor. Authorizes injunctions against individuals who violate the hypnotist laws. Repeals definitions of "qualified supervisor" and "supervision". Exempts licensed chiropractors from hypnotist regulations.

DIGEST OF SB 154 (Updated February 26, 2002 12:48 PM - DI 84)

Lake management work group. Extends the lake management work group until July 1, 2004.

DIGEST OF SB 158 (Updated February 26, 2002 8:17 PM - DI 84)

Pharmacy dispensing fee survey. Requires the office of Medicaid policy and planning to, at least once every two years, conduct a survey of pharmacy providers to assess the appropriate level of dispensing fees paid to providers for prescribed drugs. Lists factors that must be considered in

the survey. Specifies that if an adjustment in dispensing fees is made following a survey, the secretary of the office of family and social services is required to commence the rulemaking process to implement the adjustment not later than November 1 of the year in which the survey is conducted.

DIGEST OF SB 168 (Updated February 26, 2002 7:44 PM - DI 84)

Title searches. Requires a title insurance company to perform or cause to be performed a title search of real estate for a mortgage secured by the real estate unless the mortgage: (1) is not more than \$50,000; (2) is subordinate to a prior mortgage where a title search was conducted; and (3) is not a reverse mortgage. Requires a company who does not perform a title search under this exception to first inform the person obtaining the mortgage of the person's liability under the title insurance policy.

DIGEST OF SB 173 (Updated February 26, 2002 7:04 PM - DI 84)

State police disability pension. Authorizes the state police department (ISP) to establish disability expense reimbursements and disability pensions for employee beneficiaries who incur disabilities: (1) in the line of duty; and (2) not in the line of duty. Authorizes the ISP to seek rulings from the Internal Revenue Service as to the federal tax treatment for the line of duty disability benefits. Provides for a waiver of tuition and mandatory fees at any state supported college, university, or technical school for the child or spouse of a regular, paid ISP police employee who has been permanently and totally disabled by a catastrophic personal injury that was sustained in the line of duty and permanently prevents the employee from performing any gainful work. Provides a disability pension in lieu of the regular disability pension to a regular paid police employee of the state police department who is permanently and totally disabled by a catastrophic personal injury sustained in the line of duty after January 1, 2001 that prevents the employee from performing any gainful work. Provides that the pension is equal to the employees regular salary at the commencement of the disability. Provides that the pension must be increased at a rate equal to any salary increases that the employee would have received had the employee remained in active service. (The introduced version of this bill was prepared by the pension management oversight commission.)

DIGEST OF SB 175 (Updated February 26, 2002 7:18 PM - DI 84)

School referendum tax levies. Provides that if an excessive levy referendum is approved, a school corporation may impose a referendum tax levy that is separate from the general fund tax levy. Provides that voters may reimpose or extend a referendum tax levy through the referendum process but may not approve a referendum tax levy that is imposed for more than seven years. Provides that if the majority of voters in a referendum to allow a school corporation to impose a referendum tax levy did not vote to approve the levy, another referendum to impose a referendum tax levy may not be held for a period of one year. Does not include the referendum tax levy in the determination of state tuition support or maximum general fund tax levy. Provides that a levy

increase due to the imposition of a referendum tax levy is not eligible for property tax replacement credits.

DIGEST OF SB 178 (Updated February 26, 2002 6:43 PM - DI 84)

Child support. Amends the effective date of driver's license suspension for delinquent child support obligors and removes a notice requirement. Requires businesses and units of government to comply with subpoenas issued by Title IV-D agencies in other jurisdictions. Requires the child support bureau to: (1) enforce support orders using high volume automated enforcement features; and (2) use a simplified procedure for review and adjustment of support orders. Requires an applicant for a marriage, hunting, trapping, or fishing license to provide the applicant's Social Security number. Requires a court to issue a support order addressing health insurance in certain cases. Requires use of National Medical Support Notice and requires certain employers to electronically transfer funds to the state central collection unit. Authorizes a court to: (1) order a child support obligor found in contempt of court to seek employment; and (2) require a child support obligee to obtain a bank account. Specifies that the clerk of the circuit court may not be required to remit child support payments by electronic funds transfer.

DIGEST OF SB 180 (Updated February 26, 2002 7:53 PM - DI 84)

Enhanced wireless emergency telephone service. Reduces membership on the wireless enhanced 911 advisory board from 11 to seven. Allows current members to complete their terms. Makes the treasurer of state a voting member of the board. Eliminates term limits for board members. Eliminates the requirement that the board must use a third party audit in determining whether to adjust the wireless emergency enhanced 911 fee. Specifies that the part of the fee to be used to implement phase two of a specified Federal Communications (FCC) order must be used to reimburse CMRS providers and public safety answering points (PSAPs) for their costs in implementing the order. Allows the board to invest the fees collected and to use the proceeds to reimburse CMRS providers and PSAPs. Provides that monthly distributions to reimburse PSAPs for costs in complying with the FCC order must be distributed to each county with eligible PSAPs based on the county's percentage of the state's population. Provides that the contents of an invoice submitted by a CMRS provider to the board must be sworn to and affirmed under penalty of perjury. Repeals a provision establishing five wireless board regions.

DIGEST OF SB 190 (Updated February 26, 2002 8:27 PM - DI 84)

Clerk's issuance of hunting and fishing licenses. Provides that the clerk of the circuit court in each county may issue hunting, trapping, and fishing licenses. (Current law requires the clerk to issue the licenses.)

DIGEST OF SB 202 (Updated February 26, 2002 1:02 PM - DI 84)

Credit union membership and loans. Allows persons who reside in or are employed in a community to be considered a qualified group to form a credit union. Eliminates existing criteria by which the department of financial institutions determines whether a group seeking to form a credit union is a community. Changes the credit union real estate improvement loan requirements.

DIGEST OF SB 212 (Updated February 26, 2002 6:07 PM - DI 84)

Sale of recalled products. Provides that the sale of a recalled product is a deceptive consumer sale, unless the product has been repaired. Provides an affirmative defense if the recalled product has been altered so that the product was rendered incapable of serving its original purpose.

DIGEST OF SB 213 (Updated February 26, 2002 12:50 PM - DI 84)

Use of epinephrine by EMTs. Permits an emergency medical technician (EMT) or an advanced emergency medical technician to administer epinephrine to a person experiencing an allergic reaction or anaphylaxis. Requires the emergency medical services commission to establish training and certification standards for the administration of epinephrine.

DIGEST OF SB 214 (Updated February 26, 2002 12:52 PM - DI 84)

Interference with emergency communication. Provides that a person who interferes with or prevents another individual from making a 911 telephone call, obtaining medical treatment, or making a report to a law enforcement officer commits interference with the reporting of a crime, a class A misdemeanor.

DIGEST OF SB 216 (Updated February 26, 2002 7:31 PM - DI 84)

Technical corrections. Makes numerous technical corrections in the Indiana Code. (The introduced version of this bill was prepared by the code revision commission.)

DIGEST OF SB 217 (Updated March 14, 2002 10:46 PM - DI 14)

Muscatatuck State Developmental Center downsizing. Requires the division of disability, aging, and rehabilitative services to take certain actions, including conducting public hearings, submitting a report to the legislative council and the commission on mental retardation and developmental disabilities, and developing a plan, before downsizing Muscatatuck State Developmental Center. Specifies conditions that must be met before Muscatatuck State Developmental Center may be downsized. Converts the commission on mental retardation and

developmental disabilities to a statutory commission. Requires the department of workforce development to develop training programs for employees laid off at Madison state hospital. Repeals noncode provisions concerning the commission.

DIGEST OF SB 222 (Updated March 14, 2002 3:17 PM - DI 105)

Fraudulent schemes relating to health care providers. Prohibits an owner or employee of certain health care providers from receiving money or assets as a loan or gift from an individual who receives care from the provider. Makes the penalty for committing the offense a Class A infraction. Permits certain gifts made in writing before two disinterested witnesses. Permits a court to order the health care provider to: (1) return assets; (2) repay the money with interest; and (3) pay treble damages and reasonable attorney's fees in certain cases.

DIGEST OF SB 225 (Updated February 26, 2002 7:22 PM - DI 84)

Nursing home inspections. Requires the state department of health to report to the select joint commission on Medicaid oversight concerning nursing home inspections. (The introduced version of this bill was prepared by the select joint commission on Medicaid oversight.)

DIGEST OF SB 227 (Updated February 26, 2002 6:53 PM - DI 84)

Restructuring of FSSA. Requires the health finance commission to develop a plan to reorganize the office of the secretary of the FSSA and issue a final report. (The introduced version of this bill was prepared by the joint commission on Medicaid oversight.)

DIGEST OF SB 228 (Updated March 14, 2002 11:51 PM - DI 104)

Prior authorization of drugs under Medicaid and CHIP. Requires the children's health insurance program (CHIP) policy board to study certain children's benefits. Allows the office of Medicaid policy and planning (office) to place limits on the quantities dispensed or the frequency of refills for any covered drug for the purpose of preventing fraud, abuse, waste, overutilization, or inappropriate utilization or to implement disease management. Prohibits the office from limiting the number of brand name prescription drugs a Medicaid or CHIP recipient may receive under the program. Establishes a therapeutics committee as a subcommittee of the drug utilization review (DUR) board and specifies committee membership and terms. Gives the DUR board additional duties, including the research, development, and approval of a preferred drug list for: (1) Medicaid's fee for service program; (2) Medicaid's primary care case management program; and (3) CHIP's primary care case management component. Establishes procedures to follow for requiring prior authorization for drugs under the Medicaid and CHIP programs. Allows specified insurers to report to the DUR board the number of child enrollees that are prescribed certain

stimulant medications. Adds to the controlled substance advisory committee a member with expertise in child and adolescent psychiatry and requires the committee to report specified information to the DUR board. Requires the DUR board to report specified information concerning the prescribing of stimulant medication to children. Makes changes to the law concerning the Indiana prescription drug account and the Indiana prescription drug advisory committee. Requires the office to apply for a federal Medicaid waiver to: (1) include the aged, blind, and disabled in Medicaid's managed care program; and (2) provide access to prescription drugs for low income senior citizens. Provides that money that was appropriated to the prescription drug account in 2000 but was not placed in the account is appropriated to the account. Requires the office to establish a point of sale system for the prescription drug program before July 1, 2002. Repeals the continuous eligibility provision for a child under Medicaid and removes the provision from CHIP. Makes other changes. (The introduced version of this bill was prepared by the joint commission on Medicaid oversight.)

DIGEST OF SB 230 (Updated February 26, 2002 6:05 PM - DI 84)

DNR aquatic plant management permits. Prohibits the control of aquatic vegetation in public waters by physical, mechanical, chemical, or biological means without a permit issued by the department of natural resources (DNR). Requires the department of environmental management's approval before DNR may issue a permit for chemical control of aquatic vegetation in a public water supply. Changes the criteria for exemption from the permit requirement.

DIGEST OF SB 233 (Updated February 26, 2002 7:30 PM - DI 84)

TRF membership and contributions. Requires the state teachers' retirement fund (TRF) board to assign certain members to TRF's pre-1996 and 1996 accounts. Requires the TRF board to credit member and employer contributions for members assigned to the pre-1996 account to the pre-1996 account. Requires the TRF board to credit member and employer contributions for members assigned to the 1996 account to the 1996 account. Provides that an employer contribution rate for the 1996 account that exceeds 9% may not exceed the rate approved by the budget agency after review by the budget committee.

DIGEST OF SB 239 (Updated March 14, 2002 5:37 PM - DI 105)

Criminal mischief. Makes it a Class A misdemeanor for a person to damage a locomotive, a railroad car, a train, certain railroad or train signaling equipment, or railroad property on a right-of-way, owned by a railroad company, pipeline company, or utility company. Makes it a Class D felony if the damage causes substantial interruption or impairment of common carrier pipeline.

DIGEST OF SB 243 (Updated February 26, 2002 4:22 PM - DI 84)

Regulation of certain tall structures. Creates new permit requirements for certain tall structures

near a public airport. Applies obstruction standards to both existing airports and heliports. Requires that a permit from the department of transportation must be approved for a regulated tall structure before a zoning change may be made for land that involves the structure.

DIGEST OF SB 246 (Updated March 14, 2002 11:09 PM - DI 97)

Child care providers. Prohibits the state police department from charging a fee for a limited criminal history record requested by a community mental retardation and other developmental disabilities center or by a supervised group living facility. Prohibits reimbursement through the federal Child Care and Development Fund (CCDF) voucher program and licensure of certain child care providers based on criminal histories of providers, employees, volunteers, and household members. Permits a voucher agent access to the child abuse registry for use in determinations of eligibility for voucher payments. Requires a child care provider to submit drug testing results to determine eligibility for voucher payments. Provides for administrative review of an action taken under the law concerning eligibility for CCDF voucher payments. Prohibits voucher payments or licensure for a child care provider: (1) convicted of operating a child care home or child care center without a license; or (2) determined to have previously operated a child care home or child care center without a license.

DIGEST OF SB 247 (Updated February 26, 2002 6:02 PM - DI 84)

Capital sentence procedures. Provides that a female inmate under a sentence of death must be housed in a maximum security women's facility until at least 30 days before the execution date. Provides certain criteria that allow inmates under a sentence of death to be temporarily housed at another maximum security facility. Provides that identifying information of persons executing an inmate is confidential and that the department of correction may exclude a person from viewing an execution if the superintendent determines the person may compromise the safety and security of the state prison. Changes references to the title of the head of the state prison from warden to superintendent.

DIGEST OF SB 248 (Updated March 14, 2002 5:21 PM - DI 106)

State legal claims and liens. Exempts the attorney general from paying the small claims costs fee. Makes technical corrections.

DIGEST OF SB 249 (Updated March 14, 2002 5:30 PM - DI 94)

Property taxes. Expands the purposes for which a city or town may use money in the cumulative capital improvement fund to: (1) design, develop, purchase, lease, upgrade, maintain, or repair

computer equipment, software, networks, and access systems; (2) pay for the services of computer maintenance employees; (3) conduct in-service technology training; and (4) undertake Internet application development. Allows a unit or the trustees of a fire protection district to use money in a cumulative firefighting building and equipment fund to purchase land for use by the fire department or volunteer fire department.

DIGEST OF SB 252 (Updated March 14, 2002 6:56 PM - DI 75)

Numerous changes to probate, trust, and tax laws. Changes notice of appraisal requirements. Makes various changes concerning the responsibilities of an attorney in fact. Allows a putative father, for the purpose of inheritance, to execute a paternity affidavit to establish the paternity of a child born out of wedlock. Provides that a person with custody of a will is only required to deliver the will to the court if the person receives a written demand from the personal representative or upon court order. Provides that a person incurs civil liability if, not more than three business days after receiving the power of attorney, the person refuses to accept the authority of an attorney in fact granted under a power of attorney. Provides that a person does not incur civil liability if the person provides the attorney in fact with a written statement not more than ten days after the refusal explaining why: (1) the power of attorney is legally invalid; or (2) the attorney in fact is exercising a power not provided in the power of attorney. Provides that a nonprobate transfer does not include transfer of a survivorship interest in a tenancy by the entireties real estate, the transfer of a life insurance policy or annuity or payment of death proceeds thereof. Provides that the liability of a nonprobate transferee: (1) may not exceed the value of the nonprobate transfers received or controlled by the nonprobate transferee; and (2) does not include the net contributions of the nonprobate transferee. Repeals a superseded provision concerning the liability of a person who receives payment from a multiple party account for claims against the estate. Reconciles technical conflicts between ESB 252 and ESB 57. Makes other changes. (The introduced version of this bill was prepared by the probate code study commission.)

DIGEST OF SB 258 (Updated February 26, 2002 5:50 PM - DI 84)

Library property tax replacement fund. Specifies that interest earned on money in Hancock County's library property tax replacement fund shall be credited to that fund. Specifies that petition and remonstrance procedures for bond issues apply to a public library that receives property tax replacement credits from the fund. Changes population parameters to reflect changes in the 2000 decennial census.

DIGEST OF SB 259 (Updated March 14, 2002 5:54 PM - DI 52)

Allows the air pollution control board to adopt rules to establish general requirements with respect to hazardous air pollutant emissions for reporting after December 31, 2003. Allows the

board to adopt rules to: (1) require sources to report hazardous air pollutant emissions if the reporting is necessary to demonstrate compliance with certain federal standards; and (2) allow the department of environmental management (IDEM) to request certain site specific data. Requires the environmental quality service council (EQSC) to: (1) develop a plan for the creation and funding of an effective hazardous air pollutant monitoring program to help assess potential health risks from hazardous air pollutants posed by urban air and significant sources; and (2) consider methods for the collection and dissemination of hazardous air pollution release information. Requires that IDEM and the state department of health (SDOH) jointly develop a five year hazardous air pollutant strategy before November 1, 2002.

DIGEST OF SB 260 (Updated February 26, 2002 1:24 PM - DI 84)

Township officials. Provides that a person may be appointed to perform the township trustee's duties when the trustee is incapable of performing the executive's function because the trustee is absent. Provides that the salary of an elected or appointed township official may not be reduced below the salary of the first year of the term immediately preceding the current term.

DIGEST OF SB 263 (Updated February 26, 2002 6:06 PM - DI 106)

Senior prosecuting attorneys. Provides that: (1) a senior prosecuting attorney may be appointed to serve as a special prosecutor; and (2) a person must have at least eight years of experience as a prosecuting attorney or chief deputy prosecuting attorney to be a senior prosecuting attorney. Prohibits a person from serving as a senior prosecuting attorney if certain disciplinary sanctions have been imposed upon the person. Removes a requirement that a person must wait five years before being eligible to serve as a senior prosecutor in the county in which the person previously served as a prosecutor or chief deputy. Provides that a senior prosecuting attorney: (1) shall be indemnified by the state for certain costs related to civil litigation against the senior prosecuting attorney; (2) shall be defended by the attorney general in a civil suit for acts performed in the course of employment; (3) is exempt from contributions to the prosecuting attorney's retirement fund; (4) is eligible to receive pension benefits while acting as a senior prosecuting attorney; (5) may not receive compensation that exceeds the minimum compensation paid to a full-time prosecuting attorney and may not receive compensation for more than 100 days in a calendar year; and (6) may file an affidavit requesting designation in as a senior prosecuting attorney in any county in which the senior prosecuting attorney is willing to serve.

DIGEST OF SB 269 (Updated February 26, 2002 5:55 PM - DI 84)

PERF vesting for county and state elected officials. Provides that a person serving as a county clerk, auditor, recorder, treasurer, sheriff, or coroner is vested in the public employees' retirement fund (PERF) after: (1) eight years of service in that office; or (2) ten years of service based on a combination of service as an elected county official and as a full-time employee in another covered position. Provides that a person serving as the secretary of state, state auditor, or state treasurer is vested in PERF after eight years of service. Provides that a person who has served eight years as an elected county official is eligible for normal retirement at 65 years of age. (The

introduced version of this bill was prepared by the county government study commission.)

DIGEST OF SB 270 (Updated March 14, 2002 4:47 PM - DI 94)

Library administration. Makes various changes concerning public library administration. Allows employee severance pay for an employee who is involuntarily separated from library employment. Alters procedures for making loans and issuing notes in anticipation of future revenues and for paying claims. Adds to the list of items for which a public library may pay claims in advance of library board allowance. Allows a library board to designate a person to collect money or library property owed to the library. Authorizes a library board to compromise claims made against the library.

DIGEST OF SB 271 (Updated February 26, 2002 5:53 PM - DI 84)

Telemarketing. Deletes the requirement that a contract made through a telephone solicitation call is invalid and unenforceable if the contract does not comply with all other statutes. Provides that a telephone solicitor must comply with all applicable laws.

DIGEST OF SB 277 (Updated March 14, 2002 11:33 PM - DI 97)

ICHIA reporting. Requires a member of the comprehensive health insurance association (ICHIA) to annually report the amount of tax credits taken against ICHIA assessments by the member. Requires ICHIA to report certain information annually for three years. (The introduced version of this bill was prepared by the health finance commission.)

DIGEST OF SB 283 (Updated February 26, 2002 6:57 PM - DI 84)

Solid waste management districts. Establishes the procedure for a county that withdraws from a solid waste management district to join or establish another district. Requires the adoption of two identical ordinances at a designated interval for a county to withdraw from a district or for a district to remove a county. Eliminates the requirement for disclosure: (1) by a county of the reasons for withdrawal from a joint district; and (2) by a joint district for removal of a county. Establishes the effective date of a withdrawal or removal of a county from a district. Requires a report on the existing legal obligations at the time of withdrawal or removal and establishes the responsibility for those obligations after withdrawal. Permits use by the joint district and the withdrawn or removed county of the existing district plan for not more than one year after withdrawal. Provides that the law as it exists before the amendments under this act continues to apply with respect to pending withdrawals and removals unless an election is made before May 1, 2002, to apply the law as amended by this act. Repeals provisions that: (1) require action by a joint district board to allow withdrawal by a county; and (2) void the withdrawal process if all necessary actions are not taken within one year.

DIGEST OF SB 290 (Updated March 14, 2002 11:01 PM - DI 71)

Education matters. Makes a technical correction to the school funding formula to: (1) eliminate an expiration provision that conflicts with the formula; and (2) update cross references to expired provisions. Allows the department of education to make alternative education program grants to school corporations more than once a year if the aggregate amount of the grants does not exceed \$750 per full-time equivalent student. Requires the director of the division of special education to coordinate an interagency task force to: (1) review services and funding sources available for children and young adults with disabilities and their families; and (2) submit a report to the legislature and the agencies involved.

DIGEST OF SB 292 (Updated March 14, 2002 6:44 PM - DI 71)

High ability students and student tracking. Requires: (1) the education roundtable to include a representative of education programs for exceptional learners (children with disabilities and high ability students); (2) the department of education to provide grants to school corporations to carry out plans for high ability students who meet certain criteria; and (3) a school corporation's strategic and continuous school improvement plan to address the needs of all students, including exceptional learners. Requires a school corporation to review its programs to determine whether certain practices have the effect of systematically separating students by race, color, creed, national origin, or socioeconomic class.

DIGEST OF SB 293 (Updated February 26, 2002 1:30 PM - DI 84)

Battery by body waste. Makes it battery by body waste, a Class A misdemeanor, for a person to place body waste on another person. Makes it malicious mischief, a Class B misdemeanor, for a person to place body waste where there is a risk that another person will come into contact with the waste. Makes it malicious mischief with food, a Class A misdemeanor, for a person to place body waste in a location that another person will ingest the body waste. Establishes enhanced penalties if the waste is infected with disease. Permits a trial court to order restitution for the costs of testing to determine whether a victim has become infected as a result of the crime.

DIGEST OF SB 306 (Updated February 26, 2002 5:25 PM - DI 84)

Credit union conversions. Allows a mutual savings association to convert into a credit union. Allows a mutual savings bank to convert into a credit union.

DIGEST OF SB 315 (Updated March 15, 2002 9:42 AM - DI 106)

Marion County small claims court fees. Requires the Marion County small claims court to collect a document fee, an automated record keeping fee, and a late fee. Raises the automated record keeping fee to \$5.00 in 2002, to \$7.00 from 2003 to 2009, and reduces the fee to \$4.00 after

2009.

DIGEST OF SB 318 (Updated March 14, 2002 7:52 PM - DI 101)

Enterprise zones and redevelopment. Provides that the president of the Association of Indiana Enterprise Zones or an enterprise zone executive director designated by the president shall serve as a nonvoting, advisory member of the enterprise zone board. Allows a county or municipal redevelopment commission to sell or grant real property without a public bidding process to an urban enterprise association or a community development corporation if certain conditions are met. Specifies that a county or municipal redevelopment commission must decide at a public meeting whether to sell or grant real property to an urban enterprise association. Provides that when a community revitalization enhancement district is designated for certain purposes, the unit may spend money to develop or enhance the value of real property used for retail purposes.

DIGEST OF SB 329 (Updated February 26, 2002 4:46 PM - DI 84)

Electronic payments to governmental bodies. Establishes a uniform procedure that allows state agencies to accept credit cards and other forms of electronic payment as payment for a service, a tax, a license, a permit, a fee, information, or any other amount due to a governmental body if the transaction is conducted through the computer gateway administered by the intelenet commission.

DIGEST OF SB 331 (Updated February 26, 2002 8:16 PM - DI 84)

Fire protection borrowing levy appeals. Permits a township approved for an excessive property tax levy based on borrowing for fire protection to phase in the approved increase over a period not to exceed three years. Revises population parameters to make them consistent with the 2000 decennial census.

DIGEST OF SB 343 (Updated March 14, 2002 5:11 PM - DI 105)

Provides that a court with criminal or juvenile jurisdiction may establish a drug court as part of the court's docket. Provides that an alcohol and drug services program is available only to a person charged with or convicted of a misdemeanor or felony.

DIGEST OF SB 344 (Updated March 14, 2002 5:50 PM - DI 107)

Commission on Hispanic and Latino affairs. Establishes the legislative commission on Hispanic and Latino affairs.

DIGEST OF SB 351 (Updated March 14, 2002 11:14 PM - DI 71)

Indiana University board of trustees. Provides that no more than two of the trustees appointed to the IU board of trustees by the governor and no more than one of the elected trustees may reside in the same county.

DIGEST OF SB 357 (Updated February 26, 2002 8:14 PM - DI 84)

State board of tax commissioners references. Eliminates Indiana Code references to the state board of tax commissioners (SBTC). (P.L.198-2001 abolished the SBTC effective January 1, 2002, and replaced it with the newly established department of local government finance (DLGF) and Indiana board of tax review (IBTR). That act did not address all code references to the SBTC.) Changes to DLGF or IBTR, as appropriate, the remaining Indiana Code references to the SBTC, makes conforming changes, and repeals no longer applicable Indiana Code sections that refer to the SBTC.

DIGEST OF SB 360 (Updated March 14, 2002 7:34 PM - DI 106)

Civil actions concerning LP gas containers. Permits an individual to bring a civil action against a person who misuses a liquified petroleum (LP) gas container. Permits a party to recover damages, court costs and attorney's fees.

DIGEST OF SB 362 (Updated February 26, 2002 12:55 PM - DI 84)

Licensure of dental hygienists. Modifies the licensing requirement for a dental hygienist who is licensed in another state. Allows the state board of dental examiners to classify a dental hygienist's license as inactive if the dental hygienist will not practice in Indiana, and allows the board to issue a license to the holder of a inactive license under certain circumstances. Provides that the application for a health profession license, certificate, registration, or permit is if the applicant does not complete the requirements for the application within one year, unless the applicant shows good cause for the delay.

DIGEST OF SB 363 (Updated February 26, 2002 7:54 PM - DI 84)

Abraham Lincoln bicentennial commission. Establishes the Abraham Lincoln bicentennial commission.

DIGEST OF SB 366 (Updated February 26, 2002 1:45 PM - DI 84)

Animal fighting contests. Makes possession of animal fighting paraphernalia with intent to participate in an animal fighting contest a Class B misdemeanor. Makes it a Class D felony for a person to possess animal fighting paraphernalia with intent to participate in an animal fighting contest and harbor an animal bearing scars or wounds consistent with participation in an animal fighting contest. Provides that intentionally removing a dog's vocal cords constitutes animal cruelty, a Class A misdemeanor. Allows a court to order a person to refrain from owning, harboring, or training an animal as a condition of probation.

DIGEST OF SB 367 (Updated March 14, 2002 3:20 PM - DI 106)

Sex offender registry. Provides that an offender must register with the county sheriff, or, in a county containing a consolidated city, with the police chief of the consolidated city (instead of all local law enforcement agencies). Requires sheriffs to jointly maintain a sex offender registry web site containing the photograph, address, and other information relating to an offender. Requires the police chief of a consolidated city to transmit photos and other information to the sheriffs' web site. Provides that the jail commissary fund may be used to fund the sex offender registry web site. Provides that the sheriff of a county containing a consolidated city shall provide the police chief of a consolidated city with equipment and funding necessary to transmit photos and other information concerning a sex offender to the sheriffs' web site. Requires the criminal justice institute to send a copy of the sex and violent offender directory to certain parties on computer disk, to send a paper copy of the directory upon request, and to provide a computer link to sex offender web sites maintained by county sheriffs. Provides that a person must register in Indiana if the person spends seven or more days in Indiana in a 180 day period or owns real property in Indiana and returns to the property at any time. Provides that a person who damages or defaces a copy of the directory commits criminal mischief: (1) as a Class A misdemeanor if the person is not required to register; and (2) as a Class D felony if the person is required to register. Prohibits an offender on probation or parole from residing within one mile of the victim's home. Provides that the victim's address is confidential. Repeals provisions concerning the current sex and violent offender registry.

DIGEST OF SB 373 (Updated February 26, 2002 8:00 PM - DI 84)

Qualified medication aide certification. Requires qualified medication aides to be certified. Requires the health facilities council to establish the education and training programs for qualified medication aides. Establishes a registry and procedures for violation hearings.

DIGEST OF SB 374 (Updated February 26, 2002 8:08 PM - DI 84)

Coalition to support Indiana seniors. Establishes the coalition to support Indiana seniors. Provides that membership in the coalition is granted to businesses that create a process that provides for an alternative payment date on which senior citizens may pay bills that are in conflict with Social Security, pension, or other retirement benefits.

DIGEST OF SB 381 (Updated February 26, 2002 1:00 PM - DI 84)

Use of MTBE as gasoline additive. Provides that after July 23, 2004, gasoline sold, offered for sale, or used in Indiana may not contain more than one-half percent by volume of methyl tertiary butyl ether (MTBE). (The introduced version of this bill was prepared by the interim study committee on agriculture and animal issues.)

DIGEST OF SB 391 (Updated February 26, 2002 12:02 PM - DI 84)

Assessments and agreements of certain taxpayers. Provides with respect to certain taxpayers that the assessed value of personal property construction in process for the March 1, 2002, assessment date is 10% of cost, and that payments under certain agreements with redevelopment commissions are enforceable in the same manner as property taxes.

DIGEST OF SB 399 (Updated March 14, 2002 5:22 PM - DI 75)

Adjusting census numbers in statutes. Changes population parameters in various statutes to reflect the population count determined under the 2000 decennial census. Redefines the term "population" as used in Indiana statutes. Revises statutes to reflect the loss of one congressional seat after the 2000 federal decennial census. Repeals a statute that provides that a special census or special tabulation may not take effect during the period beginning when the result of a decennial census is reported to the governor and the first date precinct establishment orders may become effective. (The introduced version of this bill was prepared by the census data advisory committee.)

DIGEST OF SB 401 (Updated March 14, 2002 11:17 PM - DI 97)

Electric personal assistive mobility devices. Defines an electric personal assistive mobility device as a self-balancing, two nontandem wheeled device with certain other attributes. Excludes an electric personal assistive mobility device from the definition of motor vehicle and from various requirements in the motor vehicle code. Prohibits a local authority from restricting the use of an electric personal assistive mobility device on a path set aside for the exclusive use of bicycles. Requires the state fair commission to allow the use of electric personal assistive mobility devices at the state fairgrounds.

DIGEST OF SB 402 (Updated March 14, 2002 4:51 PM - DI 94)

County recording issues. Requires a county recorder to accept and record an instrument, even though the amount of money submitted exceeds the amount of the filing fee, if the instrument meets statutory requirements for filing. Requires the county recorder upon request to refund the

amount of the overpayment that exceeds three dollars. Allows the county recorder to retain a portion of an overpayment as an administrative fee. Allows a municipal sewage works to file an individual instrument for each property on which fees are delinquent instead of a filing list of properties on which fees are delinquent.

DIGEST OF SB 404 (Updated February 26, 2002 7:43 PM - DI 84)

Medical records for coroners. Allows a coroner who is conducting a medical examination or autopsy to obtain the decedent's medical records.

DIGEST OF SB 405 (Updated February 26, 2002 7:58 PM - DI 84)

Health facility receiverships. Permits the state to recover costs incurred by the state as the result of the receivership of a health care facility. Provides that the costs of receivership constitute a preferred claim against the receivership estate.

DIGEST OF SB 407 (Updated March 15, 2002 9:35 AM - DI 107)

School air quality. Allows the state department of health (department) to adopt rules establishing an indoor air quality in schools program. Requires the department to inspect the air quality of a school if the department has received a complaint about the quality of air in the school and to work with the school to develop a reasonable plan to improve air quality. Establishes an advisory panel to work with the department in developing plans and best practices for school air quality. Allows schools to use capital projects funds for compliance.

DIGEST OF SB 410 (Updated February 26, 2002 8:26 PM - DI 84)

Issues pertaining to the attorney general. Specifies that the office of the attorney general is a criminal justice agency and a law enforcement agency for purposes of the law concerning criminal history information.

DIGEST OF SB 412 (Updated February 26, 2002 4:47 PM - DI 84)

Motor vehicle warranty repairs. Authorizes automobile manufacturers or distributors to enter into agreements with their Indiana franchisees to establish uniform warranty reimbursement policies for the performance of warranty repairs by franchisees. Specifies that the definition of distributor or manufacturer does not include a recreational vehicle manufacturer.

DIGEST OF SB 415 (Updated February 26, 2002 1:47 PM - DI 84)

Compensation of employees of the barn. Provides that the compensation of the executive director and other employees of the center for agricultural science and heritage (the barn) may be paid in

full or in part by a nonprofit entity formed to raise funds for the use of the barn.

DIGEST OF SB 416 (Updated February 26, 2002 7:45 PM - DI 84)

Service areas of electricity suppliers. Modifies procedures that must be followed when a municipally owned electric utility seeks to change its assigned service area to include territory that has been annexed by the municipality. Provides that the municipally owned electric utility must pay additional severance damages to the incumbent electricity suppliers in the annexed area based on electricity sold to service accounts established in the annexed area during the five year period beginning on the effective date of the annexation ordinance. Provides that the severance payments must continue for each service account for the five year period beginning on the date the service account is established. Requires the utility regulatory commission (IURC) to determine and enforce payment of severance damages when the parties cannot agree on the amount of the damages. Requires the IURC to approve a change in the boundaries of the assigned service areas of electric utilities when the affected utilities mutually agree to the change, unless the IURC determines after a public hearing that the change would result in certain consequences.

DIGEST OF SB 417 (Updated March 14, 2002 5:44 PM - DI 77)

DNR enforcement procedures. Provides for administrative enforcement for violations under the jurisdiction of the division of water of the department of natural resources. Sets limits on the amounts of civil penalties that may be assessed for violations. Provides that certain violations are infractions.

DIGEST OF SB 422 (Updated February 26, 2002 1:06 PM - DI 84)

History of the general assembly. Provides for the creation of a history of the general assembly. Establishes a select committee of legislative members to oversee the: (1) hiring of an author; (2) appointment of an advisory council to assist the select committee; and (3) administration of the process creating the history. Provides that the history should cover approximately the period from the 100th general assembly to the adjournment sine die of the 113th general assembly. Specifies that funds appropriated in the 2001 budget bill for an update of the history of the general assembly may be used by the select committee. (This draft was prepared by the interim study committee on the history of the Indiana general assembly.)

DIGEST OF SB 423 (Updated February 26, 2002 7:10 PM - DI 84)

Franchise act material changes and advertisements. Requires that for certain persons connected with a franchise the securities commissioner must make a finding that the person creates an unreasonable risk before the commissioner may issue a stop order. Repeals the requirement that a franchisor promptly notify the securities commissioner in writing of a material change in the

information contained in a registration by filing an application to amend the registration. Repeals the prohibition against publishing an advertisement concerning a franchise unless a copy of the advertisement has been filed with the securities commissioner. Makes a conforming amendment.

DIGEST OF SB 426 (Updated March 14, 2002 10:58 PM - DI 106)

Death penalty. Provides that an individual less than 18 years of age may not receive a sentence of death. Requires a jury in a death penalty or life without parole murder trial to enter each aggravating circumstance on a special verdict form. Removes the jury override provision in a death penalty or life without parole proceeding. Provides that if the jury is unable to make a sentencing recommendation, the court shall discharge the jury and proceed if the hearing had been to the court alone.

DIGEST OF SB 443 (Updated February 26, 2002 5:51 PM - DI 84)

Internet government procurement. Authorizes a governmental body to receive electronic offers for a procurement by e-mail or other electronic means under certain circumstances. Authorizes political subdivisions to provide notices of procurement through the state's Internet website. Provides that a governmental body may sell surplus property through an Internet auction site approved by the intelenet commission.

DIGEST OF SB 459 (Updated February 26, 2002 1:53 PM - DI 84)

Juvenile law commission. Establishes the commission on juvenile law to recommend changes in juvenile law by January 1, 2003. Appropriates \$18,000 to fund the commission.

DIGEST OF SB 461 (Updated March 14, 2002 5:49 PM - DI 52)

Allows the establishment of county onsite waste management districts. Specifies the requirements for: (1) establishment through a petition and hearing process; (2) inclusion of area in a municipality under certain circumstances; (3) dissolution; and (4) operations. Specifies that in certain counties imposition of rates and charges by the district must be approved by the county council. With respect to onsite residential sewage discharging disposal systems installed to repair failed septic systems in certain counties: (1) allows the local health department to issue operating permits under certain circumstances if the county has established a county onsite waste management district; (2) directs the state department of health (SDOH) to take action to allow for the issuance of operational permits in the county; (3) directs the department of environmental management to apply for a general permit from the United States Environmental Protection Agency covering the point source discharge from onsite residential sewage discharging disposal systems in the county; and (4) directs SDOH to take action to develop residential septic system technologies.

DIGEST OF SB 462 (Updated March 14, 2002 7:56 PM - DI 103)

Property tax benefits for high impact business. Establishes a high impact business commission consisting of the Lafayette common council and the Tippecanoe county council. Allows the commission to designate one business as a high impact business and to grant a property tax credit for the business's inventory for ten years. Requires a business to commit to investing at least \$50,000,000 and retaining at least 1,400 jobs at its facilities located in Tippecanoe County and Lafayette to be designated as a high impact business. Requires a high impact business to continue operations at its facilities in the city and the county for at least 20 years and to comply with a statement of benefits to result from its investment. Provides for the termination of the tax credit, the recapture of tax revenues, and penalties for a failure to comply with the statement of benefits or for ceasing operations at those facilities. Provides that the inventory tax refund takes effect after December 31, 2003.

DIGEST OF SB 466 (Updated February 26, 2002 4:49 PM - DI 84)

Local regulation of shooting ranges. Repeals provision that excluded shooting ranges located in an area designated before January 2, 1958, as an "S" suburban residence district by a county zoning ordinance from the law permitting local units of government to regulate the location, use, operation, safety, and construction of a shooting range.

DIGEST OF SB 469 (Updated February 26, 2002 8:30 PM - DI 84)

Deposit of certain funds in state general fund. Provides that certain "clawback" payments made to the state with respect to facilities that were financed in whole or in part with the proceeds of bonds issued by the transportation finance authority are to be deposited in the state general fund.

DIGEST OF SB 481 (Updated February 26, 2002 1:54 PM - DI 84)

Special weight permits. Defines "trip" as the movement of a vehicle or combination of vehicles having a total gross weight greater than 80,000 pounds but less than 134,000 pounds within a 24 hour period for purposes of a statute requiring a special weight permit for each trip on an extra heavy duty highway. Changes the designation of certain sections of extra heavy duty highways.

DIGEST OF SB 482 (Updated March 14, 2002 5:44 PM - DI 104)

Child solicitation and fondling in the presence of a child. Provides that a person commits child solicitation if the person solicits an individual whom the person believes to be less than 14 years of age to engage in sexual acts. Provides that, in a prosecution for child solicitation, the state is not required to prove that the person solicited the child to perform an illicit act at some immediate time. Provides that a person commits fondling in the presence of a child if the person touches or fondles himself in the presence of a child under 14 years of age with the intent to

arouse or satisfy the sexual desires of the child or person.

DIGEST OF SB 488 (Updated March 14, 2002 4:06 PM - DI 96)

Regulated lifting devices. Requires the fire prevention and building safety commission to adopt rules for the issuance of elevator contractor, elevator inspector, and elevator mechanic licenses. Provides for the licensure of occupations related to elevators. Adds a member to the fire prevention and building safety commission from the masonry construction industry. Provides for a Class C infraction for the installation or alteration of a regulated lifting device without a permit, whether or not the person performing the installation or alteration is required to be licensed to perform the work. Requires the registration and inspection of regulated lifting devices, with certain exceptions. Allows the fire prevention and building safety commission to adopt rules to establish fees for the issuance of various permits and licenses relating to regulated lifting devices and regulated boiler and pressure vessels. Repeals statutes that set the fees relating to: (1) permitting and inspection of regulated lifting devices; (2) permitting of an owner or user for inspections of regulated boilers and pressure vessels; (3) inspection of a regulated boiler or pressure vessel for the issuance of a permit; (4) manufacturers using the inspection services of the office of the state building commissioner; (5) a regulated boiler and pressure vessel inspector license; and (6) an owner or user boiler and pressure vessel inspection agency license. Makes conforming amendments.

DIGEST OF SB 489 (Updated February 26, 2002 7:21 PM - DI 84)

Various hospital matters. Removes political affiliation requirements to be appointed to the governing boards of county hospitals and certain municipal hospitals. Amends qualifications to be on the governing board of those hospitals. Allows a county hospital to have audits performed by certified public accountants. Removes certain approval procedures required for a county hospital to operate another hospital or a building in a county that contains a hospital in a third class city. Allows certain municipal and county hospital boards to meet in executive session to discuss certain topics and to purchase group malpractice insurance together. Provides that the board of the Marion County health and hospital corporation may extend the corporation's health care programs and health care facilities to persons residing outside of the county. Updates population parameters to reflect changes in the 2000 decennial census.

DIGEST OF SB 491 (Updated February 26, 2002 7:19 PM - DI 84)

Tobacco settlement enforcement proceedings. Specifies that the attorney general may disclose certain information in an action to enforce the tobacco master settlement. Permits the attorney general to receive reasonable attorney's fees in connection with enforcing the tobacco master settlement.

DIGEST OF SB 501 (Updated March 14, 2002 11:57 PM - DI 71)

Educational facilities and funding. Prohibits Vincennes University and Ivy Tech State College from taking any action that frustrates the goals of the community college system. Provides authorization for the budget agency to enter into a lease (after meeting certain conditions) with the Columbus Learning Center Management Corporation. Gives the trustees of Vincennes University bonding authority for a Technology Building, a Performing Arts Center, and a Recreation Building. Removes the freeze on student tuition and academic facilities fees at Vincennes University and Ivy Tech State College. Allows bonding for medical research facilities associated with a school of medicine. Requires the state to convey certain property in Allen County to Ivy Tech State College.

DIGEST OF SB 504 (Updated March 14, 2002 11:53 PM - DI 104)

Delay of uninsured parents program. Delays the effective date of the uninsured parents program for two years. Reinstates the hospital care for the indigent program (which was otherwise repealed July 1, 2004) until June 30, 2004. Amends the hospital's reimbursement calculation.

DIGEST OF SB 506 (Updated March 14, 2002 8:58 PM - DI 75)

Legislative documents. Specifies that certain legislative documents are to be distributed in electronic format unless the legislative council, the principal secretary of the senate, or the principal clerk of the house of representatives directs that paper copies be used. Provides that any unused appropriations made for the purpose of printing and distributing legislative documents shall be transferred by the director of legislative services to a nonreverting fund. Requires state agencies that: (1) are required by law to produce an annual or other report for the entire general assembly or for the legislative council or legislative services agency (LSA); or (2) voluntarily produce a report for the entire general assembly or for the legislative council or LSA; submit the report in electronic form instead of sending paper copies. Requires the submitting agency to cause the report to be electronically mailed to each legislator and posted on the Internet. Requires the LSA to periodically compile all of the reports received from state agencies on a CD-ROM or other electronic medium for distribution to members of the general assembly. Requires the LSA to prepare legislation for the 2003 regular session to make conforming amendments to statutes that contain annual report requirements.

DIGEST OF SB 508 (Updated March 14, 2002 6:44 PM - DI 71)

Regulation of dams. Provides for the classification by the department of natural resources of dams according to hazard level. Specifies that the department has permitting authority for the construction and operation of a structure (a dam and its appurtenant works) and changes the inspection schedule for these structures based upon hazard levels.

DIGEST OF SB 509 (Updated March 14, 2002 11:46 PM - DI 97)

Child care immunization records. Requires a child care provider who is licensed or who receives child care and development fund reimbursement to maintain documentation concerning age appropriate immunization status of children in the provider's care.

DIGEST OF SB 513 (Updated February 26, 2002 6:50 PM - DI 84)

International lottery games. Authorizes the lottery commission to participate in an international lottery. Requires the lottery commission to adopt rules governing the establishment, implementation, and operation of a lottery game before entering an agreement with a jurisdiction other than a state for a game that originates and is operated under foreign law.

DIGEST OF SB 516 (Updated February 26, 2002 3:49 PM - DI 84)

Small business development corporation. Abolishes the enterprise development board and transfers its responsibilities with respect to the administration of the enterprise development fund and the small and minority business financial assistance program to the small business development corporation. Repeals references to the enterprise development board and makes conforming changes.

DIGEST OF SB 518 (Updated February 26, 2002 7:15 PM - DI 84)

Mental health center service areas. Establishes primary service areas for community mental health centers. Provides an option for a county and a community mental health center to initiate a request to change the primary service area or the provider assignment. Protects a consumer's right to choose or obtain access to the services of any provider certified to provide publicly supported mental health services. Specifies the distribution formula for county payments to certain community mental health centers. Requires certain community mental health centers to have a county fiscal body representative on the center's governing board. Requires community mental health centers to provide an annual report to the fiscal body of each county from which the center receives funding.

DIGEST OF SB 528 (Updated March 15, 2002 12:02 AM - DI 104)

Extends to December 31, 2004, the expiration date of provisions: (1) prohibiting the office of Medicaid policy and planning (OMPP) from providing incentives to primary care medical providers for directing individuals to contracted hospitals other than a hospital in a city where the patient resides; and (2) concerning reimbursement rates for hospitals that previously contracted with the office's managed care contractor for the provision of services under the office's managed care program.

DIGEST OF SJ0012 (Updated February 26, 2002 6:45 PM - DI 84)

Term of office of elected officials. Permits the general assembly to fix the dates for beginning terms of county officers in order to establish a uniform schedule of starting dates. This proposed amendment has not been previously agreed to by a general assembly. (This draft was approved by the county government study commission.)

DIGEST OF HJ 2 (Updated March 14, 2002 3:35 PM - DI 75)

Discharging the governor's powers and duties. Provides an order of public officers to discharge the governor's powers and duties until the general assembly fills a vacancy in the office of governor when both the office of the governor and the office of the lieutenant governor are vacant. This proposed amendment has not been previously agreed to by a general assembly.

DIGEST OF HJ 9 (Updated February 26, 2002 3:22 PM - DI 84)

Inventory tax exemption. Allows the general assembly to enact a law to exempt from property taxation: (1) inventory; (2) tangible personal property used in the production of income; and (3) tangible real property used as a primary residence by the owner, an individual buying the property on contract, or an individual who has a beneficial interest in the owner. This proposed amendment has not been previously agreed to by a general assembly.

DIGEST OF HB 1001 (Updated March 15, 2002 12:04 AM - DI 75)

Antiterrorism measures. Establishes the counterterrorism and security council. Provides that \$1.25 of the service charge established by administrative rules before January 1, 2002, for certain BMV transactions is to be used in paying the costs of an integrated wireless public safety communications system until July 1, 2019, and authorizes the state office building commission to issue bonds to finance construction of the system. Provides for a portion of the \$1.25 service charge to be used for the state police crime laboratory backlog. Appropriates from the state license branch fund to the integrated public safety communications fund an amount equal to \$1.25 multiplied by the number of relevant BMV transactions occurring after December 31, 2001, and before July 1, 2002. Establishes new restrictions concerning the issuance of commercial driver's licenses and hazardous materials endorsements. Authorizes the state police (instead of the department of administration) to provide security for state property. Authorizes the superintendent of state police to assign a special police employee to serve on a riverboat. Requires the state emergency management agency to develop a statewide mutual aid program and a statewide mutual aid agreement. Provides that a student who brings a destructive device to school or possesses a destructive device on school property must be expelled for at least one calendar year. Provides that a vehicle, money, or other assets may be seized if used in the commission of certain offenses as part of an act of terrorism. Establishes various requirements and criminal offenses concerning certain regulated explosives or devices. Establishes or enhances various criminal penalties for disorderly conduct on airport premises, use of the identity of another person with the intent to commit terrorism or to obtain a weapon of mass destruction, money laundering with the intent to further terrorism, possession of a weapon of mass destruction with the intent to carry out terrorism, dissemination of a substance with the intent to cause a person to believe that the substance is a weapon of mass destruction, or interruption or

impairment of work conducted in a food processing facility. Repeals: (1) the definition of regulated explosive; (2) the financial responsibility requirements for a regulated explosive manufacturer; (3) the current statute defining the crime of selling, manufacturing, purchasing, or possessing certain bombs and explosives; and (4) a statute that authorizes the commissioner of the department of administration to issue warrants for the recovery of unlawfully possessed state property.

DIGEST OF HB 1005 (Updated February 26, 2002 5:03 PM - DI 84)

Throwing burning material from motor vehicles. Makes it a Class A infraction for a person to throw from a moving motor vehicle a lighted cigarette or other burning material.

DIGEST OF HB 1010 (Updated February 19, 2002 2:37 PM - DI 84)

Child pornography. Permits forfeiture of equipment used in preparing or disseminating child pornography or material harmful to minors. Prohibits making available to another person a computer containing material harmful to minors. Raises the penalty for child exploitation from a Class D felony to a Class C felony. Raises the penalty for possession of child pornography from a Class A misdemeanor to a Class D felony. Specifies that the laws concerning child exploitation, possession of child pornography, and obscenity and pornography apply to digitized images. Provides that a person who makes matter harmful to minors available through the Internet, a computer, or other display or dissemination may not be convicted of dissemination of matter harmful to minors unless: (1) the matter is obscene; (2) the matter is child pornography; or (3) the person distributes the matter believing or intending that the recipient is a child less than eighteen years of age.

DIGEST OF HB 1012 (Updated February 26, 2002 5:08 PM - DI 84)

Victim's rights after sentencing hearings. Permits a victim representative in a death penalty or life without parole murder case to make a statement concerning the impact of the crime. Provides that the victim representative shall make the statement after the judge has pronounced the sentence.

DIGEST OF HB 1013 (Updated February 28, 2002 12:11 PM - DI 84)

Landlord tenant law. Establishes obligations of landlords and tenants involving dwelling units that are let for rent.

DIGEST OF HB 1015 (Updated February 26, 2002 5:14 PM - DI 84)

Fuel price gouging. Permits the attorney general to investigate and take action against retailers of fuel who engage in fuel price gouging. Requires the attorney general to make aggregate

information concerning investigations of price gouging, with no identifying information, available to the public upon request. Preempts the power of local government to regulate fuel pricing during a state of emergency.

DIGEST OF HB 1026 (Updated February 26, 2002 5:15 PM - DI 84)

Township general fund and fire fund. Permits St. John Township, Lake County, to: (1) transfer up to \$86,317 from its general fund to its fire fund before December 31, 2002; and (2) for 2002 taxes payable in 2003, increase its fire fund maximum permissible levy and decrease its general fund maximum permissible levy by \$110,000.

DIGEST OF HB 1027 (Updated February 26, 2002 5:18 PM - DI 84)

Pauper counsel in civil actions. Allows a court to appoint an attorney to represent an indigent person involved in a civil action at no expense to the indigent person under certain circumstances. Requires the appointing court to pay the reasonable attorney's fees and litigation expenses incurred by the attorney.

DIGEST OF HB 1029 (Updated February 26, 2002 5:20 PM - DI 84)

Treatment for exposure to VX nerve agents. Requires the adoption of rules to establish training and certification standards to allow trained emergency medical technicians in Fountain, Montgomery, Parke, Putnam, Vermillion, Vigo, and Warren counties to administer antidotes for exposure to VX nerve agents.

DIGEST OF HB 1030 (Updated February 19, 2002 2:43 PM - DI 84)

Leave for organ or bone marrow donation. Allows a state employee of the executive branch to take a paid leave of absence for the purpose of being an organ donor or bone marrow donor. Provides that an anatomical gift is made if a person acknowledges on the application form for a driver's license or identification card that the person is making an anatomical gift.

DIGEST OF HB 1033 (Updated February 25, 2002 4:50 PM - DI 84)

Redistricting technical corrections. Makes technical corrections to the legislative redistricting plan adopted by the 2001 session of the general assembly. (The introduced version of this bill was prepared by the census data advisory committee.)

DIGEST OF HB 1043 (Updated February 26, 2002 5:22 PM - DI 84)

Fishing licenses. Provides that a person is not required to hold a fishing license if the person's

only participation in fishing is to assist certain types of persons (including the blind and the developmentally disabled) when they are fishing.

DIGEST OF HB 1049 (Updated February 19, 2002 2:43 PM - DI 84)

Bone marrow and organ donor fees. Establishes a fund to pay for the testing of bone and organ marrow donors. Transfers \$50,000 to the fund from the anatomical gift promotion fund for the state fiscal year beginning July 1, 2002. Appropriates \$60,650 from the anatomical gift promotion fund for payment for testing of bone marrow before entrance into the National Bone Marrow Registry for the state fiscal year beginning July 1, 2002.

DIGEST OF HB 1050 (Updated February 27, 2002 7:39 PM - DI 84)

Commission on mental health. Adds a for-profit psychiatric provider to the Indiana commission on mental health. Extends the expiration of the commission until January 1, 2004.

DIGEST OF HB 1065 (Updated February 27, 2002 7:40 PM - DI 84)

Annual PERF cost of living adjustment. Provides a cost of living adjustment in 2003 for members of the public employees' retirement fund (PERF) (or their survivors or beneficiaries). Provides a cost of living adjustment in 2003 to members of the state teachers' retirement fund (TRF) (or their survivors or beneficiaries) who retired or were disabled before July 2, 2000.

DIGEST OF HB 1075 (Updated February 27, 2002 7:55 PM - DI 84)

Small short term consumer loans. Regulates certain small, short term loans under the Uniform Consumer Credit Code.

DIGEST OF HB 1077 (Updated February 25, 2002 3:36 PM - DI 84)

Child support arrearage. Provides that a court may issue an order directing a person to pay a child support arrearage. Provides that the order is enforceable by contempt or any other remedy available for the enforcement of a child support decree. Provides that the county shall forward certain Title IV-D child support payments to FSSA.

DIGEST OF HB 1081 (Updated February 27, 2002 7:58 PM - DI 84)

Line of duty health care expenses of police and firefighters. Requires a police or fire special service district, a town, a township, a fire protection district, or a provider unit in fire protection territories to pay the medical and hospital care expenses for a full-time, paid police officer or

firefighter who is injured or contracts an illness in the line of duty.

DIGEST OF HB 1083 (Updated February 26, 2002 5:30 PM - DI 84)

Adds an additional judge to the Vigo superior court. Grants the Shelby circuit court concurrent jurisdiction with the Shelby superior court #1 to hear juvenile cases. Reauthorizes the Allen County alternative dispute resolution (ADR) pilot project for parties contemplating divorce. Provides that the ADR project may include nonbinding arbitration. Permits a senior judge to serve as a domestic relations mediator.

DIGEST OF HB 1088 (Updated March 22, 2002 3:35 PM - DI 44)

Independent reassessment of Lake County. Provides procedures for payment of a claim of an independent appraiser. Provides that a contract entered into by the state board of tax commissioners is treated as if entered into by the department of local government finance. Provides that the department of local government finance may terminate a contract for accounting services and enter into a new contract for accounting services under provisions governing the purchase of services. Expands the direct contempt powers of the tax court with respect to a failure to provide information to the department of local government finance or its contractor or to pay a bill of a contractor to cover a county township official with information necessary or useful for the completion of a general or special reassessment. Provides for the expiration of the provisions of law requiring the department of local government finance to conduct a general reassessment with an independent appraiser. Provides tort immunity to the independent appraiser. Provides that the department of local government finance shall pay a contractor's verified claim if the county auditor fails to do so and that the treasurer of state shall withhold the amount of any such payments from certain distributions to the county. Makes related changes.

DIGEST OF HB 1095 (Updated February 26, 2002 5:34 PM - DI 84)

Soil and water conservation district examinations. Specifies that soil and water conservation districts shall be charged \$45 per day per examiner for examinations by the state board of accounts. Under current law, the districts pay the actual costs of the examinations.

DIGEST OF HB 1099 (Updated February 26, 2002 5:35 PM - DI 84)

Vocational education courses. Requires the state board of education to establish a list of

approved secondary level vocational education courses and provides a procedure for high schools to offer courses on this list. Requires the department of education to adopt certain minimum standards for the courses on the list. Removes an obsolete provision.

DIGEST OF HB 1101 (Updated March 15, 2002 12:08 AM - DI 75)

Various election law changes. Makes the following changes to election law: (1) Requires the election commission to formulate a statement of a "voter's bill of rights". (2) Permits certain voters whose registration is in question to cast a provisional ballot. (3) Permits any voter to cast an absentee ballot in the office of the circuit court clerk or satellite offices. (4) Permits military and overseas voters to submit absentee ballots by fax under certain circumstances. (5) Expands the definition of absent uniformed services voter to include a member of the Indiana national guard deployed outside Indiana. (6) Makes other changes relating to casting absentee ballots. (7) Removes language that permits the use of noncompliant voting systems under certain circumstances. (8) Provides for the use of voting systems that furnish a practical and effective means for voters with disabilities to cast ballots in private. (9) Requires that if a voting system is able to demonstrate to the voter whether the voter's ballot has overvotes, that function of the voting equipment actually in use in a precinct must be operable. (10) Permits a county election board to eliminate certain precinct election offices and to allow individuals between 16 and 18 to serve as poll clerks and election sheriffs under certain circumstances. (11) Establishes the time that electronic filing of certain campaign finance reports is considered to have occurred. (12) Changes the total number of signatures that a candidate for President of the United States, United States Senator, or governor is required to obtain to qualify for placement on the ballot. (13) Requires an individual who registers to vote to provide the last four digits of the individual's Social Security number under certain circumstances. (14) Makes changes in the process for organizing and disbanding of political committees. (15) Corrects an erroneous reference in a statute relating to absentee voting. (16) Changes criteria for determination of the political affiliation of an appointee to a local board. (17) Authorizes the election commission to adopt rules to update standards for voting systems. (18) Allows precinct boundaries to cross a city boundary in certain circumstances. (19) Repeals superceded statutes relating to: (A) registration of absent uniformed services voters and overseas voters; and (B) the counting of absentee ballots at a central location.

DIGEST OF HB 1104 (Updated February 26, 2002 5:39 PM - DI 84)

Local government matters. Specifies when a vacancy occurs on a town council. Allows the town council to determine whether a vacancy exists on the council.

DIGEST OF HB 1108 (Updated March 14, 2002 11:13 PM - DI 71)

Authorizes charter schools sponsored by the mayor of Indianapolis to obtain financing through a

local public improvement bond bank. Establishes a method for honorably discharged veterans of World War I and World War II who did not receive high school diplomas because they joined the military before graduating to receive diplomas.

DIGEST OF HB 1111 (Updated February 26, 2002 5:42 PM - DI 84)

Coverage for post-mastectomy services. Adds requirements to a certain group accident and sickness insurance policies issued or delivered in another state if a certificate of coverage under the policy is issued to an Indiana resident. Specifies that an accident and sickness insurance policy or a health maintenance organization contract that covers a mastectomy must provide coverage for certain post-mastectomy services regardless of whether the individual was covered under the policy or contract at the time of the mastectomy. Requires the department of insurance to study the application of certain requirements to additional group accident and sickness insurance policies and report results of the study to the legislative council.

DIGEST OF HB 1119 (Updated March 14, 2002 12:20 PM - DI 75)

Seed contracts. Provides that a seed supplier may not enter real property owned or occupied by a farmer unless certain conditions are satisfied. Provides a cause of action to a farmer against a seed supplier if the supplier wrongfully enters the real property owned or occupied by the farmer.

DIGEST OF HB 1121 (Updated March 14, 2002 10:45 PM - DI 106)

Motor vehicles. Provides that state and local traffic regulation may occur on private roads and highways. Establishes a procedure by which a local authority may adopt additional traffic regulations by ordinance regarding a private road within the authority's jurisdiction. Makes conforming amendments.

DIGEST OF HB 1124 (Updated February 26, 2002 5:44 PM - DI 84)

Leaving a boating accident scene. Increases various penalties related to leaving the scene of a boating accident that results in an injury or death.

DIGEST OF HB 1129 (Updated February 26, 2002 5:46 PM - DI 84)

Wine sales and beer dealer permits. Specifies that the alcohol and tobacco commission may issue a beer dealer's permit to a package liquor store. Legalizes beer dealer permits issued to package liquor stores after June 30, 1997. Allows a farm winery to purchase and sell bulk wine. Allows a wine dealer to deliver any amount of wine to a customer.

DIGEST OF HB 1133 (Updated February 25, 2002 4:53 PM - DI 84)

School buses. Makes changes to the voting and nonvoting members of the state school bus committee. Requires the committee to adopt rules allowing the display of the United States flag on school buses. Amends the definition of a special purpose bus to include a motor vehicle owned by a school corporation used to transport children that complies with the Federal Motor Carrier Safety Regulations and has certain other specifications.

DIGEST OF HB 1138 (Updated March 14, 2002 8:07 PM - DI 94)

Local government administration. Requires the treasurer of state to reduce by 10% the amount of money from riverboat gaming received by the Lake County convention and tourism bureau and to transfer the amount of the reduction to the northwest Indiana law enforcement training center for operating purposes. Allows, for estimated distributions payable before July 1, 2004, the property tax replacement fund board to make an early distribution of property tax replacement credit amounts to one or more counties without making an early distribution to all counties. Provides that the property tax replacement fund board shall issue guidelines governing application for counties seeking an early distribution. Changes the membership of the Lake County Convention and Visitors Bureau. Authorizes any municipality within the service area of a public or municipal water utility to adopt an ordinance to provide that the charges for the production, storage, transmission, sale and delivery, or furnishing of water for public fire protection purposes must be included in the basic rates of all customers of the utility within the municipality. Allows certain municipalities to collect fees related to the acquisition, construction, installation, operation, and maintenance of facilities and land for storm water systems through a periodic billing system or through the semiannual property tax statement. Allows, instead of requires, the clerk of the circuit court in each county to issue hunting, trapping, and fishing licenses. Changes the date by which the appropriations and annual tax levy ordinance must be passed from the first Monday in September to September 20 for a third class city and September 30 for a second class city. Provides that a second class city may pay each commissioner on the board of parks an annual salary in an amount fixed by the fiscal body. Updates population parameters to reflect changes in the 2000 decennial census. Makes conforming changes.

DIGEST OF HB 1139 (Updated February 28, 2002 1:06 PM - DI 84)

Federal law reference update. Provides that in the law based on the Uniform Consumer Credit Code, a reference to a federal law is a reference to the federal law in effect December 31, 2001. Provides that in the financial institutions law, a reference to a federal law or federal regulation is a reference to the federal law or regulation in effect January 1, 2002.

DIGEST OF HB 1143 (Updated February 19, 2002 2:50 PM - DI 84)

IDFA educational facility projects. Expands the definition of "educational facility project" for

purposes of the Indiana development finance authority (IDFA) law to permit the authority to provide funding to certain nonprofit corporations for real property and improvements, personal property, and noncapital costs to fund a judgment, settlement, or other cost or liability.

DIGEST OF HB 1158 (Updated February 26, 2002 5:55 PM - DI 84)

Guaranteed energy savings contracts. Makes certain changes in the guaranteed energy savings contracts law used by school corporations and political subdivisions. Provides that actual savings may include stipulated savings that are documented by industry engineering standards, and that causally connected work is work that is required to properly implement an energy conservation measure. Provides that an energy conservation measure may include future labor, contracted services, and related capital expenditures. Requires a governing body to file a copy of certain information with the department of commerce. Provides that stipulated savings may be used in determining actual savings for various energy conservation measures. Requires a contract that includes stipulated savings to specify the methodology used to calculate the savings using industry engineering standards. Provides conditions under which improvements that are not causally connected to an energy conservation measure may be included in an energy savings contract.

DIGEST OF HB 1159 (Updated February 26, 2002 5:56 PM - DI 84)

Commission on minority and women's businesses. Increases the membership on the governor's commission on minority and women's business enterprises from six to nine members with capabilities in business and industry appointed by the governor.

DIGEST OF HB 1161 (Updated March 14, 2002 11:08 AM - DI 107)

Meningococcal disease immunization. Provides that a student or the student's guardian, before the student enrolls at a residential campus at a public university, must receive information concerning meningococcal disease from the university. States that a student that is not a citizen or resident of the United States must, before matriculating in a residential campus at a public university, provide the university with: (1) medical documentation that the student has been tested for tuberculosis in the United States; (2) the date the tuberculosis test was taken; and (3) the results of the tuberculosis test.

DIGEST OF HB 1171 (Updated February 19, 2002 2:53 PM - DI 84)

Lead-based paint. Sets the times for expiration and renewal of lead-based paint activities licenses

and adjusts training requirements for licensure. Provides for the licensing and training of clearance examiners. With an exception for certain homeowners, prohibits the use of certain methods to remove lead-based paint and requires that removed paint be discarded. Requires a laboratory that tests the blood of certain children for lead to report the test results to the state department of health. Requires information that is gathered concerning the concentration of lead in the blood of children less than seven years of age to be shared among certain federal, state, and local government agencies.

DIGEST OF HB 1187 (Updated February 26, 2002 6:36 PM - DI 84)

Requirements for corrections personnel and inmate recreation time. Requires a superintendent in the department of correction (DOC) to have at least five years of management experience in the field of corrections or a related field. Prohibits the DOC from confining an offender without an opportunity for at least one hour of exercise five days each week.

DIGEST OF HB 1188 (Updated February 19, 2002 2:59 PM - DI 84)

Jail inspections. Requires the department of correction (DOC) to inspect each county jail at least one time each year. Provides that the DOC commissioner may recommend that a grand jury be convened to tour and inspect a county jail, if the jail is noncompliant for at least six months.

DIGEST OF HB 1191 (Updated March 14, 2002 10:54 PM - DI 97)

Insurance. Amends the interest rate upon which the minimum nonforfeiture amount for annuity contracts issued from July 1, 2002, through June 30, 2004, is based. Imposes certain requirements on depository institutions that sell, solicit, advertise, or offer insurance. Makes a violation of the requirements an unfair and deceptive act and practice in the business of insurance. Provides for treatment of a segregated investment account in the event of liquidation of an insurer.

DIGEST OF HB 1195 (Updated March 14, 2002 11:49 PM - DI 71)

Establishes the application filing period for certain property tax deductions and the homestead credit with respect to certain mobile homes and manufactured homes. Permits assessing officials to receive a per diem and a mileage allowance for attending training sessions before taking office. Permits the board of trustees of the South Bend Community Schools to adopt a resolution returning to a calendar year budget cycle. Provides that the resolution may be rescinded. Updates population parameters to reflect changes in the 2000 decennial census. Specifies circumstances under which a sales tax return does not need to be filed each month. Updates references in the law to the Internal Revenue Code to refer to the version of the Internal Revenue Code as amended through January 1, 2002. Allows \$1,000,000 of the net increment of sales taxes remitted within an economic development project district to be paid to the city of South Bend

each year that the economic development project district exists in the city. Allows additional uses of the increment in South Bend.

DIGEST OF HB 1196 (Updated March 14, 2002 11:51 PM - DI 52)

Makes various amendments for consistency with the change of assessed value to 100% of true tax value. Adjusts the amount of the deduction for new manufacturing equipment installed before March 2, 2001, in an economic revitalization area. Requires a county property tax assessment board of appeals or the Indiana board of tax review to consider all evidence relevant to the assessment of real property regardless of whether the evidence was submitted to the township assessor before the assessment of the property. Prohibits disclosure of confidential information by a contractor for the discovery of undervalued or omitted property, and establishes consequences for disclosure. Establishes a property tax exemption for a nonprofit corporation that participates in the small business incubator program. Corrects certain appeal filing periods to the Indiana board of tax review established in HEA 1299-2001. Makes certain amendments with respect to excessive levy appeals. Provides that if a political subdivision does not fix the budget, tax rate, and tax levy for the ensuing budget year, the most recent annual budget and tax levy are continued for the ensuing budget year. Eliminates the requirement for a township trustee to advertise a poor relief tax rate. With respect to bonds and leases: (1) permits an objection petition to the department of local government finance only if a local objection petition was filed; (2) applies certain provisions for objection only if the project cost is more than \$2,000,000; and (3) requires a school corporation to disclose expected new facility operating costs and whether a levy appeal will be made to pay those costs. Makes other changes to property tax administration. Makes numerous changes concerning the independent reassessment of Lake County. Adjusts the distributions of Lake County admissions taxes. Expands eligibility for the economic development for a growing economy (EDGE) tax credit by making the credit available for certain projects to retain existing jobs as well as for projects to create jobs. Eliminates the requirement that an applicant for a job creation credit must verify that the applicant has considered locating the project in at least one other state. Makes numerous changes to the county adjusted gross income tax, the county option income tax, and the county economic development income tax. Requires the department of state revenue to enter into an agreement with the fiscal officer of an entity that has adopted an inkeeper's tax, a food and beverage tax, or an admissions tax to provide the fiscal officer annually with: (1) the name of each business collecting the taxes; and (2) the amount of money collected from each business. Prohibits the fiscal officer from divulging any information disclosed to the fiscal officer by the department under the agreement. Provides that a trust, life insurance policy, or prepaid funeral agreement is not exempt as a resource in determining Medicaid eligibility unless amounts remaining after delivery of services are payable to the office of Medicaid policy and planning (OMPP) or the applicant's or recipient's estate. Subject to certain limitations, authorizes the OMPP to place a lien on a Medicaid recipient's real property if the office determines that the recipient will not return to live in the property. Permits the enforcement of a lien on amounts that exceed \$125,000. Designates property considered to be part of an estate for Medicaid purposes. Establishes a procedure for and sets a time limit for enforcement of Medicaid claims against an estate. Provides that an area consisting of property that: (1) is located in the city of Marion; and (2) experienced a loss of at least 300 jobs during the

year ending December 31, 2001; is added to and becomes a part of the community revitalization enhancement district designated in the city and approved by the budget agency before January 1, 2002. Makes various changes to the professional sports and convention development tax area statutes. Increases the Vanderburgh County innkeeper's tax from 5% to 6%. Designates the revenue generated by the 1% increase to be used for: (1) operating expenses of the convention and visitors commission; and (2) tourism capital improvement. Establishes financial relief for a school corporation that annexes into a township school corporation. Amends City of Gary building authority provisions. Adds certain business entity provisions. Allows an excessive levy appeal for voting systems. Allows school corporations to transfer from various funds to the general fund. Allocates \$20,000,000 from the higher education technology fund to replace general fund appropriations.

DIGEST OF HB 1200 (Updated February 26, 2002 6:56 PM - DI 84)

Patient reports and records. Requires a hospital to file quarterly patient specific information reports with the state department of health. Provides for disclosure of health records in connection with voluntary public health activities.

DIGEST OF HB 1201 (Updated February 26, 2002 7:00 PM - DI 84)

School donations to community foundations. Allows the governing body of a school corporation to donate specified sources of revenue to a charitable nonprofit community foundation if the foundation retains all rights to the donation and agrees to: (1) hold the donation as a permanent endowment; (2) distribute income from the donation only to the school corporation; and (3) return the donation to the school corporation's general fund under certain conditions. Specifies that a school corporation may use the income generated by the donation only for purposes of the school corporation.

DIGEST OF HB 1202 (Updated February 26, 2002 7:08 PM - DI 84)

School students and employees. Enables school corporations to obtain limited and national criminal history checks for all employees rather than only for new employees. Makes conforming changes in the policies that schools may adopt concerning criminal history checks. Requires a prosecuting attorney to notify the state superintendent of public instruction and the employer when a licensed school employee is convicted of certain offenses. Makes changes in the grounds for which teachers' licenses may be revoked and contracts may be canceled. Requires a governmental entity to pay a judgment of a claim or suit against an employee when the act or omission causing the loss is within the scope of the employee's employment. Requires a governmental entity to pay a compromise or settlement against an employee when: (1) the act or omission causing the loss is within the scope of the employee's employment; and (2) the compromise or settlement is in the best interest of the governmental entity. Provides that a governmental entity or employee acting in the scope of employment is not liable if a loss results from an injury to a person assigned to a pretrial conditional release program. Provides civil

immunity for making certain reports concerning a teacher. Changes the law concerning seduction of a child at least 16 years of age to add behaviors that constitute the offense and to expand coverage to all employees of a child's school.

DIGEST OF HB 1204 (Updated February 26, 2002 7:11 PM - DI 84)

Appeal bonds. Limits the amount of an appeal bond that an appellant must post to stay execution on a judgment while an appeal is pending to \$25,000,000.

DIGEST OF HB 1208 (Updated February 28, 2002 1:08 PM - DI 84)

Volunteer firefighters and fire departments. Grants immunity from civil liability to certain persons who donate fire control or fire rescue equipment to a fire department of a political subdivision or to a volunteer fire department. Amends the conditions and manner under which a blue light may be displayed on a vehicle by a member of a volunteer fire department. Makes conforming amendments.

DIGEST OF HB 1213 (Updated February 26, 2002 7:13 PM - DI 84)

FSSA reauthorization. Extends the administrative structure of the office of the secretary of family and social services until January 1, 2004.

DIGEST OF HB 1214 (Updated March 14, 2002 8:11 PM - DI 97)

Child care. Adds minimum eligibility standards for child care providers that participate in the federal Child Care and Development Fund voucher reimbursement program. (The introduced version of this bill was prepared by the board for the coordination of child care regulation.)

DIGEST OF HB 1215 (Updated February 26, 2002 7:15 PM - DI 84)

CPR certification in child care settings. Requires that certain child care providers be annually certified in cardiopulmonary resuscitation (CPR). (The introduced version of this bill was prepared by the board for the coordination of child care regulation.)

DIGEST OF HB 1223 (Updated February 26, 2002 7:21 PM - DI 84)

Cruelty to an animal. Makes torturing or mutilating an animal a Class D felony. Provides an exception for an animal shelter euthanizing an animal in accordance with adopted guidelines..

DIGEST OF HB 1227 (Updated February 26, 2002 7:23 PM - DI 84)

Oil and gas environmental fund. Amends the fee and bonding requirements for oil and gas well permits. Eliminates the separate fee for Class II wells. Establishes new minimum and maximum balances for the oil and gas environmental fund. Allows the department of natural resources to use a percentage of the fund for administrative expenses.

DIGEST OF HB 1228 (Updated February 26, 2002 7:26 PM - DI 84)

Floodway regulation. Provides for the issuance of a permit for the construction of a building in a floodway if: (1) the floodway is protected by a levee inspected by the United States corps of engineers; and (2) the lowest floor of the structure will not be below the 100 year flood level plus one foot.

DIGEST OF HB 1232 (Updated March 14, 2002 8:33 PM - DI 105)

Restructuring of protective orders. Restricts the issuance of protective orders to cases of domestic or family violence, stalking, or sex offenses. Allows a workplace violence restraining order to be issued for the protection of an employee. Provides that a law enforcement officer responding to the scene of a crime involving domestic or family violence may confiscate firearms, ammunition, and deadly weapons. Removes the requirement that an address confidentiality program participant live in Indiana. Allows an emancipated minor to participate in the program. Provides that victims of sexual assault and stalking may participate in the program. Allows participants who obtain a name change to continue participating in the program but requires the participants to provide documentation of the name change to the office of the attorney general. Prohibits the attorney general from disclosing identifying information, unless: (1) requested by a law enforcement agency; or (2) directed by a court order. Makes it a Class D felony if a child dies as a result of reckless supervision of the child by a child care worker. Repeals provisions relating to renewal of program participation following termination of a protective order. Repeals a requirement that a program participant provide a copy of a renewed protective order to continue program participation. Repeals certain provisions concerning protective orders.

DIGEST OF HB 1233 (Updated February 26, 2002 7:28 PM - DI 84)

Mental health drugs for Medicaid recipients. Prohibits the use of prior authorization for certain mental health drugs under Medicaid and the children's health insurance program (CHIP). Provides that this prohibition does not apply to a formulary or prior authorization program operated by a managed care organization under the Medicaid or CHIP programs. Establishes procedures to follow for requiring prior authorization for other drugs under the Medicaid and CHIP programs. Allows the office of Medicaid policy and planning to place limits on quantities dispensed or the frequency of refills for any covered drug for the purpose of preventing fraud, abuse, waste, overutilization, or inappropriate utilization or to implement disease management. Provides that the assessment on certain facilities for the developmentally disabled and mentally retarded may not exceed 10% of the facility's total annual revenue.

DIGEST OF HB 1238 (Updated February 26, 2002 7:29 PM - DI 84)

Sale of state surplus property to local government. Provides that the department of administration shall sell surplus state property offered to political subdivisions to the highest responsible governmental bidder. Provides that the commissioner of the department shall determine a market price for the surplus property that is stated in the notice of the sale. The department shall sell the surplus property to the highest governmental bidder whose bid equals or exceeds the market price determined by the commissioner.

DIGEST OF HB 1240 (Updated February 26, 2002 7:32 PM - DI 84)

Ordinance enforcement procedures. Allows a municipal corporation, after entering a property and correcting a continuing ordinance violation on the property that is outdoors and does not involve a structure, to issue a bill to the property owner for the costs incurred in bringing the property into compliance. Provides that if the bill is not paid by the owner of the property, the municipal corporation may have the amount of the bill, plus any administrative costs incurred, placed on the tax duplicate by the county auditor and collected in the same manner as delinquent taxes.

DIGEST OF HB 1241 (Updated February 26, 2002 7:42 PM - DI 84)

Natural resources matters. Changes the residency requirements for obtaining department of natural resources (DNR) fish and wildlife licenses or permits. Provides that it is a Class C infraction to violate the current statute prohibiting the operation of an off-road vehicle on public property without consent. Changes the fee for Ohio River commercial fishing licenses and gear tags. Changes the law concerning property damage by wild animals by expanding applicability of the law to: (1) the property of other legal entities and public bodies; (2) persons not owning but having an interest in the property; and (3) threatened damage. Requires the DNR director to prescribe the disposition of wild animals taken, killed, or captured under this law. Changes the reporting date for a soil conservation district to certify certain information to the division of soil conservation. Permits the state museum to pay for certain items in advance of receiving those items. Establishes procedures to be followed when removing human remains from a cemetery. For the period July 1, 2002, through June 30, 2003, appropriates \$250,000 to the natural resources reclamation division fund (the Fund) from the post-1977 abandoned mine reclamation fund. For the period April 1, 2002, through June 30, 2003, establishes a reclamation fee of: (1) \$.055 per ton produced for surface coal mining operations; and (2) \$.03 per ton produced for underground coal mining operations (Underground Operations); for deposit into the Fund. Beginning July 1, 2003, requires all Underground Operations to pay a reclamation fee of \$.02 per ton produced for deposit into the Fund. Eliminates the reclamation fee of \$.01 per ton produced for Underground Operations that do not have support facilities in Indiana. (The introduced version of this bill was approved by the natural resources study committee.)

DIGEST OF HB 1252 (Updated March 14, 2002 8:15 PM - DI 97)

Self-directed in-home care. Permits certain individuals who are not licensed health care

professionals to provide health related services to individuals who need in-home care services. Reorganizes the definition of "health related services" for purposes of the law concerning self-directed in-home care. Provides a two year registration period for personal services attendants. Extends the self-directed in-home care provisions. Requires the division of disability, aging, and rehabilitative services to adopt payment and record keeping rules for self-directed in-home care. (The introduced version of this bill was prepared by the health finance commission.)

DIGEST OF HB 1257 (Updated March 14, 2002 10:16 PM - DI 77)

Indianapolis administration. Authorizes charter schools in Indianapolis that are sponsored by the mayor to do financings through the Indianapolis bond bank. Authorizes charter schools other than those in Indianapolis sponsored by the mayor to do financings through the state bond bank. Allows the Indianapolis City-County Council to negotiate with property owners the amount of payments in lieu of taxes (PILOTS) charged to properties that are partially or totally exempt from property taxation because the properties are used to provide housing for low income persons under the federal low income housing tax credit program. Provides that the PILOTS may not exceed the amount of property taxes that would have been imposed if the properties were not subject to an exemption. Reconciles conflicts within the low income housing program property tax exemption statute.

DIGEST OF HB 1258 (Updated February 28, 2002 1:29 PM - DI 84)

Leveraging federal funds for Medicaid. Modifies additional reimbursements to nursing facilities that are owned or operated by a governmental entity. Requires the office of Medicaid policy and planning ("office") to: (1) identify means by which expenditures from the Indiana tobacco master settlement agreement fund ("tobacco fund") are eligible for federal financial participation under Medicaid; (2) apply to the United States Department of Health and Human Services for a waiver or an amendment to the state Medicaid plan to leverage federal funds through tobacco fund expenditures; (3) develop health care coverage programs or health care funding mechanisms to leverage federal funds through the tobacco fund; and (4) publish necessary notices. Requires federal money generated by intergovernmental transfers involving health facilities and money generated under this act to be used to mitigate reductions in Medicaid reimbursements for health facilities. Requires the budget agency to cooperate with the office in implementing this act. Specifies that this act does not appropriate any funds from the tobacco fund to the office.

DIGEST OF HB 1259 (Updated February 19, 2002 3:01 PM - DI 84)

Various hospital matters. Removes political affiliation requirements to be appointed to the

governing boards of county hospitals and certain municipal hospitals. Amends qualifications to be on the governing board of those hospitals. Allows a county hospital to have audits performed by independent certified public accountants. Removes certain approval procedures required for a county hospital to operate another hospital or a building in a county that contains a county or municipal hospital. Allows certain municipal and county hospital boards to meet in executive session to discuss certain topics and to purchase group malpractice insurance together. Prohibits a member of the appointing authority for a hospital's governing board from serving on the governing board. Updates population parameters to reflect changes in the 2000 decennial census.

DIGEST OF HB 1263 (Updated February 26, 2002 7:48 PM - DI 84)

Township firefighter merit employment system. Authorizes a township to establish a merit system for its fire department by resolution. Permits the township or other unit to later amend or delete provisions of the merit system. Makes conforming amendments.

DIGEST OF HB 1273 (Updated February 19, 2002 3:04 PM - DI 84)

Family college savings plan. Renames the family college savings plan the college choice plan. Conforms definitions used in the education savings program law to recent changes to the federal enabling statute. Removes provisions imposing a maximum account balance and a penalty for a distribution that is not used to pay qualified higher education expenses, and allowing a rollover into the account from an individual development account. Repeals the following: (1) several definitions; (2) a statute concerning the investment policies of the program; (3) the requirement that contributions be made in cash only; (4) the prohibition on an account owner directing the investment of the contributions; and (5) the exemption from state income taxation of a distribution from the education savings program.

DIGEST OF HB 1283 (Updated February 27, 2002 1:46 PM - DI 84)

Rural telephone cooperative corporations. Allows a no lien provision or stipulation to be included in a construction contract for the construction, alteration, or repair of property that is owned, operated, managed, or controlled by a rural telephone cooperative corporation. Makes conforming amendments.

DIGEST OF HB 1294 (Updated February 19, 2002 3:07 PM - DI 84)

Inmate copayments for medical services. Increases the maximum permissible copayment for medical, dental, eye, and other health care services from not more than \$10 to not more than \$15 for certain persons confined in the county jail. Provides that an inmate is not required to pay a copayment if there are no funds in the inmate's account within 60 days of the service being provided.

DIGEST OF HB 1297 (Updated March 13, 2002 9:30 PM - DI 14)

Interstate nurse licensure compact. Adopts the interstate nurse licensure compact to allow a registered nurse or licensed practical nurse who is licensed in another state that is a party to the compact to practice nursing in Indiana. Provides that the state board of nursing administers the compact. Provides that the compact may not be implemented until July 1, 2003. Removes grandfather language for nurses licensed on December 1, 1971. Adds funding sources to the impaired nurses account. (The introduced version of this bill was prepared by the health finance commission.)

DIGEST OF HB 1298 (Updated March 14, 2002 12:51 PM - DI 107)

Notification to foster parents. Provides that a foster home must notify the division of family and children if: (1) a foster child less than 16 years of age, while living in a foster home, engages in or is the victim of sexual contact; (2) a foster child, while living in a foster home, is charged with, convicted of, or is the victim of certain sex crimes or is charged with or adjudicated as a juvenile for having committed certain acts that would be sex crimes if committed by an adult; or (3) the foster home learns the foster child, before placement in the foster home, had engaged in or been the victim of sexual contact or certain other sex crimes. Specifies what information must be provided to the division. Requires the division to share certain information with former and prospective licensees.

DIGEST OF HB 1300 (Updated February 27, 2002 2:09 PM - DI 84)

Motor vehicle license plates. Prohibits the bureau of motor vehicles from imposing a pull service charge for a low numbered former prisoner of war passenger motor vehicle license plate. Provides that a personalized license plate is valid for five years. Requires renewal of registration of a personalized license plate to be completed by October 31 of the year before issuance of the personalized license plate or any indicia of renewal of registration. Makes conforming amendments.

DIGEST OF HB 1306 (Updated February 28, 2002 1:32 PM - DI 84)

Waters of the state. Amends the definition of "waters" for purposes of water pollution control and environmental management laws. Directs the environmental quality service council (EQSC) to study specified wetlands issues during the 2002 interim. Prohibits the adoption or enforcement of administrative rules concerning wetland issues until the EQSC has completed its study.

DIGEST OF HB 1329 (Updated March 14, 2002 10:29 PM - DI 52)

Provides certain options to an NPDES permit applicant operating pursuant to a continuation of an existing permit pending determination of an application for a new or renewed permit. Eliminates the requirement for the department of environmental management (IDEM) to use permit application fee revenue to pay for outside consultants to prepare draft permits. Requires IDEM to report to the environmental quality service council (EQSC) on the use of permit fee revenue and on the status of certain permits. Changes references to "public water supply" to "public water system" to conform to federal environmental law. Repeals the definitions of "public water supply" and "water supply system". Provides that the budget agency may rather than shall use not more than two percent of the drinking water revolving loan fund for certain purposes. With respect to the clean manufacturing technology board: (1) provides for appointment of one member from a public university in Indiana and one member from a private university in Indiana; (2) eliminates the requirement that one member from a university must have expertise in occupational health and the workplace environment; and (3) corrects a cross-reference.

DIGEST OF HB 1341 (Updated February 27, 2002 2:41 PM - DI 84)

HMO risk based capital. Applies the risk based capital requirements for insurance companies to health maintenance organizations (HMOs) and limited service health maintenance organizations (LSHMOs), effective December 31, 2004. Allows the insurance commissioner to exempt certain HMOs and LSHMOs from the requirements. Requires an HMO and an LSHMO to file an informational risk based capital report in 2002, 2003, and 2004 for the immediately preceding calendar year.

DIGEST OF HB 1346 (Updated March 14, 2002 8:27 PM - DI 77)

Health care. Amends the clean claims law that specifies the period within which an administrator of a state employee health benefit plan, an insurer, or a health maintenance organization must pay, deny, or notify a provider of deficiencies concerning a claim. Requires the commission on excellence in health care to study and make recommendations concerning increasing the number of nurses, speech pathologists, respiratory care practitioners, and dental hygienists. Allows additional members to be appointed to subcommittees. (The introduced version of this bill was prepared by the health finance commission.)

DIGEST OF HB 1347 (Updated February 27, 2002 2:47 PM - DI 84)

Public safety worker occupational disease or death. Creates a presumption that an emergency services employee or a public safety employee who incurs death or disability from a health condition caused by AIDS, anthrax, hepatitis, HIV, meningococcal meningitis, smallpox, or tuberculosis acquired while performing duties in the scope of the employee's employment and meets other requirements has incurred a death or disability in the line of duty and provides for certain benefits due to the employee who has incurred death or a disability in the line of duty. Allows a meeting or hearing to rebut the presumption to be held as an executive session.

DIGEST OF HB 1355 (Updated February 27, 2002 2:51 PM - DI 84)

Purdue University bonding authorization. Authorizes Purdue University to issue and sell bonds for the West Lafayette campus institute for nanotechnologies/life sciences research facility. Provides that the issuance of the bonds is subject to the approval of the budget agency after review by the budget committee. Prohibits the budget agency from approving a bond issue for the project unless Purdue's board of trustees provides evidence of a commitment by the federal government to provide federal funds for the project.

DIGEST OF HB 1360 (Updated March 14, 2002 11:45 PM - DI 52)

Expands the types of entities eligible to receive money from the build Indiana fund (BIF) to include: (1) all political subdivisions, including townships; (2) volunteer fire departments; (3) state instrumentalities; and (4) certain nonprofit organizations. Allows BIF money to be used for any state or local capital project, the development or expansion of which: (1) serves a governmental, recreational, cultural, community, health, charitable, scientific, public safety, literary, or educational purpose; (2) fosters amateur sports competition; or (3) fosters prevention of cruelty to children. Allows BIF money to be used for the acquisition of machinery, equipment, or furnishings. Directs that BIF money be allocated equally among legislative districts without regard to the political affiliation of the members representing the districts. Requires all BIF recipients to provide a project statement and enter into a funding agreement before receiving BIF money. Requires an eligible recipient to present proof of payment or proof that the eligible recipient is legally obligated to make payment before the eligible recipient is entitled to receive a distribution of BIF money. Requires the budget agency to certify project statements and monitor compliance with funding agreements. Eliminates the requirement that the budget agency establish three separate accounts in BIF. Appropriates money to the budget agency to administer BIF and pay the cost of audits. Repeals the build Indiana capital projects review committee.

DIGEST OF HB 1378 (Updated February 27, 2002 3:36 PM - DI 84)

Enhanced wireless services. Reduces membership on the wireless enhanced 911 advisory board from 11 to seven. Allows current members to complete their terms. Makes the treasurer of state a voting member of the board. Eliminates term limits for board members. Eliminates the requirement that the board must use a third party audit in determining whether to adjust the wireless emergency enhanced 911 fee. Specifies procedures to be used by commercial mobile radio service (CMRS) providers in collecting and remitting the fee from prepaid subscribers. Specifies that the part of the fee to be used to implement phase two of a specified Federal Communications (FCC) order must be used to reimburse CMRS providers and public safety answering points (PSAPs) for their costs in implementing the order. Allows the board to invest the fees collected and to use the proceeds to reimburse CMRS providers and PSAPs. Provides that monthly distributions to reimburse PSAPs for costs in complying with the FCC order must be distributed to each county with eligible PSAPs based on the county's percentage of Indiana's

population. Provides that the contents of an invoice submitted by a CMRS provider to the board must be sworn to and affirmed under penalty of perjury. Allows the emergency telephone system fee to be used for the lease, purchase, construction, or maintenance of certain technologies necessary to provide emergency response services under authority of the county subdivision. Repeals a provision establishing five wireless board regions.