

2004 DIGEST OF ENROLLED ACTS

DIGEST OF HB1001 (Updated March 4, 2004 11:18 pm - DI 84)

Property taxes. Authorizes investment of state funds, including the common school fund, in certain obligations of the Indiana bond bank. Authorizes the department of local government finance (DLGF) to take over the 2003 general reassessment process (including the equalization study) in a county if the county's equalization study was not submitted to the department before October 20, 2003 or if DLGF determines that the county's reassessment is likely to be inaccurate. Requires the property tax liability payable in 2006 and thereafter on residential rental properties that have more than 4 rental units to be computed using the lowest assessed valuation determined by applying each of the following appraisal techniques: (1) cost approach; (2) sales comparison approach; and (3) income capitalization approach. Provides that the gross rent multiplier method is the preferred method for valuing rental properties that have fewer than 5 rental units and mobile homes. Provides that after December 31, 2004, the sales disclosure forms and data forwarded by local assessors to DLGF and the legislative services agency must be provided in electronic format. Provides that money in the assessment training fund may be used to cover expenses incurred by DLGF for training and examination programs. With respect to property taxes payable on homesteads, and upon petition of the county fiscal body, the county auditor, and the county treasurer, authorizes DLGF to: (1) establish a schedule of installment payments for taxes payable in 2004 or thereafter; or (2) waive late payment penalties for taxes payable in 2004. For property taxes and special benefits taxes payable after 2003 and based on the most recent general reassessment, adjusts maximum rates that were not adjusted for taxes payable in 2003. Provides for an adjustment of the maximum rate each time an annual assessed value adjustment or a general reassessment takes effect. Eliminates the banking of unused levy allowances in calculating the maximum permissible property tax levy for a civil taxing unit and for certain funds. Eliminates authority to adjust assessed values to reflect the effects of appeals of assessments. Provides that the initial step in the appeal of a property assessment is a written request by the taxpayer for a preliminary conference with a county or township assessing official. Provides that the written request need not be on a DLGF form. Notwithstanding a property assessment agreed to by the township assessor and the taxpayer in resolution of an appeal to the county property tax assessment board of appeals, permits the board to determine its own assessment under its authority to assess property for the current year. Eliminates the requirement for a taxpayer to file a claim for refund after a successful assessment appeal. Eliminates the property tax appeal provision that permits local units to reallocate CAGIT property tax replacement credits for a purpose other than property tax relief. Permits a civil taxing unit or school corporation to file a property tax appeal before December 31 (instead of September 20) for relief from a shortfall resulting from the use of erroneous assessed values or the payment of refunds. Provides for deposit in a taxing unit's levy excess fund of property tax collections in excess of 100% (instead of 102%) of the unit's levy. Requires the state board of accounts to design a standard form of the petition that is used to initiate the petition and remonstrance procedure. Provides that the petition requires the signatures of the lesser of 100 or 5% of the property owners in the political subdivision (instead of 250 or 10%). Prohibits a political subdivision (including a school corporation) from taking certain actions to promote a position on a petition for or remonstrance against a bond issue or lease. Prohibits a person from soliciting or

collecting signatures for a petition or remonstrance on property owned by a political subdivision. With respect to the review of budgets and levies of taxing units that have a governing body comprised primarily of appointed members and propose to increase their property tax levies by more than 5%, adds library districts to the entities subject to review and authorizes reduction of the proposed levy to an amount that is less than the maximum permissible levy. Allows counties to issue provisional tax statements if the abstract is not delivered in a timely manner. Authorizes DLGF to waive the provisional tax statement requirement under certain circumstances. Provides that county assessors, township assessors, and trustee assessors who do not meet certain certification requirements forfeit their offices. Requires DLGF to give the examinations for certification in an open book format. Increases the cap on the income tax deduction for property taxes paid on a principal place of residence for homeowners who pay property taxes imposed for the March 1, 2002 or January 15, 2003 assessment dates in 2004. Legalizes and validates any action taken by DLGF before January 1, 2004, to extend the deadline for filing an assessment appeal to the county, to allow the payment of property taxes in installments, or to waive a late payment penalty. Permits an individual who was eligible for but did not apply for a homestead credit or certain property tax deductions for taxes payable in 2004 to apply on or before December 15, 2003. Requires DLGF to study the feasibility of creating uniform and common computer software programs for property tax assessment purposes, including computer software programs that allow the sharing and transfer of assessment data in a uniform format by the state and all counties. Allows, for the assessment dates in 2003 and 2004, an appeal of a real property assessment that is filed within 45 days after a taxpayer receives the tax statement based on the assessment for the preceding year. Requires, for property taxes payable on homesteads in 2004, DLGF to provide each county treasurer with the wording of a statement of the amount by which the property taxes in the county were reduced by actions of the general assembly to mitigate the effects of the general reassessment. Requires the county treasurer to include the statement with each tax statement mailed or otherwise transmitted. Requires the commission on state tax and financing policy to study elimination of property taxes and alternative sources of revenue.

DIGEST OF HB 1005 (Updated March 4, 2004 8:44 pm - DI 52)

State and local administration. With respect to a residential real property financing or refinancing, requires a closing agent to provide to each customer information on property tax deductions and the homestead credit on a form prescribed by the department of local government finance. Imposes a penalty on a closing agent that does not comply. Provides that a closing agent is not liable for any other damages claimed by a customer because of the closing agent's failure to provide the appropriate document to the customer. Provides for additional information about property taxes to be provided with the property tax statement of current and delinquent taxes and special assessments in a pilot program in certain counties in 2005, 2006, and 2007 and statewide after 2007. Permits a county to voluntarily provide the additional information about property taxes with property tax statements in 2004. Provides for state reimbursement of expenditures made by a county to provide the additional information, not to exceed a statewide total of \$50,000. Establishes the property tax replacement study commission. Establishes the local government efficiency and financing study commission. Provides that an out-of-state commercial broker or salesperson licensed in another state may practice in Indiana without an Indiana license

if the out-of-state commercial broker or salesperson meets certain requirements. Provides that a licensed nonresident broker may act as a broker in Indiana if the broker meets certain requirements. Provides that the telephone numbers of a buyer and seller on a sales disclosure form filed with the county auditor are confidential. Specifies a title insurance qualification for insurance producers. Establishes: (1) an exemption from insurance producer licensure for certain individuals; and (2) requirements for: (a) prelicensing courses for title insurance producers; and (b) continuing education for limited lines producers who have a title insurance qualification. Adds a member to the insurance producer education and continuing education advisory council. Authorizes certain counties and municipalities to provide property tax abatements for logistical distribution equipment and information technology equipment installed after June 30, 2004, and before January 1, 2006. Allows certain cities to adopt a resolution to establish a professional sports and convention development area before January 1, 2005. Allows Gary, Indiana to designate more than one facility as part of a professional sports and convention development area. Changes the population parameters for first and second class cities so that reorganization does not change a city's classification.

DIGEST OF HB 1017 (Updated March 4, 2004 8:20 pm - DI 69)

Various environmental matters. Prohibits a penalty from being assessed against the owner of an underground storage tank for any failure to pay an annual registration fee in connection with the tank due before January 1, 2004, if the owner registered the tank before January 1, 2004. Provides that obtaining a National Pollutant Discharge Elimination System (NPDES) permit for a concentrated animal feeding operation (CAFO) meets the approval requirements of IC 13-18-10-1 and 327 IAC 16. Establishes fees to be remitted to the Indiana department of environmental management (IDEM) for general and individual NPDES permits for CAFOs. Prohibits adoption of a rule by the state department of health (ISDH) if the proposed rule applies to onsite sewage systems the nitrate and nitrite numeric criteria included in groundwater quality standards adopted by the water pollution control board. Voids any rule adopted by ISDH to the extent that the rule is adopted for that purpose. Requires IDEM and the ISDH to jointly prepare a report concerning onsite sewage systems and nitrates and nitrites in groundwater. Extends to July 1, 2006, the prohibition against adoption of a new rule by an environmental rulemaking board or adoption of a new policy by IDEM if the new rule or policy would require certain industries to comply with standards of conduct that exceed federal standards. Excepts from the prohibition the adoption of a new rule by the air pollution control board that is necessary to attain or maintain certain air quality standards.

DIGEST OF HB1018 (Updated February 24, 2004 5:06 pm - DI 84)

Anatomical gift promotion fund. Requires quarterly distribution of the money in the anatomical gift promotion fund to the Indiana Donation Alliance Foundation (IDAF) for the purpose of implementing an organ, tissue and marrow registry and to promote organ, tissue and marrow donation. Requires the IDAF to submit an annual report, including a list of expenditures, to the legislative council, the senate health committee, and the house public health committee. Requires

the IDAF to notify the chairs of the legislative standing committees dealing with health issues if the IDAF loses its nonprofit status or ceases its affiliation with certain organizations. Requires the chairs of the legislative standing committees dealing with health issues to recommend to the state department of health whether to continue distributions from the anatomical gift promotion fund to the IDAF. Extends the expiration date of the fund from June 30, 2004, to July 1, 2007.

DIGEST OF HB 1019 (Updated March 4, 2004 8:31 pm - DI 110)

Bull ride simulators and indoor pyrotechnics. Defines a "bull ride simulator" as a regulated amusement device. Requires the adoption of rules regulating safety standards for bull ride simulators. Requires the fire prevention and building safety commission to adopt rules: (1) for the issuance of permits for supervised public displays of fireworks; and (2) to implement a statewide code for the display of indoor pyrotechnics. Requires at least \$500,000 of personal injury and \$500,000 of property damage insurance coverage for a display of indoor pyrotechnics under certain circumstances. Provides the following for violations of the rules concerning display of indoor pyrotechnics: (1) A violation of the rules is a Class C infraction. (2) A reckless violation of the rules that results in serious bodily injury to a person is a Class A misdemeanor. (3) A knowing or an intentional violation of the rules that results in serious bodily injury to a person or a reckless violation of the rules that results in the death of a person is a Class D felony. (4) A knowing or an intentional violation of the rules that results in death is a Class C felony. Makes conforming changes.

DIGEST OF HB1024 (Updated February 19, 2004 2:41 pm - DI 84)

Industrial recovery tax credit. Reduces the minimum size required for a building to be eligible for the industrial recovery tax credit from 300,000 to 250,000 square feet.

DIGEST OF HB1029 (Updated March 2, 2004 4:31 pm - DI 84)

Child support withholding from tax refunds. Provides that a custodial parent in a non-Title IV-D case may bring an action to recover delinquent child support by intercepting the child support obligor's state income tax refund.

DIGEST OF HB1032 (Updated March 4, 2004 3:55 pm - DI 84)

Electronic reports. Makes amendments throughout the Indiana Code requiring agencies to submit reports to the general assembly, the legislative council, and the executive director of the legislative services agency in an electronic format. Repeals obsolete statutes. Permits an agency to electronically submit certain material that is incorporated by reference in a proposed administrative rule. Permits material that is incorporated by reference to accompany the copy of the final rule when it is distributed to the state library.

DIGEST OF HB1042 (Updated February 25, 2004 4:07 pm - DI 84)

Charity gaming proceeds. Provides that certain additional entities are eligible to receive mandated donations of charity gaming proceeds from a donor organization that derives more than 90% of its gross receipts from charity gaming. Allows certain veterans' homes to receive mandated donations from a bona fide veterans' organization.

DIGEST OF HB1044 (Updated March 4, 2004 11:48 am - DI 84)

Trafficking tobacco products with an inmate. Imposes a mandatory five thousand dollar (\$5,000) fine for trafficking with an inmate by an employee of the department of correction or a penal facility and the trafficked item is a tobacco product. (The introduced version of this bill was prepared by the interim study committee on juvenile law and corrections issues.)

DIGEST OF HB1046 (Updated February 19, 2004 2:44 pm - DI 84)

Barrett Law funding for county lighting. Allows a county to use Barrett Law financing to improve lighting in unincorporated areas.

DIGEST OF HB 1050 (Updated March 4, 2004 9:29 pm - DI 87)

Local planning and zoning. Eliminates two members of the Indianapolis metropolitan development commission, including a member appointed by the mayor and a member who represents township legislative bodies. Provides that certain members of certain county plan commissions, advisory metropolitan plan commissions, and area plan commissions, either: (1) reside in an unincorporated area; or (2) reside in the county and own real property located in an unincorporated area. (Current law requires that certain members reside in an unincorporated area.) Provides that not more than two citizen members who are members of a county plan commission may reside in the county and own property in the unincorporated area of the county. Repeals a provision allowing a township in Marion County to require that a plan commission hold a public hearing within the township before an amendment to a zoning map may be made.

DIGEST OF HB1051 (Updated February 24, 2004 4:01 pm - DI 84)

Deadman's statute. Specifies that the "deadman's statute" does not: (1) apply in a proceeding to contest the validity of a will or trust; or (2) bar the introduction of evidence that would be admissible under a hearsay exception to the evidence rules.

DIGEST OF HB1054 (Updated March 2, 2004 4:33 pm - DI 84)

Watercraft docking and marina launch fees. Authorizes a city that creates or participates in the creation of a port authority with a channel navigable to Lake Michigan to impose a watercraft docking fee and a marina launch fee. Provides that the fees are deposited in the cumulative channel maintenance fund. Allows money in the fund to be used for enforcement of port authority regulations.

DIGEST OF HB 1055 (Updated March 4, 2004 9:12 pm - DI 52)

State and local administration. Grants a youth baseball and softball organization an additional period in which to file an application for a property tax exemption. Provides that a taxpayer that is otherwise entitled to a community revitalization enhancement district ("district") tax credit may claim the credit regardless of whether any incremental income or sales taxes have been deposited in the incremental tax financing fund established for the district or have been allocated to the district. Provides that a district must terminate not later than 15 years after incremental income or sales taxes are first allocated to the district. Provides that if the budget agency fails to act on an ordinance or a resolution designating a district within 120 days, the ordinance or resolution is considered approved. Permits an advisory commission on industrial development or the executive of a municipality or county to petition the budget agency for permission to modify the boundaries of a district. Establishes a procedure and criteria for appealing a decision by the department of state revenue that a taxpayer is not eligible for the community revitalization enhancement district tax credit because the taxpayer's business relocated operations into the district from another location in Indiana. Provides that the Randolph County council may impose a county economic development income tax at a rate of 0.25% to finance the construction, acquisition, renovation, and equipping of the county courthouse. Allows certain taxpayers to retroactively claim missed property tax exemptions. Allows certain taxpayers to file an amended personal property tax return for the 2001 assessment date.

DIGEST OF HB1062 (Updated March 2, 2004 4:36 pm - DI 84)

Various Title 33 provisions. Removes the terms "shorthand" and "longhand" from laws concerning court reporters to conform to modern court reporting procedures. Specifies that, with certain exceptions, the commission on judicial qualifications for the supreme court and court of appeals is also the commission on judicial qualifications for trial court judges. Specifies that, after a hearing is conducted, a township board in Marion County may determine: (1) whether a small claims court division should be established or abolished in the township, if the township has a population of less than 15,000; (2) whether a small claims court division should be full time or part time; (3) the location of the small claims court division courtroom and offices; and (4) other matters. Specifies the criminal intent necessary for a prosecuting attorney or deputy prosecuting attorney to commit a Class B misdemeanor for dividing the compensation of a deputy prosecuting attorney. Repeals conflicting provisions concerning court fees and credit card service fees. Requires a court clerk to collect a credit card service fee equal to the vendor

transaction charge or discount fee from a person using a bank or credit card.

DIGEST OF HB1070 (Updated February 26, 2004 10:45 am - DI 84)

Center for agricultural science and heritage. Changes the center for agricultural science and heritage to a corporate body separate from the state. Specifies that the center's assets, appropriations, fund balances, and liabilities are not affected by the conversion. Specifies that the members of the center's board of trustees remain trustees. Establishes certain personnel policies.

DIGEST OF HB1072 (Updated February 24, 2004 4:19 pm - DI 84)

Regulated explosives. Provides that a person may not use a regulated explosive (other than commercially manufactured black powder or consumer fireworks) unless the person has been issued a license by the state fire marshal. Provides that the fire prevention and building safety commission shall adopt rules to govern the use of regulated explosives. Makes it a crime to violate those rules. Exempts entities that engage in surface coal mining operations from the regulated explosive license requirement.

DIGEST OF HB1080 (Updated March 2, 2004 4:34 pm - DI 84)

Indiana business purchasing preferences. Provides a price preference to Indiana businesses for public works and procurement contracts awarded by the state. Provides that the preference ranges from 1% to 5%, depending on the estimated cost of the purchase. Provides that this preference does not apply to the detriment of a business from a state bordering Indiana, if the bordering state does not provide purchasing preferences to its businesses more favorable than preferences provided to Indiana businesses by Indiana law. Requires a business claiming the preference to provide certain information to substantiate that the business is an Indiana business. Requires the department of administration to submit a report to the legislative council relating to the operation of the preference not later than September 1, 2008. Provides for expiration of the preference on July 1, 2009. Provides that if a governmental body adopts a retaliatory purchasing preference, the preference may not apply to the detriment of the businesses of a bordering state if the bordering state does not provide purchasing preferences to its businesses more favorable than preferences provided to Indiana businesses by Indiana law. Provides that to be considered responsible, an offeror for a purchase by the state that is required to register with the secretary of state must have registered at least 45 days before the solicitation for the purchase is issued.

DIGEST OF HB1082 (Updated February 25, 2004 3:35 pm - DI 84)

Missing children clearinghouse. Requires a review of entries in the missing children clearinghouse within 60 days after the review required by laws governing reports made to the National Crime Information Center (NCIC).

DIGEST OF HB1087 (Updated February 19, 2004 2:46 pm - DI 84)

Conservancy districts. Provides that if there is a vacancy on the board of a conservancy district, the board rather than the county commissioners shall select a member to fill the vacancy. Provides that if a tie vote of the board results when filling a vacancy, the circuit court judge shall designate a person to fill the vacancy. Repeals a provision governing the expansion of a conservancy district located in Hendricks County.

DIGEST OF HB1098 (Updated March 3, 2004 5:34 pm - DI 84)

Child restraints in motor vehicles. Requires a person who holds an Indiana driver's license and who operates a motor vehicle with a child who is less than 8 years of age to restrain the child by a child restraint system unless it is reasonably determined the child will not fit in the child restraint system. Provides that a child who is less than 8 years of age may be restrained by a safety belt if it is reasonably determined the child will not fit in a child restraint system. Provides that children who are at least 8 years of age but less than 16 years of age must be restrained in a child restraint system or a safety belt. Removes the exception that a person who operates a vehicle registered outside Indiana is not required to use a child restraint system unless the vehicle is operated in Indiana for more than 60 days in a year. Establishes the child restraint system account within the general fund. Provides that violation of the child restraint laws does not: (1) add points to the driver's traffic report; and (2) count toward habitual violator status. Repeals the current law governing passenger restraint systems and safety belt use for children at least four and less than 12 years of age. Establishes a delayed effective date of July 1, 2005.

DIGEST OF HB1102 (Updated February 25, 2004 3:50 pm - DI 84)

Department of transportation subcontractors. Requires a subcontractor of a contractor for the department of transportation to meet certain qualifications if the subcontract amount exceeds \$300,000 (increased from \$100,000).

DIGEST OF HB1114 (Updated February 19, 2004 2:48 pm - DI 84)

Sales tax on bundled telecommunication services. Provides that in a sale of bundled telecommunication services, which include both taxable and nontaxable services, the part of the services not ordinarily subject to the state sales tax is taxable unless the provider can reasonably identify the nontaxable part based on the provider's regularly kept business records.

DIGEST OF HB1117 (Updated February 26, 2004 10:48 am - DI 84)

Voluntary exclusion program. Provides that the personal information of a participant in a voluntary exclusion program may be disseminated to the owner or operator of a facility under the

jurisdiction of the gaming commission and to other entities upon request by the participant.

DIGEST OF HB1132 (Updated February 19, 2004 2:50 pm - DI 84)

Expenses of meeting child care requirements. Amends certain child care statutes to specify that expenses of criminal history and drug testing requirements are not paid by the state. (The introduced version of this bill was prepared by the board for coordination of child care regulation.)

DIGEST OF HB1133 (Updated March 2, 2004 4:39 pm - DI 84)

Hepatitis B. Requires every child who enters grade 9 and grade 12 to be immunized against hepatitis B until July 1, 2008. Prohibits the prevention of a child from enrolling in, attending, or graduating high school for the sole reason that the child was not immunized against hepatitis B.

DIGEST OF HB1135 (Updated February 24, 2004 4:05 pm - DI 84)

Institutional funds. Provides that recreation funds established in state psychiatric, benevolent, penal, and correctional institutions may also be used for the acquisition of educational materials and for purposes that assist in rehabilitation.

DIGEST OF HB1136 (Updated March 2, 2004 4:43 pm - DI 84)

Methamphetamine abuse task force. Establishes a task force which expires June 30, 2007 to review information and develop a long range plan for combating the abuse and manufacturing of methamphetamine.

DIGEST OF HB1150 (Updated February 25, 2004 3:37 pm - DI 84)

Insurance company investments. Allows a property and casualty insurance company to invest up to 10% of the company's admitted assets in certain securities in which a life insurance company may invest. Makes technical changes.

DIGEST OF HB1154 (Updated February 24, 2004 5:11 pm - DI 84)

Inheritance tax. Provides, for purposes of the inheritance tax, that a stepchild of the transferor is a Class A transferee.

DIGEST OF HB1171 (Updated March 4, 2004 3:53 pm - DI 84)

Stroke prevention task force. Establishes the stroke prevention task force to develop stroke prevention initiatives. Requires the task force to submit an annual report. (The introduced version of this bill was prepared by the commission on excellence in health care.)

DIGEST OF HB1178 (Updated March 2, 2004 4:41 pm - DI 84)

Volunteer advocates for seniors and guardians. Permits a court to appoint a volunteer advocate for seniors ("volunteer") to represent and protect for a limited period the interests of an incapacitated or protected person who is at least 55 years of age. Requires a volunteer to report to the court and make recommendations regarding the incapacitated or protected person. Provides civil immunity for a volunteer, a volunteer advocate for seniors program, and a guardian.

DIGEST OF HB1190 (Updated February 25, 2004 3:09 pm - DI 84)

Hours of work for public utility workers during emergencies. Exempts an employee of a public utility or an employee of a subcontractor or contractor of a public utility from the maximum hours of service that the employee is permitted to work under federal regulations when the individual: (1) holds a commercial driver's license; and (2) is engaged in intrastate maintenance or repair work during a utility service interruption emergency.

DIGEST OF HB 1194 (Updated March 4, 2004 8:26 pm - DI 106)

Child abuse reporting. Provides that a child protective services child abuse or neglect report may conclude that abuse or neglect is indicated. (Current law allows only substantiated and unsubstantiated findings.) Provides that criminal history checks are required of certain individuals. Requires the local child protection service to provide training to caseworkers concerning the statutory and constitutional rights of persons subject to investigation. Establishes the statewide child fatality review team to investigate fatalities involving children. Requires the disclosure of information relevant to establishing the facts and circumstances concerning the death of a child determined to be the result of abuse, abandonment, or neglect if this information has been redacted by a juvenile court to exclude irrelevant information, including identifying information. Specifies that information concerning caseworkers and employees of certain social service agencies is not to be redacted. Provides that the juvenile court has 30 days to redact the record. Permits a court to place a child in the home of a person having a substantiated report of abuse or neglect, or in the home of a person who has committed certain crimes or delinquent acts, only if the court makes a written finding that the placement is in the best interest of the child, and

that the conviction, adjudication, or substantiated report is not relevant to the person's present ability to care for a child, and specifies certain factors that the court must consider in its order. Prohibits a court from placing a child in a home with a person who has committed certain other specified felonies or juvenile offenses.

DIGEST OF HB1197 (Updated February 26, 2004 11:32 am - DI 84)

Admissibility of videotape of protected persons. Expands the class of criminal cases in which an individual's statement or videotape may be admissible to include certain crimes committed against an individual who is at least 18 years of age and considered a protected person because of the individual's incapacity to manage or direct the management of the individual's property or to provide or direct the provision of the individual's self care . Provides that a statement or videotape made by the protected person is admissible in certain criminal trials if: (1) the statement or videotape is reliable; and (2) the individual either testifies at trial or is unavailable.

DIGEST OF HB1200 (Updated February 26, 2004 11:39 am - DI 84)

Domestic violence fatality review team. Permits a coroner or deputy coroner to serve on a local domestic violence fatality review team. Requires a team to review a death resulting from domestic violence if the person who caused the death is deceased or is charged with a crime that results in certain types of final judgment. (Current law requires a team review only when the person is charged with a crime resulting in a final judgment of conviction.) Makes the testimony of a local domestic violence fatality review team member or a report, record, or recommendation of a team inadmissible in a criminal or civil proceeding or a disciplinary action by a state agency or municipal corporation if the testimony or the report, record, or recommendation concerns the investigation of a death that the team has reviewed.

DIGEST OF HB1202 (Updated February 24, 2004 5:09 pm - DI 84)

Public health threats. Requires the state department of health to collect data related to symptoms and health syndromes from outbreaks of disease or other health conditions that may be a danger to public health. Requires a health provider that collects certain data to report this data to the state department of health. Requires a school corporation or an accredited school to report to the local health department the percentage of student absences above a threshold determined by the department of education. Adds Carisoprodol, a depressant, to the list of schedule IV controlled substances.

DIGEST OF HB 1203 (Updated March 4, 2004 4:34 pm - DI 103)

Coal mine reclamation bonds and water issues. Authorizes the director of the department of natural resources to: (1) initiate an application for the release of a reclamation plan performance bond; and (2) require operators to withdraw from the surface coal mine reclamation bond pool

under certain circumstances. Allows a mine operator to withdraw from the bond pool upon replacing bond pool liability with bonds acceptable under the surface coal mining and reclamation bonding law. Amends membership and appointment authority of the surface coal mine reclamation bond pool committee. Requires certain findings and documentation for certain mine land reclamation projects funded by a governmental entity. Amends definition of "government financed construction". Specifies that water may be diverted from Lake Michigan only if the diversion is approved by the governor of each Great Lakes state under federal law. Restates enforcement and penalty provisions for violations under the jurisdiction of the division of water of the department of natural resources (department). Changes certain violations from a Class C infraction to a Class B infraction. Requires the owner of a dam to notify the department of the sale of the dam. Allows a property owner or an individual who lives downstream from a dam over which the department does not have jurisdiction to request the department to investigate whether the dam is a high hazard structure if the individual believes that the failure of the dam may cause loss of life or damage to the person's home or other structures. Provides that if the department's investigation determines that the dam's failure may cause loss of life or damage to certain structures, the dam is subject to the department's jurisdiction.

DIGEST OF HB1204 (Updated February 19, 2004 2:56 pm - DI 84)

State institution reuse authority. Authorizes a municipality to establish a reuse authority to develop, manage, and plan for the use of real property of a state mental health institution that is conveyed to the municipality.

DIGEST OF HB 1207 (Updated March 4, 2004 5:15 pm - DI 87)

Exempts the alcohol and tobacco commission (ATC) from statutes that prevent a state agency from compelling an individual to disclose a Social Security number. Prohibits the ATC from issuing a beer wholesaler's permit to a person who has not been a bona fide Indiana resident for one year. Provides that the five year residency requirement for beer wholesalers remains in effect for contracts entered into before July 1, 2004. Prohibits the ATC from issuing a beer wholesaler's permit to a limited liability company, a limited partnership, or a corporation unless at least 60% of the membership interest, partnership interest, or common stock is owned by persons who have been bona fide Indiana residents for one year. Allows the ATC to issue a beer or wine wholesaler's permit to a corporation, limited liability company, or limited partnership if no stockholder or person having an interest is a resident of the county in which the licensed premises is to be situated. Allows the holder of a retailer's permit to have an interest in a brewer's permit of a brewery that manufactures not more than 20,000 barrels in a calendar year. Allows a microbrewer to sell beer by the glass at a brewery if the microbrewer furnishes the minimum food requirements prescribed by the ATC. Provides that the holder of a beer, wine, and liquor retailer permit may allow the self-service of alcoholic beverages in a suite of a civic center, a sports arena, a stadium, an exhibition hall, an auditorium, a theater, a tract that contains a paved automobile racetrack more than two miles in length, or a convention center. Increases the attendance and duration of an event at which the holder of an excursion and adjacent landsite

permit provides free alcoholic beverages. Provides that if an applicant for an alcoholic beverage permit for a restaurant in a municipal riverfront development project already holds a three-way permit for the premises, the applicant is not eligible for the special permit. Specifies the criteria that an applicant must demonstrate in applying for a special permit in a municipal riverfront development project. Allows a supplemental retailer to sell alcoholic beverages on Sunday from 10 a.m. to 12:30 a.m. Allows a beer, wine, or liquor wholesaler to obtain a deduction for the redevelopment or rehabilitation of real property in areas designated as economic revitalization areas. Eliminates Indiana residency requirements of members or partners of a partnership or limited liability company that holds a brewery permit and operates a microbrewery. Exempts a licensed premises owned or operated by an educational institution of higher learning or an automobile racetrack from provisions imposing criminal or civil liability for the presence of a minor in a public place where alcoholic beverages are sold. Repeals a statute that prohibits a corporation that does business in Indiana from enabling a nonresident of Indiana to control or acquire an interest in a beer wholesaler's permit. Allows a liquor retailer or a package liquor store to provide samples of beer that do not exceed six ounces. Makes conforming amendments.

DIGEST OF HB1218 (Updated March 2, 2004 4:52 pm - DI 84)

Barrett Law assessment collection deferment. Adds sanitary sewers as an improvement that may be financed by a municipality by use of the Barrett Law. For purposes of the Barrett Law applicable to municipalities, allows a municipal fiscal officer and municipal works board to establish procedures allowing the municipality to defer collection of a special assessment that is in default by preserving the assessment as a lien upon the property subject to the assessment. Requires the collection of the preserved lien: (1) when ownership of the property is transferred; and (2) before the final bond maturity date. Provides that deferred assessments are treated similarly to delinquent property taxes. (Under current law, an assessment in default must be collected through: (1) payment in full; (2) foreclosure on the property; or (3) a conveyance in satisfaction of the assessment.) Makes a technical correction.

DIGEST OF HB 1229 (Updated March 4, 2004 8:50 pm - DI 108)

Restricts certain lending acts and practices. Establishes the homeowner protection unit in the office of the attorney general. Provides enforcement procedures for deceptive mortgage acts. Establishes a \$3 mortgage recording fee. Requires the department of commerce to provide home ownership education programs. Provides that certain provisions do not apply to certain financial institutions. Prohibits certain lending practices. Updates references in financial institutions law to conform with federal law. Permits a state chartered financial institution to engage in activities related to a product, a service, or an investment that is available to or offered by national banks domiciled in Indiana. Removes limitations on the amount of public funds that may be deposited in a credit union. (Currently, deposits of public funds are limited to 10% of total credit union assets.) Increases the minimum amount of the bond required for a money transmitter from \$100,000 to \$200,000 and the maximum amount from \$200,000 to \$300,000. Increases the insurance coverage required for a money transmitter for criminal or dishonest acts from 50% to

100% of the amount of the money transmitter's security bond or deposit. Provides that state law applies to a state chartered bank, trust company, savings association, savings bank, credit union, corporate fiduciary, or industrial loan and investment company to the same extent it applies to a federally chartered institution of the same type. Establishes administrative procedures governing requests for an exemption from state law due to the preemption of state law as it is applied to federally chartered institutions. Makes various changes in the small loan provisions of the Uniform Consumer Credit Code, including: (1) defines a small loan as a loan with a principal amount that is more than \$50 and not more than \$500; (2) prohibits the renewal of a small loan; (3) removes limitations on finance charges; (4) increases delinquency charges; (5) allows a small loan to be secured by a borrower's authorization to debit an account instead of a borrower's check; (6) increases civil penalties and statutory damages from \$1,000 to \$2,000; and (7) prohibits a small loan if the total payable amount of the small loan exceeds 15% of the borrower's monthly gross income. (Current law provides that a small loan is prohibited if it exceeds 20% of the borrower's monthly net income.) Repeals provisions that relate to the renewal of a small loan. Permits the secretary of state to administratively dissolve a business entity whose name contains the term "banc" or "banco" in violation of financial institutions law. (Current law allows the secretary of state to take this action in the case of an entity whose name contains the term "bank".) Permits the use of the word "bank", "banc", or "banco" in the name of a subsidiary of: (1) a bank or trust company; (2) a bank holding company; (3) a savings bank; and (4) a savings association. Prohibits a lender from requiring a borrower to obtain hazard insurance in an amount exceeding the replacement value of the improvements on mortgaged property as a condition of receiving or maintaining the mortgage. Voids provisions in an agreement to purchase a security that would waive compliance with securities law or a rule or order made under securities law. Provides a procedure for an issuer of securities to respond to comments regarding an application for registration made by the securities division. Permits the appointment of a securities division attorney to serve as a special deputy prosecutor in actions arising under securities law. Prohibits the issuance of an interpretive opinions by the securities commissioner concerning an activity that occurred before or is occurring on the date that the opinion is requested. Requires that notice and opportunity to be heard must be provided to a person accused of violating securities law, rather than requiring that a hearing occur as provided by current law. Prohibits various deceptive practices by a person that supplies information concerning securities. Provides that an administrative action under securities law survives the death of a person who might have been a respondent. Makes changes to definitions used in the loan broker statutes. Exempts persons engaged in certain federally regulated transactions from the requirements of the loan broker law.

DIGEST OF HB1244 (Updated March 3, 2004 4:50 pm - DI 84)

Indiana dairy industry development board; Indiana tourism council; and Indiana corn market development council.. Adds two new members and assigns new duties concerning agritourism to the Indiana tourism council. Permits the Indiana corn marketing council to spend up to 25% of the council's revenue for administrative expenses. (Current law restricts expenditures for administrative expenses to 10% of council revenue.) Provides that the Indiana corn market development council (council) is a public body corporate and politic. Establishes the Indiana corn

market development account to be administered by the council. Continually appropriates money in the account. Provides that the Indiana dairy industry development board is a separate body corporate and politic. Provides that the definition of "milk" in the board statute is restricted to milk produced by cows. Provides that the board may make certain determinations based on year end milk marketing figures from any source the board considers reliable. Provides that the number of board members to which a producer is entitled is based on funds retained in Indiana. Makes other changes relating to the composition of the board. Provides that board members are entitled to a salary per diem determined by the board and are entitled to receive reimbursement for travel and other expenses as determined by the board. Provides that the salary per diem and travel and other expenses may not exceed limits set for expenses for employees of the executive branch of the federal government while away from home in travel status.

DIGEST OF HB1245 (Updated March 2, 2004 4:45 pm - DI 84)

Crime victims; neglect of dependent. Makes neglect of a dependent a Class A felony instead of a Class D felony if the neglect results in the death of a dependent who is less than 14 years of age and is committed by a person at least 18 years of age. Makes contributing to delinquency a Class C felony instead of a Class A misdemeanor if the person furnishes alcohol or a controlled substance to a minor and consumption of the alcohol or drug is the proximate cause of the death of any person.

DIGEST OF HB 1251 (Updated March 4, 2004 4:47 pm - DI 104)

Medications. Allows a pharmacy or pharmacist to donate medication to certain health clinics. Establishes the regional drug repository program to distribute donated drugs. Requires a health facility to return certain unused medication to the pharmacy that dispensed the medication. Allows a pharmacy or pharmacist to accept returned medication from a hospice program. Requires the office of Medicaid policy and planning (office) to review the process of returning unused medication. Expands protocols concerning the adjustment of a patient's drug regimen to nursing homes. Sets forth requirements for protocols used in nursing homes and requires quarterly review of protocols. Requires the prescription drug advisory committee to make recommendations concerning changes to the Indiana prescription drug program's drug benefit. Removes a provision prohibiting the committee from recommending the use of funds from the prescription drug account for a state prescription drug benefit if a federal program provides a similar benefit. Extends the existence of the prescription drug advisory committee until December 31, 2006. Makes a technical correction by repealing two different versions of a noncode provision and makes changes to the provisions. Repeals a provision requiring a provider to report to the office any rebates, discounts, and other price concessions that the provider receives.

DIGEST OF HB1253 (Updated February 26, 2004 2:13 pm - DI 84)

Special purpose school buses. Allows a school corporation to use special purpose buses to provide regular transportation of school children from one school to another school.

DIGEST OF HB 1254 (Updated March 4, 2004 9:34 pm - DI 96)

Driver's licensing matters. Allows the bureau of motor vehicles to adopt rules to comply with federal requirements concerning background checks for an individual seeking a hazardous materials endorsements for a commercial driver's license. Specifies that a learner's permit holder who: (1) is less than 18 years old and holds a validated permit; or (2) is enrolled in an approved driver's education course; may drive a motor vehicle when the seat beside the driver's seat is occupied by a stepparent of the permit holder who holds a valid operator's license. Permits a licensed commercial driver training school to conduct classroom training in a county outside the county in which the school is located. Revises the definition of approved motorcycle driver education and training course to include a course offered by a new motorcycle dealer.

DIGEST OF HB1257 (Updated February 25, 2004 3:02 pm - DI 84)

Employment absence for volunteer firefighting. Prohibits a political subdivision employer from disciplining an employee who is a volunteer firefighter for being absent from employment when the employee is responding to a fire or emergency call. Allows the employee to initiate a civil action against the employer that disciplines the employee for this reason. Authorizes the employer to request proof that the employee was engaged in fire or emergency activity when absent.

DIGEST OF HB 1264 (Updated March 4, 2004 5:22 pm - DI 105)

Interlock ignition devices and operating while intoxicated. Makes tampering with an ignition interlock device a Class B misdemeanor under certain circumstances. Requires a court in a county having an ignition interlock program to prohibit certain OWI offenders from operating a motor vehicle unless the vehicle is equipped with a functioning certified ignition interlock device. Provides that a court may order installation of an ignition interlock device as: (1) a condition of certain deferred prosecution programs; (2) an alternative to an administrative driver's license suspension; and (3) a condition of participation in a post-conviction alcohol abuse deterrent program. Requires a court that orders installation of an ignition interlock device to notify the bureau of motor vehicles (BMV), and requires the BMV to record this requirement in the person's driving record. Provides that certain out of state convictions may be used as a basis to enhance the penalty for OWI causing serious bodily injury and OWI causing death. Provides that a license suspension for certain controlled substance convictions may be ordered only if the controlled substance conviction involved the use of a motor vehicle.

DIGEST OF HB1265 (Updated March 2, 2004 4:50 pm - DI 84)

Aggregate purchasing of prescription drugs. Requires the state personnel department to establish an aggregate prescription drug purchasing program to negotiate terms related to the purchase of prescription drugs. Requires participation by certain entities and allows participation by other certain entities. Authorizes the state to enter into multi-state prescription drug aggregate purchasing agreements. Requires the budget agency to report to the budget committee on participation in a regional or multi-state prescription drug aggregate purchasing program.

DIGEST OF HB 1266 (Updated March 4, 2004 5:46 pm - DI 75)

Internet based public purchasing. Authorizes the department of administration to establish Internet sites designed to facilitate state public purchasing. Requires the department of administration to establish rules and fees for the use of Internet purchasing sites in cooperation with the intelenet commission and the state board of accounts. Permits a purchasing agency to conduct online reverse auctions for purchases of supplies. Establishes procedures governing the conduct of an online reverse auction.

DIGEST OF HB 1273 (Updated March 4, 2004 8:21 pm - DI 97)

ICHIA amendments. Amends the comprehensive health insurance association (ICHIA) law concerning: (1) premium rates; (2) assessments; (3) tax credits; (4) reporting requirements; (5) member and health care provider grievances; (6) provider reimbursement; (7) provider contracting; and (8) balance billing. Makes technical corrections and conforming amendments, including correcting a conflict with SEA 106-2004. Repeals sections concerning Medicaid payment programs. Makes an appropriation.

DIGEST OF HB1277 (Updated March 3, 2004 4:46 pm - DI 84)

Wetlands. Does the following for purposes of the law concerning wetlands and certain other environmental management laws: (1) Amends the definitions of "Class I wetland," "Class III wetland," "exempt isolated wetland," and "waters." (2) Adds the definition of "dredged material." (3) Repeals the definition of "ponds." (4) Provides that the classification of certain isolated wetlands may be improved to a higher numeric class if certain actions are taken. (5) Provides that certain wetland activities shall be authorized by a general permit rule. (6) Provides that the department of environmental management (IDEM) has authority over wetland activities in isolated wetlands that are subject to NPDES permits, decrees, or orders that became effective before January 1, 2004. (7) Delays the dates that certain reports are due and certain rules must be adopted. (8) Requires a wetlands activity permit applicant to show that the activity is without

reasonable alternative and reasonably necessary or appropriate. (9) Allows IDEM to require an amended wetlands activity permit application if the initial application is deficient.

DIGEST OF HB1285 (Updated March 2, 2004 4:54 pm - DI 84)

Pre-retirement withdrawals; confidentiality of retirement fund member records. Requires the pension management oversight commission to study the feasibility of authorizing members of the retirement funds administered by the board of trustees of the public employees' retirement fund (PERF board) to withdraw, before retirement, a member's contributions when the member demonstrates an immediate and great financial need. Provides that individual participant records and membership information for the retirement funds administered by the PERF board are confidential.

DIGEST OF HB1293 (Updated February 25, 2004 4:04 pm - DI 84)

Utilities. Allows a municipally owned water utility to adjust a residential water bill if: (1) the bill reflects monthly water usage that is at least two times the customer's average monthly usage; and (2) the excess usage is caused by equipment damage that is not detectable on the premises and not caused by an act of the customer or customer's agent. Provides that a utility that elects to adjust water bills for undetectable leaks must do so according to policies adopted by the utility. Permits a regional water, sewage, or solid waste district to issue revenue bonds that accrete interest.

DIGEST OF HB 1300 (Updated March 4, 2004 5:06 pm - DI 107)

Insanity defense. Requires the superintendent of certain facilities or an attending physician to file periodic reports with the court concerning a committed individual who was found not responsible for a crime by reason of insanity and is committed to a mental health facility, and to notify the court and certain individuals as soon as practicable if the committed individual escapes, and at least 10 days before the committed individual is: (1) transferred; (2) discharged; or (3) allowed outside the facility without supervision. Provides that a defendant who interposes a defense of insanity may not introduce evidence from a medical witness with whom the defendant cooperated unless: (1) after being ordered to do so by the court, the defendant cooperates with medical witnesses appointed by the court; or (2) the defendant shows by a preponderance of the evidence that the defendant's failure to cooperate with medical witnesses appointed by the court was caused by the defendant's mental illness. Provides for the provision of competency restoration services by the division of mental health and addiction or by a third party.

DIGEST OF HB1301 (Updated March 3, 2004 4:43 pm - DI 84)

Special group license plates; Lewis and Clark. Allows a special group that sells at least 5,000

license plates during a calendar year to petition the bureau of motor vehicles to design and issue a license plate that will be available through the bureau's branches upon completing an application and paying the appropriate fee. Requires the bureau to design and issue special group recognition license plates for the Lewis and Clark bicentennial and the Riley Children's Foundation Trust. Provides that a person who is eligible to register a vehicle may obtain a Lewis and Clark bicentennial license plate or a Riley Children's Foundation Trust license plate upon completing an application and paying the appropriate fee. Provides for the distribution of fees from the plates to the Lewis and Clark bicentennial commission and the Riley Children's Foundation Trust. Converts the Lewis and Clark bicentennial commission to a permanent commission. (Under current law the commission expires January 1, 2008.) Permits the commission to establish a nonprofit corporation to carry out the duties of the commission.

DIGEST OF HB1304 (Updated March 2, 2004 4:55 pm - DI 84)

911 fees. Requires a county with a municipal public safety answering point (PSAP) to submit to the municipality an annual report of expenditures of enhanced emergency telephone system fees. Assigns: (1) the contents of HB 1304 as introduced; and (2) the relationship between state and local wireless systems to the regulatory flexibility committee for study during the 2004 interim. (HB 1304 as introduced requires: (1) telephone service suppliers to provide quarterly reports to the county treasurer and the municipal fiscal officer detailing collections of enhanced emergency telephone system fees from customers within the municipality; and (2) the county treasurer to remit quarterly 75% of the fees collected from customers within the municipality to the fiscal officer of the municipality.)

DIGEST OF HB1306 (Updated March 2, 2004 1:54 pm - DI 84)

PERF and TRF cost of living adjustment. Provides a 2% cost of living adjustment for members, survivors, and beneficiaries of the public employees' retirement fund after December 31, 2004. Provides a cost of living adjustment for members, survivors, and beneficiaries of the teachers' retirement fund after December 31, 2004.

DIGEST OF HB1308 (Updated March 2, 2004 4:59 pm - DI 84)

Cultural competency in education. Defines "cultural competency" and sets forth teacher training, professional development, and school plan requirements for achieving cultural competency.

DIGEST OF HB 1320 (Updated March 4, 2004 9:35 pm - DI 104)

Human services. Provides that the maximum appropriation and tax levy for community mental health centers must be annually recalculated based on the increase in the assessed value growth quotient. Authorizes the office of Medicaid policy and planning to implement alternative

payment methodologies for payable claim payments to a hospital under certain circumstances. Separates the laws governing the funding of community mental health centers from the laws governing the funding of community mental retardation and other developmental disabilities centers. Repeals a provision that duplicates other provisions added to the same chapter. Allows the state department of health to disclose inpatient and outpatient discharge information to hospitals that have submitted the information. Allows a hospital trade association to disclose health record information received under certain circumstances. Changes a retrieval charge to a labor charge for providing copies of medical records. Eliminates a provision under which a hospital was allowed 180 days to respond to a notice that the hospital was overpaid by the Medicaid program. Makes hospitals subject to the general provision allowing 60 days for a response. Provides alternative options to the nursing facility assessment state plan amendment and waiver request and amends the expiration of the nursing facility quality assessment. Requires the select joint commission on Medicaid oversight to study certain effects resulting from the repeal of continuous eligibility under the Indiana Medicaid program and the children's health insurance program. Requires the state budget committee to review disproportionate share payments for community mental health centers and make recommendations to the general assembly. Makes a technical correction.

DIGEST OF HB1330 (Updated March 2, 2004 5:04 pm - DI 84)

Detention period of runaway juveniles. Increases the time a runaway child may be held in a juvenile detention facility to 24 hours before and 24 hours immediately after the child's initial court appearance.

DIGEST OF HB1341 (Updated February 25, 2004 3:40 pm - DI 84)

Nonforfeiture provisions of annuity contracts. Amends the law concerning certain annuity contracts, including paid up annuity benefits, lump sum settlements, and indexed minimum nonforfeiture rates.

DIGEST OF HB1344 (Updated February 25, 2004 3:30 pm - DI 84)

Telephone 211 dialing code services. Recognizes as state policy the encouragement of the use of the 211 dialing code for public access to human services information and referrals. Prohibits a state human services agency from establishing a telephone line for information or referrals without first: (1) consulting with a 211 service provider in the area to be served by the telephone line about using 211 to provide access to the information or referrals; and (2) notifying the utility regulatory commission (IURC) of the consultation. Prohibits disseminating information about the availability of 211 services except as permitted in a rule or order of the IURC. Provides immunity from civil liability to a 211 service provider for acts and omissions related to the development and provision of 211 services. Establishes the 211 services account in the state general fund and specifies uses of the account. Provides that expenditures from the account are subject to state budget committee review. Requires the IURC to administer the account and

report annually to the general assembly on the status of 211 services and funding.

DIGEST OF HB1345 (Updated March 2, 2004 5:06 pm - DI 84)

Officeholders' leaves of absence for military service. Establishes a procedure for a person holding a state, legislative, local, or school board office to take a leave of absence when called into active military service and for the appointment of a person to temporarily perform the officeholder's duties during the leave.

DIGEST OF HB1349 (Updated March 4, 2004 4:15 pm - DI 84)

Litigation by inmates. Provides that before filing a civil rights action or tort claim action against a public employee or government entity, an offender must submit certain documentation to the court. Requires a court to screen an offender's complaints and petitions and dismiss a claim that is frivolous, seeks monetary relief from a defendant who is immune from such relief, or is not a claim upon which relief may be granted. Prohibits an offender who has had three claims dismissed after court screening from filing an action unless a court determines that the offender is in immediate danger of serious bodily injury. Provides that a firearm owner is immune from civil liability for an act or omission relating to a firearm used by another person if the other person directly or indirectly obtained the firearm by means of burglary, robbery, theft, conversion, or receiving stolen property.

DIGEST OF HB 1350 (Updated March 4, 2004 8:25 pm - DI 110)

Commission on health care interpreters and translators. Creates the commission on health care interpreters and translators, to be staffed by the state department of health. Requires the commission to report specified findings and recommendations to the health finance commission not later than November 1, 2004.

DIGEST OF HB1352 (Updated February 26, 2004 2:25 pm - DI 84)

Law enforcement training academy. Establishes a southwest Indiana law enforcement training academy.

DIGEST OF HB1360 (Updated February 23, 2004 6:00 pm - DI 84)

Various election law matters. Provides the following after December 31, 2004: (1) That an appointed member of a county election board or a board of elections and registration may not be a member of a candidate's committee. (2) That a circuit court clerk may not be a member of a

candidate's committee other than the clerk's own candidate's committee. Provides that materials generated by a party convention or caucus to nominate candidates are the political party's property. Provides that a withdrawal of a declaration of candidacy must be filed not later than three days after the deadline for filing the declaration of candidacy. Provides that a poll clerk may make a record of individuals who have signed the poll list and make that list available to a watcher or pollbook holder. Makes changes in the standards for the eligibility of delegates to a town convention. Makes changes relating to deadlines for a committee to file its statement of organization, the printing of candidate names on the ballot, and holding primaries when candidates are unopposed. Makes various technical changes in statutes relating to voter registration. Provides that the legislative body of a small town may adopt an ordinance to provide for town elections to be held in any year in which a general or a municipal election is held. Requires a political party that nominates all its candidates for local office by convention to nominate those candidates not later than noon on the date major party candidates are required to fill a candidate vacancy. Provides for the questioning of the validity of the nomination of the candidates and for the withdrawal of the candidates. Requires the department of correction to inform a discharged criminal offender in writing of the person's right to register to vote and to provide the criminal offender with a copy of the state voter's bill of rights.

DIGEST OF HB 1365 (Updated March 4, 2004 9:21 pm - DI 92)

State and local administration. Increases the cap on the total prizes awarded for one pull tab, punchboard, or tip board game from \$2,000 to \$5,000. Increases the maximum single prize for one winning ticket in a pull tab, punchboard, or tip board game from \$300 to \$599. Makes the following changes to the sales and use tax: (1) Grants a credit against Indiana use tax for sales tax paid in another state for a vehicle, a watercraft, or an aircraft. (2) Makes the furnishing of satellite television service, cable radio service, and satellite radio service a retail transaction. (3) Indicates that a deduction for sales tax paid on a purchase price that becomes uncollectible is assignable only if the retail merchant that paid the tax assigned the right to the deduction in writing. (4) Requires certain out-of-state entities to collect sales tax in Indiana. (5) Provides that gross retail income does not include receipts attributable to installation charges if those charges are separately stated on the invoice. Revises the manner in which net operating losses are computed. Makes the research expense credit permanent (instead of expiring at the end of 2013). Allows certain pass through entities owned wholly or in part by an electric cooperative to claim a refundable EDGE credit. Extends the Hoosier business investment tax credit by two years. Provides that an adopted child is not considered a Class A transferee unless the child was adopted before the child was totally emancipated. Provides the following tax incentives to a business that locates new operations in certain qualified areas containing a completely or partially inactive or closed military base: (1) A sales tax exemption for sales of utility services or commodities made to the business within five years after the new operations commence. (2) An adjusted gross income tax rate of 5% for the year of relocation and the next succeeding four taxable years. Provides a military base investment cost credit against state tax liability for a taxpayer who purchases an ownership interest in or otherwise invests in a business located in a qualified area. Provides that the tax incentives are not available to a business that does not have operations in a qualified area and that substantially reduces or ceases its operations at another

location in Indiana in order to relocate them within the qualified area. Indicates that a certified technology park can be created to enhance research and development or testing being done at an active military base. Provides that, in an eminent domain proceeding, when the person seeking to acquire property does not agree with the owner of an interest in the property and files a complaint and a lis pendens notice, the filing of the complaint and lis pendens notice constitutes notice of the proceedings to all subsequent purchasers and persons taking encumbrances of the property. Provides that, under the law concerning unclaimed property, the attorney general is not required to pay the prescribed rate for publishing a notice in a newspaper concerning property reported as a result of a demutualization of an insurance company. Provides that a taxpayer that is otherwise entitled to a community revitalization enhancement district ("district") tax credit may claim the credit regardless of whether any incremental income or sales taxes have been deposited in the incremental tax financing fund established for the district or have been allocated to the district. Provides that a district must terminate not later than 15 years after incremental income or sales taxes are first allocated to the district. Provides that if the budget agency fails to act on an ordinance or a resolution designating a district within 120 days, the ordinance or resolution is considered approved. Permits an advisory commission on industrial development or the executive of a municipality or county to petition the budget agency for permission to modify the boundaries of a district. Establishes a procedure and criteria for appealing a decision by the department of state revenue that a taxpayer is not eligible for the community revitalization enhancement district tax credit (CRED) because the taxpayer's business relocated operations into the district from another location in Indiana. Changes the square footage requirement that must be met before a district may be established in a certain area in Delaware County. Authorizes the department of revenue to publish on the Internet a list of taxpayers that are subject to tax warrants issued at least 24 months before the date of the publication of the list. Sunsets the authority to publish the list after June 30, 2006. Requires the twenty-first century research and technology fund board to establish and administer a grant office to work with federal agencies, state agencies, units of local government, colleges and universities, and private sector entities to develop and receive research and development grants. Creates the emerging technology grant fund to be administered by the twenty-first century research and technology fund board. Reconciles two different versions of the statute allowing political subdivisions to establish rainy day funds. Defines a second class city a city having a population of 35,000 to 499,999 and first class city as a city having a population of 500,000 or more. (Current law defines a second class city as a city having a population of 35,000 to 249,999 and a first class city as a city having a population of 250,000 or more.) Allows a political subdivision to borrow money to finance a public work project costing not more than \$2,000,000 by issuing a note to a financial institution. Authorizes certain counties and municipalities to provide property tax abatements for logistical distribution equipment and information technology equipment installed after June 30, 2004. Authorizes local governments to impose an optional property tax abatement fee. Provides that the value of federal income tax credits awarded under Section 42 of the Internal Revenue Code may not be considered in determining the assessed value of low income housing tax credit property. Repeals the sales tax credit for sales of motor vehicles, trailers, watercraft, and aircraft that are sold in Indiana and titled or registered in another state. Repeals the registration fee for a converter dolly. Repeals the sales tax on complimentary hotel rooms. Provides for state employee group health insurance program eligibility for certain individuals who retired from Muscatatuck State Developmental Center under the state's retirement incentive program. Establishes the

interim study committee on corporate taxation to study the utilization of passive investment corporations by companies doing business in Indiana.

DIGEST OF HB1394 (Updated March 2, 2004 5:09 pm - DI 84)

Driving while intoxicated and causing death. To honor the memory of Representative Roland Stine, provides that a person at least 21 years of age who causes the death of another person while operating a motor vehicle with an alcohol concentration of at least 0.15 gram of alcohol per: (1) 100 milliliters of the person's blood or 210 liters of the person's breath; or with a Schedule I or II controlled substance in the blood; commits a Class B felony. Provides that a person who causes the death of another person while having a BAC of between .08% and .15% , and who knowingly operated the motor vehicle with driver's license that was suspended or revoked based on a previous conviction for OWI commits a Class B felony. Provides that a person at least 21 years of age who operates while intoxicated a motor vehicle in which at least one passenger is less than 18 commits a Class D felony. Requires lifetime license suspension of a person with two convictions for OWI causing death.

DIGEST OF HB 1401 (Updated March 4, 2004 9:10 pm - DI 75)

Public officer compensation. Establishes the public officers compensation advisory commission to make recommendations to the general assembly regarding the salaries to be paid to public officers. Provides that recommended increases in salaries may not exceed changes in the Indiana nonfarm income. Provides that for purposes of computing a retirement benefit for a person who is a member of the Indiana state teachers' retirement fund and who takes an unpaid leave of absence to serve in an elected position: (1) "annual compensation" includes the total amount that was not paid to the member but would have been paid to the member during the year under the member's employment contracts if the member had not taken any unpaid leave of absence to serve in an elected position; and (2) the "average of the annual compensation" means the annual compensation for the one year of service in which the member's annual compensation was highest. Provides health care adjustments (similar to those made to executive branch employees) to members of the judicial branch. Establishes a judicial insurance adjustment fee of \$1 to be collected in certain civil actions and in certain criminal, infraction, and ordinance violation actions. Provides that the costs of the health care adjustments for judicial branch members be paid from the judicial health adjustment fee.

DIGEST OF HB 1434 (Updated March 4, 2004 5:04 pm - DI 103)

Microenterprise program and STAR account. Conference committee report to EHB1434. Requires the Indiana economic development council to establish a microenterprise partnership program to provide grants to community based or nonprofit organizations for the purpose of providing business development services and loans to businesses with fewer than five employees. Transfers responsibilities for the enterprise development program and the small and minority business financial assistance program to the Indiana economic development council. Renames

the enterprise development fund as the microenterprise partnership program fund. Creates the state technology advancement and retention (STAR) account to advance technology and retain graduates in Indiana by funding certain grant programs.

DIGEST OF HB1435 (Updated March 2, 2004 5:20 pm - DI 84)

Airport authority boards. Increases the size of the Indianapolis Airport Authority board from seven to eight voting members. Provides that the mayor of Indianapolis appoints the additional member. Adds a nonvoting advisory member to the board who is from a county located not more than 1200 feet from the Indianapolis International Airport.

DIGEST OF HB1436 (Updated March 2, 2004 5:23 pm - DI 84)

Women and minority businesses. Provides that standards developed and a certification made under the minority business enterprise law apply to standards and certifications for minority business enterprises and women's business enterprises under any other Indiana law. Makes changes in definitions in the minority business enterprise law. Makes conforming changes in the riverboat gambling law. Specifies that riverboat owners must annually file information regarding contracts with minority and women's businesses and specifies that this information is not confidential under the public records laws. Provides that personal financial information or confidential business information need not be disclosed. Requires each state agency, separate body corporate and politic, and state educational institution to analyze of the use of minority businesses, small businesses and women owned business enterprises in the contracting done by the agency, separate body, or educational institution.

DIGEST OF HB 1437 (Updated March 4, 2004 4:31 pm - DI 106)

Corrections. Creates a forensic diversion program to provide community treatment and mental health and addiction services for offenders suffering from mental illness or addictive disorders who have not been charged or convicted of a violent crime. Requires a county having a community corrections advisory board to formulate a forensic diversion plan, and permits a county without a community corrections advisory board to establish a forensic diversion advisory board to operate a forensic diversion program. Offenders eligible for the program who have been charged with a non-violent misdemeanor or D felony that can be reduced to a misdemeanor are required to plead guilty before participating in the program. Persons already convicted of a crime that is not a violent crime or a drug dealing offense may participate in the program as a condition of probation. Specifies that offenders convicted of certain crimes may not participate in the forensic diversion plan. Establishes a forensic diversion study committee. Requires the department of correction to determine the average daily cost of incarceration and the anticipated future costs of incarceration. Requires each county sheriff to provide the department of correction with the average daily cost of incarceration in a county jail. Repeals the existing forensic diversion program. Establishes a judicial administration fee and requires court clerks to

semiannually distribute to the auditor of state for deposit in the state general fund 100% of the judicial administration fee collected. Increases the amount transferred semi-annually for deposit into the public defense fund from \$1,200,000 to \$1,700,000 in FY05 and \$2,200,000 in following state fiscal years. Provides a range of dates under which a person is eligible for release to a community transition program, permits persons convicted of murder to participate in the program, and makes other changes. Requires training in interacting with persons with mental illness, addictive disorders, mental retardation, and developmental disabilities for law enforcement personnel, jail officers, probation officers, and correctional officers. Changes the designation of time of community restitution or service for a person convicted of operating a vehicle while intoxicated (OWI) from days to hours. Provides that a school is entitled to receive juvenile court records for a student of the school under certain circumstances. Provides immunity for improper disclosures of education records made in good faith. Allows a court to order restitution payments that are a condition of probation to be paid to a probation department that must forward the restitution payments to a victim, victim's family, or victim's estate. Provides that for purposes of the battery by bodily waste statute, an individual employed by certain courts is a "corrections officer."

DIGEST OF HB1438 (Updated February 23, 2004 6:04 pm - DI 84)

Economic development. Establishes the enterprise zone study commission. Changes the appointing authority for the board of the Indiana economic development corporation. Specifies that the governor appoints all of the members of the board. Specifies that the governor shall: (1) consider the recommendations of legislative leaders in making four of the appointments; and (2) consider the recommendations of state university presidents in making seven of the appointments.

DIGEST OF HB1448 (Updated March 3, 2004 4:40 pm - DI 84)

Lobbyist reports. Requires the lobby registration commission to provide each legislator not later than January 7 an annual compilation of the purchases and gifts given to the legislator by lobbyists.

DIGEST OF HB1449 (Updated March 2, 2004 5:30 pm - DI 84)

Curfew violations. Provides that a law enforcement officer may not detain a child or take a child into custody for a curfew violation unless the law enforcement officer reasonably believes: (1) the child has violated the curfew law; and (2) there is not a defense to the curfew violation.

DIGEST OF SB1 (Updated December 4, 2003 12:18 pm - DI 84)

Property taxes. Authorizes investment of state funds, including the common school fund, in

certain obligations of the Indiana bond bank. Authorizes the department of local government finance (DLGF) to take over the 2003 general reassessment process (including the equalization study) in a county if the county's equalization study was not submitted to the department before October 20, 2003 or if DLGF determines that the county's reassessment is likely to be inaccurate. Requires the property tax liability payable in 2006 and thereafter on residential rental properties that have more than 4 rental units to be computed using the lowest assessed valuation determined by applying each of the following appraisal techniques: (1) cost approach; (2) sales comparison approach; and (3) income capitalization approach. Provides that the gross rent multiplier method is the preferred method for valuing rental properties that have fewer than 5 rental units and mobile homes. Provides that after December 31, 2004, the sales disclosure forms and data forwarded by local assessors to DLGF and the legislative services agency must be provided in electronic format. Provides that money in the assessment training fund may be used to cover expenses incurred by DLGF for training and examination programs. With respect to property taxes payable on homesteads, and upon petition of the county fiscal body, the county auditor, and the county treasurer, authorizes DLGF to: (1) establish a schedule of installment payments for taxes payable in 2004 or thereafter; or (2) waive late payment penalties for taxes payable in 2004. For property taxes and special benefits taxes payable after 2003 and based on the most recent general reassessment, adjusts maximum rates that were not adjusted for taxes payable in 2003. Provides for an adjustment of the maximum rate each time an annual assessed value adjustment or a general reassessment takes effect. Eliminates the banking of unused levy allowances in calculating the maximum permissible property tax levy for a civil taxing unit and for certain funds. Eliminates authority to adjust assessed values to reflect the effects of appeals of assessments. Provides that the initial step in the appeal of a property assessment is a written request by the taxpayer for a preliminary conference with a county or township assessing official. Provides that the written request need not be on a DLGF form. Notwithstanding a property assessment agreed to by the township assessor and the taxpayer in resolution of an appeal to the county property tax assessment board of appeals, permits the board to determine its own assessment under its authority to assess property for the current year. Eliminates the requirement for a taxpayer to file a claim for refund after a successful assessment appeal. Eliminates the property tax appeal provision that permits local units to reallocate CAGIT property tax replacement credits for a purpose other than property tax relief. Provides for deposit in a taxing unit's levy excess fund of property tax collections in excess of 100% (instead of 102%) of the unit's levy. Requires the state board of accounts to design a standard form of the petition that is used to initiate the petition and remonstrance procedure. Provides that the petition requires the signatures of the lesser of 100 or 5% of the property owners in the political subdivision (instead of 250 or 10%). Prohibits a political subdivision (including a school corporation) from taking certain actions to promote a position on a petition for or remonstrance against a bond issue or lease. Prohibits a person from soliciting or collecting signatures for a petition or remonstrance on property owned by a political subdivision. With respect to the review of budgets and levies of taxing units that have a governing body comprised primarily of appointed members and propose to increase their property tax levies by more than 5%, adds library districts to the entities subject to review and authorizes reduction of the proposed levy to an amount that is less than the maximum permissible levy. Allows counties to issue provisional tax statements if the abstract is not delivered in a timely manner. Authorizes DLGF to waive the provisional tax statement requirement under certain circumstances. Provides that county assessors, township assessors, and

trustee assessors who do not meet certain certification requirements forfeit their offices. Requires DLGF to give the examinations for certification in an open book format. Increases the cap on the income tax deduction for property taxes paid on a principal place of residence for homeowners who pay property taxes imposed for the March 1, 2002 or January 15, 2003 assessment dates in 2004. Legalizes and validates any action taken by DLGF before January 1, 2004, to extend the deadline for filing an assessment appeal to the county, to allow the payment of property taxes in installments, or to waive a late payment penalty. Permits an individual who was eligible for but did not apply for a homestead credit or certain property tax deductions for taxes payable in 2004 to apply before December 15, 2003. Requires DLGF to study the feasibility of creating uniform and common computer software programs for property tax assessment purposes, including computer software programs that allow the sharing and transfer of assessment data in a uniform format by the state and all counties. Allows, for the assessment years 2002, 2003, and 2004, an appeal of a real property assessment that is filed within 45 days after a taxpayer receives the notice of change in assessment or the related tax bill, whichever occurs first, to apply to the taxes imposed for that assessment date and payable in the next year even if the appeal is filed after May 10 of the assessment year. Requires, for property taxes payable on homesteads in 2004, DLGF to provide each county treasurer with the wording of a statement of the amount by which the property taxes in the county were reduced by actions of the general assembly to mitigate the effects of the general reassessment. Requires the county treasurer to include the statement with each tax statement mailed or otherwise transmitted. Requires the commission on state tax and financing policy to study elimination of property taxes and alternative sources of revenue.

DIGEST OF SB 19 (Updated March 4, 2004 4:24 pm - DI 96)

Designation of extra heavy duty highways. Designates portions of U.S. 6, State Road 9 and U.S. 30 as extra heavy duty highways.

DIGEST OF SB36 (Updated February 26, 2004 12:45 pm - DI 84)

Ballot language for constitutional amendments. Establishes the ballot language for the submission of three amendments to the Constitution of the State of Indiana concerning: (1) the exemption of certain property from taxation; (2) uniform start dates for terms for county constitutional officers; and (3) the general assembly's election of a governor and the temporary exercise of the governor's duties and powers when the offices of the governor and lieutenant governor are vacant. (The introduced version of this bill was prepared by the code revision commission.)

DIGEST OF SB41 (Updated March 4, 2004 5:09 pm - DI 84)

Home health care and hospice services council. Creates the home health care services and hospice services council. Provides that the state department of health shall pay the council's expenses. Allows the council to propose rules and act as an advisory body.

DIGEST OF SB42 (Updated February 19, 2004 1:53 pm - DI 84)

Chronic disease management and registry. Removes exemption of the risk-based managed care program from the disease management program. Allows the state department of health to add chronic diseases to the chronic disease registry by administrative rule. Adds public and private third party payers as: (1) persons to be used by the office of Medicaid policy and planning in implementing a disease management program; and (2) persons that may report chronic disease cases for the chronic disease registry. (The introduced version of this bill was prepared by the select joint commission on Medicaid oversight.)

DIGEST OF SB 72 (Updated March 4, 2004 9:50 pm - DI 102)

Various election law matters. Provides that a voter registration application having an illegible or a missing postmark is valid if received not later than 21 days before the election. Provides that a person who serves as a political committee's treasurer in violation of certain statutes is subject to a civil penalty upon the unanimous vote of the commission or county election board. Provides that a candidate for a municipal office shall file certain campaign finance reports even if a primary or municipal election is not held in the municipality. Requires a county election board to conduct municipal elections in all towns unless a town opts out. Provides that one precinct election board may serve all precincts at a single polling place. Provides that voters in a municipality's newly acquired territory may vote regardless of when the territory was acquired. Provides that a majority vote (rather than the unanimous vote) of a county election board is sufficient to appoint a precinct election officer when a county chairman has failed to make a nomination. Requires an individual who appears to vote after the individual's registration is placed on inactive status under a voter list maintenance program to affirm that the individual currently resides at the address shown on the individual's registration before the individual is permitted to vote. Specifies the requirements for a county voter registration office to conduct a voter list maintenance program. Provides that only counties that count absentee ballots at a central location may authorize the use of electronic equipment at the clerk's office for the casting of absentee ballots. Requires the voter's signature on an absentee ballot application to be compared to the voter's signature on the voter's registration record under certain circumstances. Requires a special election to be ordered in an election contest after a finding that the occurrence of deliberate acts makes it impossible to determine which candidate received the highest number of votes. Makes changes to the filing place for replacement candidates for local judicial offices of independent and minor party candidates. Establishes deadlines for: (1) the election division to certify certain information concerning candidates for president and vice president and presidential electors; and (2) printing provisional ballots in a presidential election year. Allows an absentee ballot cast by a voter required to provide additional documentation to be counted under the provisional ballot procedure if the documentation is filed before 6 p.m. on election day. Establishes a procedure for breaking a tie vote in a municipal election. Resolves a conflict in

current law concerning: (1) the resumption of registration after a special election; and (2) the procedure for determining certain voter challenges. Makes available to the public election material required to be retained following an election after expiration of the period for filing a petition or cross-petition for a recount of votes or to contest the election, and requires a county voter registration office to keep confidential that part of election material necessary to protect the secrecy of a voter's ballot. Permits the election administration assistance fund to be administered in accordance with amendments to the state's HAVA plan. Provides that improvements or changes to voting systems may not be marketed, sold, leased, installed, or implemented in Indiana unless approved by the election commission, and authorizes the commission to revoke a certification of a voting system and prohibit a voting system vendor from marketing, leasing, or selling any voting system in Indiana if the vendor violates the certification requirements. Provides that, after December 31, 2005, the standards used to determine residency for voters are the same standards that must be used to determine residency for applying for a driver's license. Makes changes in election law concerning: (1) the definition of "chute"; (2) training of precinct election officers; (3) the nomination of candidates; (4) political party devices; (5) the withdrawal of candidates; (6) criminal statutes relating to distribution of slates and electioneering; (7) election administration; (8) precinct election officers; (9) watchers; (10) certification of nominees; (11) campaign finance reports; (12) voter registration; (13) statewide voter registration file; (14) rights of voters; (15) municipal elections; (16) ballot format; (17) write-in voting; (18) absentee voting; (19) polling places; (20) provisional ballots; (21) election recounts and contests; (22) filling vacancies in local offices; (23) the meeting of presidential electors; (24) filing financial disclosure statements; and (25) appointment of deputies of local officials. Repeals: (1) statutes relating to printing of ballots; (2) a duplicate requirement for filing with the election division a certificate of the public test of an optical scan voting system; and (3) a special procedure involving a county commissioner's resignation. Between July 1, 2004, and June 30, 2006, requires that a second school corporation levy referendum not be held before the earlier of: (1) the next primary or general election that occurs at least 11 months after the date of the referendum; or (2) one year after the date of the referendum, if a majority of the persons who voted in the first referendum held at a primary or general election do not vote "yes". Legalizes certain actions taken after deadlines set in statutes enacted in 2003. Legalizes the deposit of oaths of political subdivision officers made after the statutory deadline and before March 1, 2004. Provides for the clerk of the supreme court to be appointed by the court rather than elected.

DIGEST OF SB83 (Updated March 1, 2004 4:33 pm - DI 84)

In chambers interview for visitation. Permits a judge to interview a child in chambers before establishing visitation rights.

DIGEST OF SB86 (Updated February 19, 2004 1:57 pm - DI 84)

Address notations in poll lists. Requires that, after December 31, 2005, a poll list include an "Address Unchanged" box so that a voter whose address shown on the poll list has not changed may check the box instead of writing the voter's current address on the poll list.

DIGEST OF SB106 (Updated March 1, 2004 4:33 pm - DI 84)

Technical corrections. Corrects a number of technical problems in the Indiana Code and in noncode provisions.

DIGEST OF SB133 (Updated March 1, 2004 4:34 pm - DI 84)

Psychiatric advance directives. Allows certain individuals to execute a psychiatric advance directive. Sets forth requirements for a psychiatric advance directive. Provides immunity for a person who violates a psychiatric advance directive for certain reasons. Specifies that a physician is not precluded from treating the patient in a manner that is in the best interest of the patient or another individual. Provides that a health care representative may act in accordance with a psychiatric advance directive. (The introduced version of this bill was prepared by the commission on mental health.)

DIGEST OF SB188 (Updated February 19, 2004 2:02 pm - DI 84)

Birth problems registry and cancer registry. Allows the state department of health to record certain nonmalignant tumors and diseases in the cancer registry. Requires ambulatory outpatient surgical centers and health facilities to report to the cancer registry. Changes the date by which the state department must publish an annual report to December 31. Includes pervasive developmental disorders and fetal alcohol spectrum disorders as birth problems and requires these disorders to be recorded in the birth problems registry if recognized in a child before the child is five years of age. Changes the age at which a birth problem may be recognized and recorded in the birth problems registry for other disorders until the child is three years of age.

DIGEST OF SB 194 (Updated March 4, 2004 5:06 pm - DI 106)

CHINS. Provides that a child is a child in need of services (CHINS) if the child: (1) lives in the same household as another child who is the victim of certain sex offenses; (2) lives in the same household as the adult who committed the sex offense; (3) needs care, treatment, or rehabilitation that the child is not receiving and that is unlikely to be provided or accepted without the coercive intervention of the court; and (4) has been placed in or has been considered for placement in an informal adjustment program. Establishes a rebuttable presumption that a child is a CHINS if: (1) another child in the same household has been the victim of a sex offense; (2) the offense was committed by an adult living in the household; and (3) the offense resulted in the conviction of the adult or a CHINS adjudication concerning the child victim. Provides that a child presumed to be a CHINS may not be taken into custody unless a court finds cause following a hearing.

DIGEST OF SB263 (Updated February 19, 2004 2:03 pm - DI 84)

Title 33 recodification. Recodifies Title 33 concerning courts and court officers to reorganize and restate the law without substantive change. Repeals current Title 33 provisions. Makes conforming amendments. (The introduced version of this bill was prepared by the code revision commission.)

DIGEST OF SB 278 (Updated March 4, 2004 5:00 pm - DI 44)

Collection of information by the department of state revenue. Requires the department of state revenue to collect and maintain information for all retail merchants concerning the merchants' industry codes under the North American Industry Classification System Manual.

DIGEST OF SB296 (Updated February 26, 2004 12:30 pm - DI 84)

Property tax deductions. Increases certain property tax deductions by 108%. Applies to the following deductions: elderly; blind or disabled; wartime service disabled; disabled veteran; surviving spouse of a WWI veteran; WWI veteran; residential property rehabilitation; historic property rehabilitation; and residentially distressed area property rehabilitation.

DIGEST OF SB363 (Updated February 19, 2004 2:26 pm - DI 84)

Council for people with disabilities. Creates the governor's council for people with disabilities and the board of directors of the council to implement the federal Developmental Disabilities Assistance and Bill of Rights act. (The council and board of directors are currently created by executive order.)

DIGEST OF SB449 (Updated March 1, 2004 4:37 pm - DI 84)

CHOICE program. Allows the health finance commission to study the implementation of long term care services. Requires the office of family and social services to present a report to the health finance commission.

DIGEST OF SB493 (Updated February 19, 2004 2:29 pm - DI 84)

Professional licensing. Allows a licensing or regulating body to waive continuing education requirements if an applicant is unable to complete the continuing education because of military service, incapacitating illness or injury, or other circumstances determined by the licensing or regulating body. Establishes an extension of time to: (1) renew a professional or an occupational license, certificate, registration, or permit; and (2) complete continuing education requirements;

for an individual called to active duty in the armed forces of the United States or the Indiana army or air national guard.