

Evansville Regional Economic Partnership Bill Report
Report created on March 21, 2022

HB1001 ADMINISTRATIVE AUTHORITY; COVID-19 IMMUNIZATIONS (LEHMAN M) Allows the secretary of family and social services (secretary) to issue a waiver of human services statutory provisions and administrative rules if the secretary determines that the waiver is necessary to claim certain enhanced federal matching funds available to the Medicaid program. Allows the secretary to issue an emergency declaration for purposes of participating in specified authorized federal Supplemental Nutrition Assistance Program (SNAP) emergency allotments. Requires the secretary to prepare and submit any waivers or emergency declarations to the budget committee. Allows the state health commissioner of the state department of health or the commissioner's designated public health authority to issue standing orders, prescriptions, or protocols to administer or dispense certain immunizations for individuals who are at least five years old (current law limits the age for the commissioner's issuance of standing orders, prescriptions, and protocols for individuals who are at least 11 years old). Defines "Indiana governmental entity" and specifies that an Indiana governmental entity (current law refers to a state or local unit) may not issue or require an immunization passport. Provides that an individual is not disqualified from unemployment benefits if the individual has complied with the requirements for seeking an exemption from an employer's COVID-19 immunization requirements and was discharged from employment for failing or refusing to receive an immunization against COVID-19. Provides that an employer may not impose a requirement that employees receive an immunization against COVID-19 unless the employer provides individual exemptions that allow an employee to opt out of the requirement on the basis of medical reasons, religious reasons, or immunity from COVID-19 acquired from a prior infection with COVID-19.

Current Status: 3/3/2022 - Signed by the Governor

State Bill Page: [HB1001](#)

HB1002 VARIOUS TAX MATTERS (BROWN T) Specifies that the amount of excess combined reserves that may be transferred to the pre-1996 account in 2022 may not exceed \$2,500,000,000. Reduces the individual adjusted gross income tax rate from 3.23% in 2022 to 3.15% in 2023 and 2024. Phases down the individual adjusted gross income tax rate after 2024 depending on certain conditions being met. Allows a taxpayer to elect a special property tax valuation method for mini-mill equipment. (Current law allows the method to be used only for certain integrated steel mill and oil refinery/petrochemical equipment.) Repeals the utility receipts and utility services use taxes. Requires a utility that is subject to the jurisdiction of the Indiana utility regulatory commission (IURC) for the approval of rates and charges to file a rate adjustment with the IURC that adjusts the utility's rates and charges to reflect the repeal of the utility receipts tax. Requires a utility that is subject to the utility receipts tax and not under the jurisdiction of the IURC to adjust the utility's rates and charges to reflect the repeal of the utility receipts tax. Requires each utility to provide notice to the utility's customers that the adjustment in rates and charges reflects the repeal of the utility receipts tax. Specifies taxpayer procedure for the repeal of the utility receipts and utility services use tax. Provides that the office of the secretary of family and social services may not enter into a final contract that would implement a risk based managed care program or capitated program for the specified Medicaid population before January 31, 2023. Makes conforming changes.

Current Status: 3/15/2022 - Signed by the Governor

State Bill Page: [HB1002](#)

HB1003 NURSING PROGRAMS AND LICENSING MATTERS (MANNING E) Establishes certain requirements for the temporary licensure of retired or inactive emergency medical services personnel, retired or inactive health care professionals, out-of-state health care professionals, or recently graduated students who have applied for certain licenses. Allows a health care provider or an officer, agent, or employee of a health care provider who has a temporary license to qualify for coverage under the Medical Malpractice Act. Provides that the state board of nursing (board) shall issue by endorsement a license to practice as a registered nurse or practical nurse to an applicant who is a graduate of a foreign nursing school and provides certain documentation. Allows: (1) an eligible associate degree or bachelor's degree registered nursing program to increase enrollment at any rate deemed appropriate by the program; and (2) a nursing program that is not an eligible program but meets specified requirements to increase enrollment by not more than 100%. Allows a nursing program to substitute a certain number of simulation hours for clinical hours in certain circumstances. Establishes requirements for clinical preceptors. Provides that a majority of the faculty is not required to be full-time employees of a state educational institution that operates a nursing program that predominantly issues associate degrees.

Current Status: 3/10/2022 - Signed by the Governor

State Bill Page: [HB1003](#)

HB1034 TAX INCREMENT FINANCING (TORR J) Provides that a lien resulting from an agreement between a redevelopment commission (commission) and a taxpayer in an allocation area takes priority over any existing or subsequent mortgage, other lien, or other encumbrance on the property, and must have parity with a state property tax lien under IC 6-1.1-22-13. Provides that a lien resulting from a taxpayer agreement will have the priority of real property taxes and may be enforced and collected in all respects as real property taxes. Provides that a commission, or two or more commissions acting jointly, may contract for marketing and advertising of land located in an allocation area. Imposes a limitation on the amount available to be spent on the marketing and advertising of land in an allocation area.

Current Status: 3/8/2022 - Signed by the Governor

State Bill Page: [HB1034](#)

HB1093 EDUCATION MATTERS (BEHNING R) Amends the membership and duties of the early learning advisory committee. Makes changes to the definition of "school resource officer". Provides that, after June 30, 2023, if a school corporation or charter school enters into a contract for a school resource officer, certain school corporations or charter schools must enter into a memorandum of understanding with the law enforcement agency that employs or appointed the law enforcement officer who will perform the duties of a school resource officer. Provides that certain parties are prohibited from incentivizing the enrollment, reenrollment, or continued attendance of a student or prospective student by offering or giving an item that has monetary value. Requires the Indiana charter school board (board) to appoint an executive director to carry out the duties and daily operations of the board. Establishes the executive director's duties. Provides that the board shall establish certain processes. Establishes the Indiana charter school board fund and provides that money in the fund is appropriated continuously for purposes of the board. Provides that the department of education (department) may grant an accomplished practitioner's license under certain conditions. Establishes: (1) a definition for "virtual student instructional day"; and (2) requirements for virtual student instructional days. Provides that a public school may conduct not more than three virtual student instructional days that do not meet the established requirements. Provides that a public school that does not comply with these provisions may not count a student instructional day toward the 180 day student instructional day requirement. Allows the department to waive these requirements. Provides that the instructional days tuition support distribution formula take into account only certain schools and grades within a school corporation if fewer than all the schools fail to conduct the minimum number of student instructional days. Authorizes the department to study and, if recommended, use machine scoring. Provides that, after a school receives statewide assessment score reports, a teacher of a student shall discuss the student's statewide assessment results with a parent at the next parent/teacher conference or, if the school does not hold parent/teacher conferences, send a notice to a parent of the student offering to meet with the parent to discuss the results. Provides that the department may include in a contract entered into or renewed after June 30, 2022, with a statewide assessment vendor a requirement that the vendor provide a summary of a student's statewide assessment results that meets certain requirements. Changes the department's review period for certain funds. Provides that the state board of education shall assign to a school or school corporation (including adult high schools) a "null" or "no letter grade" for the 2021-2022 school year. Repeals a provision concerning staffing of the board.

Current Status: 3/15/2022 - Signed by the Governor

State Bill Page: [HB1093](#)

HB1094 EDUCATION MATTERS (TESHKA J) Requires, not later than December 31, 2022, the department of education (department) to: (1) issue a request for proposals for the purpose of contracting with a company to provide; or (2) enter into a memorandum of understanding with a statewide entity to facilitate the procurement of; adequate employer liability and worker's compensation insurance coverage for employers that employ students in work based learning courses. Specifies an exception. Provides that the total amount of funds that the department may expend to carry out the request for proposals or the memorandum of understanding must be less than \$100,000. Provides that an employer: (1) may purchase the employer liability and worker's compensation coverage; and (2) is responsible for paying any costs associated with purchasing the coverage. Requires that, if the state board of education grants the designation of a transformation zone within a school corporation after June 30, 2022, the governing body of the school corporation may enter into an agreement with a nonprofit organization to manage and operate all of the schools included in the transformation zone. Provides that the governing body of a school corporation or entity that is a party to any agreement for the management and operation of a transformation zone may

submit a complaint first to the governing body, and second to the department for an alleged violation of the agreement. Provides that, not later than 15 days after the date an entity submits a complaint to the department, the department shall issue a decision concerning the complaint. Provides that employees of a transformation zone may organize and create a separate bargaining unit to collectively bargain with the entity operating the transformation zone.

Current Status: 3/15/2022 - Signed by the Governor

State Bill Page: [HB1094](#)

HB1153 WORKER'S COMPENSATION (LEHMAN M) Provides that if, after the occurrence of an accident, compensation is paid for temporary total disability or temporary partial disability, then the two year limitation period to file an application for adjustment of claim begins to run on the last date for which the compensation was paid. Increases benefits for injuries and disablements by 3% each year for four years, beginning on July 1, 2023. Adds an ambulatory outpatient surgical center to the definition of "medical service facility" under the worker's compensation law. Makes certain changes to the definition of "pecuniary liability". Establishes clean claim payment requirements related to worker's compensation claims. Removes outdated language. Makes conforming amendments.

Current Status: 3/18/2022 - Signed by the Governor

State Bill Page: [HB1153](#)

HB1209 CARBON SEQUESTRATION PROJECTS (SOLIDAY E) Provides for the mechanism for underground storage of carbon dioxide in Indiana. Provides that the new chapter does not apply to the carbon sequestration pilot project established pursuant to IC 14-39-1. Makes conforming changes.

Current Status: 3/18/2022 - Signed by the Governor

State Bill Page: [HB1209](#)

HB1211 STATE AND LOCAL ADMINISTRATION (TESHKA J) Provides that not later than October 1, 2022, the department of administration (department), on behalf of the office of technology (office), shall issue a request for information for purposes of exploring how blockchain technology could be used by a state agency to: (1) achieve greater cost efficiency and cost effectiveness; and (2) improve consumer convenience, experience, data security, and data privacy. Requires the office to compile a report concerning the request for information and submit the report to the legislative council in an electronic format not later than March 31, 2023. Defines "blockchain technology" and "distributed ledger technology". Requires an agency to submit an emergency rule to the attorney general for review and approval before the emergency rule may take effect. Provides that emergency rules may not be effective for a period that exceeds 180 days. Provides that certain emergency rules expire not more than two years after the rule takes effect. Requires an agency adopting an administrative rule to submit an economic impact statement and an explanation of any penalty, fine, or other similar negative impact included in the proposed rule to the publisher of the Indiana Administrative Code (publisher). Requires the publisher to provide a copy of the materials concerning a proposed rule or pending readoption to the members of the appropriate standing committee, the governor, and the office of management and budget. Provides that administrative rules expire on July 1 of the fourth year after the year in which the rule takes effect (instead of January 1 of the seventh year after the year in which the rule takes effect). Requires an agency intending to readopt an administrative rule to provide to the publisher, not later than January 1 of the third year after the year in which the rule most recently took effect: (1) notice of; and (2) information concerning; the pending readoption. Requires that all broadband infrastructure projects that are funded in whole or in part by a grant or loan from the regional economic acceleration and development initiative (READI) fund must satisfy the criteria and requirements as described in the rural broadband program. Makes corresponding changes.

Current Status: 3/16/2022 - **VETOED BY GOVERNOR**

State Bill Page: [HB1211](#)

HB1221 ELECTRIC VEHICLES AND ELECTRICITY PRICING (SOLIDAY E) Provides that a person that: (1) owns, operates, or leases electric vehicle (EV) supply equipment; and (2) makes the EV supply equipment available for use by the public for compensation; may charge the public for such use based in whole or in part on the kilowatt hours of electricity sold. Specifies that a person that makes EV supply equipment available for use by the public for compensation, regardless of whether the person charges the public for such use based on: (1) the kilowatt hours of electricity sold; (2) the amount of time spent by an EV at a designated charging space; or (3) a combination of both; is not a public utility solely by reason of engaging in this activity. Authorizes the

utility regulatory commission (IURC) to approve: (1) time-varying price structures and tariffs; or (2) other alternative pricing structures and tariffs; for retail energy service. Defines a "public use electric vehicle" (public use EV) as any of the following electric vehicles that is used primarily to serve the public: (1) An electric school bus. (2) An electric transit bus. (3) An electric vehicle used by a public or private commercial enterprise primarily to deliver goods or services to the public. Authorizes an electric utility (defined as a public utility that is subject to the jurisdiction of the IURC) to request approval from the IURC to implement a public use EV pilot program (pilot program) to do any of the following: (1) Install, own, or operate charging infrastructure or make-ready infrastructure to support public use EVs. (2) Provide incentives or rebates to customers to encourage customer investment in public use EVs and in associated EV supply equipment. Sets forth certain required information that an electric utility's request for approval of a pilot program must include. Provides that an electric utility's request for approval of a pilot program may include a request for: (1) assurance of cost recovery for pilot program capital costs, up to the amount of an approved cost estimate; and (2) deferral of pilot program capital costs. Sets forth the processes by which an electric utility may request the IURC's approval of a pilot program. Provides that the IURC shall approve an electric utility's request for approval of a pilot program if the IURC determines that the proposed pilot program is reasonable, just, and in the public interest. Sets forth certain factors that the IURC must consider in making this determination. Specifies that an electric utility is not prohibited from: (1) installing, owning, or operating charging infrastructure or make-ready infrastructure for electric vehicles; and (2) seeking to include the associated capital costs in the electric utility's basic rates and charges by initiating a proceeding before the IURC. Provides that in such a case, the IURC shall approve the inclusion of the capital costs in the electric utility's basic rates and charges if the IURC finds that the capital costs incurred are reasonable, just, and in the public interest. Requires the IURC to adopt rules to implement these provisions.

Current Status: 3/11/2022 - Signed by the Governor

State Bill Page: [HB1221](#)

HB1226 SOLID WASTE MATTERS (SPEEDY M) Establishes the central Indiana waste diversion pilot project (pilot project). Requires the department of environmental management to: (1) develop pilot project application forms; (2) make the forms available on or before July 1, 2022; (3) accept applications through October 1, 2022; and (4) provide recommendations to the Indiana recycling market development board (board) on or before December 1, 2022. Requires the board to award not more than \$4,000,000 in total to applicants chosen to participate in the pilot project. Limits the pilot project to Marion County. Amends the definition of "solid waste" to exclude materials that are used in creating a product and that meet other conditions. Provides that: (1) a transfer station or treatment, storage, or disposal facility that holds a permit to handle hazardous waste may also handle solid waste; (2) solid waste that is managed at a transfer station or a treatment, storage, or disposal facility shall not be allowed to come into direct contact with hazardous waste, and any solid waste that does come into direct contact with hazardous waste shall then be managed as hazardous waste; and (3) the environmental rules board (rules board) shall amend 329 IAC 11 to conform to these provisions. Requires the rules board to expeditiously adopt by rule all waste regulation exemptions or exclusions as that are adopted by the United States Environmental Protection Agency (EPA) and set forth in the federal rule on the identification and listing of hazardous waste. Provides that until certain federal rule amendments that were adopted by the EPA on May 30, 2018, are adopted by the rules board, those amendments apply to the identification and listing of hazardous waste in Indiana just as if the amendments were already incorporated by reference into the rules of the rule board on the identification and listing of hazardous waste. Provides that: (1) the disposal of non-hazardous coal mining waste and coal combustion residuals at a surface coal mining facility; and (2) the use of coal combustion residuals as raw material for manufacturing another product or for eight other particular uses; are not subject to regulation under the solid waste rules. Makes corresponding changes.

Current Status: 3/14/2022 - Signed by the Governor

State Bill Page: [HB1226](#)

HB1242 STATE PURCHASING (MILLER D) Requires the department of administration (department) to determine the technological upgrades and other expenditures required to collect and compile information regarding purchases made by state agencies from the following: (1) A minority business enterprise. (2) A nonprofit agency for individuals with disabilities. (3) A veteran owned small business. (4) A women's business enterprise. Provides that if a nonprofit agency for individuals with disabilities (qualified agency) withdraws from a department pilot project through which the qualified agency sells products or services to governmental bodies through a third party contractor, the department must award the qualified agency a quantity purchase agreement (QPA) for the same products and services and under the same terms, except for price, under

which the qualified agency had a QPA with the department before participating in the pilot project. Provides that the qualified agency must agree to provide the same products or services at a price less than the price provided for the products or services under the pilot project. Requires a state agency to purchase supplies or services from a QPA for those supplies or services awarded to a qualified agency. Requires the department, in consultation with the committee for the purchase of supplies and services of individuals with a disability, to adopt administrative rules to establish a goal to procure in each state fiscal year at least 1.5% of state contracts with qualified agencies. Provides that this goal must be administered so as not to diminish any other state contracting goals established under existing law.

Current Status: 3/18/2022 - Signed by the Governor

State Bill Page: [HB1242](#)

HB1245 CONNECTIONS TO WATER AND SEWER SYSTEMS (PRESSEL J) Prohibits: (1) a local unit; or (2) a water or wastewater utility; that is not under the jurisdiction of the Indiana utility regulatory commission (IURC) for the approval of rates and charges from charging or collecting from a property owner a capacity related fee or a tap fee either of which is established after June 30, 2022, and that includes contributions in aid of construction. Provides that if a local unit or a utility charges a property owner a capacity related fee or a tap fee that is established after June 30, 2022, and that is based, in whole or in part, on contributions in aid of construction, the property owner is entitled to request to meet with the local unit or the utility to review: (1) the engineering and financial analyses the fee was based on; and (2) if applicable, the ordinance adopting the fee. Requires a local unit or a utility to meet with a property owner for such a review not later than 30 days after receipt of the property owner's request. Provides that if a meeting and review does not result in a satisfactory resolution, the property owner may file with the IURC a petition challenging the fee. Provides that if the IURC determines the capacity related fee or tap fee is based in whole or in part on contributions in aid of construction, the IURC shall: (1) invalidate the fee; or (2) modify the fee to comply with these provisions. Amends the statute that provides an exemption from the requirement to connect to a regional sewer district's sewer system to a property owner whose septic tank soil absorption system was new at the time of installation as follows: (1) Provides that the local health department's designee or a qualified inspector (in addition to the local health department) may approve the property owner's septic tank soil absorption system at the time of installation. (2) Provides that the 10 year exemption is measured from the date of the required written determination of the local health department, the department's designee, or a qualified inspector that the property owner's septic tank soil absorption system is not failing. (Current law provides that the 10 year exemption is measured from the date the new septic tank soil absorption system was installed.) Defines "residential onsite sewage system" as the term is defined by the state department of health (department) in the department's rule concerning residential onsite sewage systems (department's rule). Changes instances of the term "residential septic system" in current law to the term "residential onsite sewage system". Prohibits a local health department from refusing an application for a permit for a residential onsite sewage system solely because the residential onsite sewage system has not been used previously in the jurisdiction of the local health department or is unfamiliar to the local health department, if the residential onsite sewage system has been approved for general use in Indiana by the department's technical review panel. Provides that if the local health department in one jurisdiction has issued a permit for a particular type of residential onsite sewage system, the local health department in another jurisdiction may not refuse to issue a permit for a residential onsite sewage system of that same type if: (1) a registered professional engineer; (2) a registered soil scientist; (3) a residential onsite sewage system installer; and (4) (if applicable) the designer of the residential onsite sewage system; approve of the use of that type of system in the second jurisdiction. Provides that if a registered professional engineer certifies: (1) that the location, design, proposed construction, and proposed installation of a planned residential onsite sewage system comply with the department's rule, a local health department may not disapprove an application for a permit for the residential onsite sewage system; (2) that the design, construction, installation, location, maintenance, and operation of an existing residential onsite sewage system comply with the department's rule, a local health department may not issue an order on the basis that the residential onsite sewage system is a failed system; and (3) that an existing residential onsite sewage system is not functioning properly but can be restored to proper functioning through repair, a local health department must allow the repair of the residential onsite sewage system to be made in accordance with the certification of the professional engineer. Provides that a local health department may not deny a permit for a residential onsite sewage system in a particular location on the grounds that the soil of the location is too heavily compacted if a registered soil scientist certifies that the soil can be made suitable for the residential onsite sewage system in not more than two years through the planting of plants that loosen and aerate the soil or through other means. Provides that after June 30, 2023, a local ordinance or a local health department may not impose residential onsite sewage system requirements, restrictions, or conditions that are more stringent than those of the department's rule. Requires a local health department to issue, in

certain circumstances, a permit for a residential onsite sewage system not more than 30 business days after receiving the application for the permit. Effective July 1, 2023, voids a provision of the department's rule stating that the rule does not prohibit local ordinances from imposing requirements more stringent than the requirements of the department's rule. Changes population parameters used in an Indiana Code section concerning the installation of a residential onsite sewage system in fill soil, so as to reflect the population count determined under the 2020 decennial census. Amends the Indiana Code section governing the procedures for a proposal to amend or partially repeal a zoning ordinance to require a plan commission to vote on the proposal not later than 60 days after holding the public hearing on the proposal. Provides that a property owner whose property is incorporated into the territory of a municipal sanitation district (regardless of whether the property owner has filed a written remonstrance or an appeal with respect to the incorporation) is exempt from a requirement to connect to the district's sewer system and to discontinue use of a sewage disposal system on the property owner's property if: (1) the property owner's sewage disposal system: (A) was new at the time of installation; and (B) was approved in writing by the local health department, the department's designee, or a qualified inspector; and (2) the property owner obtains a written determination from the local health department, the department's designee, or a qualified inspector that the property owner's sewage disposal system is not failing. Provides that a property owner who qualifies for this exemption may not be required to connect to the district's sewer system for a period of 10 years beginning on the date of the required written determination of the local health department, the department's designee, or a qualified inspector that the property owner's septic tank soil absorption system is not failing. Provides that a property owner may apply for two five-year extensions of the exemption. Limits the total period during which a property may be exempt from the requirement to connect to a district's sewer system to not more than 20 years, regardless of ownership of the property. Sets f

Current Status: 3/18/2022 - Signed by the Governor

State Bill Page: [HB1245](#)

HB1251 VARIOUS EDUCATION MATTERS (BEHNING R) Requires the department of education (department) to apply to the United States Department of Education for assessment flexibility. Requires the department to: (1) prepare a report that includes information and recommendations regarding establishing and implementing a parent-teacher compact program; and (2) submit the report to the legislative council not later than November 1, 2022. Provides that the state board of education (state board) shall, in consultation with postsecondary educational institutions and various businesses and industries, identify what skills or traits students need to be successful upon completion of high school. Requires the department to conduct a research study regarding academic standards. Requires the department to establish an online adjunct teacher portal. Provides that the governing body of a school corporation may issue an adjunct teacher permit to an individual who meets certain requirements. Establishes requirements for adjunct teacher employment agreements. Provides that the employment agreements are not subject to certain requirements regarding teacher salaries and school corporation local compensation plans. Provides that: (1) an adjunct teacher is not a school employee for purposes of collective bargaining; and (2) an employment agreement with an adjunct teacher is not subject to a collective bargaining agreement. Provides that the school employer shall discuss the use of adjunct teachers with the exclusive representative of certificated employees. Requires the governing body of a school corporation to announce any vacant adjunct teacher positions at meetings of the governing body. Amends the definition of "primary use of the building" for certain applicable high schools for purposes of occupancy classification requirements. Amends the definition of "appropriate vehicle". Provides that a special purpose bus or an appropriate vehicle may be used to transport students under certain circumstances. Provides that the state board may adopt emergency rules relating to school accreditation. Provides that the driver of a special purpose bus or an appropriate vehicle must pass an expanded criminal history check and an expanded child protection index check. Makes changes to visual acuity requirements for a bus driver. Establishes the Indiana student enrichment grant program (program). Provides that an enrichment student is eligible to establish an Indiana enrichment scholarship account. Provides that an enrichment student may receive \$1,000 to be used for certain qualified expenses. Provides that the department shall administer the program. Provides that the program expires July 1, 2025.

Current Status: 3/18/2022 - Signed by the Governor

State Bill Page: [HB1251](#)

HB1306 HOUSING TASK FORCE (MILLER D) Establishes the housing task force (task force) to review issues related to housing and housing shortages in Indiana. Sets forth membership, and requires the task force to issue a report to the general assembly and the governor not later than November 1, 2022.

Current Status: 3/11/2022 - Signed by the Governor

HB1318 CHILD CARE PROVIDED BY A SCHOOL CORPORATION (SNOW C) Allows a child care program that: (1) is operated by a public or private school; and (2) provides day care on the school premises for children of students or employees of schools in the school corporation in which the public or private school is located; to be exempted from licensure as a child care facility. Provides that: (1) a preschool program that is operated by a public or private school; and (2) either or both: (A) a child care program that is located in the public or private secondary school and provides child care for children of employees or students of the public or private secondary school; and (B) a latch key program; are exempt from licensure as child care facilities if located in the same public or private school building. Provides that for purposes of determining the child to staff ratio and group size requirements for a child care program that: (1) enrolls children at least two and one-half years of age, but not more than six years of age; and (2) is validated as a Montessori program by the United Montessori Schools of Indiana; the division of family resources of the family and social services administration shall use the average age of the children in the group as of January 1 of the school year.

Current Status: 3/10/2022 - Signed by the Governor

State Bill Page: [HB1318](#)

SB1 AUTOMATIC TAXPAYER REFUND (HOLDMAN T) Removes a provision that requires taxpayers to have adjusted gross income tax liability in order to qualify for an automatic taxpayer refund. Makes clarifying changes.

Current Status: 3/7/2022 - Signed by the Governor

State Bill Page: [SB1](#)

SB2 VARIOUS EDUCATION MATTERS (RAATZ J) Provides that, in determining whether at least 50% of the instructional services that a student receives from a school corporation is virtual instruction for purposes of the 2021 fall count of ADM, the department of education (department) shall review the attendance of each student on each school day from the school corporation's first day of school until the school corporation's last day of school of the 2021 fall semester. Makes an exception regarding the school days the department reviews for students who transferred to or from a school corporation during the 2021 fall semester. Provides that, if a school corporation's tuition support amount is adjusted as a result of the application of this provision, the department shall, after December 31, 2021, settle any overpayment or underpayment of state tuition support to a school corporation resulting from the adjustment of tuition support on the schedule determined by the department. Requires each school corporation and charter school to annually report to the department the number of students who, during the students' expected graduation year: (1) were enrolled in the school corporation on the September ADM count day; (2) completed graduation requirements before the February ADM count day; and (3) were not enrolled in the school corporation on the February ADM count day. Requires, not later than September 1 of each year, the department to: (1) compile and prepare a report regarding the information reported by school corporations and charter schools; and (2) submit the report to the legislative council.

Current Status: 3/18/2022 - Signed by the Governor

State Bill Page: [SB2](#)

SB5 RECIPROCITY AND AUDIOLOGY COMPACT (BROWN L) Establishes a procedure to grant licenses and certificates to practice certain health care professions in Indiana. Requires the applicant to hold a current license or certificate from another state or jurisdiction and meet other requirements. Allows the applicant who meets certain requirements to apply for a provisional license or provisional certificate. Requires the provisional license or provisional certificate to be issued within 30 days. Provides for penalties for submitting false information on an application for a provisional license or provisional certificate. Requires a board to make a final decision on a license or certificate application before the expiration of a provisional license or provisional certificate. Provides that if a board has a pending application for initial licensure or certification that requires final approval by the board, the board shall meet not more than 31 days after the application is ready for approval. Provides that the medical licensing board may not issue a physician's license to an applicant using the reciprocity law beginning July 1, 2026. Eliminates certain requirements for an applicant seeking licensure as a clinical social worker, marriage and family therapist, mental health counselor, addiction counselor, or clinical addiction counselor. Requires the boards that regulate bachelor's degree social workers, social workers, clinical social workers, marriage and family therapists, mental health counselors, licensed addiction counselors, licensed clinical addiction counselors, and respiratory care practitioners to issue a license by

reciprocity within 30 days if certain requirements are met. Requires the speech-language pathology and audiology board to, before January 1, 2023, initiate and make every effort to enter into reciprocity agreements with contiguous states for individuals licensed as: (1) a speech-language pathologist; and (2) an audiologist; to practice the individual's profession under the license from one state in the other state. Adopts the audiology and speech-language pathology interstate compact. Makes conforming amendments.

Current Status: 3/18/2022 - Signed by the Governor

State Bill Page: [SB5](#)

SB74 PREFERENCES IN PUBLIC WORKS AND PUBLIC PURCHASING (BOOTS P) Provides that a manufacturing business, defined as a business that processes raw materials or parts into finished goods, is not a small business if it employs more than 100 persons or if its annual sales for its most recently completed fiscal year exceed \$4,000,000. Provides that any state agency that purchases goods, supplies, or services for the state must report by October 1 of each year to the budget committee the amount of Indiana business and Indiana small business preferences granted in the agency's procurement of goods, supplies, or services for the state.

Current Status: 3/10/2022 - Signed by the Governor

State Bill Page: [SB74](#)

SB82 FAFSA (LEISING J) Requires each school corporation and charter high school to: (1) use the model FAFSA notice prepared by the commission for higher education (commission); and (2) provide the model notice to certain students. Allows a nonpublic school to provide the model notice to certain students. Requires the commission to develop an online FAFSA affirmation form and provide information to certain schools to determine which students have completed the FAFSA and the affirmation form. Amends the information required to be included in the model FAFSA notice.

Current Status: 3/10/2022 - Signed by the Governor

State Bill Page: [SB82](#)

SB119 TAXATION OF FARM PROPERTY (NIEMEYER R) Makes new farm equipment and new agricultural improvements eligible for local tax abatement using the same procedures for tax abatement under current law for new manufacturing equipment, new research and development equipment, new logistical distribution equipment, and new information technology equipment, or redevelopment and rehabilitation in the case of new agricultural improvements. Limits an abatement schedule for new farm equipment and new agricultural improvements to not more than five years. Specifies how agricultural improvements shall be assessed for tax purposes.

Current Status: 3/7/2022 - Signed by the Governor

State Bill Page: [SB119](#)

SB145 PROPERTY TAX MATTERS (BUCHANAN B) Provides that the true tax value of commercial real property commercial property with a structure, or a portion thereof, that: (1) is at least 100,000 square feet in area; (2) is used for retail purposes; and (3) is occupied by a single retailer; shall be determined by application of the cost approach. Provides that the application of the cost approach requirement is not applicable if the property was: (1) vacated by the original occupant for which the property was constructed; (2) constructed more than five years prior to the assessment date; or (3) substantially and adversely impacted by a change in a roadway or traffic pattern. Provides that estimates of depreciation and obsolescence shall not be based on data derived from the sales comparison or income capitalization approaches. Requires the department of local government finance (department) to establish a standard construction cost per square foot for the purpose of applying the cost approach. Requires the department to update the standard construction cost per square foot annually. Provides that when requesting a review, a taxpayer may present an appraisal based on the cost approach as evidence that the actual construction cost was lower than the department's determined standard construction cost per square foot that was used to assess the property. Provides that the parties to any appeal may enter into a written agreement to stipulate to the true tax value of the property. Provides that the fiscal officer of the county may establish a separate account for the tax receipts that are attributable to the property tax assessment that is the subject of review.

Current Status: 3/10/2022 - Signed by the Governor

State Bill Page: [SB145](#)

- SB147 UNDERGROUND PUMPED STORAGE HYDROPOWER** (KOCH E) Adds underground pumped storage hydropower using: (1) abandoned coal mines; (2) abandoned quarries; or (3) other suitable sites; located in Indiana to the list of sources and technologies that qualify as "clean energy resources" for purposes of the statute governing the Indiana voluntary clean energy portfolio standard program. Provides that this technology qualifies as a "renewable energy resource" for purposes of the statute providing certain financial incentives for energy utilities to invest in clean energy projects. Requires the state utility forecasting group to include this technology in its annual study on the use, availability, and economics of clean energy resources in Indiana.
- Current Status:* 3/18/2022 - Signed by the Governor
State Bill Page: [SB147](#)
- SB157 DISPOSITION OF REAL PROPERTY BY INDOT** (CRIDER M) Provides that an agency real estate professional may determine the fair market value of real property the department of transportation (INDOT) owns and is seeking to sell under certain conditions. Makes conforming changes. Provides that real property shall be appraised prior to acquisition by INDOT, except under certain conditions concerning donation and valuation of the real property. Requires INDOT to prepare a waiver valuation if an appraisal is unnecessary. Suspends certain rules for persons preparing or reviewing a waiver valuation. Provides that INDOT may sell real property without advertising or competitive bids under certain circumstances. Extends the sunset of certain public-private agreement provisions from June 30, 2023, to June 30, 2031.
- Current Status:* 3/7/2022 - Signed by the Governor
State Bill Page: [SB157](#)
- SB166 PUBLIC-PRIVATE AGREEMENTS** (WALKER K) Provides that a governmental body may enter into a public-private agreement with respect to a transportation project. Provides that any public-private agreement with respect to a transportation project may use availability payments to finance all or a portion of the project. Provides that a governmental body may also enter into a development agreement with a private party for the development, construction, and financing of a privately owned and operated transportation or infrastructure project if the development agreement meets certain conditions. Specifies the contents of public-private agreements for transportation facilities or transportation projects and establishes requirements for the operator of the transportation facility or transportation project. Provides for a property tax exemption and a sales tax exemption. Defines terms.
- Current Status:* 3/10/2022 - Signed by the Governor
State Bill Page: [SB166](#)
- SB245 STATEWIDE SPORTS AND TOURISM BID FUND** (WALKER K) Establishes the statewide sports and tourism bid fund (fund) to provide funding for the purpose of organizing and holding sports and tourism events in Indiana. Provides that the Indiana destination development corporation (IDDC) shall administer the fund. Requires the IDDC to distribute to the Indiana Sports Corporation a grant amount equal to the amount appropriated by the general assembly to the fund. Provides that the Indiana Sports Corporation shall manage the funds in accordance with the general laws of the state relating to the handling of public funds. Requires that the Indiana Sports Corporation ensure that not less than 30% of the money received by the Indiana Sports Corporation each biennium is used for events that are conducted outside of Marion County. Authorizes the Indiana Sports Corporation to award grants to other eligible entities for the purpose of organizing and holding an event in Indiana. Requires the Indiana Sports Corporation to annually report to the budget committee on the use of the money received from the fund.
- Current Status:* 3/10/2022 - Signed by the Governor
State Bill Page: [SB245](#)
- SB251 INTERSTATE MEDICAL LICENSURE COMPACT** (BROWN L) Requires the medical licensing board of Indiana to administer the interstate medical licensure compact (compact). Adopts the compact. Sets forth requirements of a compact state. Sets forth the duties and authority of the interstate medical licensure compact commission. Provides for two voting members on the commission from each member state. Establishes the procedure to withdraw from the compact. Specifies that the compact supersedes any state law that is in conflict. Makes conforming changes.
- Current Status:* 3/10/2022 - Signed by the Governor
State Bill Page: [SB251](#)

SB264 ADMINISTRATIVE RULES REVIEW TASK FORCE (GARTEN C) Establishes the administrative rules review task force (task force). Describes the duties required of the task force.

Current Status: 3/7/2022 - Signed by the Governor

State Bill Page: [SB264](#)

SB271 SMALL MODULAR NUCLEAR REACTORS (KOCH E) Amends the statute governing certificates of public convenience and necessity (certificates) that are issued by the Indiana utility regulatory commission (IURC) for the construction, lease, or purchase of electric generation facilities to require the IURC, in consultation with the department of environmental management (department), to adopt rules concerning the granting of certificates for the construction, purchase, or lease of small modular nuclear reactors: (1) in Indiana for the generation of electricity to be used to furnish public utility service to Indiana customers; or (2) at the site of a nuclear energy production or generating facility that supplies electricity to Indiana retail customers on July 1, 2011. Requires the IURC to adopt the rules not later than July 1, 2023. Provides that the rules adopted by the IURC must provide that in acting on a public utility's petition for a certificate for one or more small modular nuclear reactors, the IURC shall consider the following: (1) Whether, and to what extent, the one or more small modular nuclear reactors proposed by the public utility will replace a loss of generating capacity in the public utility's portfolio resulting from the retirement or planned retirement of one or more of existing electric generating facilities that: (A) are located in Indiana; and (B) use coal or natural gas as a fuel source. (2) Whether one or more of the small modular nuclear reactors will be located on the same site as or near the facility to be retired and, if so, potential opportunities for the public utility to: (A) make use of any land and existing infrastructure or facilities already owned or under the control of the public utility; or (B) create new employment opportunities for workers who have been, or would be, displaced as a result of the retirement of the existing facility. Provides that the IURC's rules must provide that the IURC may grant a certificate under circumstances and for locations other than these. Sets forth additional requirements for small modular nuclear reactors that must be included in the IURC's rules, including the requirement that the owner or operator of a proposed small modular nuclear reactor must provide evidence of a plan to apply for all licenses or permits to construct or operate the proposed small modular nuclear reactor required by the United States Nuclear Regulatory Commission, the department, or any other relevant state or federal regulatory agency. Amends the statute providing certain financial incentives for energy utilities that invest in clean energy projects by providing that, for purposes of the statute, a "clean energy project" and a "nuclear energy production or generating facility" include a small modular nuclear reactor that is constructed after June 30, 2023: (1) in Indiana for the generation of electricity to be used to furnish public utility service to Indiana customers; or (2) at the site of a nuclear energy production or generating facility that supplies electricity to Indiana retail customers on July 1, 2011; under the rules adopted by the IURC under the bill. Defines "small modular nuclear reactor" for purposes of the bill's provisions.

Current Status: 3/18/2022 - Signed by the Governor

State Bill Page: [SB271](#)

SB272 WASTEWATER INFRASTRUCTURE (KOCH E) Provides that the Indiana finance authority (authority) shall serve as the executive branch coordinator for funds allocated or made available to the state or local communities from federal, state, and other sources for purposes related to drinking water, wastewater, or storm water infrastructure and systems. Sets forth the duties of the authority with respect to this role. Specifies that the authority shall coordinate the executive branch activities related to the state's drinking water and wastewater programs. (Current law provides that the authority shall serve such a role with respect to the state's water programs.) Authorizes the establishment of a drinking water and wastewater infrastructure research and extension program (program) to provide data collection and information, training, and technical assistance concerning: (1) drinking water infrastructure; (2) wastewater infrastructure; and (3) storm water infrastructure; in Indiana. Provides that the authority may: (1) contract with a state supported college or university in Indiana to provide the program; and (2) financially support the program from existing funds appropriated to the authority. Provides that the program may be housed within, or share staff with, the existing research and highway extension program at Purdue University. Provides that the program may provide the following services and programs to, or for the benefit of, utilities providing drinking water, wastewater, or storm water service in Indiana: (1) Assisting utilities in the development of asset management programs. (2) Serving as a central repository for data concerning infrastructure used to provide drinking water, wastewater, or storm water service in Indiana. (3) Providing training and technical assistance to utilities and Indiana's drinking water, wastewater, and storm water utility industry workforces. Requires the authority to make, not later than July 1, 2023, all: (1) utility asset management programs; and (2) information concerning utility asset lifecycle management costs; submitted to or reviewed by the authority

available on an Internet web site maintained by the authority or the program. Requires that in carrying out all information gathering and reporting duties under the bill's provisions, the authority and the program shall use any data the authority or the program acquires in a manner that: (1) protects the confidential information of individual utilities and customers; and (2) is consistent with applicable statutory exclusions from disclosure under the state's public records act. Provides that as a condition for receiving a loan, grant, or other financial assistance after June 30, 2023, through the wastewater revolving loan program, the drinking water revolving loan program, the water infrastructure assistance program, or the water infrastructure grant program, a participant must do the following: (1) Submit the participant's required asset management program to the authority not later than the time of submission of the participant's preliminary engineering report for any project for which the loan, grant, or other financial assistance will be provided. (Current law does not specify when the asset management program must be submitted.) (2) Submit to the authority information on the estimated and actual life cycle management costs over the useful life of the asset financed. (3) In the case of a participant that is not under the jurisdiction of the Indiana utility regulatory commission (IURC), regularly report to all: (A) customers; (B) counties; and (C) municipalities; within the participant's service territory information concerning the participant's asset management program. Provides that money in the: (1) supplemental drinking water and wastewater assistance fund; (2) water infrastructure assistance fund; and (3) water infrastructure grant fund; may be used to provide grants, loans, or other financial assistance for the planning, designing, acquisition, construction, renovation, improvement, or expansion of septic relief systems, in accordance with guidelines of the authority. Provides that the authority's project prioritization system for awarding assistance from the water infrastructure assistance fund and the water infrastructure grant fund must include as a variable the effect of a project on the environment. Provides for the following with respect to a wastewater utility that is not subject to the jurisdiction of the IURC for the approval of rates and charges and that has been issued one or more enforcement orders (orders) relating to environmental or health and human safety issues by the department of environmental management (department) after June 30, 2022: (1) For the first order, the utility is subject to an informal review of its: (A) rates and charges; and (B) asset management program; by the IURC, in accordance with procedures determined by the IURC. (2) For a second order that is issued within two years of the first order, the utility is subject to rate regulation, following two base rate cases, by the IURC for a minimum period of: (A) five years from the IURC's order in the first base rate case; and (B) one year from the IURC's order in the second base rate case. (3) For any order issued during the required rate regulation period, the IURC may, in consultation with the department, initiate a receivership proceeding with respect to the utility. Requires the state board of education (state board) to approve, for purposes of the state's career and technical education graduation pathway, a utility career cluster that allows students to acquire knowledge and skills related to employment in the electric, natural gas, communications, water, and wastewater utility industries. Requires the governor's workforce cabinet, in consultation with the state board, the department of education, and the department of workforce development, to create course sequences for the utility career cluster.

Current Status: 3/7/2022 - Signed by the Governor

State Bill Page: [SB272](#)

SB290 VARIOUS EDUCATION MATTERS (RAATZ J) Requires the department of education (department) to establish a career coaching pilot program to award grants to school corporations to establish career coaching programs for students of the school corporation. Beginning July 1, 2022, requires the department to annually submit a report to the general assembly in an electronic format that provides certain information concerning high school graduation waiver rates and graduation pathways and to post the report on the department's Internet web site. Provides that, if the total amount of state tuition support that a school corporation receives or will receive during a school year decreases under the student instructional day reduction of tuition support provision by an amount that is equal to or more than \$250,000 from the amount the school corporation would otherwise be eligible to receive during the school year, the budget committee shall review the amount of and the reason for the decrease before the implementation of the decrease. Provides that, if an adjustment by the state board of education (state board) of the count of enrolled eligible pupils for one or more school corporations would increase or decrease the total distribution of state tuition support in an amount that is equal to or more than \$250,000, the adjustment must be reviewed by the budget committee before the state board may adjust the enrollment count. Provides that, if the state board determines that extreme patterns of certain conditions on the count day or the subsequent adjustment date cause the enrollment to be unrepresentative of the enrollment of one or more school corporations by a count of eligible pupils that would increase or decrease the total distribution of state tuition support in an amount that is equal to or more than \$250,000 as a result of changing the count day, the state board may designate another day for determining the enrollment of the one or more school corporations after review by the budget committee. Provides that

the state board shall assign to a school or school corporation (including adult high schools) a "null" or "no letter grade" for the 2021-2022 school year.

Current Status: 3/15/2022 - Signed by the Governor

State Bill Page: [SB290](#)

SB343 AGRITOURISM ACTIVITIES (ROGERS L) Specifies that "agritourism activity" includes camping, canoeing, kayaking, tubing on a river, and winter sports activities, including activities that take place on a facility or on grounds used for or in connection with winter sports activities. Provides that failure to post a warning sign or provide a warning notice does not create a cause of action against an agritourism provider. Allows the use of an electronic signature to sign a contract or release in connection with engaging in an agritourism activity.

Current Status: 3/10/2022 - Signed by the Governor

State Bill Page: [SB343](#)

SB356 EDUCATION MATTERS (ROGERS L) Makes changes to the requirements necessary to obtain an initial practitioner license for an individual who completes an alternative teacher certification program and changes regarding teaching special education under the license. Provides that, for school years beginning after June 30, 2022, a school corporation may provide a supplemental payment to a teacher in excess of the salary specified in the school corporation's compensation plan. (Current law allows a school corporation to provide supplemental payment to a teacher in excess of the salary specified in the school corporation's compensation plan if certain circumstances apply.)

Current Status: 3/15/2022 - Signed by the Governor

State Bill Page: [SB356](#)

SB361 ECONOMIC DEVELOPMENT (MISHLER R) Makes certain amendments to the Hoosier business investment tax credit, the economic development for a growing economy tax credit, the headquarters relocation tax credit, and the redevelopment tax credit. Adds veteran owned businesses to the list of businesses that would qualify for an enhanced venture capital tax credit. Limits the total amount of credits that the Indiana economic development corporation (IEDC) may award for a calendar year for all taxpayers for all applicable tax credits to \$300,000,000. Specifies the procedure by which the IEDC may designate an area as an innovation development district (district). Requires the IEDC to enter into an agreement with the executive of a city, town, or county, or, if applicable, executives, with territory located in the district establishing the terms and conditions governing certain districts. Requires the IEDC to establish a local innovation development district fund for each district. Provides that money in a local innovation development district fund is continuously appropriated for the uses of the fund. Authorizes a county, city, or town to establish a workforce retention and recruitment program and fund (fund) for the purposes of recruiting and retaining individuals who will satisfy the current and future workforce needs of the unit's employers or provide substantial economic impact to the unit, including providing incentives in the form of grants or loans to qualified workers. Authorizes the unit to transfer money into the fund from other sources. Provides that the executive of the unit shall administer the fund in coordination with a workforce fund board of managers appointed by the executive of the unit. Provides that the IEDC may award a tax credit for media production expenses for certain media productions in Indiana. Provides for the augmentation of the amount appropriated to the IEDC in an amount not to exceed \$300,000,000 for the purposes of business promotion and innovation. Specifies that funds appropriated to the IEDC for the purposes of business promotion and innovation do not revert to the state general fund. Requires the IEDC to identify state laws and regulations that burden existing businesses or inhibit creation of new businesses and provide a report with recommendations to the general assembly and budget committee. Makes conforming changes.

Current Status: 3/15/2022 - Signed by the Governor

State Bill Page: [SB361](#)

SB365 PSYCHOLOGY INTERJURISDICTIONAL COMPACT (BECKER V) Establishes the psychology interjurisdictional compact concerning interjurisdictional telepsychology and the temporary authorization to practice psychology in another compact state. Sets forth requirements of a compact state. Sets forth the duties of the psychology interjurisdictional compact commission.

Current Status: 3/10/2022 - Signed by the Governor

State Bill Page: [SB365](#)

SB366 HIGHER EDUCATION FUNDING (BASSLER E) Requires the commission to create a higher educational operating funding outcomes based formula (funding formula) in each year prior to a budget session of the general assembly. Provides that the commission shall (not may) develop a long range plan for postsecondary education. Requires the commission to take: (1) reducing the financial burden on students and their families for postsecondary education; (2) the impact on economic development; and (3) the funding formula; into account in developing the long range plan. Requires the commission to present to the budget committee a summary of the legislative requests of all state educational institutions and the commission's recommendations concerning operations, capital projects, and financial aid. Requires the commission to biannually measure and make findings on the progress of each state educational institution in meeting the goals of the commission's long range plan as those goals pertain to the funding formula and include the findings in its presentation to the budget committee. Requires the commission to present the funding formula created by the commission to the budget committee. Requires the commission to biannually engage a third party examiner to audit the data submitted by each state educational institution for use within the funding formula and submit a copy of each audit report to the audit and financial reporting subcommittee of the legislative council. Requires the commission to present recommendations for the funding of state educational institution capital projects to the budget committee.

Current Status: 3/10/2022 - Signed by the Governor

State Bill Page: [SB366](#)

SB382 VARIOUS TAX MATTERS (HOLDMAN T) Allows certain corporations to make an election to determine the corporation's state adjusted gross income tax under specified provisions. Requires all wagering taxes to be reported and remitted electronically through the department of state revenue (department) online tax filing program. Amends the distribution date for certain alcoholic beverage tax revenue and wagering tax and fee revenue. Provides that a taxpayer is not required to file subsequent personal property tax returns for the business personal property exemption. Provides that the true tax value of a self-service storage facility must be determined based solely on the land and the improvements, less normal depreciation and normal obsolescence, and must exclude business intangible value. Clarifies provisions regarding application of the sales tax to transactions in which a person acquires an aircraft for rental or leasing in the ordinary course of the person's business. Reorganizes and revises provisions that apply to the sales tax exemption for nonprofit organizations. Reorganizes and revises provisions regarding sales tax exemptions for utilities. Provides required report filing deadlines for exempt transactions for certain retail merchants. Provides that if an amount would have been excludible under Section 108(f)(5) of the Internal Revenue Code as in effect on January 1, 2020, the amount is not required to be added back under the Indiana adjusted gross income provisions. Requires certain state or local government employees to submit to criminal history background checks at least once every five years (as opposed to 10 years under current law). Allows certain small businesses to deduct amounts paid for health insurance premiums from Indiana adjusted gross income. Amends sales tax provisions that apply to wholesale sales. Clarifies that a marketplace facilitator is considered the retail merchant for transactions it facilitates on its marketplace regardless as to whether the marketplace facilitator has a contractual relationship with the seller. Allows nonresident shareholders and partners of a partnership to make an election to opt out of withholding tax requirements in certain specified circumstances. Clarifies the reporting process used for distribution of local income tax (LIT) revenue to conform to current practice. Amends due date provisions for returns, refunds, assessments, or other submissions under the state income tax and financial institutions tax. Provides that an election by a corporation to make a consolidated return continues to apply following a corporate reorganization or sale. Makes technical and clarifying changes to the procedures for reporting federal partnership audit adjustments. Provides an affordable and workforce housing state tax credit against state tax liability to a taxpayer for each taxable year in the state tax credit period of a qualified project in an aggregate amount that does not exceed the product of a percentage between 40% and 100% and the amount of the taxpayer's aggregate federal tax credit for the qualified project. Provides that an eligible applicant must apply to the Indiana housing and community development authority for an award of an affordable and workforce housing state tax credit. Provides that a holder of an affordable and workforce housing state tax credit may transfer, sell, or assign all or part of the holder's right to claim the state tax credit for a taxable year. Increases the number of years a LIT expenditure tax rate for correctional facilities and rehabilitation facilities may be imposed from 22 to 25 years in the case of a tax rate adopted after January 1, 2019. Adds procedures to allow the department to offset LIT distributions to local units when an over distribution has been made either in error or because a taxpayer refund is approved after the distribution. Makes a technical correction to tax penalty provisions that apply to pass through entities. Reduces the tax rate imposed on the distribution of closed system cartridges beginning July 1, 2022, from 25% to 15% of the wholesale price. Requires remote sellers to collect the tobacco products tax on taxable products. Imposes a tax on the distribution of alternative nicotine products in Indiana based on a rate of

\$0.40 per ounce of the product weight as listed by the manufacturer. Defines "alternative nicotine products" for purposes of the tax. Clarifies that, in the case of distributor to distributor transactions, the tobacco products tax is imposed at the time a distributor first receives the tobacco products in Indiana. Amends provisions that apply to a refund of a tobacco products license fee when a license is surrendered to the department before its expiration. Imposes a penalty on retailers who purchase tobacco products or cigarettes from a distributor who has not obtained a registration certificate from the department (or whose registration certification is revoked or suspended). Authorizes the department to revoke or suspend a registration certificate for failure to comply with certain reporting requirements. Provides the basis upon which the department may refuse to issue or renew a registration certificate. Provides that the department may require reporting of any information reasonably necessary to determine alcoholic beverage excise tax liability. Clarifies provisions that specify the effective date of an innkeeper's tax ordinance and the subsequent tax collection duties of the department. Adds similar provisions under the food and beverage tax. Requires the budget agency to transfer \$7,100,000 from the state general fund to the Indiana mapping data and standards fund to be used for: (1) the implementation of the geographic information system (GIS) for the state and local income taxes, as well as listed taxes, administered by the department; and (2) the purposes of the Indiana geographic information office. Requires the budget agency to create a report on the current GIS related contract costs for all state agencies that could be eliminated in order to offset the required future state appropriations needed to fund the office and submit the report to the interim study committee on fiscal policy before November 1, 2022. Changes population parameters to reflect the population count determined under the 2020 decennial census. Provides that revenue received from the Nashville food and beverage tax may be used for grants to local businesses to make building improvements. Removes an outdated reference in the Indiana Administrative Code regarding a property tax exemption for public airports. Makes conforming changes. Makes an appropriation.

Current Status: 3/15/2022 - Signed by the Governor

State Bill Page: [SB382](#)

SB388 FOREIGN GIFTS AND OWNERSHIP OF AGRICULTURAL LAND (MESSMER M) Requires a postsecondary educational institution (institution) to submit a disclosure report to the Indiana commissioner for higher education (commissioner) of gifts from a foreign source that meet the reporting threshold established by a federal law regarding disclosures of foreign gifts. Provides that the institution shall submit the disclosure report to the commissioner with the same information required to be reported in the disclosure report described in the federal law and at the same time the institution files the disclosure report under the federal law. Provides that certain information for each institution shall be posted on the commission for higher education's (commission) Internet web site. Provides that whenever it appears that an institution has failed to comply with gift disclosure requirements, a civil action may be brought by the attorney general or at the request of: (1) a member of the general assembly; (2) the governor; (3) a member of the commission; (4) a member of the state board of education; or (5) an Indiana taxpayer; to compel compliance with the gift disclosure requirements. Provides that beginning July 1, 2022, a foreign business entity may not acquire agricultural land located within Indiana for the purposes of crop farming or timber production. Specifies exceptions. Prohibits a foreign business entity that owns agricultural land located within Indiana from transferring the agricultural land to another foreign business entity after June 30, 2022, for the purposes of crop farming or timber production. Requires a foreign business entity to report the acquisition, sale, or transfer of agricultural land for the purposes of crop farming or timber production located within Indiana to the secretary of state and the attorney general. Provides that agricultural land acquired, sold, or transferred in violation of law is subject to forfeiture to the state. Adds a provision to prohibit business entities: (1) organized under the laws of the Russian Federation; or (2) wholly controlled by a citizen or citizens of the Russian Federation who are not legal residents of the United States; from holding and conveying real property located within Indiana.

Current Status: 3/18/2022 - Signed by the Governor

State Bill Page: [SB388](#)

SB411 COMMERCIAL SOLAR AND WIND ENERGY (MESSMER M) Establishes default standards concerning the following with respect to wind power projects in local units that voluntarily adopt the standards: (1) Setback requirements. (2) Height restrictions. (3) Shadow flicker limitations. (4) Signal interference. (5) Sound level limitations. (6) Wind turbine light mitigation technology. (7) Required repairs to drainage related infrastructure. (8) Project decommissioning. Defines a unit that voluntarily adopts all of the default standards, or standards less restrictive than the default standards, as a "wind energy ready community". Establishes default standards concerning the following with respect to commercial solar projects in units that voluntarily

adopt the standards: (1) Setback requirements. (2) Height restrictions. (3) Ground cover. (4) Fencing. (5) Cables. (6) Glare. (7) Signal interference. (8) Sound level limitations. (9) Required repairs to drainage related infrastructure. (10) Project decommissioning. Defines a unit that voluntarily adopts all of the default standards, or standards less restrictive than the default standards, as a "solar energy ready community".

Current Status: 3/11/2022 - Signed by the Governor

State Bill Page: [SB411](#)

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