

State Legislative Update

March 1, 2024

2024 INDIANA GENERAL ASSEMBLY WEEK 8

General Information

- The eighth week of the 2024 legislative session is in the books, and it was a busy one.
- This week marked the second half committee deadline in both the House of Representatives and Senate, plus it was the 2nd Reading deadline in the House. 3rd Reading is Monday, and the Senate will wrap up 3rd Reading in that chamber on Tuesday next week. In tandem with these deadlines, both the House and Senate have already begun to consider concurrence motions in their respective chambers and conference committees will start meeting early next week.
- The General Assembly has until March 14th to complete its business, but the goal of both chambers is to finish some time on March 8th, which is one week away. The end could be near!
- On the election front, the Indiana General Assembly will have several new faces after the November 2024 General election. In the May 7th Primary election, there are 31 contested incumbent Republican and Democrat primaries for the IN House of Representatives and Senate.
- The IN Election Commission was very busy this week, hearing several ballot challenges. In total, 14 individuals were removed from the May primary ballot for various offices in Indiana. These challenges were based on questionable residencies, procedural concerns, and general party affiliations. Most notable among the removals was that of John Rust, who sought to challenge Congressman Jim Banks for the Republican nomination for US Senate.

Specific Legislation of Interest

- Senate Bill 1 is the Senate priority bill that addresses reading proficiency for third grade students. While both chambers of the IN General Assembly acknowledge that increasing reading proficiency for third graders is of the utmost importance, this measure has become controversial because it requires retention of third graders who do not meet certain criteria established through a Department of Education evaluation. Specifically, schools must first test students in second grade, which is a year earlier than current statute, and then offer targeted support to students who are having difficulty. If a student fails to pass the IREAD test three times, they must be held back with limited exceptions as determined by DOE. After lengthy discussion, the House passed the bill 69-27. The Senate approved the changes made in the House and the bill is headed to the Governor.
- As it passed out of the Senate, Senate Bill 14 would expand who could carry firearms on the State Government campus, including the State House. It would allow the Attorney

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General, Secretary of State, State Comptroller, State Treasurer, and any full-time employees of those officials to carry firearms in and around the state government complex, including the State House. In the House, however, SB 14 did not receive a committee hearing prior to this week's committee action deadline. Language could resurface during the final days of the session as it did pass one chamber of the General Assembly, however, that does not appear likely.

- House Bill 1204 allows a political subdivision to publish notice in the print or electronic edition of a newspaper or in a local newspaper that issues a print edition not more than three times a week. If a newspaper or local newspaper issues a print edition not more than two times a week, HB 1204 allows a political subdivision to publish notice in the print edition or on the newspaper or locality newspaper's website. If the newspaper or locality newspaper does not have a website, the notice can be published in the print edition or on the political subdivision's official website. With regard to notice requirements for the sale of certain tracts of real property, HB 1204 allows that notice to be published solely on the official website of the political subdivision. It provides that if the assessed value of a tract is less than \$10,000, based on the most recent assessment of the tract or of the tract of which it was a part before it was acquired, no appraisal is required.
- Senate Bill 252 changes the qualifications required for a newspaper to publish legal notices. Specifically, SB 252 changes the requirements for newspapers to qualify for posting public notices to ensure they can meet timeline requirements that work for political subdivisions. The bill says that a newspaper must have been published for 1 year instead of 3 years and that the newspaper must have had an average paid circulation in the preceding year – both online and physical subscriptions – of at least 500 instead of 200 in order to be eligible to publish legal notices. It also broadens the requirement of where the legal notices must be published from just newspapers within the political subdivisions to those within the county where the political subdivision is located. SB 252 requires a paid circulation threshold for a newspaper published in a county of 2% of the county population. SB 252 is on the calendar for final consideration next week.
- Both the House and Senate moved legislation this week dealing with access to childcare, one with robust support and one that is facing scrutiny and opposition.
 - Senate Bill 2, which is a priority bill for Senate Republicans, requires the Family Social Services Administration (FSSA) to study compensation for childcare workers while relaxing some staffing requirements with the hope of growing the workforce. The overall age limit is reduced from 21 to 18 years old for hiring staff and centers can hire workers as young as 16 in certain cases. Additionally, workers would no longer have to recertify for CPR training annually and would more easily qualify for their own childcare subsidies.

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- House Bill 1102 takes a different approach. This bill revises the definition of “childcare home” and limits the number of children under twelve months of age that may be provided care in a childcare home. It provides that certain childcare programs are exempt from licensure and amends certain licensing requirements for Class II childcare homes and childcare centers. It provides that certain childcare providers are eligible for voucher payments. It allows certain childcare programs at schools to provide services to business employees’ children when the business enters into a contract with the school and certain conditions are met.
- Senate Bill 295 proposed increased oversight and accountability of the IN Economic Development Corporation (IEDC) and was overwhelmingly approved by the Senate, but it did not receive a committee hearing in the House before the deadline this week. The bill would have added two legislators to the IEDC Board in a non-voting advisory capacity. Additionally, SB 295 would have required the IEDC to give notice to counties or municipalities about any land acquisitions they intend to make of more than 100 acres. That notification would need to be given at least 30 days before those land purchases close. While SB 295 did not receive a hearing in the House, that does not mean it is dead. Since the language passed one chamber, it could still find a home in another bill as we approach the home stretch of the session.
- On the energy and utility fronts, the eight utility-related bills that we have been tracking are continuing to move through the process.
 - Senate Bill 5 – Lead water service line replacement – concurrence approved 45-0
 - House Bill 1122 – Streamlines IUPPS statute with new 811 rule – headed to Governor
 - House Bill 1163 – REMC 10 MW exemption from CPCN requirements – headed to Governor
 - House Bill 1206 – Small water & wastewater utilities voting process for withdrawing and re-entering IURC jurisdiction – headed to Governor
 - House Bill 1277 – Broadband deployment, federal BEAD program; contains language to allow certain municipal broadband networks to be included as eligible providers – approved by Senate 47-0
 - House Bill 1278 – Commercial solar and wind energy ready communities, OED certification – approved by Senate 40-6
 - House Bill 1306 – livestreaming of IURC proceedings – headed to Governor
 - Senate Bill 247 – Streamlines process for acquisition of small, often distressed

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water utilities; amended to include municipal natural gas utilities for purposes of following the statutory public process for sale of non-surplus utility property — concurrence approved 43-1

Please see this week's updated Tracking List for additional information on these and other pieces of legislation that are still alive at the half-way point of this session.

