



# STATE LEGISLATIVE UPDATE

## February 14, 2020

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### 2020 Indiana General Assembly Week 6

- ▲ This week was the first full week of the second half of the 2020 “short” legislative session. With potentially just 3 ½ weeks remaining, committees got off to a somewhat swift start. It is important to note that the committee deadline is now just 2 weeks away, followed by the conference committee process and then final adjournment of the General Assembly which, as of now, is targeted to be March 11th. (Statutorily, the legislature must finish its work no later than March 14th.)
- ▲ Last Friday marked the end of the filing season for the May Primary election. Ten current state legislators will not be seeking re-election this year.
  - Of interest, there will be two open Indiana Congressional seats this year with the retirements of long time US Representative Pete Visclosky in Congressional District 1 and Congresswoman Susan Brooks in the 5th district. CD 1 is solidly Democratic and there are 14 individuals vying in the Primary to be the candidate in the fall. Not to be outdone in the more politically marginal CD 5, there are 15 Republicans seeking the nod to take on the Democratic challenger in the fall. There are 5 Democrats on the primary ballot in this district.
  - A more detailed analysis of the May primary will be coming once the legislative session is complete.
- ▲ The committee calendar will grow next week, as several priority issues are awaiting attention, including the ban on hand-held cell phones while driving, workforce development initiatives, education, and health care.
- ▲ The second bill signed into law by Governor Holcomb this session is Senate Enrolled Act 2. A priority agenda item for the Governor, SEA 2 provides for a two-year delay before the recently implemented ILEARN standardized test scores may be used by a school corporation as part of an annual performance evaluation of a teacher unless the use of the ILEARN program test scores or a school’s category or designation of school improvement would improve the teacher’s annual performance rating. This is the “hold harmless” legislation that is intended to ensure that students, teachers and schools have the time they need to successfully adjust to the new ILEARN exam.
- ▲ HB 1143, the “microchip bill”, was approved by the Senate Pensions and Labor Committee. This measure prohibits an employer from requiring a candidate for employment or an employee to have a device implanted or otherwise incorporated into the candidate’s or employee’s body as a condition of employment, as a condition of employment in a particular position, or as a condition of receiving additional compensation or benefits. The bill passed 9-1.
- ▲ Several years ago, 965 out of 1008 township assessor positions were eliminated by the legislature. This year, House Bill 1027 proposed to eliminate the remaining 13 township assessor positions that are in 9 counties across Indiana and would transfer the responsibilities to the county assessors effective in 2023. The bill was narrowly approved by the House, 53-44. In the Senate Local Government Committee, many concerns were raised with this legislation by Senators, as well as several local government representatives. The controversial bill was not voted upon and is likely not going to move forward.



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- ▲ The one and only annexation bill we are watching this session, Senate Bill 23, has not been scheduled for a committee hearing during the second half of the session to date. This bill effectively removes the ability of municipalities to initiate annexations. Only voluntary and super-voluntary annexations would be allowed. As it did last year, SB 23 was approved by the Senate, but its prospects for success in the House remain slim.
- ▲ Just a reminder, the second half is the time when mischief can often occur, meaning that language from dead bills can be inserted into live legislation. We are keeping a close eye.
- ▲ Deadlines to keep in mind for the second half of session:
  - February 27th – House & Senate Committee Report Deadline
  - March 2nd – House & Senate 2nd Reading Deadline
  - March 3rd – House & Senate 3rd Reading Deadline
  - March 4th – Conference Committee process begins
  - March 11th – Target Deadline to Adjourn Sine Die
  - March 14th – Statutory Deadline to Adjourn Sine Die

### Energy and Utilities Generally

- ▲ From an energy and electric utility perspective, the remainder of the legislative session will continue to be focused on House Bill 1414, the electric generation facilities legislation, commonly dubbed the “coal bailout bill.”

- ▲ With just two weeks left for committee hearings, we anticipate HB 1414 will be assigned to the Senate Utilities Committee and be heard next week. However, as of Friday February 14th, it has yet to be assigned to a committee.
- ▲ The Senate Utilities Committee did meet this week and considered House Bill 1218, which amends Indiana’s statute concerning the locating of underground utility infrastructure. Specifically, HB 1218 provides that for any new or replacement underground facilities that an operator installs in a right-of-way or on private property, the materials that are used must be locatable from above ground using standard locating equipment. If not capable of being detected from above ground, the facility must be encased by conductive materials or equipped with electrically conducting wire or other means of locating the facility underground. The committee approved the bill and it now moves to the full Senate for consideration.
- ▲ The House Energy, Utilities and Telecommunications Committee will meet next Wednesday to consider Senate Bills 177 (moving the Broadband Ready program to OCRA from the IEDC), 254 (water and wastewater rates) and 343 (rural communications cooperatives). The Senate Utilities Committee will also meet next week to consider House Bills 1131 (IURC jurisdiction over water, wastewater utilities) and 1165 (the property owner/tenant municipal utility billing legislation).

The sessions of the Indiana General Assembly are broadcast over the Internet. In order to access the daily activities of committees and all Floor activities, go to [www.in.gov/iga](http://www.in.gov/iga).