

2021 INDIANA GENERAL ASSEMBLY WEEK 10

- Week 10 of the 2021 legislative session is now complete. The Indiana General Assembly continues to chug along, with legislators in the midst of reviewing and making critical revisions to legislation that has already been approved by one chamber.
- Still a slow week, but as numerous bills emerge from committees, the daily floor calendars will continue to grow in both chambers in terms of the volume of bills on Second and Third Reading.
- In the Senate Rules and Legislative Committee yesterday, the Governor's emergency declaration powers took center stage as the committee discussed House Bill 1123. HB 1123 is the House-passed version of legislation that seeks to reign in the Governor's authority to issue disaster and/or emergency declarations as he has done since the onset of the pandemic. There were four hours of often heated and testy debate among proponents and opponents of the bill. The General Assembly seeks a more prominent role in the process and the Administration says they have needed to remain nimble and be able to respond quickly to rapidly changing situations. The Senate recently approved a different bill, Senate Bill 407, addressing this topic. The committee held the bill for amendment and will come back next week to amend and vote the bill out to the full Senate.
- House Bill 1072 is progressing thru the legislative process. This measure would open the door to autonomous delivery robots, referenced as personal delivery devices (PDDs), if companies meet certain requirements. The Senate Homeland Security and Transportation Committee approved the bill unanimously. The bill stipulates that PDDs may not operate on portions of any state route, U.S. route, or interstate highway comprising the state highway system located in a municipality. It requires operators of a personal delivery device to maintain certain levels of insurance coverage. These would be exempt from motor vehicle licensing and registration requirements. HB 1072 allows political subdivisions to participate in the regulation of these PDDs and that local governments shall not be required to make or pay for infrastructure improvements to better accommodate the devices. The bill provides that a political subdivision may not enact or enforce an ordinance or resolution relating to: (1) the design, manufacture, maintenance, certification, licensing, registration, taxation, assessment, or insurance of a personal delivery device; or (2) the types of property that may be transported by a personal delivery device.
- On the utility front, broadband access in Indiana was the topic in both the House and Senate jurisdictional committees. COVID-19 has highlighted the challenges in the broadband space. Several pieces of legislation this session are being considered, each taking a slightly different approach. The common denominator in each is to promote opportunities for public/private partnerships, add guardrails while maintaining

flexibility, raise speed thresholds and promote sharing of information about exactly where service is and where it is lacking.

- The House Energy, Utilities and Telecommunications Committee met this week to discuss two broadband bills, Senate Bills 352 and 377. Both of these bills seek to expand funding to increase access to broadband service in areas of the state where affordability is an issue or in areas that are rural where service is not available. These bills were held for amendment and will be voted on by the committee at next week's meeting.
 - The Senate Utilities Committee focused its attention on House Bill 1449. Among its many provisions, this bill expands eligibility for rural broadband grant programs to include schools, rural health clinics, and projects that ensure connection for resident Indiana students who are less than 23 years old. The bill requires OCRA to establish procedures for awarding grants from a new Broadband Connectivity Program, to establish and publish on their website specific and measurable goals and metrics to be used in assessing the progress made toward accomplishing those goals for the disbursement of state broadband grant funds, and to report annually to the Interim Study Committee on Energy, Utilities, and Telecommunications. It also requires OCRA to create a public portal where individuals can enter addresses where minimum broadband Internet connectivity is unavailable. HB 1449 was approved by the committee, but because of its fiscal impact, it will be recommitted to the Ways and Means Committee.
 - Because each of the bills being considered at this point in the session have many of the same or at least very similar provisions, look for a consolidation of these bills in the coming weeks.
- The Senate Local Government Committee heard House Bill 1437 this week. This measure addresses the ability of local units of government and other political subdivisions to conduct meetings electronically in certain circumstances and with reasonable transparency guardrails. This is an agenda item for the Governor this session and there is very broad support among stakeholders. Specific to IMPA, the IMPA Board of Commissioners has been meeting virtually since last April due to the pandemic and with the authority of the Governor's Executive Orders. We have successfully worked with both the House and Senate bill authors on incorporating language specific to IMPA's statute that will officially allow the Board of Commissioners to meet virtually in the future should there ever be another declared emergency by a Governor. The bill was held and should move on to the full Senate for consideration after next week's meeting where an amendment will be adopted, and the bill will be voted on.