



STATE LEGISLATIVE UPDATE

March 22, 2019

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2019 Indiana General Assembly Week 11

- ▲ Week 11 of the 2019 legislative session is complete. There are 2 ½ more weeks of committee activity left in both the House and Senate. It is now officially that time of the session when floor calendars are growing in length and the sense of urgency – especially with regard to the big ticket issues - has definitely started to fill the State House air. The committee deadline for the House is April 9th and for the Senate, April 11th.
 - ▲ This past week we saw continued discussions about the biennial budget, gaming, education and guns. Activity on these issues will really ramp up in the coming weeks.
 - ▲ On the education front this week, House Bill 1005 was approved by the Senate, 29-19. This legislation will allow the Governor to appoint the Indiana Superintendent of Public Instruction beginning in January 2021. The original date for this change from an elected position to being appointed was to be in 2025, per legislation enacted back in 2017. However, because current Superintendent Jennifer McCormick is not seeking re-election, the timeline was bumped up to 2021. HB 1005 now goes to Gov. Eric Holcomb for his signature.
 - ▲ School bus safety legislation is also progressing through the process. Senate Bill 2 was on Second Reading this week, and following the adoption of some amendments, will be before the full Senate next week for a final vote. This bill seeks to deter drivers from ignoring school buses on Indiana roadways when they have their stop arms extended.
- ▲ Also of interest is House Bill 1405, which is a significant economic development bill that seeks to incent the locating of data centers to Indiana. The bill was approved by the Senate Tax and Fiscal Policy Committee and then considered on Second Reading by the full Senate. It is now ready for a final vote in that Chamber next week.
 - ▲ As reported previously, Senate Bill 94 (annexation) was heard in committee a couple weeks ago. No vote was taken, and it has not been scheduled for another hearing. However, we anticipate that the bill will be changed significantly, and amended to call for a study committee of annexation-related matters.
 - ▲ In the utility area, Senate Bill 471 was heard in the House Judiciary Committee. SB 471 is designed to increase penalties for those who trespass or vandalize any property that is considered a “critical infrastructure facility.” SB 471 passed out of the Senate unanimously during the first half of the session, but is beginning to face some scrutiny from organizations that fear the bill might restrict First Amendment (free speech) rights. Those in opposition to SB 471 suggest that it could keep people, or groups, from peacefully protesting near properties that have these types of facilities on them. The bill passed out of the House committee, 8-3.



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2019 Indiana General Assembly Week 10

- ▲ The House Energy, Utilities and Telecommunications Committee did meet this week for the first time in the second half of session, and considered Senate Bill 472. SB 472 is legislation pertaining to municipal water utilities and proposes some changes to the distressed utility statute. The more interesting part of the discussion was a proposed amendment introduced by Chairman Ed Soliday that will create the 21st Century Energy Policy Development Task Force. This Task Force would be akin to the two task forces that were created over the last several years to study and make recommendations regarding Indiana's road and bridge infrastructure, as well as Indiana's overall water infrastructure. The energy task force would examine all aspects of Indiana's overall electric generation portfolio, and whether or not Indiana is positioned with the right mix of resources to meet our future needs. The committee will meet again next week and hear from additional stakeholders before potentially voting on the amendment.
- ▲ The Senate Utilities committee also met this week and considered several bills. Of particular note was the consideration of House Bill 1347. This legislation pertains to all municipalities in Indiana that provide municipal utility services (water, wastewater,

electric, trash, etc.). HB 1347 stipulates that a municipality cannot hold a property owner (landlord) responsible for a renter's utility bill if the utility service is in the renter's name. While still concerning, we believe that there are local processes in place that will enable municipal utilities to continue to work with property owners and tenants, regardless of whether or not this bill passes.

- ▲ Another big thank you to Shari Johnson, Clerk Treasurer for the Town of Advance, for coming over to the State House and testifying before the Senate Committee on HB 1347, just as she did earlier in the session in the House Committee. Shari's comments helped the Senate Committee members more fully appreciate the viewpoint of smaller municipalities that provide municipal utility services.
- ▲ As the legislative process continues, we will be keeping a keen eye out for any amendments or any other areas of concern to IMPA and our municipal electric members.