



STATE LEGISLATIVE UPDATE

March 29, 2019

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2019 Indiana General Assembly Week 12

- ▲ Week 12 of the 2019 legislative session has drawn to a close. The pace of the General Assembly picked up quite a bit this week, and now with 4 weeks left, the overall intensity level is increasing.
- ▲ Committee deadlines are approaching quickly for the second half of the session, with House committees needing to conclude their activities by Tuesday, April 9th, while Senate committees must finish their business by Thursday, April 11th. The next set of legislative deadlines will occur right after that with Second Reading in the House taking place by Thursday, April 11th, and Third Reading set for Monday, April 15th in that chamber, while the Senate Second and Third Reading deadlines are scheduled for Monday, April 15th and Tuesday, April 16th, respectively. The Conference Committee process will get under way immediately at that point and continue until the General Assembly adjourns Sine Die on or before April 29th at midnight. The target adjournment date remains Friday, April 26th.
- ▲ Some heavy hitter issues were considered this week. Senate Bill 2, dealing with school bus safety, unanimously passed the House of Representatives. This measure creates opportunities for harsher penalties for drivers who ignore extended stop arms and illegally pass school buses. The bill now goes back to the Senate, which can agree to any changes made in the House or move the bill to a conference committee. Gaming (Senate Bill 552) was also the focus of much attention in committee, as several changes were made to the proposal to shift the Gary casino licenses and allowing sports wagering in Indiana.
- ▲ The much discussed bias crimes legislation took a turn in the House of Representatives this week. With no hearing scheduled for Senate Bill 12, which passed the Senate earlier in the session, an amendment was added onto Senate Bill 198 on Second Reading in the House. Still not including an explicit list of targeted traits, the amendment to SB 198 would apply when a crime is committed against a person because of that person's "real or perceived characteristics...", and references another section of existing statute that includes a list of characteristics covered by federal law. SB 198 passed the full House 57-39, and now goes back to the Senate for concurrence or dissent.
- ▲ Senate Bill 94, the only annexation legislation still standing, was heard in the House Government and Regulatory Reform Committee this week. As previously reported, the initial House hearing was held a couple of weeks ago, but no vote was taken. After further discussion among committee members, SB 94 was reduced to a summer study committee, to further examine Indiana's annexation laws. The bill will now be considered by the full House. It is unclear at this point whether the Senate author, Senator Phil Boots, will take SB 94 to a conference committee.
- ▲ Also of interest to local units of government is Senate Bill 535, the extraterritorial jurisdiction legislation. The bill was heard last week in the House Select Committee on Government Reduction, with no vote at that time. The committee will vote on SB 535 at its meeting next week.



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- ▲ A significant economic development bill, House Bill 1405, was approved by the Senate this week. HB 1405, commonly referred to as the data center bill, would allow property, sales, and use tax exemptions for the purchase of equipment used in data centers (large facilities that maintain computer servers that store large amounts of data, and use large amounts of energy). The bill says that in order to receive the sales tax exemption on equipment purchased, the data center must be the result of a qualified investment of \$25 million to \$150 million within 5 years. The electricity used by the equipment would be exempt from sales tax for 25 years. Also in the bill is a “buy Indiana” requirement that would allow additional exemptions if 75% of the materials, services, and labor used in the construction of the facility are from Indiana businesses. If the investment is more than \$750 million, the exemptions would be for 50 years. HB 1405 now goes back to the House for concurrence or dissent.
- ▲ Of interest is the House passage of Senate Bill 442, which deals with carbon storage. As it came over from the Senate, SB 442 sought the creation of an interim study committee to look at the issues surrounding geologic storage of carbon dioxide. In the House, SB 442 was amended to create a pilot program that would allow a company in the Terre Haute area, Wabash Valley Resources LLC, to build an ammonia production facility and store its CO2 emissions underground to reduce its carbon footprint. It was approved by the House, 73-23, but a dissent motion has already been filed in the Senate.
- ▲ On the utility front this week, two water infrastructure improvement bills that have been reported on in previous updates, House Bill 1406 and Senate Bill 4, were approved unanimously by both chambers. SB 4

was concurred upon by the full Senate this week, while the House approved HB 1406 without amendments. Both bills will now head to the Governor for his signature into law. These pieces of legislation are important in order for the state to focus attention and dollars on rebuilding and improving water infrastructure in communities throughout Indiana.

- ▲ The House Energy, Utilities and Telecommunications Committee met this week to hear additional testimony on an amendment offered to Senate Bill 472 last week. That amendment seeks to create the 21st Century Energy Policy Development Task Force. 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 next week for its last meeting of the session. SB 472 and SB 193, which was heard previously, will be amended and voted on at that time. Also on the committee’s agenda next week will be Senate Bills 460 and 517.
- ▲ The Senate Utilities Committee did not meet this week as all bills assigned to it have already been considered.
- ▲ 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.