

State Legislative Update

February 9, 2024

2024 INDIANA GENERAL ASSEMBLY WEEK 5

General Information

- We have now reached the halfway point of the 2024 “short” legislative session. This past Monday and Tuesday were the deadlines for House and Senate bills to pass the first chamber and advance to the other side for consideration. The General Assembly has a very brief recess before reconvening next week to begin what will be a very swift second half of session. By statute, the 2024 session must end by March 14th. At this point, backroom chatter continues to indicate that it could be earlier than that.
- With 714 bills and 7 joint resolutions introduced this session, 222 bills and joint resolutions are still alive and kicking – 111 House bills and 1 House Joint Resolution -- and 109 Senate bills and 1 Senate Joint Resolution. When their brief break concludes and the General Assembly resumes its business next week, legislators will have a little over 2 weeks to move bills through the committee process in the second chamber. As is usually the case during the second half of a session, the challenge will be to monitor all legislation that is still alive for amendments that could contain language of a bill that “died” during the first half of the session.
- Key dates for the second half of the 2024 Session:
 - February 12th – General Assembly reconvenes
 - February 27th - Committee report deadline second chamber House
 - February 29th – Committee report deadline second chamber Senate
 - March 4th – 3rd reading deadline second chamber House
 - March 5th – 3rd reading deadline second chamber Senate
 - March 5th - March 14th – Conference Committees
 - Earlier adjournment anticipated, but no known date
- The deadline to file for the 2024 election is February 9th, and the last day candidates can withdraw their candidacy is Feb. 16.
- Since US Congresswoman Victoria Spartz (CD 5) announced last year that she would not seek re-election to Congress, she has changed her mind! Congresswoman Spartz announced this past Monday that she would file for re-election. Her re-entry into the

State Legislative Update

February 9, 2024

race now makes for an even more intriguing GOP primary that includes 10 other Republicans who have filed to run. Those candidates include State Representative Chuck Goodrich, Jonathan Brown, Mark Hurt, Raju Chinthala, Max Engling, Patrick Malayter, Larry Savage, Scott King, Matthew Peiffer, and LD Powell. Goodrich and Engling have committed to staying in the 11-person GOP Primary race.

- State Senator Jeff Raatz (R-Richmond) has become the second state legislator to enter the race for the congressional seat that US Congressman Greg Pence will retire from upon the completion of his term this year. Senator Raatz filed his candidacy paperwork last Friday, joining State Representative Mike Speedy (R-Indianapolis) on the Republican ballot for the May 7th Primary. Senator Raatz does not have to give up his state Senate seat unless he is victorious in the fall election, as his current term runs through 2026.

Specific Legislation of Interest

- Senate Bill 1 – Improving reading proficiency of third graders is a priority for the IN General Assembly and Governor Holcomb this year. Under SB 1, schools would be required to offer the I-READ test starting in the second grade, something a majority of Indiana schools already do. Students who fail would still have to take the test in the third grade and would have another chance the following summer if they fail again. That means students would have three tries to pass the test before any retention measures kicked in. Schools also would be required to offer summer school to students in second and third grade who are not proficient in reading, but students would not be required to participate. SB 1 passed the Senate 36-13 and heads to the House for consideration.
- Senate Bill 159 – Senator Jim Buck’s perennial effort to further erode annexation policy in Indiana has passed the Senate, 38-10. SB 159 repeals the law that allows municipalities to initiate annexations. Only voluntary and super voluntary annexations would be allowed starting on or after April 1, 2024. It requires a municipality that initiates an annexation to file with the court an annexation petition approved by the signatures of at least 51% of the owners of non-tax exempt land in the annexation territory or the owners of at least 75% in assessed valuation of non-tax exempt land in the annexation territory. It requires the court to hold a hearing if the petition has enough signatures and adds provisions for determining the validity of those signatures. Additionally, the bill eliminates remonstrances and remonstrance waivers, the reimbursement of remonstrator’s attorney’s fees and costs, and eliminates the adoption of a fiscal plan for voluntary annexations requested by 100% of landowners in the annexation territory. Versions of this legislation have failed to move beyond Senate passage for the last several years, and it is anticipated that SB 159 will meet the same fate this time around.
- Senate Bill 146 – This legislation deals with Indiana’s laws regarding the employment of minors. As approved by the full Senate, it would expand work hours and time restrictions

State Legislative Update

February 9, 2024

for individuals who are 18 years old and allow them to ring up or serve alcoholic beverages in dining rooms of restaurants or hotels under certain conditions. It also provides an exemption from the law for a legal entity in which a parent of the employed minor, or a person standing in place of the parent, has an ownership interest. Under current law, the exemption applies to a legal entity whose ownership is limited solely to the minor's parents or persons standing in place of the minor's parents.

- Senate Bill 221 – This measure concerns State Board of Accounts (SBOA) training and makes clarifications to the new training requirements for local fiscal officers that were added by during the 2023 session. Specifically, SB 221 removes a mandatory requirement that city clerks attend the annual training institute conducted by the SBOA. It limits the requirement that certain newly elected or appointed local officers complete five hours of approved training courses before the individual first takes office to only individuals first elected or appointed to the office of clerk-treasurer or city controller (and excluding city clerk). SB 221 passed the Senate unanimously and now heads to the House for consideration.
- Senate Bill 295 – This legislation adds two legislators to the IN Economic Development Corporation (IEDC) Board in a non-voting advisory capacity. Additionally, SB 295 requires the IEDC to give notice to counties or municipalities about land acquisitions they intend to make of more than 100 acres. That notification must be given at least 30 days before those land purchases close. This measure is an effort to increase oversight of the IEDC, which is a quasi-public agency of the state. It passed the Senate unanimously and now moves to the House for consideration.
- House Bill 1183 – This measure would prohibit countries labeled as “foreign adversaries,” citizens of those countries, business entities with majority ownerships controlled by foreign adversaries and business entities headquartered in those countries from owning and leasing agricultural land in Indiana. A list of those countries is kept by the US Department of Commerce and currently includes Russia, China, North Korea, Iran, Cuba, and Venezuela. The proposal builds on legislation passed by the General Assembly in 2022 that limited foreign entities from buying more than 320 acres in Indiana for crop farming or timber production, among other restrictions.

Energy/Utility Specific Information

- This is not a session heavy with energy and utility-related legislation. There are several bills moving through the process worth mentioning and that we will be watching as the second half of the session gets under way next week.
- Mentioned in previous updates, legislation that continues to move through the process includes the following bills:

State Legislative Update

February 9, 2024

- Senate Bill 5 – Lead water service line replacement;
- House Bill 1063 – REMC 10 MW exemption from CPCN requirements;
- House Bill 1206 – Small water & wastewater utilities voting process for withdrawing and re-entering IURC jurisdiction;
- House Bill 1277 – Broadband deployment, federal BEAD program; contains language to allow certain municipal broadband networks to be included as eligible providers;
- House Bill 1278 – Commercial solar and wind energy ready communities, OED certification;
- House Bill 1306 – livestreaming of IURC proceedings;
- House Bill 1122 – Streamlines IUPPS statute with new 811 rule;
- Senate Bill 247 – Streamlines process for acquisition of small, often distressed water utilities; amended to include municipal natural gas utilities for purposes of following the statutory public process for sale of non-surplus utility property.

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.

