



Journal of the Senate

State of Indiana

120th General Assembly

First Regular Session

Twenty-second Meeting Day

Tuesday Afternoon

February 21, 2017

The Senate convened at 1:45 p.m., with the President Pro Tempore of the Senate, David C. Long, in the Chair.

Prayer was offered by Reverend Randy Scott of Pentecostals of South Lake, Crown Point, Indiana.

The Pledge of Allegiance to the Flag was led by Senator Ricky N. Niemeyer.

The Chair ordered the roll of the Senate to be called. Those present were:

Alting	Kruse
Bassler	Lanane
Becker	Leising
Bohacek	Long
Boots	Melton
Bray	Merritt
Breaux	Messmer
Brown, L.	Mishler
Buck	Mrvan
Charbonneau	Niemeyer
Crane	Niezgodski
Crider	Perfect
Delph	Raatz
Doriot	Randolph, Lonnie M.
Eckerty	Ruckelshaus
Ford	Sandlin
Freeman	Smith, J. <input type="checkbox"/>
Glick	Stoops
Grooms	Tallian
Head	Taylor, G.
Hershman	Tomes
Holdman <input type="checkbox"/>	Walker
Houchin	Young, M.
Kenley	Zakas
Koch	Zay

Roll Call 147: present 48; excused 2. [Note: A indicates those who were excused.] The Chair announced a quorum present. Pursuant to Senate Rule 5(d), no motion having been heard, the Journal of the previous day was considered read.

RESOLUTIONS ON FIRST READING

Senate Resolution 29

Senate Resolution 29, introduced by Senator Holdman:

A SENATE RESOLUTION to affirming support for the U.S. state-based system of insurance regulation in response to recent federal encroachment.

Whereas, The U.S. state-based system of insurance regulation has effectively protected consumers and helped create the largest, most competitive and innovative insurance market in the world;

Whereas, Congress has repeatedly affirmed the primacy of state-based insurance regulation, including the McCarran-Ferguson Act in 1945, and most recently the Dodd-Frank Act;

Whereas, In the past several years, a number of federal agencies, including the Federal Reserve and the Treasury, have begun intruding into state-based insurance regulatory issues through interactions with key international organizations in ways Congress did not intend;

Whereas, In certain instances, federal agencies have taken positions during international negotiations that are different from and even contrary to the states, thereby weakening the states' voice;

Whereas, Those international negotiations are being held behind closed doors, again to the detriment of the states and its companies and consumers;

Whereas, It is the sense of this Legislative Body that transparency and open deliberations are a requirement in any and all international dialogues that would impact the proven U.S. state-based insurance regulatory system; and

Whereas, Failure to include and respect the voice of state legislators and regulators in development of federal and global proposals regarding insurance could have far-reaching and troubling consequences for the U.S. insurance markets and its consumers and companies: Therefore,

*Be it resolved by the Senate of the
General Assembly of the State of Indiana:*

SECTION 1. That the Indiana Senate affirms support for the U.S. state-based system of insurance regulation in response to recent federal encroachment.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to the Senate Majority Leader, the Senate Minority Leader, the Speaker of the House, the House Minority Leader, the Senate Banking Committee Chairman, the Senate Banking Committee Ranking Member, the House Financial Services Committee Chairman, the House Financial Services Committee Ranking Member, federal and state insurance legislators and regulators, the Financial Stability Board, the International Association of Insurance Supervisors,

the Federal Insurance Office, the Department of Treasury, the Federal Reserve Board, and other interested parties.

The resolution was read in full and referred to the Committee on Insurance and Financial Institutions.

Senate Resolution 30

Senate Resolution 30, introduced by Senator Zakas:

A SENATE RESOLUTION urging the legislative council to assign the topic of stillbirth protocols and reporting to the appropriate committee for study.

Whereas, In the United States alone, more than 24,000 babies are lost every year to stillbirth.

Whereas, Not all cases of stillbirth are reported, and some studies suggest the actual number of stillbirths is significantly greater than the estimates;

Whereas, In addition, the cause or causes of about one-half of all stillbirths are not known;

Whereas, The prevention and reduction of the incidences of stillbirth in Indiana could be advanced through the development and implementation of new policies and protocols; and

Whereas, These policies and protocols should ensure that comprehensive data collection occurs in a consistent manner concerning stillbirths and that the information is reported to the state department of health for inclusion in the birth problems registry under IC 16-38-4: Therefore,

*Be it resolved by the Senate of the
General Assembly of the State of Indiana:*

SECTION 1. That the legislative council is urged to assign the topic of stillbirth protocols and reporting to the appropriate committee for study.

The resolution was read in full and referred to the Committee on Health and Provider Services.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Madam President: The Senate Committee on Civil Law, to which was referred Senate Bill 61, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 3, between lines 20 and 21, begin a new paragraph and insert:

"SECTION 2. IC 20-20-40-16, AS ADDED BY

P.L.122-2013, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 16. (a) The commission:

(1) shall adopt rules under IC 4-22-2; ~~to carry out the purposes of this chapter. and~~

(2) may adopt emergency rules in the manner provided under IC 4-22-2-37.1;

to carry out the purposes of this chapter.

(b) An emergency rule adopted under subsection (a)(2) expires on the earlier of:

(1) November 15, 2018; or

(2) the effective date of a rule adopted under IC 4-22-2-22.5 through IC 4-22-2-36 that supersedes the emergency rule."

Page 3, line 24, after "corporation" insert ", an accredited nonpublic school,".

Page 3, line 31, after "corporation" insert ", accredited nonpublic school,".

Renumber all SECTIONS consecutively.

(Reference is to SB 61 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 5, Nays 0.

HEAD, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Civil Law, to which was referred Senate Bill 131, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Delete the title and insert the following:

A BILL FOR AN ACT concerning civil procedure.

Page 1, delete lines 1 through 17, begin a new paragraph and insert:

"SECTION 1. [EFFECTIVE UPON PASSAGE] (a) As used in this SECTION, "legislative council" refers to the legislative council created by IC 2-5-1.1-1.

(b) As used in this SECTION, "study committee" means either of the following:

(1) A statutory committee established under IC 2-5.

(2) An interim study committee.

(c) The legislative council is urged to assign to the appropriate study committee the task of studying public policy issues relating to liability shifting provisions contained in contracts.

(d) If an appropriate study committee is assigned the topics described under subsection (c), the study committee shall issue to the legislative council a final report containing the study committee's findings and recommendations, including any recommended legislation concerning liability shifting provisions in contracts, in an electronic format under IC 5-14-6, not later than November 1, 2017.

(e) This SECTION expires December 31, 2017.

SECTION 2. **An emergency is declared for this act."**

Delete page 2.

(Reference is to SB 131 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 5, Nays 0.

HEAD, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Civil Law, to which was referred Senate Bill 283, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 6, delete lines 2 through 3.

Page 6, line 4, delete "7." and insert "6."

Page 6, line 7, delete "8." and insert "7."

Page 6, line 12, delete "9." and insert "8."

Page 6, line 15, delete "10." and insert "9."

Page 6, line 28, delete "Participation in a".

Page 6, line 28, delete "Scheme" and insert "Schemes".

Page 6, line 30, delete "operate, or" and insert "or operate".

Page 6, line 31, delete "participate in".

Page 6, delete lines 36 through 42.

Page 7, delete lines 1 through 4.

Page 7, line 11, delete "Recommend that the division issue" and insert "Issue".

Page 7, line 21, delete "Recommend that the division impose" and insert "Impose".

Page 7, line 36, delete "hearing with the division." and insert "hearing".

Page 8, line 19, delete "general, the" and insert "general".

Page 8, line 20, delete "division,".

Page 8, between lines 22 and 23, begin a new paragraph and insert:

"Sec. 5. The attorney general shall adopt rules under IC 4-22-2 necessary to administer and implement this chapter.

Chapter 4. Private Actions and Proceedings

Sec. 1. (a) A person may bring an action against a person who establishes, operates, promotes, or assists another to promote a pyramid promotional scheme for:

(1) the damages actually suffered as a result of the pyramid promotional scheme; or

(2) one thousand dollars (\$1,000);

whichever is greater.

(b) The court may increase damages awarded under this section in an amount that does not exceed:

(1) three (3) times the actual damages of the person suffering the loss; or

(2) three thousand dollars (\$3,000).

(c) The court may award reasonable attorney's fees to a party that prevails in an action under this section.

(d) Actual damages awarded to a person have priority

over any civil penalty imposed under this article.

Sec. 2. (a) A person who is entitled to bring an action on the person's own behalf under section 1 of this chapter may bring a class action on behalf of any class of persons of which the person is a member and that has been damaged by the pyramid promotional scheme, subject to and under the Indiana Rules of Trial Procedure governing class actions.

(b) The court may award reasonable attorney's fees to the party that prevails in a class action under this section. The attorney's fees must be determined by the amount of time reasonably expended by the attorney and not by the amount of the judgment. The court, however, may consider awarding a contingency fee.

(c) Any money or other property recovered in a class action under this section that cannot, with due diligence, be restored to the members of the class within one (1) year after the final judgment must be returned to the abandoned property fund established by IC 32-34-1-33.

(d) Actual damages awarded to a class have priority over any civil penalty imposed under this article."

Page 8, line 23, delete "4." and insert "5."

Page 9, line 9, delete "The burden of showing compliance with" and insert "Notwithstanding".

Page 9, line 10, delete "chapter in an enforcement action brought under IC 24-13-3" and insert "chapter, the burden of showing that a participant or other person derives compensation primarily from the sale and consumption of goods, services, or intangible property".

Page 9, delete lines 13 through 20.

Renumber all SECTIONS consecutively.

(Reference is to SB 283 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 5, Nays 0.

HEAD, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Homeland Security and Transportation, to which was referred Senate Bill 340, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, delete everything after the enacting clause and insert the following:

SECTION 1. IC 9-17-4-4, AS AMENDED BY P.L.198-2016, SECTION 231, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 4. A certificate of title issued under this chapter must contain the following:

(1) A description and other evidence of identification of the vehicle as required by the bureau.

(2) A statement of any liens or encumbrances that the application shows to be on the certificate of title.

(3) The appropriate notation prominently recorded on the front of the title as follows:

(A) For a vehicle **that is** assembled using all new or used vehicle parts (**other than a specialty constructed vehicle described in clause (C)**), "RECONSTRUCTED VEHICLE".

(B) For a vehicle assembled using a salvage vehicle or parts, "REBUILT".

(C) For a vehicle:

(i) with a body built to resemble and be a reproduction of another vehicle of a given year that was manufactured at least twenty-five (25) years in the past; and

(ii) that is assembled using all new or used parts; "SPECIALTY CONSTRUCTED VEHICLE".

SECTION 2. [EFFECTIVE UPON PASSAGE] (a) As used in this SECTION, "legislative council" refers to the legislative council created by IC 2-5-1.1-1.

(b) As used in this SECTION, "study committee" means either of the following:

(1) A statutory committee established under IC 2-5.

(2) An interim study committee.

(c) The legislative council is urged to assign to the appropriate study committee the task of conducting a comparative study that compares Indiana's titling process for home built, "kit", replica, or specialty constructed cars with the titling processes used by other states to title such vehicles.

(d) If an appropriate study committee is assigned the topic described in subsection (c), the study committee shall issue to the legislative council a final report containing the study committee's findings and recommendations, including any recommended legislation concerning the topic, in an electronic format under IC 5-14-6, not later than November 1, 2017.

(e) This SECTION expires December 31, 2017.

SECTION 3. An emergency is declared for this act.

(Reference is to SB 340 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 7, Nays 0.

CRIDER, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Homeland Security and Transportation, to which was referred Senate Bill 347, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, delete lines 1 through 5.

Page 1, line 8, after "event" delete "motor".

Page 1, line 8, delete "means a motor" and insert ", for purposes of IC 9-18.5-10, has the meaning set forth in IC 9-18.5-10-0.5".

Page 1, delete lines 11 through 17.

Delete page 2.

Page 3, delete lines 1 through 6, begin a new paragraph and insert:

"SECTION 2. IC 9-18.5-10-0.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 0.5.** As used in this chapter, "civic event vehicle" means a vehicle that, in any past registration year:

(1) was operated in conjunction with a civic event; and

(2) legally displayed a supplemental civic event license plate for the civic event."

Page 3, line 10, delete "IC 9-18.1-15," and insert "sections 3.5 and 3.6 of this chapter,".

Page 3, line 28, after "a" insert "supplemental".

Page 3, delete line 29, begin a new paragraph and insert:

"SECTION 5. IC 9-18.5-10-3.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 3.5.** (a) After December 31, 2017, a person that:

(1) registers a civic event vehicle under IC 9-18.1 for the current registration year; and

(2) wishes to display on the civic event vehicle an authentic civic event license plate under section 3.6 of this chapter;

must pay the required fee under subsection (b).

(b) The fee to display an authentic license plate under subsection (a) is thirty-seven dollars (\$37). The fee shall be distributed as follows:

(1) Fifty cents (\$0.50) to the state motor vehicle technology fund.

(2) Six dollars and fifty cents (\$6.50) to the motor vehicle highway account.

(3) Thirty dollars (\$30) to the commission fund.

SECTION 6. IC 9-18.5-10-3.6 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 3.6.** (a) A person that registers a civic event vehicle under IC 9-18.1 may:

(1) furnish; and

(2) display on the civic event vehicle;

an Indiana civic event license plate from the same civic event in which the civic event vehicle was operated.

(b) A license plate furnished and displayed under this section must be an authentic civic event license plate that was originally assigned to:

(1) the civic event motor vehicle; or

(2) another motor vehicle that was operated in conjunction with the same civic event in which the civic event motor vehicle was operated.

(c) Before a license plate is mounted on a civic event vehicle under this section, the license plate must be inspected by the bureau to determine whether the license plate:

(1) complies with this section;

(2) is in suitable condition to be displayed; and

(3) bears a unique plate number.

The bureau shall authorize the display of a restored or

refurbished authentic license plate, but may prohibit the display of an authentic license plate under this section if the authentic license plate is not in conformance with this subsection.

(d) If an Indiana civic event license plate is displayed on a civic event vehicle under this section, the current certificate of registration of the civic event vehicle shall be:

- (1) kept in the civic event vehicle at all times; and**
- (2) made available for inspection upon the demand of a law enforcement officer.**

Notwithstanding IC 9-18.1-4-2(b), this subsection is not satisfied by keeping a reproduction of the certificate of registration in the collector vehicle or making a reproduction of the certificate of registration available for inspection."

Renumber all SECTIONS consecutively.
(Reference is to SB 347 as introduced.)
and when so amended that said bill do pass.
Committee Vote: Yeas 7, Nays 0.

CRIDER, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Civil Law, to which was referred Senate Bill 353, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

- Page 6, line 15, strike "home" and insert "**real property**".
- Page 13, line 32, after "that" insert "**neither the real property improvement supplier nor**".
- Page 13, line 33, delete "not".
- Page 13, line 34, after "company" insert ".".
- Page 13, delete lines 35 through 42.
- Page 14, delete lines 1 through 3.
- Page 14, line 12, delete "A third" and insert "**Neither the real property improvement supplier nor a**".
- Page 14, line 13, delete "not".
- Page 14, line 14, delete "without the express consent of the insured" and insert ".".
- Page 14, delete lines 15 through 16.
- Page 14, line 17, delete "A claim initiated or pursued by a third party described in".
- Page 14, line 18, delete "subsection (a)(9), or any" and insert "**Any**".
- Page 14, line 19, delete "claim initiated" and insert "**contract described in subsection (a)**".
- Page 14, between lines 22 and 23, begin a new paragraph and insert:

"(g) The contract described in subsection (a) may not assign any rights of the consumer to any supplier or third parties.

(h) The real property improvement contract must reflect the full amount of the contract price less any discounts offered.

(i) A real property improvement supplier or third party who recklessly, knowingly, or intentionally impersonates a consumer commits a Class A misdemeanor."

Page 18, after line 19, begin a new paragraph and insert:
"SECTION 23. IC 35-52-24-24.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 24.5. IC 24-5-11-10(i) defines a crime concerning the impersonation of a consumer by a real property improvement supplier or third party."**

(Reference is to SB 353 as introduced.)
and when so amended that said bill do pass.
Committee Vote: Yeas 8, Nays 0.

HEAD, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Corrections and Criminal Law, to which was referred Senate Bill 499, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Delete the title and insert the following:

A BILL FOR AN ACT concerning criminal law and procedure and to make an appropriation.

Page 1, delete lines 1 through 17, begin a new paragraph and insert:

"SECTION 1. IC 12-23-21 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]:

Chapter 21. Opioid Treatment Pilot Program

Sec. 1. The following definitions apply throughout this chapter:

- (1) "Certified treatment provider" means a person certified by the division to provide opioid treatment services.**
- (2) "Division" means the division of mental health and addiction.**
- (3) "Opioid treatment services" means evidence based treatment and recovery support services provided in an inpatient, residential, or outpatient setting to individuals diagnosed with opioid use disorder. The services include:**
 - (A) opioid reversal medication;**
 - (B) addiction counseling;**
 - (C) inpatient detoxification; and**
 - (D) medication assisted treatment, including a federal Food and Drug Administration approved long acting, nonaddictive medication for the treatment of opioid dependence.**
- (4) "Program" means the involuntary treatment pilot program for opioid use disorder established under section 2 of this chapter.**

Sec. 2. (a) The division of mental health and addiction shall establish a three (3) year involuntary treatment pilot program for opioid use disorder.

(b) The program shall be designed to assist participants in overcoming opioid use disorder by providing inpatient, residential, and outpatient opioid treatment services.

(c) An individual is eligible to participate in the program if the individual is:

- (1) at least eighteen (18) years of age;
- (2) not being charged with a felony or misdemeanor; and
- (3) incapacitated by opioid use disorder as demonstrated by the fact that the individual is at serious risk of injury or death due to abuse of opioids.

(d) The division shall establish the program in the following counties:

- (1) Allen County.
- (2) Marion County.
- (3) Wayne County.

Sec. 3. (a) Opioid treatment services may be provided only by a certified treatment provider.

(b) A certified treatment provider shall do the following:

- (1) Conduct initial and periodic behavioral health assessments for each patient.
- (2) Provide opioid treatment services.
- (3) Periodically review each patient's treatment plan.
- (4) Consider changes to the treatment plan with the goal of requiring the minimal clinically necessary medication dose, including, when appropriate, the goal of opioid abstinence.
- (5) Transition off agonist and partial agonist therapies with the goal, when appropriate, of opioid abstinence.
- (6) Provide reentry services, which may include:
 - (A) case management;
 - (B) daily living skills;
 - (C) vocational services;
 - (D) housing assistance;
 - (E) community support services; and
 - (F) care coordination.

Sec. 4. (a) The division shall maintain and operate or contract with a certified treatment provider to provide opioid treatment services in accordance with this chapter.

(b) The division may use available state owned buildings that may be converted and used to provide inpatient treatment for opioid detoxification, treatment, and reentry services as described in this chapter.

Sec. 5. (a) The division shall collect data and report the outcomes of the services provided under this chapter to the legislative council in an electronic format under IC 5-14-6 not later than November 1, 2020.

(b) The report shall include the following:

- (1) The number of patients served by the program.
- (2) The average length of time spent in the program.
- (3) The number and type of opioid treatment services provided by the program.

(4) The number of patients demonstrating improvement in functioning, as defined by the division, while receiving opioid treatment services in the program.

(5) The number of patients who transitioned to opioid abstinence.

(6) A summary description of the most effective opioid treatment services.

(7) The patient relapse rate after leaving the program.

(8) The number of patients arrested upon leaving the program, and the reason for the arrest, if known.

(9) Recommendations to improve the effectiveness and efficiency of the program.

Sec. 6. This chapter expires December 31, 2020.

SECTION 2. IC 12-26-0.5 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]:

Chapter 0.5. Definitions

Sec. 1. As used in this article, "emergency medical services provider" has the meaning set forth in IC 16-41-10-1.

SECTION 3. IC 12-26-1-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 1. **(a)** An individual who is mentally ill and either dangerous or gravely disabled may be involuntarily detained or committed under any of the following statutes:

- (1) IC 12-26-4 (immediate detention).
- (2) IC 12-26-5 (emergency detention).
- (3) IC 12-26-6 (temporary commitment).
- (4) IC 12-26-7 (regular commitment).

(b) An individual who is at serious risk of injury or death due to opioid abuse may be involuntarily detained or committed under any of the following statutes:

- (1) IC 12-26-4 (immediate detention).
- (2) IC 12-26-5 (emergency detention).
- (3) IC 12-26-6 (temporary commitment).
- (4) IC 12-26-7 (regular commitment).

SECTION 4. IC 12-26-4-1, AS AMENDED BY P.L.4-2013, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 1. **(a)** A law enforcement officer, having reasonable grounds to believe that an individual has a mental illness, is either dangerous or gravely disabled, and is in immediate need of hospitalization and treatment, may do the following:

- (1) Apprehend and transport the individual to the nearest appropriate facility. The individual may not be transported to a state institution.
- (2) Charge the individual with an offense if applicable.

(b) An emergency medical services provider, having reasonable grounds to believe that an individual is at serious risk of injury or death due to abuse of opioids and is in immediate need of treatment, may transport the individual to the nearest appropriate facility. If the emergency medical services provider is not a law enforcement officer, the emergency medical services provider may request the assistance of a law enforcement officer, who may transport the individual to an appropriate facility. An individual may

not be transported to a state institution.

(c) Evidence that:

(1) an individual suffered respiratory or central nervous system depression consistent with an acute opioid overdose; and

(2) the individual's symptoms were significantly alleviated not later than fifteen (15) minutes after the individual was administered an overdose intervention drug (as defined in IC 16-18-2-263.9);

is prima facie evidence that the individual is at serious risk of injury or death due to abuse of opioids and is in immediate need of treatment.

SECTION 5. IC 12-26-4-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 2. A law enforcement officer An emergency medical services provider who transports or causes to be transported an individual to a facility under section 1 of this chapter shall submit to the facility a written statement containing the basis for the officer's provider's conclusion that reasonable grounds exist under this chapter.

SECTION 6. IC 12-26-4-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 5. (a) Except as provided in subsection (b), and in section 6 of this chapter, an individual may not be detained under this chapter for more than twenty-four (24) hours from the time of admission to the facility.

(b) An individual detained under this chapter due to serious risk of death or injury due to abuse of opioids may not be detained under this chapter for more than forty-eight (48) hours from the time of admission to the facility.

SECTION 7. IC 12-26-4-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 6. If the superintendent or the attending physician believes the individual should be detained for more than ~~twenty-four (24) hours from time of admission to the facility~~, the period described in section 5 of this chapter, the superintendent or the physician must have an application filed for emergency detention under IC 12-26-5 immediately upon the earlier of the following:

(1) When a judge becomes available.

(2) Within seventy-two (72) hours of admission to the facility.

SECTION 8. IC 12-26-5-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 1. (a) An individual may be detained in a facility for not more than seventy-two (72) hours under this chapter, excluding Saturdays, Sundays, and legal holidays, if a written application for detention under subsection (b) or (c) is filed with the facility. The individual may not be detained in a state institution unless the detention is instituted by the state institution.

(b) Except as provided in subsection (c), an application under subsection (a) must contain both of the following:

(1) A statement of the applicant's belief that the individual is:

(A) mentally ill and either dangerous or gravely disabled; and

(B) in need of immediate restraint.

(2) A statement by at least one (1) physician that, based on:

(A) an examination; or

(B) information given the physician;

the individual may be mentally ill and either dangerous or gravely disabled.

(c) This subsection applies to an individual detained under this chapter due to serious risk of death or injury due to abuse of opioids. An application under subsection (a) must contain both of the following:

(1) A statement of the applicant's belief that the individual is:

(A) at serious risk of injury or death due to abuse of opioids; and

(B) in need of immediate treatment.

(2) A statement by at least one (1) physician that, based on:

(A) an examination; or

(B) information given the physician;

the individual may be at serious risk of injury or death due to abuse of opioids.

(d) Evidence that:

(1) an individual suffered respiratory or central nervous system depression consistent with an acute opioid overdose; and

(2) the individual's symptoms were significantly alleviated not later than fifteen (15) minutes after the individual was administered an overdose intervention drug (as defined in IC 16-18-2-263.9);

is prima facie evidence that the individual is at serious risk of injury or death due to abuse of opioids and is in immediate need of treatment.

SECTION 9. IC 12-26-5-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 3. An individual detained under this chapter may be examined and given emergency treatment necessary to do the following:

(1) Preserve the health and safety of the individual.

(2) Protect other persons and property.

(3) Treat an opioid addiction.

SECTION 10. IC 12-26-5-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 4. If during a detention period under this chapter the superintendent or the attending physician determines that there is not probable cause to believe the individual is:

(1) mentally ill and either dangerous or gravely disabled; or

(2) at serious risk of injury or death due to abuse of opioids;

a report shall be made under section 5 of this chapter.

SECTION 11. IC 12-26-5-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 5. Before the end of a detention period under this chapter, the superintendent of the facility or the individual's attending physician shall make a written report to the court. The report must contain both of the following:

(1) A statement that the individual has been examined.

(2) A statement whether there is probable cause to believe that the individual:

(A) is:

- (i) mentally ill and either dangerous or gravely disabled; **or**
- (ii) **at serious risk of injury or death due to abuse of opioids;** and

(B) requires continuing care and treatment.

SECTION 12. IC 12-26-5-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 7. If a report made under section 5 of this chapter states there is probable cause, the report shall recommend both of the following:

(1) That the court hold a hearing to determine whether:

(A) the individual is:

- (i) mentally ill and either dangerous or gravely disabled; **or**
- (ii) **at serious risk of injury or death due to abuse of opioids;** and

(B) there is a need for continuing involuntary detention.

(2) That the individual be detained in the facility pending the hearing.

SECTION 13. IC 12-26-5-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 9. (a) After receiving a report described in section 7 of this chapter, the court may do any of the following:

(1) Order the individual released.

(2) Order the individual's continued detention pending a preliminary hearing. The purpose of a hearing under this subdivision is to determine if there is probable cause to believe that the individual is:

(A) **either:**

- (i) mentally ill and either dangerous or gravely disabled; **or**
- (ii) **at serious risk of injury or death due to abuse of opioids;** and

(B) in need of temporary or regular commitment.

(3) Order a final hearing. The purpose of a hearing ordered under this subdivision is to determine if the individual is:

(A) **either:**

- (i) mentally ill and either dangerous or gravely disabled; **or**
- (ii) **at serious risk of injury or death due to abuse of opioids;** and

(B) in need of temporary or regular commitment.

(b) A hearing ordered under subsection (a) must be held not later than two (2) days after the order.

SECTION 14. IC 12-26-5-12, AS AMENDED BY P.L.99-2007, SECTION 130, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 12. If it is determined that there was not probable cause to believe that an individual:

(1) had a mental illness and was dangerous; **or**

(2) **was at serious risk of injury or death due to abuse of opioids;**

when taken into custody and transported to the facility to be detained, the costs of transportation to and care and maintenance in the facility during the period of detention shall be paid by the county in which the individual was taken into custody.

SECTION 15. IC 12-26-6-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 1. (a) An individual who is alleged to be mentally ill and either dangerous or gravely disabled may be committed to a facility for not more than ninety (90) days under this chapter.

(b) An individual who is alleged to be at serious risk of death or injury due to opioid addiction may be committed to a facility for not more than ninety (90) days under this chapter.

SECTION 16. IC 12-26-6-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 2. (a) A commitment under this chapter may be begun by any of the following methods:

(1) Upon request of the superintendent under IC 12-26-3-5.

(2) An order of the court having jurisdiction over the individual following emergency detention.

(3) Filing a petition with a court having jurisdiction in the county:

(A) of residence of the individual; or

(B) where the individual may be found.

(b) A petitioner under subsection (a)(3) must be at least eighteen (18) years of age.

(c) A petition under subsection (a)(3) must include a physician's written statement stating both of the following:

(1) The physician has examined the individual within the past thirty (30) days.

(2) The physician believes the individual is:

(A) **either:**

- (i) mentally ill and either dangerous or gravely disabled; **or**
- (ii) **at serious risk of death or injury due to opioid addiction;** and

(B) in need of custody, care, or treatment in an appropriate facility.

SECTION 17. IC 12-26-6-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 6. The court may appoint a physician to do the following:

(1) Examine the individual.

(2) Report, before the hearing, the physician's opinion as to the following:

(A) Whether the individual is:

- (i) mentally ill and either dangerous or gravely disabled; **or**
- (ii) **at serious risk of death or injury due to opioid addiction.**

(B) Whether the individual needs temporary commitment to a facility for diagnosis, care, and treatment.

SECTION 18. IC 12-26-6-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 7. If a report

made under section 6 of this chapter is that the individual is not:

- (1) either dangerous or gravely disabled; or
- (2) **at serious risk of death or injury due to opioid addiction;**

the court may terminate the proceedings and dismiss the petition. Otherwise, the hearing shall proceed as scheduled or as continued by the court.

SECTION 19. IC 12-26-6-8, AS AMENDED BY P.L.110-2009, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 8. (a) If, upon the completion of the hearing and consideration of the record, the court finds that the individual is mentally ill and either dangerous or gravely disabled, the court may order the individual to:

- (1) be committed to an appropriate facility; or
- (2) enter an outpatient treatment program under IC 12-26-14 for a period of not more than ninety (90) days.

(b) If, upon the completion of the hearing and consideration of the record, the court finds that the individual is at serious risk of death or injury due to opioid addiction, the court may order the individual to:

- (1) be committed to an appropriate facility; or**
- (2) enter an appropriate evidence based outpatient treatment program approved by the division of mental health and addiction;**

for a period of not more than ninety (90) days.

~~(b)~~ (c) The court's order must require that the superintendent of the facility or the attending physician file a treatment plan with the court within fifteen (15) days of the individual's admission to the facility under a commitment order.

~~(c)~~ (d) If the commitment ordered under subsection (a) or (b) is to a state institution administered by the division of mental health and addiction, the record of commitment proceedings must include a report from a community mental health center stating both of the following:

- (1) That the community mental health center has evaluated the individual.
- (2) That commitment to a state institution administered by the division of mental health and addiction under this chapter is appropriate.

~~(d)~~ (e) The physician who makes the statement required by section 2(c) of this chapter may be affiliated with the community mental health center that submits to the court the report required by ~~subsection (c).~~ **subsection (d).**

~~(e)~~ (f) If the commitment is of an adult to a research bed at Larue D. Carter Memorial Hospital as set forth in IC 12-21-2-3, the report from a community mental health center is not required.

~~(f)~~ (g) If a commitment ordered under subsection (a) or (b) is to a state institution administered by the division of disability and rehabilitative services, the record of commitment proceedings must include a report from a service coordinator employed by the division of disability and rehabilitative services stating that, based on a diagnostic assessment of the individual, commitment to a state institution administered by the division of disability and rehabilitative services under this chapter is appropriate.

~~(g)~~ (h) If the court makes a finding under subsection (a) or (b) (including a finding in reference to a child under IC 31-37-18-3), the court shall transmit any information required by the division of state court administration to the division of state court administration for transmission to the NICS (as defined in IC 35-47-2.5-2.5) in accordance with IC 33-24-6-3.

SECTION 20. IC 12-26-6-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 9. (a) Unless the court has entered an order under IC 12-26-12-1, the superintendent or the attending physician may discharge the individual before the end of the commitment period if the superintendent or attending physician determines that the individual is not:

- (1) mentally ill and either dangerous or gravely disabled; or
- (2) **at serious risk of death or injury due to opioid addiction.**

(b) If an individual is discharged under subsection (a), the superintendent or the attending physician shall notify the court, and the court shall enter an order terminating the commitment.

SECTION 21. IC 12-26-6-10 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 10. (a) The period of commitment of an individual under this chapter may be extended for one (1) additional period of not more than ninety (90) days through a proceeding under this section.

(b) A proceeding under this section must be begun before the end of the first period of commitment.

(c) A proceeding under this section may be begun by filing with the court a report by the attending physician or superintendent that states that the individual continues to be:

- (1) **either:**
 - (A) mentally ill and either dangerous or gravely disabled; or
 - (B) **at serious risk of death or injury due to opioid addiction;** and

- (2) in need of continuing custody, care, or treatment in the facility for an additional period of not more than ninety (90) days.

(d) Upon receiving a report under subsection (c), the court shall set a hearing on the report.

(e) The hearing required by subsection (d) must be held before the end of the current commitment period.

(f) Notice of the hearing required by subsection (d) shall be given to the committed individual and all other interested individuals at least five (5) days before the hearing date.

(g) A committed individual's rights and a petitioner's rights and hearing procedures are the same as those provided for the first period of commitment.

(h) If at the completion of the hearing and the consideration of the record the individual is found to be:

- (1) **either:**
 - (A) mentally ill and either dangerous or gravely disabled; or

(B) at serious risk of death or injury due to opioid addiction; and

(2) in need of continuing custody, care, or treatment in the facility;

the court may order the individual's continuing custody, care, or treatment in the facility for one (1) additional period of not more than ninety (90) days.

SECTION 22. IC 12-26-6-11 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 11. At least twenty (20) days before the end of the first or second temporary commitment period, the superintendent of the facility or the attending physician shall make a report to the court that states all of the following:

(1) The mental condition of the individual.

(2) Whether the individual is:

(A) dangerous or gravely disabled; or

(B) at serious risk of death or injury due to opioid addiction.

(3) Whether the individual needs continuing care and treatment in a facility for a period of more than ninety (90) days.

SECTION 23. IC 12-26-7-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 1. This chapter applies to a proceeding for commitment of an individual:

(1) alleged to be:

(A) mentally ill and either dangerous or gravely disabled; or

(B) at serious risk of death or injury due to opioid addiction; and

(2) whose commitment is reasonably expected to require custody, care, or treatment in a facility for more than ninety (90) days.

SECTION 24. IC 12-26-7-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 2. (a) This section does not apply to the commitment of an individual if the individual has previously been committed under IC 12-26-6.

(b) A proceeding for the commitment of an individual who appears to be suffering from a chronic mental illness **or opioid addiction** may be begun by filing with a court having jurisdiction a written petition by any of the following:

(1) A health officer.

(2) A police officer.

(3) A friend of the individual.

(4) A relative of the individual.

(5) The spouse of the individual.

(6) A guardian of the individual.

(7) The superintendent of a facility where the individual is present.

(8) A prosecuting attorney in accordance with IC 35-36-2-4.

(9) A prosecuting attorney or the attorney for a county office if civil commitment proceedings are initiated under IC 31-34-19-3 or IC 31-37-18-3.

(10) A third party that contracts with the division of mental

health and addiction to provide competency restoration services to a defendant under IC 35-36-3-3 or IC 35-36-3-4.

SECTION 25. IC 12-26-7-3, AS AMENDED BY P.L.141-2006, SECTION 68, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 3. (a) A petition filed under section 2 of this chapter must include a physician's written statement that states both of the following:

(1) The physician has examined the individual within the past thirty (30) days.

(2) The physician believes that the individual is:

(A) either:

(i) mentally ill and either dangerous or gravely disabled; or

(ii) at serious risk of death or injury due to opioid addiction; and

(B) in need of custody, care, or treatment in a facility for a period expected to be more than ninety (90) days.

(b) Except as provided in subsection (d), if the commitment is to a state institution administered by the division of mental health and addiction, the record of the proceedings must include a report from a community mental health center stating both of the following:

(1) The community mental health center has evaluated the individual.

(2) Commitment to a state institution administered by the division of mental health and addiction under this chapter is appropriate.

(c) The physician who makes the statement required by subsection (a) may be affiliated with the community mental health center that makes the report required by subsection (b).

(d) If the commitment is of an adult to a research bed at Larue D. Carter Memorial Hospital, as set forth in IC 12-21-2-3, the report from a community mental health center is not required.

(e) If a commitment ordered under subsection (a) is to a state institution administered by the division of disability and rehabilitative services, the record of commitment proceedings must include a report from a service coordinator employed by the division of disability and rehabilitative services stating that, based on a diagnostic assessment of the individual, commitment to a state institution administered by the division of disability and rehabilitative services under this chapter is appropriate.

SECTION 26. IC 12-26-7-5, AS AMENDED BY P.L.110-2009, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 5. (a) If at the completion of the hearing and the consideration of the record an individual is found to be mentally ill and either dangerous or gravely disabled, **or if the individual is found to be at serious risk of death or injury due to opioid addiction**, the court may enter either of the following orders:

(1) For the individual's custody, care, or treatment, or continued custody, care, or treatment in an appropriate facility. **If an individual is committed to an appropriate facility for treatment of an opioid addiction, the**

individual may be committed for not more than three hundred sixty-five (365) days.

(2) For the individual to enter an outpatient therapy program under IC 12-26-14.

(b) An order entered under subsection (a) continues until any of the following occurs:

(1) The individual has been:

- (A) discharged from the facility; or
- (B) released from the therapy program.

(2) The court enters an order:

- (A) terminating the commitment; or
- (B) releasing the individual from the therapy program.

(c) If the court makes a finding under subsection (a), the court shall transmit any information required by the division of state court administration to the division of state court administration for transmission to the NICS (as defined in IC 35-47-2.5-2.5) in accordance with IC 33-24-6-3.

SECTION 27. IC 12-26-9-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 3. If it is determined in a proceeding under this article that an individual:

(1) is:

- (A) mentally ill and either dangerous or gravely disabled; **or**
- (B) at serious risk of death or injury due to opioid addiction;**

(2) should be committed to a facility for custody, care, and treatment; and

(3) is a veteran who may be eligible for treatment in a federal facility;

the court may communicate with the federal department concerning the availability of federal facilities and the individual's eligibility to be committed to a federal facility.

SECTION 28. IC 12-26-10-4, AS AMENDED BY P.L.146-2008, SECTION 418, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 4. If the comfort and the care of an individual are not otherwise provided:

(1) from the individual's estate;

(2) by the individual's relatives or friends; **or**

(3) through financial assistance from the department of child services or the division of family resources;

(4) through insurance;

(5) through Medicaid or another federal assistance program;

(6) through the healthy Indiana plan established under IC 12-15-44.5-3; or

(7) through another state assistance program;

the court may order the assistance furnished and paid for out of the general fund of the county.

SECTION 29. IC 12-26-14-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 1. If a hearing has been held under IC 12-26-6 or IC 12-26-7 and the court finds that the individual is:

(1) **either:**

- (A) mentally ill and either dangerous or gravely disabled; **or**

(B) at serious risk of death or injury due to opioid addiction;

(2) likely to benefit from an outpatient therapy program that is designed to decrease the individual's dangerousness, **or** disability, **addiction, or risk of death or injury;**

(3) not likely to be: **either**

(A) dangerous or gravely disabled; **or**

(B) at serious risk of death or injury due to opioid addiction;

if the individual complies with the therapy program; and

(4) recommended for an outpatient therapy program by the individual's examining physician;

the court may order the individual to enter a therapy program as an outpatient.

SECTION 30. IC 12-26-14-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 5. (a) Upon receiving notification under section 4 of this chapter, the court shall reopen the original ~~commitment~~ **commitment** proceeding and determine whether the:

(1) individual:

(A) has failed to comply with the requirements of section 3 of this chapter;

(B) is:

(i) mentally ill and either dangerous or gravely disabled; **or**

(ii) at serious risk of death or injury due to opioid addiction; and

(C) should be committed to a facility under this article; **or**

(2) individual should continue to be maintained on an outpatient commitment, subject to an additional court order that:

(A) requires a law enforcement officer to apprehend and transport the individual to a facility for treatment; and

(B) applies:

(i) after notification to the court by the facility or provider responsible for the individual's commitment; and

(ii) whenever the individual fails to attend a scheduled outpatient appointment or fails to comply with a condition of the outpatient commitment.

(b) If the court receives notice of a transfer under section 4(e) of this chapter, the court may conduct a review to determine the validity of the transfer.

SECTION 31. IC 12-26-14-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 7. If an individual:

(1) has been committed under IC 12-26-6 or IC 12-26-7;

(2) is likely to benefit from a therapy program designed to decrease the individual's dangerousness, **or** grave disability, **opioid addiction, or risk of serious injury or death;**

(3) is not likely to be **either** dangerous, **or** gravely disabled, **or at risk of serious injury or death** if the individual continues to follow the therapy program; and

(4) is recommended for an outpatient therapy program by the individual's attending or examining physician; the superintendent of the facility in which the individual is committed or the court at the time of commitment may place the individual on outpatient status for the remainder of the individual's commitment period, subject to the conditions of outpatient therapy programs under section 8 of this chapter.

SECTION 32. IC 12-26-14-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 9. If the individual's attending or examining physician determines that the individual has failed to comply with the requirements under section 8 of this chapter and is likely to be dangerous, ~~or~~ gravely disabled, **or at risk of serious injury or death due to opioid addiction**, the individual:

(1) may, in accordance with IC 12-24-8, be returned to the facility to which the individual is committed under this article as an inpatient; or

(2) may be transferred to a short term sub-acute stabilization treatment program under this chapter.

SECTION 33. IC 12-26-15-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 1. (a) At least annually, and more often if directed by the court, the superintendent of the facility or the attending physician including the superintendent or attending physician of an outpatient therapy program, shall file with the court a review of the individual's care and treatment. The review must contain a statement of the following:

(1) The mental condition of the individual.

(2) Whether the individual is:

(A) dangerous or gravely disabled; **or**

(B) **at risk of serious injury or death due to opioid addiction.**

(3) Whether the individual:

(A) needs to remain in the facility; or

(B) may be cared for under a guardianship.

(b) If the court has entered an order under IC 12-26-12-1, the superintendent or the attending physician shall give notice of the review to the petitioner in the individual's commitment proceeding and other persons that were designated by the court under IC 12-26-12-1 or as provided in this section.

(c) If an individual has been committed under IC 35-36-2-4, the superintendent of the facility or the attending physician shall:

(1) file with the court the report described in subsection (a) every six (6) months, or more often if directed by the court; and

(2) notify the court, the petitioner, and any other person or persons designated by the court under this section:

(A) at least ten (10) days before, or as soon as practicable in case of an emergency, when:

(i) the committed individual is allowed outside the facility or the grounds of the facility not under custodial supervision;

(ii) the committed individual is transferred to another facility and the location of that facility; or

(iii) the committed individual is discharged or the individual's commitment is otherwise terminated; and
(B) as soon as practicable if the committed individual escapes.

(d) The court may designate as a person or persons to receive the notices provided in this section a person or persons who suffered harm as the result of a crime for which the committed individual was on trial.

(e) The court may designate as a person or persons to receive the notices provided in this section:

(1) an individual or individuals described in subsection (d); or

(2) a designated representative if the person or persons described in subsection (d) are incompetent, deceased, less than eighteen (18) years of age, or otherwise incapable of receiving or understanding a notice provided for in this section.

(f) A commitment order issued by a court under IC 35-36-2-4 and this article must include the following:

(1) The mailing address, electronic mail address, facsimile number, and telephone number of the following:

(A) The petitioner who filed the petition under IC 35-36-2-4.

(B) Any other person designated by the court.

(2) The notice requirements set forth in this section.

SECTION 34. IC 12-26-15-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 5. (a) Unless the court has entered an order under IC 12-26-12, the individual may be discharged before the end of the commitment period or court ordered therapy program period if either of the following apply:

(1) The superintendent or the attending physician determines that the individual is not:

(A) mentally ill and either dangerous or gravely disabled; **or**

(B) **at risk of serious injury or death due to opioid addiction;**

(2) The superintendent determines, with the written consent of the attending physician, that the individual will enter a facility that provides more appropriate care and treatment immediately following the individual's discharge.

(b) If an individual is discharged or released from a therapy program under this section, the superintendent or the attending physician shall notify the court. The court shall enter an order terminating the commitment or releasing the individual from the therapy program.

SECTION 35. [EFFECTIVE JULY 1, 2017] (a) **There is appropriated to the division of mental health and addiction seven hundred fifty thousand dollars (\$750,000) from the state general fund for its use in establishing and funding the involuntary treatment pilot program for opioid use disorder established by IC 12-23-21-2, as added by this act, beginning July 1, 2017, and ending June 30, 2018.**

(b) **There is appropriated to the division of mental health and addiction seven hundred fifty thousand dollars (\$750,000) from the state general fund for its use in**

establishing and funding the involuntary treatment pilot program for opioid use disorder established by IC 12-23-21-2, as added by this act, beginning July 1, 2018, and ending June 30, 2019.

(c) This SECTION expires June 30, 2019."

Page 2, delete lines 1 through 16.

Re-number all SECTIONS consecutively.

(Reference is to SB 499 as introduced.)

and when so amended that said bill do pass and be reassigned to the Senate Committee on Appropriations.

Committee Vote: Yeas 8, Nays 0.

M. YOUNG, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Tax and Fiscal Policy, to which was referred Senate Bill 517, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, delete lines 1 through 17, begin a new paragraph and insert:

"SECTION 1. IC 4-30-16-3, AS AMENDED BY P.L.146-2008, SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2018]: Sec. 3. (a) The commission shall transfer the surplus revenue in the administrative trust fund as follows:

(1) Before the last business day of January, April, July, and October, the commission shall transfer to the treasurer of state, for deposit in the Indiana state teachers' retirement fund (IC 5-10.4-2), seven million five hundred thousand dollars (\$7,500,000). Notwithstanding any other law, including any appropriations law resulting from a budget bill (as defined in IC 4-12-1-2), the money transferred under this subdivision shall be set aside in the pension stabilization fund (IC 5-10.4-2-5) to be used as a credit against the unfunded accrued liability of the pre-1996 account (as defined in IC 5-10.4-1-12) of the Indiana state teachers' retirement fund. The money transferred is in addition to the appropriation needed to pay benefits for the state fiscal year.

(2) Before the last business day of January, April, July, and October, the commission shall transfer seven million five hundred thousand dollars (\$7,500,000) of the surplus revenue to the treasurer of state for deposit in the pension relief fund (IC 5-10.3-11).

(3) Before the last business day of January, April, July, and October, the commission shall transfer one hundred twenty-five thousand dollars (\$125,000) of the surplus revenue to the treasurer of state for deposit in the grant account established by IC 10-17-13-3(d) within the veterans' affairs trust fund. This subdivision expires June 30, 2020.

~~(3)~~ (4) The surplus revenue remaining in the fund on the

last day of January, April, July, and October after the transfers under subdivisions (1) ~~and (2)~~ **through (3)** shall be transferred by the commission to the treasurer of state for deposit on that day in the build Indiana fund.

(b) The commission may make transfers to the treasurer of state more frequently than required by subsection (a). However, the number of transfers does not affect the amount that is required to be transferred for the purposes listed in subsection (a)(1) ~~and (a)(2)~~: **through (a)(3)**. Any amount transferred during the month in excess of the amount required to be transferred for the purposes listed in subsection (a)(1) ~~and (a)(2)~~ **through (a)(3)** shall be transferred to the build Indiana fund.

SECTION 2. IC 10-17-13-3, AS AMENDED BY P.L.99-2016, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 3. (a) The veterans' affairs trust fund is established as a trust fund to provide a self-sustaining funding source for the military family relief fund established by IC 10-17-12-8.

(b) The fund consists of the following:

- (1) Appropriations by the general assembly.
- (2) Donations, gifts, grants, and bequests to the fund.
- (3) Interest and dividends on assets of the funds.
- (4) Money transferred to the fund from other funds.
- (5) Money from any other source deposited in the fund.

(c) The fund is considered a trust fund for purposes of IC 4-9.1-1-7.

(d) A grant account is established within the fund for the purposes of funding grants under IC 10-17-16. The grant account consists of money deposited into the grant account under IC 4-30-16-3(a)(3).

SECTION 3. IC 10-17-13-15, AS ADDED BY P.L.99-2016, SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 15. (a) Each year after July 1 and before August 1, the commission shall determine:

- (1) the amount of money in the fund on July 1; and
- (2) the amount of the expenditures from the military family relief fund during the immediately preceding state fiscal year.

(b) After making the determinations under subsection (a), if the amount determined under subsection (a)(1) exceeds three hundred percent (300%) of the amount determined under subsection (a)(2), the commission shall transfer from the fund to the military family relief fund an amount equal to:

- (1) fifty percent (50%); multiplied by
- (2) the difference of:
 - (A) the amount determined under subsection (a)(1); minus
 - (B) three hundred percent (300%) of the amount determined under subsection (a)(2).

(c) For purposes of making the determinations under subsection (a) and making the transfers under subsection (b), the commission shall not consider the money deposited into the grant account under IC 4-30-16-3(a)(3)."

Page 2, delete lines 1 through 25.

Page 2, line 29, delete "Veterans Homelessness Assistance Fund" and insert "**Grants from Lottery Proceeds**".

Page 2, delete lines 35 through 39.

Page 2, line 40, delete "5." and insert "3."

Page 2, line 41, delete "homelessness assistance".

Page 3, line 2, delete "6." and insert "4."

Page 3, delete lines 9 through 37, begin a new paragraph and insert:

"Sec. 5. The commission may use money in the grant account established by IC 10-17-13-3(d) within the veterans' affairs trust fund to make grants to qualified entities to be used for the purpose of providing services to veterans, including the following:

(1) Programs focused on eliminating homelessness, preventing near term homelessness, and providing safe and secure living conditions.

(2) Assisting veterans in moving from public housing assistance programs to:

(A) home ownership; or

(B) stable, long term rental status.

A grant under this chapter for the purpose specified in clause (B) may include up to nine (9) months of rental assistance.

(3) Assisting veterans in finding and using available federal and state resources.

(4) Providing therapeutic services.

(5) Providing job training and job search assistance.

(6) Providing assistance for facilities and health care providers that have been approved by the state department of health to provide diagnostic testing and hyperbaric oxygen treatment to veterans at no cost to the veterans receiving treatment. However, a grant under this chapter may not be awarded for the purposes specified in this subdivision unless the state department of health has adopted the rules required by section 7 of this chapter.

(7) Funding for grants to counties for salaries for service officers. A grant awarded under this chapter for service officer salaries may be used only for paying salaries of service officers who work at least one thousand (1,000) hours annually."

Page 3, line 38, delete "8." and insert "6."

Page 4, delete lines 11 through 13, begin a new paragraph and insert:

"Sec. 7. (a) As used in this section, "hyperbaric oxygen treatment" means treatment for traumatic brain injury or posttraumatic stress disorder that is ordered by a health care provider and delivered in a hyperbaric chamber.

(b) A grant under this chapter for the purposes specified in section 5(6) of this chapter may be provided only for facilities and health care providers that have been approved by the state department of health to provide diagnostic testing and hyperbaric oxygen treatment to veterans at no cost to the veterans receiving treatment.

(c) The state department of health, after consulting with

the department, shall adopt rules under IC 4-22-2 to implement section 5(6) of this chapter, including standards for the following:

(1) Determination by the facility that an individual is a veteran eligible for participation in the program.

(2) Determination by the state department of health that a facility is eligible to participate in the program, including:

(A) a requirement that the facility must maintain compliance with applicable fire codes, treatment protocols, and state department of health oversight; and

(B) other facility standards determined by the state department of health.

(3) Treatment plan requirements, including the following:

(A) A facility's submission to the state department of health, before providing hyperbaric oxygen treatment to a veteran, of a treatment plan that includes:

(i) a health care provider's prescription for hyperbaric oxygen treatment;

(ii) verification by the facility that the veteran is eligible for participation in the program and voluntarily accepts treatment through the program;

(iii) an estimate of the cost of the veteran's treatment; and

(iv) any other information required by the state department of health.

(B) A reasonable time frame for:

(i) approval or disapproval by the state department of health of a treatment plan described in clause (A); and

(ii) notice to the facility of approval or disapproval of the treatment plan.

(C) Contingent on sufficient funding available in the fund, approval of each treatment plan that meets the requirements established by the state department of health under this section.

(D) The sources of funding for the estimated treatment cost for each veteran whose treatment plan is approved under this section.

(4) Criteria for approval of payment for treatment that has been verified by the state department of health to have been provided under a treatment plan approved under subdivision (3), including:

(A) whether a drug or device used in the treatment plan has been approved for any purpose by the federal Food and Drug Administration;

(B) health improvement of the veteran receiving the treatment, as demonstrated through:

(i) standardized, independent pretreatment and posttreatment neuropsychological testing;

(ii) nationally accepted survey instruments;

- (iii) neurological imaging; or
- (iv) clinical examination; and
- (C) receipt by the state department of health of pretreatment and posttreatment evaluation documentation.

(5) Confidentiality of all individually identifiable patient information of a veteran. However, subject to the requirements of the federal Health Insurance Portability and Accountability Act and any other applicable medical record laws, all data and information from which the identity of an individual veteran cannot be reasonably ascertained must be available to the general assembly, participating institutional review boards, participating health care providers, medical researchers, and other governmental agencies."

Page 4, line 14, delete "10." and insert "8."

Renumber all SECTIONS consecutively.

(Reference is to SB 517 as printed February 17, 2017.)

and when so amended that said bill do pass.

Committee Vote: Yeas 9, Nays 0.

HERSHMAN, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Civil Law, to which was referred Senate Resolution 24, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said resolution be amended as follows:

Page 1, line 10, delete "Justice" and insert "Judge".

Page 1, line 12, delete "Justice" and insert "Judge".

Page 1, line 17, delete "Justice" and insert "Judge".

Page 2, line 10, delete "Justice" and insert "Judge".

Page 2, line 13, delete "Justice" and insert "Judge".

Page 2, line 15, delete "Justice" and insert "Judge".

(Reference is to SR 24 as introduced.)

and when so amended that said resolution do pass.

Committee Vote: Yeas 6, Nays 2.

HEAD, Chair

Report adopted.

SENATE MOTION

Madam President: I move that the following resolution be adopted:

HCR 29 Senator Koch

Honoring Jennifer Hodge for her service to the General Assembly.

LONG

Motion prevailed.

RESOLUTIONS ON FIRST READING

House Concurrent Resolution 29

House Concurrent Resolution 29, sponsored by Senator Koch:

A CONCURRENT RESOLUTION honoring Jennifer Hodge for her service to the General Assembly.

Whereas, Since 1998, Jennifer Hodge has been serving as the coordinator of the Indiana Capitol Tour Office, managing 55,000 annual visitors to the Indiana Statehouse;

Whereas, Jennifer Hodge has welcomed and educated visitors from all over the country and the world to the Indiana Statehouse;

Whereas, In her role, Jennifer Hodge has been instrumental in the creation of several educational programs, including Statehood Day for Hoosier fourth graders, Statehouse Tree Trim, various essay competitions for students, and the Lincoln Funeral Train commemoration;

Whereas, Jennifer Hodge has been an invaluable asset in updating the Capitol Tour Office's access and web site, creating a virtual tour and designing a 360 degree tour of the Statehouse;

Whereas, Jennifer Hodge works diligently to ensure that the tour guides are knowledgeable, positive, and motivated to ensure that all visitors to the Statehouse leave with a positive impression of the State of Indiana and state government;

Whereas, Jennifer Hodge has diligently served the members of the General Assembly, constituents, students, and visitors of the Indiana Statehouse; and

Whereas, Jennifer Hodge has dedicated her work to the service of others and to the dissemination of knowledge regarding our beautiful Statehouse to all who enter it: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:

SECTION 1. That the Indiana General Assembly thanks Jennifer Hodge for her dedicated service to the citizens of Indiana and the numerous visitors to our beautiful Statehouse.

SECTION 2. That the Principal Clerk of the House of Representatives transmit a copy of this resolution to Jennifer Hodge and her family.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution.

SENATE MOTION

Madam President: I move that the following resolution be adopted:

SCR 20 Senator Zakas
Memorializing the life of Lester J. "Les" Fox.
LONG

Motion prevailed.

RESOLUTIONS ON FIRST READING**Senate Concurrent Resolution 20**

Senate Concurrent Resolution 20, introduced by Senators Zakas, Niezgodski and Mishler:

A CONCURRENT RESOLUTION memorializing the life of Lester J. "Les" Fox.

Whereas, Lester J. "Les" Fox was born on August 8, 1924, in Chilton, Wisconsin to John and Lillian (Bowe) Fox;

Whereas, Les served in the United States Navy during World War II and, upon his return from the war, married the love of his life, Viola Kurtz, on July 19, 1949;

Whereas, Les was an integral member of the South Bend community, working for the Studebaker Corporation from 1944 to 1963 as a dedicated employee and eventual vice president of Local #5 of the International Union of United Automobile Workers;

Whereas, After his tenure at Studebaker Corporation, Les became nationally involved in fighting for the rights of the unemployed, the elderly, and the underserved by becoming the director for Project ABLE in 1963, establishing the Regional Office of Economic Opportunity in Atlanta, Georgia to implement the Economic Opportunity Act under President Lyndon Johnson, and then becoming the President and CEO of REAL Services, Inc. in South Bend;

Whereas, During his time at REAL Services, Inc., Les testified before Congress to urge passage of the Older Americans Act;

Whereas, Under Les's leadership, REAL Services, Inc. was designated as the Area Agency on Aging and served older adults in five different Indiana counties;

Whereas, Les served on numerous Advisory Councils and Boards throughout Indiana, including a role as Program Consultant to the U.S. Department of Labor, U.S. Senate Committee on Aging, and the National Council on Aging;

Whereas, Les received the Sagamore of the Wabash from Governors Orr, Bayh, O'Bannon, Kernan, and Daniels and was inducted into the South Bend Community Hall of Fame in 1996;

Whereas, Les retired as President and CEO of REAL Services, Inc. at the age of 82 on March 1, 2007, to enjoy friends and the game of golf; and

Whereas, Les passed away on October 11, 2016, at the age of 92, leaving a legacy as a trailblazer and a highly respected advocate for underserved populations in his community: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:

SECTION 1. That the Indiana General Assembly memorializes the life of Lester J. "Les" Fox.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to Rebecca Zaseck, current president and CEO of REAL Services, Inc.

The resolution was read in full and adopted by standing vote. The Chair instructed the Secretary to inform the House of the passage of the resolution. House sponsors: Representatives DeVon, Bauer, J. Taylor and Miller.

Senate Concurrent Resolution 16

Senate Concurrent Resolution 16, introduced by Senators Kruse, Raatz, Leising, Glick, Melton and Stoops:

A CONCURRENT RESOLUTION urging Governor Holcomb to recognize Indiana Agriculture Literacy Week on February 20th through February 24th, 2017.

Whereas, Indiana is one of the nation's leading agricultural states and benefits from an annual economic impact of more than \$31.2 billion generated from agriculture;

Whereas, Most students today are several generations removed from the farm and do not appreciate the importance of agriculture nor understand where their food and fiber comes from or how it is produced;

Whereas, It is imperative that we educate students about the importance of agriculture to our state and our nation to ensure a safe and affordable food supply;

Whereas, Increased understanding of agriculture allows individuals to make informed choices about nutrition and health for themselves and their families;

Whereas, The Indiana agriculture industry is a global leader and is committed to recognizing and celebrating the contributions of agriculture to our everyday lives, sharing the message of how agriculture contributes to our strong economy through the production of safe, abundant, and affordable food and fiber products, renewable energy, and agricultural career opportunities;

Whereas, Indiana Farm Bureau's Agriculture in the Classroom program strives to increase the agricultural literacy of all Hoosiers to promote an efficient, productive, and environmentally beneficial food and fiber system;

Whereas, Raising visibility of agriculture to all students in Indiana classrooms provides practical context for the world surrounding those students;

Whereas, Reading is an important skill that influences success in school and in life and Indiana Agriculture Literacy Week promotes reading accurate agriculture books and sparks discussions about the importance of Indiana agriculture; and

Whereas, It is fitting that Indiana should recognize Indiana Agriculture Literacy Week on February 20th through February 24th, 2017: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:

SECTION 1. That the Indiana General Assembly urges Governor Holcomb to recognize Indiana Agriculture Literacy Week on February 20th through February 24th, 2017.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to Governor Eric Holcomb and Indiana Farm Bureau.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution. House sponsors: Representatives Cook, Goodin, Lehe and Thompson.

**REPORT OF THE PRESIDENT
PRO TEMPORE**

Madam President: I hereby report that Senator Merritt has been excused from voting on Engrossed Senate Bill 243 pursuant to the Report of the Committee on Ethics adopted on February 9, 2017.

LONG, Chair

Report adopted.

SENATE MOTION

Madam President: I move that Engrossed Senate Bill 128, which is eligible for third reading, be returned to second reading for purposes of amendment.

MESSMER

Motion prevailed.

SENATE BILLS ON SECOND READING

Senate Bill 43

Senator Tomes called up Senate Bill 43 for second reading.

The bill was re-read a second time by title.

**SENATE MOTION
(Amendment 43-1)**

Madam President: I move that Senate Bill 43 be amended to read as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 2-3-10 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]:

Chapter 10. Handguns

Sec. 1. The following definitions apply throughout this chapter:

(1) "Governing authority" means:

- (A) the speaker of the house of representatives, with respect to employees of the house of representatives;
- (B) the president pro tempore of the senate, with respect to employees of the senate; or
- (C) the legislative council, with respect to employees of the legislative services agency.

(2) "Professional staff of the general assembly" means a permanent full-time employee of the house of representatives, senate, or legislative services agency whose primary function is:

- (A) assisting members of the general assembly in communicating with constituents and responding to constituent concerns;
- (B) advising members of the general assembly concerning the preparation, analysis, fiscal impact, and policy implications of proposed legislation;
- (C) preparing, printing, distributing, editing, or revising proposed legislation and amendments to proposed legislation;
- (D) performing administrative and clerical functions necessary to the operation of the general assembly, including providing travel and payroll services; or
- (E) providing technology support to the general assembly or an employee of the general assembly.

The term includes officers of the house of representatives and of the senate, and any person whose primary function is to supervise a person described in clauses (A) through (E).

Sec. 2. A member of the general assembly who:

- (1) possesses a valid Indiana license to carry a handgun; and
- (2) is otherwise permitted to possess a handgun;

has the right to carry a handgun within the state capitol building and on the property of the state capitol complex.

Sec. 3. Subject to governing authority rules and policies concerning personnel practices, a member of the professional staff of the general assembly who:

- (1) possesses a valid Indiana license to carry a handgun; and
- (2) is otherwise permitted to possess a handgun;

has the right to carry a handgun within the state capitol building and on the property of the state capitol complex."

Renumber all SECTIONS consecutively.

(Reference is to SB 43 as printed February 14, 2017.)

TOMES

Motion prevailed. The bill was ordered engrossed.

Senate Bill 63

Senator Head called up Senate Bill 63 for second reading. The bill was read a second time by title.

SENATE MOTION (Amendment 63-2)

Madam President: I move that Senate Bill 63 be amended to read as follows:

Page 3, line 31, delete "physician" and insert "**provider**".

Page 3, line 39, delete "physician" and insert "**provider**".

Page 4, line 3, delete "physician" and insert "**provider**".

Page 4, line 8, delete "physician" and insert "**provider whose scope of practice includes the prescribing of medication**".

Page 4, line 10, delete "physician's" and insert "**provider's**".

Page 4, line 10, delete "and".

Page 4, line 11, delete "." and insert "; and

(3) that is not an opioid. However, a provider may prescribe an opioid if the opioid is a partial agonist used to treat or manage an opioid dependence."

Page 4, line 12, delete "physician" and insert "**provider**".

(Reference is to SB 63 as printed February 17, 2017.)

HEAD

Motion prevailed. The bill was ordered engrossed.

Senate Bill 367

Senator Bassler called up Senate Bill 367 for second reading. The bill was read a second time by title.

SENATE MOTION (Amendment 367-2)

Madam President: I move that Senate Bill 367 be amended to read as follows:

Page 1, line 7, strike "including".

Page 1, line 7, after "charter school" insert ",".

Page 1, line 8, after "school" delete ",".

Page 2, line 6, strike "including".

Page 2, line 6, after "charter school" insert ",".

Page 2, line 7, after "school" delete ",".

Page 2, line 20, after "corporation" insert ", **charter school**".

Page 2, line 21, delete "school." and insert "**nonpublic school**".

Page 2, line 39, delete "including".

Page 2, line 39, after "charter school" insert ",".

Page 2, line 39, delete "and" and insert "**or**".

Page 2, line 39, after "nonpublic school" delete ",".

Page 3, line 27, after "department" delete ",".

Page 3, line 27, strike "after holding a hearing on the matter,".

Page 5, line 2, after "department" delete ",".

Page 5, line 2, strike "after holding a hearing on the matter,".

Page 8, line 25, delete "a teacher in a primary or secondary school, including" and insert "**employed, or was previously employed, as a teacher in a school corporation, charter school, or nonpublic school**".

Page 8, delete line 26.

Page 9, line 15, after "is" insert "**or was**".

Page 9, line 15, strike "primary or secondary school," and insert "**school corporation, charter school, or nonpublic school**".

Page 9, line 16, strike "including a public or nonpublic school,".

Page 10, line 31, strike "primary or secondary school, including a public or" and insert "**school corporation, charter school, or**".

(Reference is to SB 367 as printed February 10, 2017.)

BASSLER

Motion prevailed. The bill was ordered engrossed.

Senate Bill 506

Senator Head called up Senate Bill 506 for second reading. The bill was read a second time by title.

SENATE MOTION (Amendment 506-1)

Madam President: I move that Senate Bill 506 be amended to read as follows:

Page 2, between lines 26 and 27, begin a new paragraph and insert:

"(d) The coordinator of the statewide program for suicide prevention shall study and determine:

(1) the professions that should be required to receive training concerning suicide assessment, treatment, and management; and

(2) the manner in which to fund the required training for the determined professions.

The coordinator shall report the determinations made under this subsection to the legislative council in an electronic format under IC 5-14-6 not later than December 31, 2017. This subsection expires January 1, 2018."

Page 3, line 4, delete "as described in IC 25-1-19." and insert "**that has been approved or recommended by the Suicide Prevention Resource Center**".

Page 4, delete lines 33 through 42.

Delete page 5.

Renumber all SECTIONS consecutively.

(Reference is to SB 506 as printed February 17, 2017.)

L. BROWN

Motion prevailed.

SENATE MOTION
(Amendment 506-2)

Madam President: I move that Senate Bill 506 be amended to read as follows:

Page 1, between lines 10 and 11, begin a new paragraph and insert:

"SECTION 2. IC 12-21-5-2, AS AMENDED BY P.L.185-2015, SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 2. The division is responsible for the following:

(1) The planning, research, and development of programs and methods for the education and treatment of children with an emotional disturbance.

(2) The coordination of governmental services, activities, and programs in Indiana relating to such children.

(3) The administration of the state supported services concerned with such children.

(4) The preparation of the annual report required by IC 7.1-6-2-5.

(5) The provision of a mental health first aid training program developed under section 4 of this chapter, including providing information and guidance to local school corporations on the development of evidence based programs for basic or inservice courses for teachers and training for teachers on the following:

(A) Prevention of child suicide.

(B) Recognition of signs that a student may be considering suicide.

(6) **The:**

(A) development, in consultation with stakeholders; and

(B) provision;

of an evidence based training program for health care providers, including mental health and behavioral health providers, concerning suicide assessment, training, and management that incorporates materials approved or recommended by the Suicide Prevention Resource Center."

Page 4, delete lines 33 through 42.

Delete page 5.

Renumber all SECTIONS consecutively.

(Reference is to SB 506 as printed February 17, 2017.)

HEAD

Motion prevailed. The bill was ordered engrossed.

**ENGROSSED SENATE BILLS
ON THIRD READING**

Engrossed Senate Bill 108

Senator Kruse called up Engrossed Senate Bill 108 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning education.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 148: yeas 46, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Behning, Cook, V. Smith and Wesco.

Engrossed Senate Bill 189

Senator Koch called up Engrossed Senate Bill 189 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 149: yeas 41, nays 5. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Washburne and Steuerwald.

Engrossed Senate Bill 224

Senator Leising called up Engrossed Senate Bill 224 for third reading:

A BILL FOR AN ACT concerning education.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 150: yeas 41, nays 5. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Burton and Thompson.

Engrossed Senate Bill 228

Senator M. Young called up Engrossed Senate Bill 228 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 151: yeas 35, nays 13. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Steuerwald.

Engrossed Senate Bill 231

Senator Crider called up Engrossed Senate Bill 231 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning public safety.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 152: yeas 48, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Slager, Mahan and Lawson.

Engrossed Senate Bill 243

Senator Crider called up Engrossed Senate Bill 243 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning human services.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 153: yeas 46, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Kirchhofer.

Senator Long yielded the gavel to the President of the Senate.

Engrossed Senate Bill 248

Senator Raatz called up Engrossed Senate Bill 248 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning education.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 154: yeas 30, nays 18. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Huston.

Engrossed Senate Bill 294

Senator Leising called up Engrossed Senate Bill 294 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning agriculture and animals.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 155: yeas 44, nays 4. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Lehe and Lyness.

Engrossed Senate Bill 312

Senator Boots called up Engrossed Senate Bill 312 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 156: yeas 38, nays 10. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Leonard.

Engrossed Senate Bill 344

Senator M. Young called up Engrossed Senate Bill 344 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 157: yeas 44, nays 4. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Lucas.

Engrossed Senate Bill 350

Senator Eckerty called up Engrossed Senate Bill 350 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 158: yeas 48, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Slager.

Engrossed Senate Bill 376

Senator Houchin called up Engrossed Senate Bill 376 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning utilities.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 159: yeas 48, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Morrison.

Engrossed Senate Bill 390

Senator Stoops called up Engrossed Senate Bill 390 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 160: yeas 48, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Karickhoff, Torr, Pierce and Hamilton.

Engrossed Senate Bill 400

Senator Freeman called up Engrossed Senate Bill 400 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 161: yeas 48, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Smaltz.

Engrossed Senate Bill 416

Senator Charbonneau called up Engrossed Senate Bill 416 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning utilities.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 162: yeas 46, nays 2. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Ober, Beumer and Stemler.

Engrossed Senate Bill 446

Senator Merritt called up Engrossed Senate Bill 446 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning health.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 163: yeas 48, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Kirchhofer and Davisson.

Engrossed Senate Bill 456

Senator Head called up Engrossed Senate Bill 456 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning military and veterans.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 164: yeas 48, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Friend.

Engrossed Senate Bill 494

Senator Breaux called up Engrossed Senate Bill 494 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning property.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 165: yeas 48, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Shackelford and Hamilton.

Engrossed Senate Bill 496

Senator Grooms called up Engrossed Senate Bill 496 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 166: yeas 41, nays 7. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Davisson, Clere and Stemler.

Engrossed Senate Bill 504

Senator Leising called up Engrossed Senate Bill 504 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning education.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 167: yeas 47, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Behning and Saunders.

Engrossed Senate Bill 510

Senator Merritt called up Engrossed Senate Bill 510 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers and to make an appropriation.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 168: yeas 48, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Kirchhofer and Davisson.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Madam President: The Senate Committee on Rules and Legislative Procedure reports that, pursuant to Senate Rule 35(c), the following technical corrections are to be made to Engrossed Senate Bill 514.

Page 24, line 21, delete "(2)" and insert "(B)".
(Reference is to ESB 514 as reprinted February 21, 2017.)

LONG

Report adopted.

ENGROSSED SENATE BILLS ON THIRD READING

Engrossed Senate Bill 514

Senator Hershman called up Engrossed Senate Bill 514 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning economic development.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 169: yeas 46, nays 2. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Siegrist, T. Brown and Carbaugh.

Engrossed Senate Bill 516

Senator Breaux called up Engrossed Senate Bill 516 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning guardianships.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 170: yeas 48, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Shackelford, Clere and Beumer.

Engrossed Senate Bill 544

Senator Kenley called up Engrossed Senate Bill 544 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 171: yeas 44, nays 4. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative T. Brown.

SENATE MOTION

Madam President: I move that Senators Kruse and Doriot be added as coauthors of Senate Bill 43.

TOMES

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 68.

BREAUX

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Bohacek be added as second author of Senate Bill 126.

L. BROWN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 128.

MESSMER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Doriot be added as coauthor of Senate Bill 128.

MESSMER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Buck be added as third author of Senate Bill 189.

KOCH

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Mishler be removed as author of Senate Bill 198 and Senator Eckerty be substituted therefor.

MISHLER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Mishler be added as second author of Senate Bill 198.

ECKERTY

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Bassler and Head be added as coauthors of Senate Bill 198.

ECKERTY

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Kruse be added as

second author of Senate Bill 224.

LEISING

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Bray be added as second author of Senate Bill 228.

M. YOUNG

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Stoops be added as coauthor of Senate Bill 228.

M. YOUNG

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 243.

CRIDER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Tallian be added as coauthor of Senate Bill 243.

CRIDER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 248.

RAATZ

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Glick be added as second author of Senate Bill 294.

LEISING

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Raatz be added as third author of Senate Bill 294.

LEISING

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Perfect be added as coauthor of Senate Bill 294.

LEISING

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Doriot be added as second author and Senator Niezgodski be added as third author of Senate Bill 295.

LEISING

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Tomes be added as coauthor of Senate Bill 299.

KOCH

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Perfect be added as second author of Senate Bill 312.

BOOTS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Koch be removed as second author of Senate Bill 324.

KOCH

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Merritt be removed as third author of Senate Bill 324.

MERRITT

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator M. Young be added as second author and Senator Koch be added as third author of Senate Bill 324.

HOUCHIN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Niezgodski be added

as coauthor of Senate Bill 340.

KRUSE

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Niezgodski be added as coauthor of Senate Bill 347.

FREEMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Messmer be removed as coauthor of Senate Bill 376.

MESSMER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Messmer be added as second author of Senate Bill 376.

HOUCHIN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Zay be added as third author and Senator Ford be added as coauthor of Senate Bill 376.

HOUCHIN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Lonnie M. Randolph and Hershman be added as coauthors of Senate Bill 429.

FORD

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 481.

KOCH

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 494.

BREAUX

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Houchin be added as third author of Senate Bill 499.

RAATZ

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Eckerty be added as second author of Senate Bill 514.

HERSHMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Buck be added as third author of Senate Bill 514.

HERSHMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 517.

ALTING

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Houchin be added as coauthor of Senate Bill 517.

ALTING

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 532.

BOOTS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Mishler be added as second author of Senate Bill 544.

KENLEY

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Stoops be added as coauthor of Senate Bill 559.

ECKERTY

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 559.

ECKERTY

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Ruckelshaus be added as cosponsor of Engrossed House Bill 1278.

LEISING

Motion prevailed.

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed Engrossed House Bills 1003, 1005, 1043, 1053, 1142, 1181, 1189, 1209, 1250, 1495, 1535, 1536, 1537, 1622 and 1644 and the same are herewith transmitted to the Senate for further action.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed Senate Concurrent Resolution 21 and the same is herewith returned to the Senate.

M. CAROLINE SPOTTS
Principal Clerk of the House

SENATE MOTION

Madam President: I move we adjourn until 1:30 p.m., Thursday, February 23, 2017.

LONG

Motion prevailed.

The Senate adjourned at 4:33 p.m.

JENNIFER L. MERTZ
Secretary of the Senate

SUZANNE CROUCH
President of the Senate