PROPOSED AMENDMENT

HB 1003 # 5

DIGEST

Boards and commissions. Incorporates provisions from 2026hb1003.009 into the bill. Deletes provisions concerning: (1) the commission on supplier diversity; (2) race horse breed development; (3) the bureau of motor vehicles commission; (4) public safety communications and the statewide 911 system; (5) the certification appeal board for real estate appraisers; (6) the New Harmony and Wabash River bridge authority; (7) the Lewis and Clark expedition commission and fund; (8) the hazard mitigation council; (9) the Little Calumet River basin development commission; (11) the membership of regional planning commissions; (12) the membership of the Gary Metro Center station revitalization project board; (13) the division of mental health and addiction planning and advisory council; (14) the membership of certain regional water, sewage, and solid waste districts; (15) the athletic trainer interstate compact; (16) the division of disability and rehabilitative services advisory council; and (17) the Indiana commission to combat substance use disorder. Adds provisions merging the following into other state boards or state agencies: (1) The state egg board. (2) The Indiana fertilizer advisory board. (3) The Indiana recycling market development board. (4) The state library and historical board. (5) The INSPECT oversight committee. (6) The land resources council. (7) The creamery examining board. (8) The board of firefighting personnel standards and education. (9) The emergency medical services commission. (10) The medical education board. (11) The graduate medical education board. (12) The war memorials commission. (13) The main street council. (15) The occupational safety standards commission. (16) The commission on seclusion and restraint in schools. (17) The board for proprietary education. (18). The spinal cord and brain injury research board. (19) The state interagency council on black and minority health. (20) The mining board. (21) The northwest Indiana professional sports development commission. (21) The board of podiatric medicine. (22) The midwifery committee. (23) The Indiana athletic trainers board. (24) The occupational therapy committee. (25) The Indiana board of physical therapy. (26) The state board of registration for professional engineers. (27) The board of registration for architects and landscape architects. Restores to the bill the establishment of the commission on invasive species and pests. Makes changes to the membership or operations of certain boards and commissions.

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 2-5-1.3-13, AS AMENDED BY P.L.186-2025, SECTION 270, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 13. (a) A study committee shall study the issues assigned by the legislative council that are within the subject matter for the study committee, as described in section 4 of this chapter.

(b) In addition to the issues assigned under subsection (a), the interim study committee on roads and transportation shall advise the

bureau of motor vehicles regarding the suitability of a special group (as defined in IC 9-13-2-170) to receive a special group recognition license plate for the special group (as defined in IC 9-13-2-170) for the first time under IC 9-18.5-12-4 and the suitability of a special group (as defined in IC 9-13-2-170) to continue participating in the special group recognition license plate program under IC 9-18.5-12-5.

(c) In addition to the issues assigned under subsection (a), the interim study committee on corrections and criminal code shall review current trends with respect to criminal behavior, sentencing, incarceration, and treatment and may:

(1) identify particular needs of the criminal justice system that can be addressed by legislation; and

(2) prepare legislation to address the particular needs found by the committee.

(d) In each even-numbered year, in addition to the issues assigned under subsection (a), the interim study committee on courts and the judiciary shall review, consider, and make recommendations concerning all requests for new courts, new judicial officers, and changes in jurisdiction of existing courts. A request under this subsection must include at least the following information to receive full consideration by the committee:

(1) The level of community support for the change, including support from the local fiscal body.

(2) The results of a survey that shall be conducted by the county requesting the change, sampling members of the bar, members of the judiciary, and local officials to determine needs and concerns of existing courts.

(3) Whether the county is already using a judge or magistrate from an overserved area of the judicial district.

(4) The relative severity of need based on the most recent weighted caseload measurement system report published by the office of judicial administration.

(5) Whether the county is using any problem solving court as described in IC 33-23-16-11, and, if so, the list of problem solving courts established in the county, and any evaluation of the impact of the problem solving courts on the overall judicial caseload.

(6) A description of the:

(A) county's population growth in the ten (10) years before the date of the request; and

(B) projected population growth in the county for the ten (10)

years after the date of the request, to the extent available; and any documentation to support the information provided under this subdivision.

(7) A description of the county's use of pre-incarceration diversion services and post-incarceration reentry services in an effort to decrease recidivism.

(8) If the request is a request for a new court or new courts, an acknowledgment from the county fiscal body (as defined in IC 36-1-2-6) with the funding sources and estimated costs the county intends to pay toward the county's part of the operating costs associated with the new court or new courts.

The office of judicial administration shall post the list of required information provided under this subsection on its website.

(e) In each even-numbered year, in addition to the issues assigned under subsection (a), the interim study committee on courts and the judiciary shall review the most recent weighted caseload measurement system report published by the office of judicial administration and do the following:

(1) Identify each county in which the number of courts or judicial officers exceeds the number used by the county in that report year.

(2) Determine the number of previous report years in which the number of courts or judicial officers in a county identified in subdivision (1) exceeded the number used by the county in that particular report year.

(3) Make a recommendation on whether the number of courts or judicial officers in the county should be decreased.

The office of judicial administration shall post a list of the number of courts or judicial officers used in each county for each report year, and the number of years in which the number of courts or judicial officers in the county has exceeded the number used by the county, on its website.

(f) In addition to studying the issues assigned under subsection (a), the interim study committee on child services shall:

(1) review the annual reports submitted by:

(A) each local child fatality review team under IC 16-49-3-7;

(B) the statewide child fatality review committee under IC 16-49-4-11; and

(C) the department of child services under IC 31-25-2-24;

during the immediately preceding twelve (12) month period, and

may make recommendations regarding changes in policies or statutes to improve child safety; and

(2) report to the legislative council before November 1 of each interim, in an electronic format under IC 5-14-6, the results of:

(A) the committee's review under subdivision (1); and

(B) the committee's study of any issue assigned to the committee under subsection (a).

(g) In each even-numbered year, in addition to the issues assigned under subsection (a), the interim study committee on government shall do the following:

(1) Determine whether a group has met in the immediately preceding two (2) years.

(2) Review reports submitted to the committee in accordance with IC 1-1-15.5-4.

(3) Identify all interstate compacts that have been fully operational for at least two (2) years to which the state is a party.

(4) Consider whether to:

(A) remain a party to; or

(B) withdraw from;

each interstate compact.

(5) If the committee determines that the state should withdraw from an interstate compact, identify the steps needed to withdraw.

(6) Report before November 1 to the legislative council, in an electronic format under IC 5-14-6 the committee's:

(A) recommendations for proposed legislation to repeal groups:

(i) **after determining** that **the groups** have not met during the immediately preceding two (2) years; ~~and~~ **or**

(ii) after reviewing a group's report under subdivision (2); and

(B) findings and recommendations regarding the interstate compacts.

As used in this subsection, "group" refers to an authority, a board, a commission, a committee, a council, a delegate, a foundation, a panel, or a task force that is established by statute, has at least one (1) legislator assigned to it, and is not staffed by the legislative services agency.

(h) In each odd-numbered year, in addition to the issues assigned under subsection (a), the interim study committee on government shall:

(1) identify each group that has been operational for at least two (2) state fiscal years;

(2) review the statutory duties and recent activities of each group identified under subdivision (1);

(3) for each group identified under subdivision (1), determine whether the group should be:

(A) retained because the group has ongoing statutory duties and it remains the most appropriate group to fulfill those duties;

(B) repealed because the group has fulfilled its statutory duties;

(C) repealed because the group's statutory duties could be more efficiently fulfilled after transferring them to another group or state agency; or

(D) repealed because the group's statutory duties are redundant because the duties also belong to another group or state agency; and

(4) report before November 1 to the legislative council, in an electronic format under IC 5-14-6, the committee's findings and recommendations regarding the groups evaluated under this subsection.

As used in this subsection, "group" refers to an authority, a board, a commission, a committee, a council, a delegate, a foundation, a panel, or a task force that is established by statute and not staffed by the legislative services agency.

~~(h)~~ **(i)** In 2026 and 2027, in addition to the issues assigned under subsections (a) and (f), the interim study committee on child services shall review the report submitted by the child welfare task force under IC 2-5-55.7-8. This subsection expires December 31, 2027.

SECTION 2. IC 2-5-36-9, AS AMENDED BY P.L.221-2025, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 9. The commission shall do the following:

(1) Study and evaluate the following:

(A) Access to services for vulnerable youth.

(B) Availability of services for vulnerable youth.

(C) Duplication of services for vulnerable youth.

(D) Funding of services available for vulnerable youth.

(E) Barriers to service for vulnerable youth.

(F) Communication and cooperation by agencies concerning vulnerable youth.

(G) Implementation of programs or laws concerning vulnerable youth.

(H) The consolidation of existing entities that serve vulnerable youth.

(I) Data from state agencies relevant to evaluating progress, targeting efforts, and demonstrating outcomes.

(J) Crimes of sexual violence against children.

(K) The impact of social networking websites, cellular telephones and wireless communications devices, digital media, and new technology on crimes against children.

(2) Review and make recommendations concerning pending legislation.

(3) Promote information sharing concerning vulnerable youth across the state.

(4) Promote best practices, policies, and programs.

(5) Cooperate with:

(A) other child focused commissions;

(B) the judicial branch of government;

(C) the executive branch of government;

(D) stakeholders; and

(E) members of the community.

(6) Create and provide staff support to a statewide juvenile justice oversight body to carry out the following duties described in section 9.3 of this chapter:

(A) Develop a plan to collect and report statewide juvenile justice data.

(B) Establish procedures and policies related to the use of:

(i) a validated risk screening tool and a validated risk and needs assessment tool;

(ii) a detention tool to inform the use of secure detention;

(iii) a plan to determine how information from the tools described in this clause is compiled and shared and with whom the information will be shared; and

(iv) a plan to provide training to judicial officers on the implementation of the tools described in this clause.

(C) Develop criteria for the use of diagnostic assessments as described in IC 31-37-19-11.7.

(D) Develop a statewide plan to address the provision of broader behavioral health services to children in the juvenile justice system.

(E) Develop a plan for the provision of transitional services for a child who is a ward of the department of correction as described in IC 31-37-19-11.5.

(F) Develop a plan for grant programs described in section 9.3 of this chapter.

The initial appointments and designations to the statewide juvenile justice oversight body described in this subdivision shall be made not later than May 31, 2022. The chief justice of the supreme court shall designate the chair of the statewide juvenile justice oversight body and shall make the initial appointments and designations to the statewide juvenile justice oversight body, which may incorporate members of an existing committee or subcommittee formed under the commission. The initial meeting of the oversight body shall be held not later than July 1, 2022.

(7) Create and provide staff support to a statewide youth, family, and caregiver engagement initiative to carry out the following duties:

(A) Provide staff support and funding for commission activities provided by a:

(i) youth member of the commission appointed under section 4 of this chapter; or

(ii) youth, family, or caregiver member of a commission committee, task force, or subcommittee who has been appointed as a community member.

(B) Develop a statewide plan to support, encourage, and expand the engagement of youth, families, and caregivers in state policymaking impacting youth and children.

(C) Provide and support educational:

(i) opportunities;

(ii) convenings; and

(iii) experiences;

that facilitate increased youth, family, and caregiver participation.

(D) Support the efforts of other state agencies and community organizations that seek to support, encourage, and expand the engagement of youth, families, and caregivers in policy decisions impacting youth and children.

(E) Solicit direct feedback from youth, families, and caregivers to inform commission recommendations concerning:

(i) points of complexity and inefficiency in child serving

systems;

(ii) duplication of services and potential points of consolidation; and

(iii) improving time to permanency and reducing the trauma of systems involvement.

(8) Submit a report not later than September 1 of each year regarding the commission's work during the previous year. The report shall be submitted to the legislative council, the governor, and the chief justice of Indiana. The report to the legislative council must be in an electronic format under IC 5-14-6.

(9) Perform the duties of the commission set forth in IC 31-26-4.

SECTION 3. IC 4-3-21.5-4, AS AMENDED BY P.L.74-2020, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 4. The task force consists of the following members:

(1) The ~~lieutenant~~ governor or the ~~lieutenant~~ governor's designee.

(2) The secretary of commerce or the secretary of commerce's designee.

(3) One (1) member appointed by the speaker of the house of representatives.

(4) One (1) member appointed by the president pro tempore of the senate.

~~(3)~~ **(5)** The following members chosen by the military assets in their geographic areas:

(A) One (1) member representing the Southern Indiana Defense Network.

(B) One (1) member representing Radius Indiana.

(C) One (1) member representing greater Fort Wayne, Indiana.

(D) One (1) member representing the Defense Finance and Accounting Service, Lawrence, Indiana.

(E) One (1) member representing the Grissom Regional Defense Alliance.

(F) One (1) member representing the West Central Indiana Defense Network.

(G) One (1) member representing the Michigan City Coast Guard Station.

SECTION 4. IC 4-3-21.5-9 IS REPEALED [EFFECTIVE JULY 1, 2026]. ~~Sec. 9. A member of the task force who is a member of the general assembly is a nonvoting member.~~

SECTION 5. IC 4-4-16-2, AS AMENDED BY P.L.83-2005, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2. (a) The Indiana main street council is established. The council consists of:

(1) the secretary of agriculture and rural development or a person designated by the secretary, who shall serve as chairman; and

(2) at least seven (7) but not more than ten (10) persons appointed by the secretary, who represent organizations concerned with the purposes of the program established by this chapter and who represent all geographic regions of the state.

(b) Members appointed to the council by the secretary shall serve for a term of three (3) years, beginning on July 1 after their appointment. However, a member appointed to fill a vacancy on the council shall serve for the remainder of the unexpired term.

(c) The council shall:

(1) develop and direct policy;

(2) coordinate administrative techniques; and

(3) provide assistance;

to carry out the purposes of the Indiana main street program.

(d) Each member of the council who is not a state employee is entitled to the minimum salary per diem provided by IC 4-10-11-2.1(b). Each member is entitled to reimbursement for traveling expenses and other expenses actually incurred in connection with the member's duties, as provided in the state travel policies and procedures established by the department of administration and approved by the state budget agency.

(e) This section expires December 31, 2026.

SECTION 6. IC 4-4-16-3, AS AMENDED BY P.L.83-2005, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 3. **(a)** To carry out the purposes described in section 1 of this chapter, the office of rural affairs ~~acting for and on behalf of the Indiana main street council and the Indiana main street program,~~ may:

(1) execute contractual agreements;

(2) receive money from any source;

(3) expend money for an activity appropriate to the purposes of this chapter; and

(4) execute agreements and cooperate with:

(A) any other state or federal department or agency;

(B) Indiana political subdivisions; or

(C) any private person or corporation.

(b) The office of rural affairs shall:

(1) develop and direct policy;

(2) coordinate administrative techniques; and

(3) provide assistance;

to carry out the purposes of the Indiana main street program.

SECTION 7. IC 4-13.6-1-11 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 11. "Professional services" mean the services of:

(1) a person registered or certified under ~~IC 25-4,~~ **IC 25-4-1 or IC 25-4-2;**

(2) a person licensed under ~~IC 25-31,~~ **IC 25-4-3;** or

(3) a person who performs services or studies that:

(A) relate to the design or the feasibility of a building, structure, or improvement; and

(B) are recognized in the industry as professional in nature.

SECTION 8. IC 4-15-12-8, AS AMENDED BY P.L.215-2016, SECTION 88, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 8. (a) There is created the affirmative action advisory committee to assist in the effective implementation of the affirmative action policy. The committee is composed of eight (8) members. The governor shall appoint the members of the committee with the advice of the affirmative action officer. The members serve at the pleasure of the governor.

(b) A member of the committee is entitled to reimbursement for traveling expenses and other expenses actually incurred in connection with the member's duties, as provided in the state travel policies and procedures established by the department of administration and approved by the budget agency. A member who is not an officer or employee of the state is entitled to the minimum salary per diem as provided in IC 4-10-11-2.1(b) while performing the member's duties.

(c) The committee shall select from its membership a chairperson and vice chairperson to serve for one (1) year from the date of selection. They may be reelected at the pleasure of the committee. In any instance where the chairperson or vice chairperson does not serve the chairperson's or vice chairperson's full term, the committee shall select another to serve in the chairperson's or vice chairperson's own right a full term.

(d) The affirmative action advisory committee shall:

(1) provide liaison activities with the affirmative action officer

with respect to problems and suggestions concerning the affirmative action policy;

(2) advise the affirmative action officer and the governor of recommended changes in the implementation of the affirmative action policy and improved guidelines for state agency programs; and

(3) advise the governor and the affirmative action officer concerning the effectiveness and status of the total implementation of the affirmative action policy.

(e) The affirmative action advisory committee may review the affirmative action programs of state agencies for effectiveness and improvements.

(f) This section expires December 31, 2026.

SECTION 9. IC 4-21-1-22.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 22.5. (a) The review board shall establish the Indiana historical marker program for marking historical sites in Indiana. As a part of this program, the review board shall fix a state format for historical markers. No person may erect an historical marker in the state format without the approval of the review board. All historical markers in the state format shall be provided by the review board using appropriated funds, local matching funds, donations, grants, or any other funds provided for that purpose according to the guidelines and rules of the historical marker program.**

(b) The review board may appoint a historical marker advisory committee to serve without compensation. The committee may advise the review board and the director concerning the following:

(1) Guidelines and rules for the historical marker program.

(2) Appropriate sites to be marked.

(3) Other matters concerning the historical marker program as requested by the review board or the director.

(c) Historical markers approved under this section, including state format markers installed after 1945 and markers installed by the Indiana Civil War centennial commission, are the property of the state. Maintenance of state historical markers is part of the historical marker program. The review board may cooperate with individuals, local and state agencies, and private institutions and organizations for the maintenance of the historical markers. Funds made available to the historical marker program, as approved by

the review board, may be used for necessary maintenance.

(d) No historical marker may be erected on a highway of the state highway system without the approval of the review board as to its historical accuracy. This provision is in addition to any other requirement of law.

SECTION 10. IC 4-22-2-0.3, AS ADDED BY P.L.220-2011, SECTION 45, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 0.3. **(a)** The adoption of any rule by a state agency without the approval of the fire prevention and building safety commission **established under IC 22-12-2-1 (before its repeal)** before July 1, 1987, is legalized and validated.

(b) The adoption of any rule by the fire prevention and building safety commission before July 1, 2026, is legalized and validated and considered a rule of the department of homeland security after June 30, 2026.

SECTION 11. IC 4-22-2.6-4, AS AMENDED BY P.L.213-2025, SECTION 56, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 4. (a) To readopt a rule, an agency must conduct a review of the rule to consider the continued need for the rule and whether the rule, if readopted, will meet each of the standards in IC 4-22-2-19.5 and (if applicable) the requirements for fees, fines, and civil penalties in IC 4-22-2-19.6.

(b) In the review, the agency shall reexamine previous cost benefit, economic impact, fiscal impact, and regulatory burden statements prepared by the agency for the rule under IC 4-3-22-13, IC 4-22-2-22.7, IC 4-22-2-22.8, IC 4-22-2-28, IC 4-22-2.1-5, or an executive order and revise the statements to reflect any change in circumstances that affect the analysis. The agency shall identify any alternative methods of achieving the purpose of the rule that are less costly or less intrusive, or that would otherwise minimize the economic impact of the proposed rule on small businesses (as defined in IC 4-22-2.1-4) and other regulated entities. The agency also shall consider the following:

(1) The nature of any complaints or comments received from the public, including small businesses (as defined in IC 4-22-2.1-4), concerning the rule or the rule's implementation by the agency.

(2) The complexity of the rule, including any difficulties encountered by:

(A) the agency in administering the rule; or

(B) small businesses (as defined in IC 4-22-2.1-4) or other regulated persons in complying with the rule.

(3) The degree to which technology, economic conditions, or other factors have changed in the area affected by the rule since the last time the rule was reviewed.

(c) In the review, the agency shall compare the requirements within the rule to similar requirements in Illinois, Kentucky, Michigan, Ohio, and any additional states designated by the office of management and budget for comparison.

~~(c)~~ **(d)** The agency shall prepare written findings concerning the agency's determinations under this section. **The written findings shall include the following:**

(1) A statement identifying whether the program or subject matter covered by the rule is still carried out by the agency.

(2) The rationale for the agency's determination under subsection (a) for the continued need for the rule.

(3) The rationale for the agency's determination under subsection (a) that the rule, if readopted, will meet each of the standards in IC 4-22-2-19.5 and (if applicable) the requirements for fees, fines, and civil penalties in IC 4-22-2-19.6.

(4) Either of the following:

(A) Any revisions to previously prepared cost benefit, economic impact, fiscal impact, or regulatory burden statements prepared by the agency for the rule under:

(i) IC 4-3-22-13;

(ii) IC 4-22-2-22.7;

(iii) IC 4-22-2-22.8;

(iv) IC 4-22-2-28; or

(v) IC 4-22-2.1-5;

if those previously prepared statements were published by the Indiana Register.

(B) If the rule did not have a prior cost benefit, economic impact, fiscal impact, or regulatory burden statement prepared by the agency for the rule under:

(i) IC 4-3-22-13;

(ii) IC 4-22-2-22.7;

(iii) IC 4-22-2-22.8;

(iv) IC 4-22-2-28; or

(v) IC 4-22-2.1-5;

published in the Indiana Register, a copy of an updated regulatory burden statement that meets the requirements

of IC 4-22-2-22.7.

(5) Any alternative methods of achieving the purpose of the rule that are less costly or less intrusive, or that would otherwise minimize the economic impact of the proposed rule on small businesses (as defined in IC 4-22-2.1-4) and other regulated entities.

(6) The nature of any complaints or comments received from the public, including small businesses (as defined in IC 4-22-2.1-4), concerning the rule or the rule's implementation by the agency.

(7) Any difficulties encountered by:

(A) the agency in administering the rule; or

(B) small businesses (as defined in IC 4-22-2.1-4) or other regulated persons in complying with the rule.

(8) The degree to which technology, economic conditions, or other factors have changed in the area affected by the rule since the last time the rule was adopted, readopted, or amended.

(9) Whether the federal government or any of the states covered by subsection (c) have less restrictive requirements than the rule, and, if so, the evidence or unique circumstances that justify why the more restrictive requirements in the rule are necessary.

(10) The last time the substantive content of the rule was amended.

(11) Whether the substantive content in the rule would be more appropriately integrated into the Indiana Code as opposed to remaining as a separate administrative rule. In making such a determination, the agency shall consider the frequency of updates to the rule since its initial promulgation. If the substantive content of the rule has not been modified in the prior eight (8) years, the agency must present specific facts that justify keeping the substantive content in an administrative rule rather than the Indiana Code.

(e) The written findings in subsection (d) must be submitted in a form that can be easily loaded into commonly used business analysis software and published in the Indiana Register using the format jointly developed by the publisher, the office of management and budget, and the budget agency. The office of management and budget may provide more stringent requirements

for rules with fiscal impacts and costs above a threshold amount determined by the office of management and budget.

SECTION 12. IC 4-22-2.6-5, AS AMENDED BY P.L.93-2024, SECTION 24, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE MAY 15, 2026]: Sec. 5. **(a) If an agency elects to readopt a rule under this chapter, the agency shall submit a copy of the written findings under section 4 of this chapter to the office of management and budget and the legislative council not later than the first regular business day in July of the year preceding the year in which the rule expires under this chapter.**

~~(a)~~ **(b)** If an agency elects to readopt a rule under this chapter, the agency shall submit a notice of proposed readoption to the publisher not later than the first regular business day in September of the year preceding the year in which the rule expires under this chapter for publication in the Indiana Register. A separate notice must be published for each board or other person or entity with rulemaking authority.

~~(b)~~ **(c)** The notice must include the following:

(1) A general description of the subject matter of all rules proposed to be readopted.

(2) A listing of rules that are proposed to be readopted, listed by their titles and subtitles only.

(3) A written public comment period of thirty (30) days and instructions on how to submit written comments to the agency.

(4) A request for comments on whether specific rules should be reviewed through the regular rulemaking process under IC 4-22-2-23 through IC 4-22-2-36 (as modified by IC 13-14-9, when applicable).

(5) ~~A summary of~~ The agency's **written** findings under section 4 of this chapter.

(6) Any other information required by the publisher.

~~(c)~~ **(d)** The agency shall submit the material in the form required by IC 4-22-2-20. The agency need not resubmit the documents required by IC 4-22-2-21 if the publisher received a copy of the documents when the rule was previously adopted or amended. The publisher shall review the material submitted under this section and determine the date that the publisher intends to include the material in the Indiana Register. After:

(1) establishing the intended publication date; and

(2) receiving the material as required by this section;

the publisher shall provide an electronic mail authorization to proceed to the agency and publish the material on the intended publication date.

SECTION 13. IC 4-23-5.5-1, AS AMENDED BY P.L.34-2013, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1. As used in this chapter:

~~(1) "board" refers to the Indiana recycling market development board created by this chapter;~~

(1) "department" refers to the department of environmental management established by IC 13-13-1-1;

(2) "division" refers to the division of pollution prevention established by IC 13-27-2-1; and

(3) "office" refers to the Indiana office of energy development established by IC 4-3-23-3.

SECTION 14. IC 4-23-5.5-2 IS REPEALED [EFFECTIVE JULY 1, 2026]. ~~Sec. 2. (a) The Indiana recycling market development board is created and constitutes a public instrumentality of the state. The exercise by the board of the powers conferred by this chapter is an essential governmental function.~~

~~(b) The board consists of nine (9) members, one (1) of whom shall be the lieutenant governor or the lieutenant governor's designee and eight (8) of whom shall be appointed by the governor for four (4) year terms. The governor's appointees shall be chosen from among representatives of:~~

~~(1) the waste management industry;~~

~~(2) the recycling industry;~~

~~(3) Indiana universities and colleges with expertise in recycling research and development;~~

~~(4) industrial and commercial consumers of recycled feedstock;~~

~~(5) environmental groups; and~~

~~(6) private citizens with a special interest in recycling.~~

~~No more than four (4) appointed members shall be of the same political party.~~

~~(c) A vacancy in the office of an appointed member, other than by expiration, shall be filled in like manner as the original appointment for the remainder of the term of that retiring member. Appointed members may be removed by the governor for cause.~~

~~(d) The board shall have seven (7) ex officio advisory members as follows:~~

~~(1) The governor.~~

~~(2) The director of the department of natural resources.~~

~~(3) The commissioner of the department of environmental management.~~

~~(4) Two (2) members from the house of representatives of opposite political parties appointed by the speaker of the house of representatives for two (2) year terms that expire June 30 of each odd-numbered year.~~

~~(5) Two (2) members from the senate of opposite political parties appointed by the president pro tempore of the senate for two (2) year terms that expire June 30 of each odd-numbered year.~~

~~(c) The division shall serve as the staff of the board.~~

~~(f) An ex officio advisory member identified in subsection (d) may, in writing, designate a representative to serve in an advisory capacity when the ex officio member is unable to attend a board meeting.~~

~~(g) The terms of the members of the board appointed by the governor under subsection (b) expire as follows:~~

~~(1) For four (4) of the members, as determined by the governor, December 31, 2025, and every fourth year thereafter.~~

~~(2) For four (4) of the members, as determined by the governor, December 31, 2027, and every fourth year thereafter.~~

SECTION 15. IC 4-23-5.5-2.5 IS REPEALED [EFFECTIVE JULY 1, 2026]. ~~Sec. 2.5. (a) Each member of the board who is not a state employee is entitled to the minimum salary per diem provided by IC 4-10-11-2.1(b). The member is also entitled to reimbursement for mileage, traveling expenses as provided under IC 4-13-1-4, and other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.~~

~~(b) Each member of the board who is a state employee is entitled to reimbursement for traveling expenses as provided under IC 4-13-1-4 and other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.~~

~~(c) Each member of the board who is a member of the general assembly is entitled to receive the same per diem, mileage, and travel allowances paid to members of the general assembly serving on interim study committees established by the legislative council. Per diem, mileage, and travel allowances paid under this subsection shall be paid from appropriations made to the legislative council or the legislative services agency.~~

~~(d) Expenses paid under subsections (a) and (b) shall be paid from appropriations made to the department of environmental management.~~

SECTION 16. IC 4-23-5.5-3 IS REPEALED [EFFECTIVE JULY 1, 2026]. ~~Sec. 3. The governor shall appoint one (1) of the appointed members as chairperson. Five (5) members of the board shall constitute a quorum and the affirmative vote of a majority of the membership shall be necessary for any action taken by the board. A vacancy in the membership of the board does not impair the right of the quorum to act.~~

SECTION 17. IC 4-23-5.5-4 IS REPEALED [EFFECTIVE JULY 1, 2026]. ~~Sec. 4. A representative appointed by the division, in consultation with the lieutenant governor or the lieutenant governor's designee, shall be the chief administrative officer for the board and shall direct and supervise the administrative affairs and technical activities of the board in accordance with rules, regulations, and policies established by the board. The division may appoint the employees as the board may require and the agents or consultants as may be necessary for implementing this chapter. The division shall prepare an annual administrative budget for review by the budget agency and the budget committee.~~

SECTION 18. IC 4-23-5.5-5 IS REPEALED [EFFECTIVE JULY 1, 2026]. ~~Sec. 5. A member of the board must disclose to the board any interest in a project the board may be considering for action. The board shall determine whether that member shall be allowed to participate in activities related to that project.~~

SECTION 19. IC 4-23-5.5-6, AS AMENDED BY P.L.42-2024, SECTION 41, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 6. (a) The ~~board~~ **department** shall do the following:

~~(1) Adopt procedures for the regulation of its affairs and the conduct of its business.~~

~~(2) Meet at the offices of the division on call of the chairperson at least once each calendar quarter. The meetings shall be upon ten (10) days written notification, shall be open to the public, and shall have official minutes recorded for public scrutiny.~~

~~(3)~~ **(1)** Report annually in an electronic format under IC 5-14-6 to the legislative council concerning:

(A) the projects in which it has participated and is currently participating with a complete list of expenditures for those projects; and

(B) the information obtained through the recycling activity

reports submitted to the commissioner of the department ~~of environmental management~~ under IC 13-20-25 concerning the calendar year most recently ended.

~~(4) Annually prepare an administrative budget for review by the budget agency and the budget committee.~~

~~(5)~~ **(2)** Keep proper records of accounts **of the department's activities under this chapter** and make an annual report ~~of its condition~~ to the state board of accounts.

~~(6)~~ **(3)** Receive petitions and make determinations under IC 13-20.5-2-2.

(b) The ~~board~~ **department** shall consider projects involving the creation of the following:

(1) Markets for products made from recycled materials.

(2) New products made from recycled materials.

(c) The ~~board~~ **department** may promote, fund, and encourage programs facilitating the development and implementation of waste reduction, reuse, and recycling in Indiana.

SECTION 20. IC 4-23-5.5-7, AS AMENDED BY P.L.204-2007, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 7. The ~~board,~~ **department,** upon approval by the governor and the budget agency, may make the following expenditures:

(1) Matching grants to federal, state, and local governmental agencies for research and development of:

(A) recycling projects; and

(B) recycling market development projects;

in Indiana.

(2) Matching grants to individuals, corporations, limited liability companies, partnerships, educational institutions, and other private sector groups for recycling and recycling market research and development.

(3) Direct grants, loans, or loan guarantees to those individuals and organizations specified in subdivision (1) or (2) of this section.

(4) Contractual services for recycling and recycling market research and development programs.

(5) Other projects and expenses consistent with this chapter.

SECTION 21. IC 4-23-5.5-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 8. The ~~board~~ **department** does not have the authority to exercise the power of eminent domain **in carrying out its powers and duties under this**

chapter.

SECTION 22. IC 4-23-5.5-9, AS AMENDED BY P.L.204-2007, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 9. The ~~board~~ **department** may:

(1) on behalf of the state, receive and accept grants, gifts, and contributions from public agencies, including the federal government, and from private agencies and private sources, including the Indiana business modernization and technology corporation, for the purpose of researching and developing recycling within the state, and may administer ~~such,~~ **money received under this section,** including contracting with other public and private organizations, to carry out the purposes for which ~~such~~ **the** grants, gifts, and contributions were made;

(2) establish application forms and procedures for programs consistent with this chapter;

(3) accept applications from private and public sources for funding of programs consistent with this chapter;

(4) provide funding for studies, research projects, and other activities required to assess the nature and extent of recycling markets in Indiana and the nature and extent of recycling resources to meet the needs of the state;

(5) deposit funds not currently needed to meet the obligations of the board with the treasurer of state to the credit of the fund, or invest in obligations as provided by IC 5-13-10.5; and

(6) participate in or sponsor programs, conferences, or seminars aimed at assisting the state in promoting recycling market development.

SECTION 23. IC 4-23-5.5-14, AS AMENDED BY P.L.9-2024, SECTION 101, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 14. (a) The Indiana recycling promotion and assistance fund is established. The purpose of the fund is to promote and assist recycling throughout Indiana by focusing economic development efforts on businesses and projects involving recycling. The fund shall be administered by the ~~board.~~ **department.**

(b) Sources of money for the fund consist of the following:

(1) Appropriations from the general assembly.

(2) Repayment proceeds of loans made from the fund.

(3) Gifts and donations.

(4) Money from the solid waste management fund.

(5) Variable recycling fee revenue deposited under

IC 13-20.5-2-1.

(c) Money remaining in the fund at the end of a state fiscal year does not revert to the state general fund.

(d) The ~~board~~ **department** may use money in the fund to make loans to assist:

(1) persons in establishing new recycling businesses;

(2) in the expansion of existing recycling businesses; and

(3) manufacturers in retrofitting equipment necessary to reuse or recycle secondary materials.

(e) The ~~board~~ **department** shall establish loan:

(1) amounts;

(2) terms; and

(3) interest rates.

(f) The ~~board~~ **department** may use money in the fund to make grants for research and development projects involving recycling. The board shall establish amounts for grants.

(g) A person, business, or manufacturer that wants a grant or loan from the fund must file an application with the ~~board.~~ **department.**

(h) The ~~board~~ **department** shall establish criteria for awarding grants and loans under this section.

(i) To implement the central Indiana waste diversion project as described in IC 13-20-26, the ~~board~~ **department** shall award not more than four million dollars ($4,000,000) in total to applicants chosen to participate in the project based on:

(1) ~~the recommendations of the department of environmental management after conducting~~ an evaluation of the proposals submitted under IC 13-20-26-2; and

(2) the requirements set forth in subsection (j).

(j) In awarding the funds described in subsection (i), the ~~board~~ **department** shall:

(1) ~~consult with the department of environmental management when reviewing the~~ **review** proposals under IC 13-20-26-2;

(2) consider the:

(A) type; and

(B) amount of;

waste that is proposed to be diverted during the project under IC 13-20-26;

(3) consider the potential for productive reuse of the waste that is being diverted based on the information provided in the proposal submitted under IC 13-20-26-2; and

(4) give priority to proposals with the largest amount of waste diversion potential throughout the project under IC 13-20-26.

(k) The ~~board~~ **department** may transfer money in the fund to the state solid waste management fund established by IC 13-20-22-2 ~~for use by the department of environmental management~~ to make payments under IC 13-20-17.7-6.

SECTION 24. IC 4-23-5.5-15 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 15. (a) The Indiana energy efficiency loan fund is established for the purpose of assisting Indiana industries and governing bodies (as defined in IC 36-1-12.5-1.5) in undertaking energy efficiency projects. The fund shall be administered by the ~~board.~~ **department.**

(b) Sources of money for the fund consist of the following:

(1) Appropriations from the general assembly.

(2) Repayment proceeds, including interest, of loans made from the fund.

(3) Donations, gifts, and money received from any other source, including transfers from other funds or accounts.

(c) Money remaining in the fund at the end of a state fiscal year does not revert to the state general fund.

(d) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public funds may be invested. Interest that accrues from these investments shall be deposited in the fund.

(e) The ~~board~~ **department** shall establish:

(1) amounts, terms, and interest rates for loans under this section; and

(2) criteria for awarding loans under this section.

(f) A person, business, governing body, or manufacturer that wants a loan from the fund must file an application in the manner prescribed by the ~~board.~~ **department.**

SECTION 25. IC 4-23-6-7 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 7. This chapter expires December 31, 2026.**

SECTION 26. IC 4-23-6.5-4, AS AMENDED BY P.L.56-2023, SECTION 30, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 4. (a) The board consists of seven (7) members. The board must include the following:

(1) The commissioner of the Indiana department of health or the commissioner's designee.

~~(2) The chairman of the commission on forensic sciences or the chairman's designee.~~

~~(3)~~ **(2)** The superintendent of the state police department or the superintendent's designee.

~~(4)~~ **(3)** Four (4) county coroners appointed by the governor, who shall consider appointing coroners who are women or members of minority groups.

(4) An attorney appointed by the governor.

(b) Not more than two (2) of the county coroner members of the board may be from the same political party.

SECTION 27. IC 4-23-7-2, AS AMENDED BY P.L.84-2012, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2. (a) The management and control of the Indiana library and historical department is hereby vested in a board which shall be known as the Indiana library ~~and historical~~ board, and which shall consist of five (5) members, who shall be appointed by the governor.

(b) All members shall be appointed for terms of four (4) years. A person may not be appointed as a member of the Indiana library ~~and historical~~ board unless the person is a citizen of high standing and probity and has a known and active interest in library or historical work. The members of the board shall be appointed as follows:

(1) One (1) member of the library ~~and historical~~ board shall be appointed on recommendation of the state board of education.

(2) One (1) member must be appointed on the recommendation of the Indiana Library Federation.

(3) At least one (1) member shall be appointed on recommendation of the Indiana historical society.

(4) At least one (1) member must be a public library trustee appointed on the recommendation of the Indiana Library Trustee Association.

(c) The members of the board shall serve without compensation, but shall be entitled to receive their actual expenses necessarily incurred in attending the meetings and transacting the business of the board, and in participating in such other activities as may be in the interest of the department.

(d) Any vacancy which may occur in the membership of the board for any cause shall be filled by appointment by the governor for the unexpired term.

(e) The board may prepare plans subject to the approval of the

governor and advise with the proper officials in the construction of alterations and additions to the building and provide necessary equipment and furnishings within the appropriations of funds for these purposes.

(f) The board may receive and administer any state or federal aid which may become available for the improvement and development of library and historical services in Indiana.

SECTION 28. IC 4-23-7-2.1, AS AMENDED BY P.L.42-2018, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2.1. (a) The Indiana library ~~and historical~~ board shall elect one (1) of its members as president, another as secretary, and such other officers as it determines, each of whom shall hold office for a term of one (1) year.

(b) The board may designate the director of the state library as the executive secretary of the board with duties as prescribed by the board.

SECTION 29. IC 4-23-7-5, AS AMENDED BY P.L.42-2018, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 5. Subject to the provisions of this chapter, the Indiana library ~~and historical~~ board shall formulate policies for the care, management, and expansion of the Indiana library and historical department so that the department is operated according to the most approved standards of library and historical service.

SECTION 30. IC 4-23-7-5.2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 5.2. The Indiana library ~~and historical~~ board may accept gifts, bequests, and devises of personal and real property for the maintenance, use, or benefit of the Indiana library and historical department under such terms and conditions and with such obligations, liabilities, and burdens as in the judgment of the board and the governor is in the best interest of the Indiana library and historical department; however, no obligation, liability, or burden shall be assumed that is in excess of appropriations made by law for the payment of such obligations, liabilities, and burdens.

SECTION 31. IC 4-23-7-5.3, AS AMENDED BY P.L.1-2009, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 5.3. (a) The Indiana library ~~and historical~~ board may, on the recommendation of the director of the state library, sell, lease, exchange, or otherwise dispose of library materials under:

(1) IC 5-22-21; or

(2) IC 5-22-22.

(b) The Indiana library ~~and historical~~ board may, on the

recommendation of the director of the state library and in accordance with policies and procedures adopted by the board, sell, donate, or exchange library materials to or with other public or nonprofit libraries or historical societies.

(c) The Indiana library ~~and historical~~ board may, on the recommendation of the director of the state library, adopt policies and procedures for evaluating a proposal to:

(1) accept gifts of;

(2) sell;

(3) exchange; or

(4) otherwise dispose of;

library materials described in IC 4-23-7.1-3.

SECTION 32. IC 4-23-7-5.4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 5.4. (a) The library and historical department fund is established as a dedicated fund to be administered by the Indiana library ~~and historical~~ board. The monies in the fund may be expended by the board exclusively for the maintenance, use, or benefit of the Indiana library and historical department.

(b) The proceeds from the sale of items as directed by law or by the Indiana library ~~and historical~~ board, from gifts of money or the proceeds from the sale of gifts donated to the fund, and from investment earnings from any portion of the fund, shall be deposited in the fund.

(c) All monies accruing in the fund are hereby appropriated continuously for the purposes specified in this section.

(d) No portion of the fund shall revert to the general fund of the state at the end of a fiscal year; however, if the fund is abolished, its contents shall revert to the general fund of the state.

SECTION 33. IC 4-23-7.1-1, AS AMENDED BY P.L.42-2018, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1. As used in this chapter:

(1) "Agency" means any state administration, agency, authority, board, bureau, commission, committee, council, department, division, institution, office, service, or other similar body of state government.

(2) "Board" means the Indiana library ~~and historical~~ board established by IC 4-23-7-2.

(3) "Department" means the Indiana library and historical department established by IC 4-23-7-1.

(4) "Director" means director of the Indiana state library.

(5) "Historical bureau" means the Indiana historical bureau established by IC 4-23-7.2-2.

(6) "Public library" has the meaning set forth in IC 36-12-1-5.

(7) "State library" means the Indiana state library established by IC 4-23-7-3.

(8) "Statewide library card program" refers to the program established by section 5.1 of this chapter.

SECTION 34. IC 4-23-7.1-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 4. The state library shall initiate or participate in plans or programs for historical or library development in Indiana that are considered appropriate by the Indiana library ~~and historical~~ board.

SECTION 35. IC 4-23-7.1-23 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 23. The enumeration of the specific powers and duties in this chapter does not exclude the state library from engaging in any other activity, not contrary to law, that the Indiana library ~~and historical~~ board may consider appropriate in the development of library service to state government, to the libraries and library profession of Indiana, and to the citizens of the state.

SECTION 36. IC 4-23-7.1-32, AS AMENDED BY P.L.84-2012, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 32. Any book or other library material, unless restricted because of its value, physical condition, historical importance, demand, requirement for research, or legal or contractual restriction, belonging to or in custody of the state library may be borrowed for use outside of the library by any resident of the state or any library in accordance with policies adopted by the Indiana library ~~and historical~~ board.

SECTION 37. IC 4-23-7.1-39.1, AS AMENDED BY P.L.13-2013, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 39.1. (a) The state library advisory council is established for the purpose of advising the board and the state librarian concerning:

(1) general policies of the state library;

(2) plans or programs for library development and interlibrary cooperation;

(3) library research;

(4) professional development for librarians;

(5) standards and rules for library services;

(6) administration and distribution of state and federal funds; and

(7) other matters as requested by the board and the state librarian.

(b) The advisory council consists of not more than fifteen (15) members.

(c) The board shall appoint the members of the advisory council, with nominations for appointment from library organizations and the state librarian.

(d) Members of the advisory council shall serve two (2) year terms. However, the board shall stagger the terms of the initial appointees.

(e) Notwithstanding subsection (d), if a member misses a majority of the advisory council's meetings in a calendar year, the board may remove the member and appoint a new member to serve the remainder of the term of the member removed under this subsection.

(f) A member of the advisory council is not entitled to compensation, per diem, or reimbursement for expenses.

(g) A quorum of the members must be present for the advisory council to take any official action. A quorum of the advisory council consists of a majority of the members appointed to the advisory council. An affirmative vote by a majority of the members present is needed for the advisory council to make a recommendation or take any official action.

(h) This section expires December 31, 2026.

SECTION 38. IC 4-23-7.2-1, AS AMENDED BY P.L.42-2018, SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1. The following definitions apply throughout this chapter:

(1) "Agency" means any state administration, agency, authority, board, bureau, commission, committee, council, department, division, institution, office, service, or other similar body of state government.

(2) "Board" means the Indiana library ~~and historical~~ board established by IC 4-23-7-2.

(3) "Department" means the Indiana library and historical department established by IC 4-23-7-1.

(4) "Deputy director" means the deputy director of the Indiana historical bureau.

(5) "Director" means director of the library.

(6) "Historical bureau" means the Indiana historical bureau established by section 2 of this chapter.

(7) "Library" means the Indiana state library established by IC 4-23-7-3.

SECTION 39. IC 4-23-7.2-11 IS REPEALED [EFFECTIVE JULY 1, 2026]: ~~Sec. 11. (a) The historical bureau shall establish the Indiana historical marker program for marking historical sites in Indiana. As a part of this program, the historical bureau shall fix a state format for historical markers. No person may erect an historical marker in the state format without the approval of the historical bureau. All historical markers in the state format shall be provided by the historical bureau using appropriated funds, local matching funds, donations, grants, or any other funds provided for that purpose according to the guidelines and rules of the historical marker program.~~

~~(b) The board may appoint a historical marker advisory committee to serve without compensation. The committee may advise the board and the director concerning the following:~~

~~(1) Guidelines and rules for the historical marker program.~~

~~(2) Appropriate sites to be marked.~~

~~(3) Other matters concerning the historical marker program as requested by the board or the director.~~

~~(c) Historical markers approved under this section, including state format markers installed after 1945 and markers installed by the Indiana Civil War centennial commission, are the property of the state. Maintenance of state historical markers is part of the historical marker program. The historical bureau may cooperate with individuals, local and state agencies, and private institutions and organizations for the maintenance of the historical markers. Funds made available to the historical marker program, as approved by the board, may be used for necessary maintenance.~~

~~(d) No historical marker may be erected on a highway of the state highway system without the approval of the historical bureau as to its historical accuracy. This provision is in addition to any other requirement of law.~~

SECTION 40. IC 4-23-7.2-21 IS REPEALED [EFFECTIVE JULY 1, 2026]. ~~Sec. 21. (a) An advisory committee is established to advise the historical bureau in establishing an oral history of the general assembly under section 20 of this chapter. The committee consists of the following eight (8) members:~~

~~(1) One (1) member of the general assembly appointed by the speaker of the house of representatives.~~

~~(2) One (1) member of the general assembly appointed by the~~

~~minority leader of the house of representatives.~~

~~(3) One (1) member of the general assembly appointed by the president pro tempore of the senate.~~

~~(4) One (1) member of the general assembly appointed by the minority leader of the senate.~~

~~(5) Four (4) members appointed by the governor as follows:~~

~~(A) One (1) member nominated by the Indiana library and historical board.~~

~~(B) One (1) member nominated by the Indiana Historical Society.~~

~~(C) One (1) member nominated by the Center for the Study of History and Memory at Indiana University.~~

~~(D) One (1) member nominated by the board of trustees of The History Museum in South Bend.~~

~~(b) The following apply to the governor's appointments under subsection (a)(5):~~

~~(1) Not more than two (2) members appointed by the governor may be members of the same political party.~~

~~(2) The appointments must be made so that the northern, central, and southern regions of Indiana are represented on the committee.~~

~~(c) Members of the committee serve at the pleasure of the appointing authority. If a vacancy occurs on the committee, the appointing authority that appointed the member whose position is vacant shall appoint an individual to fill the vacancy. An individual appointed to fill a vacancy must have the qualifications that a member appointed by the appointing authority must have.~~

~~(d) The:~~

~~(1) chairman of the legislative council, with the advice of the vice-chairman, shall designate the chair; and~~

~~(2) vice-chairman of the legislative council, with the advice of the chairman, shall designate a vice-chair;~~

~~of the committee from among the legislative members of the committee. The chair and vice-chair of the committee serve at the pleasure of the appointing authority.~~

~~(e) Each member of the committee is entitled to receive the same per diem, mileage, and travel allowances paid to individuals who serve as legislative and lay members, respectively, of interim study committees established by the legislative council.~~

~~(f) The historical bureau shall provide staff support to the committee.~~

~~(g) Expenses incurred by the committee to carry out its functions must be paid from appropriations to the Indiana library and historical board.~~

~~(h) On or before July 1, 2027, and July 1 biennially thereafter, the committee shall submit a report to the executive director of the legislative services agency, in an electronic format under IC 5-14-6, for review by the interim committee on government in accordance with IC 1-1-15.5-4 and IC 2-5-1.3-13(g). The report shall describe:~~

~~(1) official action taken; and~~

~~(2) actionable items considered;~~

~~by the committee during the preceding two (2) years.~~

SECTION 41. IC 4-23-12 IS REPEALED [EFFECTIVE JULY 1, 2026]. (Indiana Commission for Arts and Humanities in Education).

SECTION 42. IC 4-23-24.1-0.1 IS REPEALED [EFFECTIVE JULY 1, 2026]. ~~Sec. 0.1. The amendments made to section 3 of this chapter by P.L.199-2007 apply only to members of the commission appointed by the governor after December 31, 2008. A member of the commission appointed by the governor under section 3 of this chapter before January 1, 2009, may serve the entire four (4) year term to which the member was appointed, as provided in section 4(b) of this chapter.~~

SECTION 43. IC 4-23-24.1-3, AS AMENDED BY P.L.42-2024, SECTION 42, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 3. (a) The commission consists of thirteen (13) members, appointed as follows:

~~(1) Nine (9) members who are Indiana residents appointed by the governor. Each Indiana congressional district must be represented by at least one (1) individual appointed under this subdivision who is a resident of that congressional district. Not more than five (5) members appointed under this subdivision may be members of the same political party.~~

~~(2)~~ **(1) The commissioner of the department of administration or the commissioner's designee.**

(2) The director of the Indiana housing and community development authority or the director's designee.

(3) The chief executive officer of the state museum or the chief executive officer's designee.

(4) The state librarian or the state librarian's designee.

(5) The director of the civil rights commission or the director's designee.

(6) Four (4) members appointed by the governor in accordance with subsection (c).

(7) Four (4) members of the general assembly who are appointed under section 5 of this chapter.

(b) Members of the commission serve at the pleasure of the appointing authority.

(c) The following apply to members appointed under subsection (a)(6):

(1) Not more than two (2) of the members may be members of the same political party.

(2) At least three (3) of the members must reside in different Indiana congressional districts.

SECTION 44. IC 4-23-24.1-4, AS AMENDED BY P.L.1-2025, SECTION 25, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 4. (a) The governor shall annually designate one (1) of the members appointed under section ~~3(a)(1)~~ **3(a)(6)** of this chapter as chairperson of the commission.

(b) **Except as provided in subsection (c),** members of the commission appointed ~~under section 3(a)(1) of this chapter~~ **by the governor** serve a four (4) year term. **For a member appointed after June 30, 2026,** each term expires ~~as follows:~~

~~(1) For a member appointed from an odd-numbered congressional district, December 31, 2025, and each fourth year thereafter.~~

~~(2) For a member appointed from an even-numbered congressional district, December 31, 2027, and each fourth year thereafter.~~ **December 31, 2030, and each fourth year thereafter.**

(c) This subsection applies to a member appointed by the governor under section 3 of this chapter before July 1, 2026. The term of each member expires July 1, 2026.

~~(c)~~ **(d)** A member appointed **by the governor** under section ~~3(a)(1)~~ **3** of this chapter may be reappointed for successive terms.

~~(d)~~ **(e)** The governor shall fill a vacancy among the members appointed under section ~~3(a)(1)~~ **3(a)(6)** of this chapter. A member appointed under this subsection serves until the end of the unexpired term of the vacating member of the commission.

SECTION 45. IC 4-23-24.1-5.5, AS ADDED BY P.L.42-2024, SECTION 45, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 5.5. **(a)** The commission:

(1) shall meet at the call of the chairperson as necessary to fulfill

its duties under this chapter; **and**

(2) must meet at least two (2) times each calendar year.

(b) The chairperson may:

(1) designate subcommittees as necessary to meet between commission meetings; and

(2) require a subcommittee to report on its activities to the full commission.

SECTION 46. IC 4-23-24.1-6, AS AMENDED BY P.L.199-2007, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 6. Seven (7) members of the commission constitute a quorum. **The affirmative votes of at least seven (7) members of the commission are required for the commission to take official action.**

SECTION 47. IC 4-23-24.1-7, AS AMENDED BY P.L.42-2024, SECTION 46, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 7. (a) Each member of the commission who is not a state employee is entitled to the minimum salary per diem provided by IC 4-10-11-2.1(b). The member is also entitled to reimbursement for mileage, traveling expenses as provided under IC 4-13-1-4, and other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency. ~~Expenses incurred under this subsection and subsection (b) shall be paid out of the funds appropriated to the civil rights commission.~~

(b) Each member of the commission who is a state employee is entitled to reimbursement for traveling expenses as provided under IC 4-13-1-4 and other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.

(c) Each member of the commission who is a member of the general assembly is entitled to receive the same per diem, mileage, and travel allowances paid to members of the general assembly serving on interim study committees established by the legislative council. Per diem, mileage, and travel allowances paid under this subsection shall be paid from appropriations made to the legislative council or the legislative services agency.

(d) Expenses incurred under subsections (a) and (b) shall be paid out of the funds appropriated to the civil rights commission.

SECTION 48. IC 4-23-24.1-8 IS AMENDED TO READ AS

FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 8. The civil rights commission shall furnish the necessary staff **and administrative** support for the commission.

SECTION 49. IC 4-23-24.1-11 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 11. Funding for the commission is derived from money appropriated to the civil rights commission. Money appropriated to the civil rights commission for the purposes of this chapter does not revert to the state general fund at the end of a state fiscal year, but remains available to the civil rights commission until the purpose for which the money was appropriated is fulfilled.**

SECTION 50. IC 4-23-24.1-12 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 12. (a) The Dr. Martin Luther King, Jr. holiday commission special fund is established to provide money for special projects of the commission.**

(b) The treasurer of state shall administer the fund.

(c) Expenses of administering the fund must be paid from money in the fund.

(d) The fund consists of gifts, contributions, and money donated to the commission.

(e) The treasurer of state shall invest money in the fund not needed to meet the obligations of the fund in the same manner as other public funds may be invested. Interest on investments made under this subsection accrues to the fund.

(f) Money in the fund at the end of a state fiscal year does not revert to the state general fund.

(g) Money in the fund is continuously appropriated for the purposes described in subsection (a).

SECTION 51. IC 4-23-25 IS REPEALED [EFFECTIVE JULY 1, 2026]. (Indiana Commission for Women).

SECTION 52. IC 4-23-26-10 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 10. This chapter expires December 31, 2026.**

SECTION 53. IC 4-23-27-9 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 9. This chapter expires December 31, 2026.**

SECTION 54. IC 4-23-28 IS REPEALED [EFFECTIVE JULY 1,

2026]. (Commission on Hispanic/Latino Affairs).

SECTION 55. IC 4-23-31 IS REPEALED [EFFECTIVE JULY 1, 2026]. (Commission on the Social Status of Black Males).

SECTION 56. IC 4-23-32 IS REPEALED [EFFECTIVE JULY 1, 2026]. (Native American Indian Affairs Commission).

SECTION 57. IC 4-23-35 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]:

Chapter 35. Indiana State Historical Records Advisory Board

Sec. 1. As used in this chapter, "board" refers to the Indiana state historical records advisory board established by section 3 of this chapter.

Sec. 2. As used in this chapter, "NHPRC" means the federal National Historical Publications and Records Commission.

Sec. 3. The Indiana state historical records advisory board:

(1) initially established under Executive Order 06-01; and

(2) continued under Executive Order 13-13 and 17-06;

is established under the Indiana department of administration. The board is a continuing board. The purpose of the board is to carry out the duties under section 8 of this chapter.

Sec. 4. (a) The board consists of seven (7) voting members.

(b) At least four (4) members of the board must have recognized experience in the administration of government records, historical records, or archives.

(c) One (1) of the seven (7) members under subsection (a) must be the state archivist. The remaining six (6) members shall be appointed by the state archivist and are lay members who:

(1) may be reappointed; and

(2) serve at the will of the state archivist.

There is no term limit for members of the board.

(d) The state archivist shall serve as state coordinator and chair of the board.

Sec. 5. (a) The term of a member appointed under section 4(a) of this chapter is three (3) years.

(b) The state archivist shall appoint a new member to fill a vacancy on the board that occurs for any reason. A member appointed under this subsection serves the remainder of the unexpired term of the vacating member.

Sec. 6. (a) This section applies to a member of the board appointed under Executive Order 06-01, 13-13, or 17-06.

(b) An individual who serves as a member of the board on June 30, 2026, is appointed by operation of law to serve the remainder of the member's unexpired term. A subsequent vacancy shall be filled by the state archivist under section 4(c) of this chapter.

(c) This section expires July 1, 2030.

Sec. 7. (a) The board shall meet at least quarterly at the call of the chair.

(b) The chair may call additional meetings. There is no maximum number of meetings that may be called by the chair.

(c) A quorum consists of a simple majority of voting members.

Sec. 8. (a) The board shall serve as the central advisory body for:

(1) historical records planning; and

(2) projects:

(A) funded by the NHPRC; and

(B) developed and carried out within Indiana.

(b) The board may do the following:

(1) Develop and submit to the NHPRC state priorities for historical records programs as part of a state plan.

(2) Solicit or develop proposals for NHPRC grant projects.

(3) Review proposals by institutions in Indiana and make recommendations about the proposals to the NHPRC.

(4) Work to preserve Indiana's documentary heritage.

(5) Promote practices that ensure preservation of, and access to, the state's public and private records.

(6) Encourage adherence to archival and records management principles through meetings and workshops.

(7) Survey repositories, support the state's records management program, and promote the sharing of collection information.

(8) Encourage the professional development of archivists, curators, volunteers, and others dedicated to the task of caring for Indiana's documentary heritage.

Sec. 9. (a) Each member of the board who is not a state employee is not entitled to the minimum salary per diem provided by IC 4-10-11-2.1(b). A member is, however, entitled to reimbursement for expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.

(b) The expenses of the board shall be paid in the same manner in which the board's expenses were paid under Executive Orders 06-01, 13-13, and 17-06.

(c) The Indiana department of administration shall staff the board.

Sec. 10. The affirmative votes of a majority of the members appointed to the board are required for the board to take action on any measure, including final reports.

Sec. 11. (a) The board shall annually submit a report on its work to the governor.

(b) A report under subsection (a) is a public record.

SECTION 58. IC 4-23-36 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]:

Chapter 36. Indiana Cultural Commission

Sec. 1. As used in this chapter, "commission" refers to the Indiana cultural commission established by section 3 of this chapter.

Sec. 2. As used in this chapter, "Native American Indian" means an individual who is at least one (1) of the following:

(1) An Alaska native as defined in 43 U.S.C. 1602(b).

(2) An Indian as defined in 25 U.S.C. 450b(d).

(3) A native Hawaiian as defined in 20 U.S.C. 7517(1).

Sec. 3. The Indiana cultural commission is established.

Sec. 4. (a) The commission consists of fifteen (15) members appointed as follows:

(1) Two (2) members of the house of representatives appointed by the speaker of the house of representatives. The members appointed under this subdivision must be from different political parties.

(2) Two (2) members of the senate appointed by the president pro tempore of the senate. The members appointed under this subdivision must be from different political parties.

(3) One (1) individual who is not a member of the general assembly appointed by the speaker of the house of representatives.

(4) One (1) individual who is not a member of the general assembly appointed by the president pro tempore of the senate.

(5) The secretary of the family and social services

administration, or the secretary's designee.

(6) The commissioner of the Indiana department of health, or the commissioner's designee.

(7) The secretary of education, or the secretary's designee.

(8) The commissioner of the department of correction, or the commissioner's designee.

(9) The director of the civil rights commission, or the director's designee.

(10) Four (4) individuals appointed by the governor in accordance with subsection (b).

(b) The following apply to members of the commission appointed by the governor under subsection (a)(10):

(1) The appointed individuals may not be members of the general assembly or state employees.

(2) The appointed individuals must represent the following:

(A) African Americans.

(B) The Hispanic/Latino community.

(C) Women.

(D) Native American Indians.

(c) If a legislative member of the commission ceases to be a member of the legislative chamber from which the member was appointed, the member ceases to be a member of the commission.

(d) A member of the commission:

(1) serves at the pleasure of the member's appointing authority; and

(2) may be removed at any time by the appointing authority.

(e) If a vacancy on the commission occurs, the appointing authority who appointed the former member whose position has become vacant shall appoint an individual to fill the vacancy. An individual appointed to fill a vacancy serves on the commission for the remainder of the unexpired term of the individual's predecessor.

Sec. 5. (a) A member of the commission may be reappointed for successive terms.

(b) The following members serve a two (2) year term that expires June 30 of an odd-numbered year:

(1) A member of the general assembly appointed to the commission under section 4 of this chapter.

(2) A member appointed to the commission under section 4(a)(3) or 4(a)(4) of this chapter.

(c) A member appointed to the commission under section 4(a)(10) of this chapter serves a term that expires December 31, 2028, and each fourth year thereafter.

Sec. 6. (a) The commission shall meet:

(1) at the call of the chairperson as necessary to fulfill its duties under this chapter; and

(2) at least once quarterly in each calendar year.

(b) The chairperson shall designate the following subcommittees to meet at least two (2) times each year:

(1) African American affairs.

(2) Hispanic/Latino affairs.

(3) Women and families.

(4) Native American Indian affairs.

Each subcommittee shall submit an annual report on its activities to the full commission.

(c) The chairperson may:

(1) designate other subcommittees to meet between commission meetings; and

(2) require a subcommittee to report on its activities to the full commission.

(d) A subcommittee designated under this section is comprised of the following:

(1) At least three (3) members of the commission appointed by the chairperson.

(2) Not more than three (3) members of the public appointed by the chairperson.

A member of public appointed to a subcommittee must be selected based on the individual's background and experience related to the subcommittee's designated purpose.

(e) A member of the public who serves on a subcommittee is not entitled to a per diem or a mileage allowance under section 9 of this chapter.

Sec. 7. (a) At the first official meeting of the commission each year, the members shall elect:

(1) a member to serve as the chairperson of the commission; and

(2) a member to serve as the vice chairperson of the commission.

(b) A member elected to serve as chairperson or vice chairperson of the commission shall serve for a term of one (1)

year. The term of office expires at the first commission meeting held in the following year.

(c) A vacancy in the office of chairperson or vice chairperson must be filled by a member of the commission selected by vote of the remaining members of the commission.

Sec. 8. Eight (8) members of the commission constitute a quorum for conducting commission business. The affirmative vote of at least eight (8) members is required for the commission to take official action on any measure. A member of the commission may participate in a meeting by electronic means in accordance with IC 5-14-1.5-3.6 as long as at least five (5) members of the commission are physically present at the meeting.

Sec. 9. (a) Each member of the commission who is not a state employee is entitled to the minimum salary per diem provided by IC 4-10-11-2.1(b). The member is also entitled to reimbursement for mileage and traveling expenses as provided under IC 4-13-1-4, and other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.

(b) Each member of the commission who is a state employee is entitled to reimbursement for traveling expenses as provided under IC 4-13-1-4 and other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.

(c) Each member of the commission who is a member of the general assembly is entitled to receive the same per diem, mileage, and travel allowances paid to members of the general assembly serving on interim study committees established by the legislative council. Per diem, mileage, and travel allowances paid under this subsection shall be paid from appropriations made to the legislative council or the legislative services agency.

(d) Expenses paid under subsections (a) and (b) shall be paid from appropriations made to the civil rights commission.

Sec. 10. The commission shall do the following:

(1) Identify, study, and research issues affecting underrepresented and minority groups, including the groups described in section 6(b) of this chapter, in the following areas:

(A) Health care.

(B) Economic and business development.

(C) Employment.

(D) Education.

(E) Social and family development.

(F) Housing.

(G) Civil rights.

(H) The justice system.

(I) Any other aspect of society identified by the commission.

(2) Promote cooperation and understanding between communities throughout Indiana.

(3) Assess the needs of underrepresented and minority groups and identify recommendations to resolve those needs.

(4) Promote full participation of underrepresented and minority groups in all aspects of society.

(5) Identify legal and social barriers to underrepresented and minority groups.

(6) Identify measures that could facilitate easier access to state and local government services by underrepresented and minority groups.

(7) Make recommendations to appropriate governmental agencies regarding issues of preservation and excavation of Native American Indian historical and archeological sites, including the reburial of remains of Native American Indians, that are consistent with IC 14-21-1-25.5.

(8) Monitor legislation, policies, and other legal developments in order to make recommendations to the general assembly and the governor that support the commission's purposes.

(9) Gather, study, and disseminate information on underrepresented and minority groups through publications, public hearings, conferences, and other means.

(10) Before November 1 of each year, submit an annual report on the commission's activities to:

(A) the governor; and

(B) the legislative council in an electronic format under IC 5-14-6.

Sec. 11. The commission may study topics that are not described in section 10 of this chapter as assigned by:

(1) statute;

(2) the governor;

(3) the legislative council; or

(4) the chairperson of the commission.

Sec. 12. The commission may do the following:

(1) Designate and appoint members to subcommittees in accordance with section 6 of this chapter.

(2) Transact business and enter into contracts that support the commission's purposes.

(3) Apply for, receive, and disburse gifts, contributions, and grants of funds or in-kind services.

(4) Adopt, rescind, and amend bylaws to regulate the conduct of the commission's business.

(5) Assign duties to the commission's officers under the commission's bylaws.

Sec. 13. The commission may not study or make any recommendation on the following issues:

(1) Negotiations between a Native American Indian tribe and the state or federal government concerning tribal sovereignty.

(2) Gaming on tribal land.

Sec. 14. (a) The civil rights commission shall provide staff and administrative support for the commission.

(b) Except as provided in section 9(c) of this chapter, expenses incurred under this chapter shall be paid from funds appropriated to the civil rights commission.

(c) Money appropriated to the civil rights commission for the purposes of this chapter does not revert to the state general fund at the end of a state fiscal year, but remains available to the civil rights commission until the purpose for which the money was appropriated is fulfilled.

Sec. 15. (a) The Indiana cultural commission special fund is established to provide money for special projects of the commission.

(b) The treasurer of state shall administer the fund.

(c) Expenses of administering the fund must be paid from money in the fund.

(d) The fund consists of gifts, contributions, and money donated to the commission.

(e) The treasurer of state shall invest money in the fund not needed to meet the obligations of the fund in the same manner as other public funds may be invested. Interest on investments made

under this subsection accrues to the fund.

(f) Money in the fund at the end of a state fiscal year does not revert to the state general fund.

(g) Money in the fund is continuously appropriated for the purposes described in subsection (a).

Sec. 16. (a) As used in this section, "license plate revenue" refers to money attributable to license plate sales under IC 9-18.5 that was paid to the Native American Indian affairs commission (before its repeal) or to the commission under IC 9-18.5-22-4.

(b) The commission and the civil rights commission shall assist members of the Native American Indian community in establishing a nonprofit corporation to:

(1) advocate for the Native American Indians residing in Indiana; and

(2) promote events, programming, and services for the benefit of Native American Indians residing in Indiana.

(c) Not later than thirty (30) days after executive director of the civil rights commission determines that the:

(1) nonprofit corporation described in subsection (b) has been established; and

(2) officers of the corporation are in place and prepared to fulfill their official duties;

the executive director shall inform the bureau of motor vehicles that the nonprofit corporation has been established and is prepared to receive revenue under IC 9-18.5-22-4 in the ensuing calendar year.

(d) Before January 1 of the calendar year following the calendar year in which a nonprofit corporation described in subsection (b) is established under this section, the commission shall transfer any remaining license plate revenue under its control to the treasurer of the nonprofit corporation.

SECTION 59. IC 4-31-11-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 7. A member of a development committee is not entitled to the minimum salary per diem provided by IC 4-10-11-2.1(b) ~~However,~~ ~~a member is entitled to~~ **or** reimbursement for traveling expenses and other expenses actually incurred in connection with the member's duties. ~~as provided in the state travel policies and procedures established by the department of administration and approved by the budget agency.~~

SECTION 60. IC 5-1.5-2-2, AS AMENDED BY P.L.259-2019,

SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2. (a) There is established a board of directors to govern the bank. The powers of the bank are vested in this board.

(b) The board is composed of:

(1) the treasurer of state, who shall be the chairman ex officio, or the treasurer of state's designee;

(2) the public finance director appointed under IC 5-1.2-3-6, who shall be the director ex officio, or the public finance director's designee; ~~and~~

(3) ~~five (5) directors~~ **one (1) director** appointed by the governor;

(4) two (2) directors appointed by the president pro tempore of the senate; and

(5) two (2) directors appointed by the speaker of the house of representatives.

(c) Each of the five (5) directors appointed ~~by the governor:~~ **under subsection (b)(3) through (b)(5):**

(1) must be a resident of Indiana;

(2) must have substantial expertise in the buying, selling, and trading of municipal securities, in municipal administration or in public facilities management;

(3) serves for a term of three (3) years and until the director's successor is appointed and qualified;

(4) is eligible for reappointment;

(5) is entitled to receive the same minimum salary per diem as is provided in IC 4-10-11-2.1(b) while performing the director's duties. Such a director is also entitled to the same reimbursement for traveling expenses and other expenses, actually incurred in connection with the director's duties as is provided in the state travel policies and procedures, established by the department of administration and approved by the budget agency; and

(6) may be removed ~~by the governor~~ for cause **by the appropriate appointing authority.**

(d) Any vacancy on the board, other than by expiration of term, shall be filled by ~~appointment of the governor~~ **the appropriate appointing authority** for the unexpired term only.

SECTION 61. IC 5-2-2 IS REPEALED [EFFECTIVE JULY 1, 2026]. (Law Enforcement Academy Building Commission).

SECTION 62. IC 5-13-9-12, AS ADDED BY P.L.213-2025, SECTION 63, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 12. (a) As used in this section, "board" refers to

the Indiana local government investment pool board established by subsection (c).

(b) As used in this section, "investment pool" refers to the local government investment pool established by section 11(b) of this chapter.

(c) The Indiana local government investment pool board is established as a continuing board under the executive branch of state government. The purpose of the board is to establish policies for the investment of funds contributed to the investment pool.

(d) The board consists of the following seven (7) members:

(1) The treasurer of state, **or the treasurer of state's designee.**

(2) The director of the Indiana department of financial institutions.

(3) Two (2) members with practical experience with financial institutions, local government or public finance, or financial investments domiciled in Indiana, appointed by the president pro tempore of the senate.

(4) Two (2) members with practical experience with financial institutions, local government or public finance, or financial investments domiciled in Indiana, appointed by the speaker of the house of representatives.

(5) One (1) member with practical experience with financial institutions, local government or public finance, or financial investments domiciled in Indiana, appointed by the governor.

(e) A member appointed under subsection (d)(3), (d)(4), or (d)(5) serves a term of four (4) years and may be reappointed by the appointing authority.

(f) A member appointed under subsection (d)(1) or (d)(2) who ceases to hold the office or qualification described in that subsection ceases to be a member of the board.

(g) ~~The governor shall designate one (1) of the members as chairperson.~~ **The treasurer of state, or the treasurer of state's designee, shall serve as the chairperson of the board.** The chairperson has one (1) vote on all matters voted on by the members.

(h) A member of the board who is appointed under subsection (d)(3), (d)(4), or (d)(5) serves a term that ends June 30 of the odd-numbered year four (4) years after appointment.

(i) The board shall meet at least four (4) times a year and at the call of the chairperson.

(j) Five (5) members of the board constitute a quorum. The

affirmative votes of four (4) members are required to take any action.

(k) Each member of the board who is not a state employee is entitled to the minimum salary per diem provided by IC 4-10-11-2.1(b) for each day that the member is engaged in the official business of the board. The member is also entitled to reimbursement for mileage, traveling expenses, and other expenses actually incurred in connection with the member's duties, as provided in the state travel policies and procedures established by the Indiana department of administration and approved by the budget agency.

(l) The expenses of the board shall be paid from the investment pool.

(m) The board shall establish policies regarding how the treasurer of state shall administer and invest the funds in the investment pool. The policies must provide the following:

(1) There is not a minimum time for which funds paid into the investment pool must be retained by the investment pool.

(2) There is not a limit on the number of accounts that the state or a unit of government participating in the investment pool may establish within the investment pool.

(3) The investment pool shall be audited at least annually by an independent auditing firm, with an electronic or paper copy of the audit provided to the state and each unit of government participating in the pool.

(4) Not less than fifty percent (50%) of funds available for investment shall be deposited in banks qualified to hold deposits of participating local government entities.

(n) The board may select and direct the treasurer of state to contract with accountants, attorneys, regulated investment advisors, money managers, and other finance and investment professionals to make investments and provide for the public accounting and legal compliance necessary to ensure and maintain the safety, liquidity, and yield of the investment pool.

SECTION 63. IC 5-16-3-2, AS AMENDED BY P.L.187-2021, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2. The department of homeland security shall provide a safe depository for all blueprints and specifications filed as provided in section 1 of this chapter and retain them for inspection and loan under the conditions and restrictions as the ~~fire prevention and building safety commission~~ **department of homeland security** shall determine by rule. The ~~fire prevention and building safety commission~~

department of homeland security may designate the librarian of the state of Indiana as the custodian of any blueprints and specifications filed with it, at any time, and it shall be the duty of the state librarian to safely preserve the same in the state archives as public documents.

SECTION 64. IC 5-16-10-1, AS AMENDED BY P.L.2-2006, SECTION 31, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 1. As used in this chapter, the following terms have the following meanings:

(1) "Affiliate" means a parent, descendant, spouse, spouse of a descendant, brother, sister, spouse of a brother or sister, employee, director, officer, partner, limited liability company manager or member, joint venturer, a corporation subject to common control with the architect, engineer or construction manager, a shareholder or corporation who controls the architect, engineer or construction manager, or a corporation controlled by the architect, engineer, or construction manager.

(2) "Architect" means the person registered under IC 25-4-1.

(3) "Construction manager" means a person designated as a construction manager by contract who provides professional management services, which contribute to the control of time and the cost and quality of a public construction project, and who performs those services concurrent with architectural and engineering services rendered during the design and construction phases of a construction project.

(4) "Engineer" means the person registered under ~~IC 25-31-1.~~ **IC 25-4-3.**

(5) "Person" means a natural person, a partnership, a limited liability company, or a corporation.

(6) "Public construction project" means the construction, remodeling, rehabilitation, or repair of any building or other facility of a unit of local government, whether the building or facility is owned by the unit or leased by the unit with an option to purchase under IC 36-1-10 or any other law. However, "public construction project" does not mean highway or bridge construction.

(7) "Unit of local government" includes any county, city, town, township, and any other political subdivision, commission, or agency created under law. However, the term does not include a school corporation or lessor corporation qualifying under IC 20-47-2 or IC 20-47-3.

SECTION 65. IC 5-16-10-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 3. The limitations expressed in section 2 of this chapter should not be interpreted to permit any person who is not a registered architect under IC 25-4-1 or a registered engineer under ~~IC 25-31-1~~ **IC 25-4-3** to do any act which constitutes the practice of architecture or engineering nor to prevent any unit of local government from employing any person who is a registered architect under IC 25-4-1 or a registered engineer under ~~IC 25-31-1~~ **IC 25-4-3** to perform services which constitute the practice of architecture or engineering.

SECTION 66. IC 5-16-11.1-2, AS AMENDED BY P.L.57-2013, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 2. As used in this chapter, "professional services" means those services that are:

(1) within the scope of practice specified by IC 25-4 for architecture, ~~IC 25-31~~ **IC 25-4** for professional engineering, or IC 25-21.5 for surveying; or

(2) performed by any licensed architect, professional engineer, or professional surveyor in connection with the architect's, engineer's, or surveyor's professional employment or practice.

SECTION 67. IC 5-16-13-16, AS ADDED BY P.L.70-2023, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 16. (a) As used in this section, "adequate welding standards" means specifications, guidelines, tests, and other methods used to ensure that all structural steel welds meet, at minimum, the codes and standards for such welds established in the welding code and under rules adopted by the ~~fire prevention and building safety commission under IC 22-13-2-2.~~ **department of homeland security.**

(b) As used in this section, "certified welding inspector" means a person who has been certified by the American Welding Society to inspect structural steel welding projects and conduct welder qualification tests.

(c) As used in this section, "structural steel welding" means structural welds, weld repair, the structural system, and the welding of all primary steel members of a structure in accordance with the welding code. The term does not include welding that is required by the American Society of Mechanical Engineers to have its own certification.

(d) As used in this section, "welding code" refers to the American Welding Society structural steel welding code D1.1, as in effect on July

1, 2023.

(e) A contractor whose workers are welding the structural steel on a public works project shall ensure that all of the following occur:

(1) The workers performing the structural steel welding have been tested by, and hold a valid certification from, a facility that, or an individual who, has been accredited by the American Welding Society to test and certify welders and welding inspectors.

(2) All structural steel welds performed for the project meet adequate welding standards and are listed in the project's job specifications.

(3) All structural steel welding inspections listed in the project's job specifications are completed by a certified welding inspector.

SECTION 68. IC 5-28-15-13, AS AMENDED BY P.L.146-2018, SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 13. (a) There is established in each enterprise zone an urban enterprise association (U.E.A.). The ~~twelve (12)~~ **ten (10)** members of the U.E.A. shall be chosen as follows:

~~(1) The governor shall appoint the following:~~

~~(A) One (1) state legislator whose district includes all or part of the enterprise zone.~~

~~(B) One (1) representative of the corporation, who is not a voting member of the U.E.A.~~

~~(2)~~ **(1)** The executive of the municipality in which the zone is located shall appoint the following:

(A) One (1) representative of the plan commission having jurisdiction over the zone, if any exists.

(B) One (1) representative of the municipality's department that performs planning or economic development functions.

(C) Two (2) representatives of businesses located in the zone, one (1) of whom shall be from a manufacturing concern, if any exists in the zone.

(D) One (1) resident of the zone.

(E) One (1) representative of organized labor from the building trades that represent construction workers.

~~(3)~~ **(2)** The legislative body of the municipality in which the zone is located shall appoint, by majority vote, the following:

(A) One (1) member of the municipality's legislative body whose district includes all or part of the zone.

(B) One (1) representative of a business located in the zone.

(C) Two (2) residents of the zone, who must not be members

of the same political party.

(b) Members of the U.E.A. serve four (4) year terms. The appointing authority shall fill any vacancy for the balance of the vacated term.

(c) Members may be dismissed only by the appointing authority and only for just cause.

(d) The members shall elect a chairperson, a vice chairperson, and a secretary by majority vote. This election shall be held every two (2) years in the same month as the first meeting or whenever a vacancy occurs. The U.E.A. shall meet at least once every three (3) months. The secretary shall notify members of meetings at least two (2) weeks in advance of meetings. The secretary shall provide a list of members to each member and shall notify members of any changes in membership.

SECTION 69. IC 5-30-1-5, AS ADDED BY P.L.74-2005, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 5. "Design criteria developer" means a person registered under IC 25-4 as an architect or ~~IC 25-31~~ **IC 25-4-3** as a professional engineer who is responsible for preparing the design criteria package for the public agency for a design-build project.

SECTION 70. IC 5-30-1-7, AS ADDED BY P.L.74-2005, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 7. "Design services" means services that are:

(1) within the scope of practice specified by IC 25-4 for architecture or ~~IC 25-31~~ **IC 25-4** for professional engineering; or

(2) performed by a registered architect or professional engineer in connection with the architect's or engineer's professional employment or practice.

SECTION 71. IC 5-30-4-1, AS AMENDED BY P.L.166-2011, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 1. (a) Before entering into a design-build contract, a public agency must appoint a technical review committee of at least three (3) individuals.

(b) The members of the technical review committee must include the following:

(1) A representative of the public agency.

(2) At least two (2) of the following, but not more than one (1) under each clause:

(A) An architect registered under IC 25-4.

(B) A professional engineer registered under ~~IC 25-31.~~ **IC 25-4-3.**

(C) A qualified contractor under IC 4-13.6 or an individual

employed by the qualified contractor.

(c) A member of the technical review committee who is an architect or a professional engineer may be:

(1) an employee of the public agency; or

(2) an outside consultant retained by the public agency for the specific purpose of evaluating proposals submitted under this article.

(d) The design criteria developer may serve as:

(1) a full member; or

(2) a nonvoting adviser;

of the committee.

SECTION 72. IC 5-32-2-8, AS ADDED BY P.L.128-2014, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 8. "Engineer" refers to a person registered under ~~IC 25-31-1.~~ **IC 25-4-3.**

SECTION 73. IC 6-9-7-7, AS AMENDED BY P.L.236-2023, SECTION 93, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 7. (a) The county treasurer shall establish an innkeeper's tax fund. The treasurer shall deposit in that fund all money received under section 6 of this chapter that is attributable to an innkeeper's tax rate that is not more than five percent (5%).

(b) Money in the innkeeper's tax fund shall be distributed as follows:

(1) Forty percent (40%) shall be distributed to the commission to carry out its purposes, including making any distributions or payments to the Lafayette - West Lafayette Convention and Visitors Bureau, Inc.

(2) Ten percent (10%) shall be distributed to a community development corporation that serves a metropolitan area in the county that includes:

(A) Lafayette; and

(B) West Lafayette;

for the community development corporation's use in tourism, recreation, and economic development activities.

(3) Ten percent (10%) shall be distributed to Historic Prophetstown to be used by Historic Prophetstown for carrying out its purposes.

(4) Ten percent (10%) shall be distributed to the Wabash River Enhancement Corporation to assist the Wabash River Enhancement Corporation in carrying out its purposes.

(5) The following amounts shall be distributed to the department of natural resources for the development of projects in the state park on the Wabash River, including its tributaries:

(A) For distributions in calendar year 2023, ten percent (10%).

(B) For distributions in calendar year 2024, nine percent (9%).

(C) For distributions in calendar year 2025, eight percent (8%).

(D) For distributions in calendar year 2026, seven percent (7%).

(E) For distributions in calendar year 2027, six percent (6%).

(F) For distributions in calendar year 2028, five percent (5%).

(G) For distributions in calendar year 2029, four percent (4%).

(H) For distributions in calendar year 2030, three percent (3%).

(I) For distributions in calendar year 2031, two percent (2%).

(J) For distributions in calendar year 2032, one percent (1%).

(K) For distributions after calendar year 2032, zero percent (0%).

The department of natural resources is not required to provide additional state resources to the state park described in this subdivision as a result of the reduction of revenue set forth in this subdivision.

(6) The following amounts shall be distributed to the county fiscal body for the purposes set forth in subsection (c):

(A) For distributions in calendar year 2023, zero percent (0%).

(B) For distributions in calendar year 2024, one percent (1%).

(C) For distributions in calendar year 2025, two percent (2%).

(D) For distributions in calendar year 2026, three percent (3%).

(E) For distributions in calendar year 2027, four percent (4%).

(F) For distributions in calendar year 2028, five percent (5%).

(G) For distributions in calendar year 2029, six percent (6%).

(H) For distributions in calendar year 2030, seven percent (7%).

(I) For distributions in calendar year 2031, eight percent (8%).

(J) For distributions in calendar year 2032, nine percent (9%).

(K) For distributions after calendar year 2032, ten percent (10%).

(7) Twenty percent (20%) shall be distributed as determined by the county fiscal body.

(c) Amounts distributed to the county fiscal body under subsection (b)(6) may only be used for tourism or quality of life purposes, including:

(1) mixed use development projects;

(2) quality public spaces;

(3) multiple transportation options;

(4) multiple housing options;

(5) revitalization of historic, blighted, or vacant properties;

(6) arts, culture, and creativity; and

(7) recreation and green spaces.

(d) An advisory commission consisting of the following members is established:

(1) The director of the department of natural resources or the director's designee.

(2) The public finance director or the public finance director's designee.

(3) A member appointed by the ~~Native American Indian affairs~~ **Indiana cultural** commission.

(4) A member appointed by Historic Prophetstown.

(5) A member appointed by the community development corporation described in subsection (b)(2).

(6) A member appointed by the Wabash River Enhancement Corporation.

(7) A member appointed by the commission.

(8) A member appointed by the county fiscal body.

(9) A member appointed by the town board of the town of Battleground.

(10) A member appointed by the mayor of the city of Lafayette.

(11) A member appointed by the mayor of the city of West Lafayette.

(e) The following apply to the advisory commission:

(1) The governor shall appoint a member of the advisory commission as chairman of the advisory commission.

(2) Six (6) members of the advisory commission constitute a quorum. The affirmative votes of at least six (6) advisory commission members are necessary for the advisory commission to take official action other than to adjourn or to meet to hear reports or testimony.

(3) The advisory commission shall make recommendations concerning the use of any proceeds of bonds issued to finance the

development of Prophetstown State Park.

(4) Members of the advisory commission who are state employees:

(A) are not entitled to any salary per diem; and

(B) are entitled to reimbursement for traveling expenses as provided under IC 4-13-1-4 and to reimbursement for other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.

(f) The Indiana finance authority may issue bonds for the development of Prophetstown State Park under IC 5-1.2-6.

SECTION 74. IC 7.1-4-13-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 7. (a) The wine grape market development fund is created.

(b) The wine grape market development fund may not be used for political or legislative activity of any kind.

(c) The fund shall be administered by the ~~council~~ **director** and used for the purpose of this chapter. The expenses of administering the fund shall be paid from money in the fund.

(d) Money in the fund at the end of a fiscal year does not revert to the state general fund.

SECTION 75. IC 7.1-4-13-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 8. (a) The wine grape market development council is created.

(b) The council shall have an odd number of members, but not less than seven (7) nor more than fifteen (15) members. The following are the members of the council:

(1) The director or the director's designee.

(2) The chairman of the horticulture department at Purdue University or chairman's designee.

(3) The chairman of the food science department at Purdue University or the chairman's designee.

(4) Other members that the director shall appoint.

(c) A majority of the members of the council must be wine grape growers or processors of wine grape products.

(d) This section expires December 31, 2026.

SECTION 76. IC 7.1-4-13-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 9. **(a)** The council shall adopt bylaws governing the terms of office, filling unexpired terms,

expenses, quorum, duties, and other administrative matters. The bylaws may be amended by a two-thirds (2/3) vote of the members present, if a quorum is present.

(b) This section expires December 31, 2026.

SECTION 77. IC 7.1-4-13-10 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 10. **(a)** The council shall do the following:

(1) Elect a chairman and any other officers.

(2) Recommend expenditures from the wine grape market development fund for the administration of the wine grape market development program and for the administration of this chapter.

(3) Perform any other necessary duties.

(b) This section expires December 31, 2026.

SECTION 78. IC 7.1-4-13-11 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 11. **(a)** The director shall consider the advice, recommendations, and assistance of the council for the expenditure of funds for the wine grape market development program and for the administration of this chapter.

(b) This section expires December 31, 2026.

SECTION 79. IC 8-1-1.1-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1. As used in this chapter:

"Council" means the advisory council to the office of utility consumer counselor created under section 7 of this chapter **(before its expiration on December 31, 2026).**

"Counselor" means the consumer counselor established under section 2 of this chapter.

"Deputy consumer counselor" means the deputy consumer counselor for Washington affairs that may be established under section 9.1 of this chapter.

"Utility" means any public utility, municipally owned utility or subscriber owned utility under the jurisdiction of the commission.

SECTION 80. IC 8-1-1.1-7, AS AMENDED BY P.L.53-2014, SECTION 74, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 7. (a) There is created the advisory council to the office of the utility consumer counselor. The council consists of nine (9) members. Each Indiana congressional district must be represented by at least one (1) individual appointed under this section who is a resident of that congressional district. However, the reduction in membership of the council from ten (10) members to nine (9) shall be

accomplished as the terms of members end and new members are appointed. Until the expiration of the term of a member who is serving on the council on January 1, 2014, and resides in the same congressional district as another member, the council consists of ten (10) members.

(b) Members of the council, including those filling vacancies occurring in the council membership, shall be appointed by the governor. All members shall be appointed to a term of four (4) years, except those who have been appointed to fill a vacancy in the council whose term will be the unexpired portion of the term. All members shall serve until their successor has been duly appointed and qualified.

(c) The membership shall be representative of the various sectors of Indiana economy, including, but not limited to: agriculture, business and industry, labor, and local government.

(d) The members shall annually elect of themselves a chairman.

(e) Members are entitled to receive per diem and travel expense reimbursement at the standard rates provided for state employees for expenses they incur in the performance of their duties under this chapter subject to the approval of the consumer counselor.

(f) This section expires December 31, 2026.

SECTION 81. IC 8-1-30.3-5.5, AS ADDED BY P.L.160-2020, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 5.5. (a) For purposes of this section, an individual, or the company employing the individual, is qualified to perform an appraisal if the individual is:

(1) an engineer registered under ~~IC 25-31;~~ **IC 25-4-3;** or

(2) an appraiser licensed under IC 25-34.1-8.

(b) For purposes of this section, an individual performing an appraisal, or the company employing the individual, is disinterested if:

(1) the fee for the appraisal services is fixed before the individual performs the appraisal;

(2) the individual is not an employee of one (1) of the parties to the acquisition;

(3) the individual is not a state or municipal employee; and

(4) the:

(A) individual; and

(B) company, if applicable;

do not have affiliated interests (as defined in IC 8-1-2-49) in one (1) of the parties to the acquisition.

(c) An appraisal under section 5(c)(2) of this chapter must be

performed by three (3) qualified and disinterested appraisers, including:

(1) at least one (1) appraiser qualified under subsection (a)(1); and

(2) at least one (1) appraiser qualified under subsection (a)(2).

(d) If the three (3) appraisers performing an appraisal for purposes of section 5(c)(2) of this chapter cannot agree as to an appraised value, the appraisal is sufficient for purposes of section 5(c)(2) of this chapter if the appraisal is signed by two (2) of the appraisers.

SECTION 82. IC 8-1.5-2-4, AS AMENDED BY P.L.229-2019, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 4. Whenever the municipal legislative body or the municipal executive determines to sell or otherwise dispose of nonsurplus municipally owned utility property, it shall provide for the following in a writing that shall be made available, upon request, for inspection and copying at the offices of the municipality's municipally owned utility in accordance with IC 5-14-3:

(1) The appointment, as follows, of three (3) residents of Indiana to serve as appraisers:

(A) One (1) disinterested person who is an engineer licensed under ~~IC 25-31-1.~~ **IC 25-4-3.**

(B) One (1) disinterested appraiser licensed under IC 25-34.1.

(C) One disinterested person who is either:

(i) an engineer licensed under ~~IC 25-31-1;~~ **IC 25-4-3;** or

(ii) an appraiser licensed under IC 25-34.1.

(2) The appraisal of the property.

(3) The time that the appraisal is due.

It is sufficient for purposes of this section that the municipal legislative body or municipal executive provides for the appointment in written contracts with the appraisers or the firms with whom the appraisers are employed.

SECTION 83. IC 8-10-9-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 6. (a) The district shall be governed by a board of directors consisting of ~~seven (7)~~ **five (5)** members, four (4) of whom are appointed by the executive of the city in which the district is formed, ~~two (2) of whom are appointed by the governor,~~ and one (1) of whom is appointed by the legislative body of the city in which the district is formed.

(b) Members of the board serve terms of three (3) years. A member's term may be extended by any partial term to which the member was

appointed to fill a vacancy.

(c) ~~Five (5)~~ **Three (3)** members of the board of directors must be qualified electors of the city in which the district is formed. Two (2) members need not be residents of the city in which the district is formed but shall be representatives of property owners of land that borders waterways within the district. One (1) of the two (2) members shall be among the members appointed by the mayor. ~~and one (1) shall be among the members appointed by the governor.~~

(d) The appointing authority shall fill all vacancies of members appointed by that authority.

SECTION 84. IC 8-14-11-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1. **(a)** As used in this chapter, "board" refers to the local bridge grant board established by section 9 of this chapter.

(b) This section expires December 31, 2026.

SECTION 85. IC 8-14-11-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 9. (a) The local bridge grant board is established to receive and review applications for grants under this chapter. The board consists of the following members:

(1) The director of the department, or the director's designee.

(2) Six (6) persons appointed by the governor, no more than three

(3) of whom may be of the same political party, as follows:

(A) Two (2) members of a county executive.

(B) One (1) county highway engineer.

(C) One (1) mayor of a city.

(D) One (1) member of a town board of trustees.

(E) One (1) person with substantial experience or education in the design or construction of bridges.

A member appointed under clause (A), (B), (C), or (D) who ceases to hold the office described in that clause ceases to be a member of the board.

(b) The governor shall designate a member of the board to serve as chairman.

(c) Members of the board who are appointed by the governor serve for terms of four (4) years. The governor shall fill a vacancy on the board by appointing a new member to serve the remainder of the unexpired term.

(d) A member of the board, other than the director of the department, is entitled to the minimum salary per diem provided by IC 4-10-11-2.1(b). Each member of the board is entitled to

reimbursement for traveling expenses and other expenses actually incurred in connection with the member's duties, as provided in the state travel policies and procedures established by the department of administration and approved by the budget agency.

(e) Four (4) members of the board constitute a quorum. The affirmative votes of four (4) members of the board are required for the board to take any action.

(f) This section expires December 31, 2026.

SECTION 86. IC 8-14-11-10 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 10. **(a)** The department shall provide staff support to the board.

(b) This section expires December 31, 2026.

SECTION 87. IC 8-14-11-11 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 11. The ~~board~~ **department** shall establish criteria to be used in evaluating applications for grants from the fund. These criteria:

(1) must be consistent with the purposes of the federal local bridge program (23 U.S.C. 144(n));

(2) must be based on good engineering practices; and

(3) must provide for an equitable distribution of grants to counties located throughout Indiana.

SECTION 88. IC 8-17-5-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 2. The county highway engineer must be a registered engineer, licensed by the ~~state board of registration for professional engineers,~~ **Indiana board of registration for design professionals,** experienced in highway engineering and construction and a resident of Indiana during the engineer's employment.

SECTION 89. IC 8-17-5-9, AS AMENDED BY P.L.9-2024, SECTION 297, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 9. The auditor of each county that employs a full-time county highway engineer shall annually certify that employment to the state comptroller. The certification must include:

(1) the name and address of the county highway engineer; and

(2) the serial number of the engineer's certificate of registration issued by the ~~state board of registration for professional engineers.~~ **Indiana board of registration for design professionals.**

SECTION 90. IC 8-23-9-60, AS ADDED BY P.L.70-2023,

SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 60. (a) As used in this section, "adequate welding standards" means specifications, guidelines, tests, and other methods used to ensure that all structural steel welds meet, at minimum, the codes and standards for such welds established in the welding code and under rules adopted by the ~~fire prevention and building safety commission under IC 22-13-2-2.~~ **department of homeland security.**

(b) As used in this section, "certified welding inspector" means a person who has been certified by the American Welding Society to inspect structural steel welding projects and conduct welder qualification tests.

(c) As used in this section, "structural steel welding" means structural welds, weld repair, the structural system, and the welding of all primary steel members of a structure in accordance with the welding code. The term does not include welding that is required by the American Society of Mechanical Engineers to have its own certification.

(d) As used in this section, "welding code" refers to the American Welding Society structural steel welding code D1.1, as in effect on July 1, 2023.

(e) A contractor whose workers are welding the structural steel on a project shall ensure that all of the following occur:

(1) The workers performing the structural steel welding have been tested by, and hold a valid certification from, a facility that, or an individual who, has been accredited by the American Welding Society to test and certify welders and welding inspectors.

(2) All structural steel welds performed for the project meet adequate welding standards and follow the project's special provisions.

(3) All structural steel welding inspections listed in the project's special provisions are completed by a certified welding inspector.

(f) If the department reasonably suspects a contractor has violated this section, the department shall require the contractor to remedy the violation not later than thirty (30) days after the department notifies the contractor of the violation. The notification to the contractor must be signed by the commissioner and sent by a method that enables the department to verify receipt of the notice by the contractor. During the thirty (30) day period, the contractor may continue to work on the project. If the contractor fails to remedy the violation within the thirty (30) day period, the department shall find the contractor not

responsible and determine the length of time the contractor is considered not responsible by the department.

(g) In making the determination of the length of time a contractor is not responsible under subsection (f), the department shall consider the severity of the violation. The period during which a contractor is considered not responsible:

(1) may not exceed forty-eight (48) months; and

(2) begins on the date of substantial completion of the project.

(h) A finding by the department under subsection (f) that a contractor is not responsible may not be used by another state agency or a political subdivision in making a determination as to whether the contractor is responsible for purposes of that state agency's or political subdivision's award of a public works contract to that contractor.

SECTION 91. IC 9-18.5-22-1, AS ADDED BY P.L.198-2016, SECTION 327, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1. The bureau shall, with the advice of the ~~Native American Indian affairs commission established under IC 4-23-32,~~ **Indiana cultural commission established under IC 4-23-36,** design and issue an Indiana Native American trust license plate as a special group recognition license plate under IC 9-18.5-12.

SECTION 92. IC 9-18.5-22-4, AS AMENDED BY P.L.118-2022, SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 4. (a) The Indiana Native American trust fund is established.

(b) The treasurer of state shall invest the money in the Indiana Native American trust fund not currently needed to meet the obligations of the Indiana Native American trust fund in the same manner as other public trust funds are invested. Interest that accrues from these investments shall be deposited in the Indiana Native American trust fund.

(c) The bureau shall administer the Indiana Native American trust fund. Expenses of administering the Indiana Native American trust fund shall be paid from money in the Indiana Native American trust fund.

(d) The bureau shall distribute at least one (1) time each month the money from the fund ~~to the Native American Indian affairs commission established under IC 4-23-32.~~ **as follows:**

(1) Before January 1 of the calendar year following the calendar year in which a nonprofit corporation is established under IC 4-23-36-16, to the Indiana cultural commission

established under IC 4-23-36.

(2) After December 31 of the calendar in which a nonprofit corporation is established under IC 4-23-36-16, to the treasurer of the nonprofit corporation.

(e) Money in the fund at the end of a state fiscal year does not revert to the state general fund.

(f) ~~The Native American Indian affairs commission may use money received under this section for any lawful purpose of the Native American Indian affairs commission.~~ **The Indiana cultural commission or the nonprofit corporation described in subsection (d) may use money received under this section for any lawful purpose that impacts, studies, supports, or relates to the Indiana Native American community.**

SECTION 93. IC 9-27-5-2, AS AMENDED BY P.L.56-2023, SECTION 60, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2. The director of the state department of toxicology may solicit and receive aid from the following:

(1) The office of traffic safety.

(2) The state police department.

~~(3) The commission on forensic sciences.~~

~~(4)~~ **(3)** The Indiana Coroners Association.

~~(5)~~ **(4)** The Indiana department of health.

~~(6)~~ **(5)** The Indiana State Medical Association.

~~(7)~~ **(6)** Other agencies that may, in the director's opinion, make a contribution to the effectiveness of the study.

SECTION 94. IC 9-27-6-5, AS AMENDED BY P.L.85-2013, SECTION 71, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 5. (a) As used in this section, "advisory board" refers to the driver education advisory board established by subsection (b).

(b) The driver education advisory board is established to advise the commissioner in the administration of the policies of the commission and the bureau regarding driver education.

(c) The advisory board is composed of seven (7) individuals appointed by the commissioner as follows:

(1) Three (3) members must be driver education professionals endorsed by the bureau under section 8 of this chapter. In the selection of individuals for membership under this subdivision, consideration must be given to driver education instruction performed in urban and rural areas.

(2) One (1) member must be a traffic safety advocate.

(3) One (1) member must be a representative of the bureau.

(4) One (1) member must be a representative of higher education.

(5) One (1) member must be a representative of the insurance industry.

(d) A member of the advisory board serves a two (2) year term. A member may not be appointed to more than two (2) consecutive full terms. Each member serves until the member's successor is appointed and qualified.

(e) A member of the advisory board may be removed for good cause.

(f) A vacancy on the advisory board shall be filled by the appointment by the commissioner of an individual to fill the position to which the vacating member was appointed under subsection (c) for the vacating member's unexpired term.

(g) The advisory board shall:

(1) consult with and advise the commissioner in the administration of the policies of the commission and the bureau regarding driver education; and

(2) suggest rules regarding the education and training of persons to operate or drive motor vehicles or to prepare a person for an examination or validation for a driver's license.

(h) A member of the advisory board is not subject to liability in a civil action for bodily injury or property damage arising from or thought to have arisen from an action taken in good faith as a member of the advisory board.

(i) This section expires December 31, 2026.

SECTION 95. IC 9-27-7-6, AS AMENDED BY P.L.85-2013, SECTION 78, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 6. (a) The commissioner shall appoint a five (5) member advisory board consisting of at least three (3) active motorcyclists to serve in an advisory capacity to the program.

(b) A member of the advisory board serves a three (3) year term. A member may not be appointed to more than two (2) consecutive full terms. Each member serves until the member's successor is appointed and qualified.

(c) A member of the advisory board may be removed for good cause.

(d) A vacancy on the advisory board shall be filled by the appointment by the commissioner of an individual to fill the position

to which the vacating member was appointed under subsection (a) for the vacating member's unexpired term.

(e) A member of the advisory board is not subject to liability in a civil action for bodily injury or property damage arising from or thought to have arisen from an action taken in good faith as a member of the advisory board.

(f) This section expires December 31, 2026.

SECTION 96. IC 10-13-2-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 9. ~~(a)~~ The superintendent shall adopt rules necessary to accomplish the purposes of this chapter.

~~(b) In formulating the rules, the superintendent shall have the advice and assistance of the criminal justice advisory committee established by section 10 of this chapter.~~

SECTION 97. IC 10-13-2-10 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 10. (a) The criminal justice advisory committee is established.

(b) The committee consists of the following persons or their designated representatives:

(1) The superintendent, who shall act as chairman.

(2) The attorney general.

(3) The executive director of the criminal justice planning agency.

(4) The commissioner of corrections.

(5) One (1) county sheriff serving in the sheriff's second or subsequent term of office.

(6) One (1) chief of police with at least two (2) years of experience as chief.

(7) One (1) prosecuting attorney in the prosecuting attorney's second or subsequent term of office.

(8) One (1) judge of a court of general criminal jurisdiction.

(9) The executive director of the law enforcement training academy.

(10) A criminologist or forensic scientist.

(c) A member of the committee:

(1) must be appointed by the governor on a nonpartisan basis; and

(2) shall serve at the pleasure of the governor.

(d) A member of the committee serves without compensation except per diem as provided by law.

(e) The committee shall meet as often as is considered necessary by the superintendent to formulate or revise rules for the statewide

operation of the criminal justice data division.

(f) This section expires December 31, 2026.

SECTION 98. IC 10-13-3-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 4. **(a)** As used in this chapter, "council" means the security and privacy council established by section 34 of this chapter.

(b) This section expires December 31, 2026.

SECTION 99. IC 10-13-3-34 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 34. (a) There is established a security and privacy council that consists of nine (9) members selected under subsections (b) and (c).

(b) The following six (6) members shall be appointed by and shall serve at the pleasure of the governor:

(1) A prosecuting attorney.

(2) The police chief of a city.

(3) The sheriff of a county.

(4) A criminal court judge.

(5) Two (2) citizens who are not law enforcement officers.

(c) The following persons, or their designees, also are members of the council:

(1) The superintendent.

(2) The attorney general.

(3) The commissioner of the department of correction.

(d) Members of the council are not entitled to receive compensation but are entitled to receive a per diem and mileage on those days in which they are engaged in the business of the council. Per diem and mileage paid shall be that amount paid to state employees.

(e) This section expires December 31, 2026.

SECTION 100. IC 10-14-1-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 3. "Commission" refers to the Indiana ~~emergency medical services~~ **fire and EMS standards and education** commission established by ~~IC 16-31-2-1.~~ **IC 16-31-2-1.5.**

SECTION 101. IC 10-14-3-9, AS AMENDED BY P.L.85-2015, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 9. (a) The agency shall prepare and maintain a current state emergency operations plan. The plan may provide for the following:

(1) Prevention and minimization of injury and damage caused by disaster.

(2) Prompt and effective response to disaster.

(3) Emergency relief.

(4) Identification of areas particularly vulnerable to disaster.

(5) Recommendations for:

(A) zoning;

(B) building;

(C) other land use controls;

(D) safety measures for securing mobile homes or other nonpermanent or semipermanent structures; and

(E) other preventive and preparedness measures designed to eliminate or reduce disaster or its impact;

that must be disseminated to ~~both the fire prevention and building safety commission and~~ local authorities.

(6) Assistance to local officials in designing local emergency action plans.

(7) Authorization and procedures for the erection or other construction of temporary works designed to protect against or mitigate danger, damage, or loss from flood, conflagration, or other disaster.

(8) Preparation and distribution to the appropriate state and local officials of state catalogs of federal, state, and private assistance programs.

(9) Organization of manpower and chains of command.

(10) Coordination of federal, state, and local disaster activities.

(11) Coordination of the state disaster plan with the disaster plans of the federal government.

(12) Other necessary matters.

(b) The agency shall take an integral part in the development and revision of local and interjurisdictional disaster plans prepared under section 17 of this chapter. The agency shall employ or otherwise secure the services of professional and technical personnel capable of providing expert assistance to political subdivisions, a political subdivision's disaster agencies, and interjurisdictional planning and disaster agencies. These personnel:

(1) shall consult with subdivisions and government agencies on a regularly scheduled basis;

(2) shall make field examinations of the areas, circumstances, and conditions to which particular local and interjurisdictional disaster plans are intended to apply; and

(3) may suggest revisions.

(c) In preparing and revising the state disaster plan, the agency shall seek the advice and assistance of local government, business, labor, industry, agriculture, civic and volunteer organizations, and community leaders. In advising local and interjurisdictional agencies, the agency shall encourage local and interjurisdictional agencies to seek advice from the sources specified in this subsection.

(d) The state disaster plan or any part of the plan may be incorporated in rules of the agency or by executive orders.

(e) The agency shall do the following:

(1) Determine requirements of the state and political subdivisions for food, clothing, and other necessities in the event of an emergency.

(2) Procure and pre-position supplies, medicines, materials, and equipment.

(3) Adopt standards and requirements for local and interjurisdictional disaster plans.

(4) Provide for mobile support units.

(5) Assist political subdivisions, political subdivisions' disaster agencies, and interjurisdictional disaster agencies to establish and operate training programs and public information programs.

(6) Make surveys of industries, resources, and facilities in Indiana, both public and private, necessary to carry out this chapter.

(7) Plan and make arrangements for the availability and use of any private facilities, services, and property, and if necessary and if the private facilities, services, or property is used, provide for payment for the use under agreed upon terms and conditions.

(8) Establish a register of persons with types of training and skills important in emergency prevention, preparedness, response, and recovery.

(9) Establish a register of mobile and construction equipment and temporary housing available for use in a disaster emergency.

(10) Prepare, for issuance by the governor, executive orders, proclamations, and regulations necessary or appropriate in coping with disaster.

(11) Cooperate with the federal government and any public or private agency or entity in achieving any purpose of this chapter and in implementing programs for disaster prevention, preparation, response, and recovery.

(12) Do other things necessary, incidental, or appropriate to

implement this chapter.

(f) The agency shall ascertain the rapid and efficient communications that exist in times of disaster emergencies. The agency shall consider the desirability of supplementing these communications resources or of integrating these resources into a comprehensive intrastate or state-federal telecommunications or other communications system or network. In studying the character and feasibility of any system, the agency shall evaluate the possibility of multipurpose use of the system for general state and local governmental purposes. The agency shall make appropriate recommendations to the governor.

(g) The agency shall assist political subdivisions in implementing the intrastate mutual aid compact created by section 10.8 of this chapter.

SECTION 102. IC 10-18-1-1 IS REPEALED [EFFECTIVE JANUARY 1, 2027]. ~~Sec. 1. As used in this chapter, "commission" refers to the Indiana war memorials commission established by section 2 of this chapter.~~

SECTION 103. IC 10-18-1-1.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 1.5. As used in this chapter, "department" refers to the department of veterans affairs established by IC 10-17-1-2.**

SECTION 104. IC 10-18-1-1.6 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 1.6. (a) On January 1, 2027, all powers, duties, agreements, and liabilities of the Indiana war memorials commission are transferred to the department.**

(b) On January 1, 2027, all records and property of the Indiana war memorials commission, including appropriations and other funds under the control or supervision of the Indiana war memorials commission, are transferred to the department.

(c) After December 31, 2026, a reference to the Indiana war memorials commission in a statute, rule, or other document is considered a reference to the department.

(d) The rules adopted by the Indiana war memorials commission before January 1, 2027, are considered, after December 31, 2026, rules of the department.

SECTION 105. IC 10-18-1-2, AS AMENDED BY P.L.149-2016, SECTION 39, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 2. ~~(a) The Indiana war memorials~~

~~commission is established.~~

~~(b) The commission consists of nine (9) members. Each Indiana congressional district must be represented by at least one (1) member who is:~~

~~(1) a resident of that congressional district;~~

~~(2) a veteran of service in the armed forces of the United States of America in time of war;~~

~~(3) a citizen of Indiana at the time of the service; and~~

~~(4) appointed:~~

~~(A) in the manner;~~

~~(B) for the terms;~~

~~(C) to have the powers; and~~

~~(D) to perform the duties;~~

~~as provided in this chapter.~~

~~(c)~~ **(a)** The **department:** ~~commission:~~

(1) ~~as the commission and in the commission's name,~~ may prosecute and defend suits; and

(2) has all other duties, rights, and powers that are:

(A) necessary to implement this chapter; and

(B) not inconsistent with this chapter.

~~(d) The members of the commission are not liable in their individual capacity, except to the state, for any act done or omitted in connection with the performance of their duties under this chapter.~~

~~(e)~~ **(b)** A suit against the ~~commission~~ **department** must be brought in a court with jurisdiction in Marion County. Notice or summons of the suit shall be served upon the **director of the department.** ~~president, vice president, or secretary of the commission. In a suit against the commission, it is not necessary to name the individual members of the commission as either plaintiff or defendant. Commission members may sue and be sued in the name of the Indiana war memorials commission.~~

~~(f) The commission shall:~~

~~(1) report to the governor through the adjutant general; and~~

~~(2) be under the adjutant general for administrative supervision.~~

SECTION 106. IC 10-18-1-3 IS REPEALED [EFFECTIVE JANUARY 1, 2027]. ~~Sec. 3. (a) The governor shall appoint members of the commission for a term of three (3) years, subject to removal as provided in this section.~~

~~(b) The commissioners:~~

~~(1) must be persons of high standing and character; and~~

~~(2) serve without compensation, except for reimbursement for any reasonable expenses necessarily incurred by the commissioners in the performance of their duties.~~

~~(c) The commissioners shall be selected without regard to their political affiliations. However, not more than six (6) of the commissioners at any time may be members of the same political party.~~

~~(d) The governor may, for just cause, based upon written charges specifying alleged misconduct, remove any member of the commission, after notice to the member and a public hearing.~~

~~(e) The governor shall appoint a qualified person to fill the unexpired term of a member who does not complete the member's term.~~

SECTION 107. IC 10-18-1-4 IS REPEALED [EFFECTIVE JANUARY 1, 2027]. ~~Sec. 4. (a) The governor shall execute a certificate of appointment that makes reference to this chapter and sets forth the term of appointment for each member of the commission. The governor shall deposit the certificates of appointment in the office of the secretary of state, who shall record the certificates in a book kept for that purpose.~~

~~(b) The secretary of state shall notify each person appointed as a commissioner of the person's appointment. The person's acceptance of the appointment shall be signified by subscribing to an oath, to be endorsed on the certificate of appointment:~~

~~(1) to support the Constitution of the United States and the Constitution of the State of Indiana; and~~

~~(2) to faithfully and honestly discharge the person's duty under the law as a commissioner.~~

~~(c) The secretary of state shall deliver the certificate, when recorded, to the person named in the certificate. The certificate constitutes the commission of the person named as a member of the commission for the term specified.~~

~~(d) If a person appointed fails to qualify under this section within ten (10) days after notice of the person's appointment, the governor shall appoint another qualified person as a commissioner.~~

SECTION 108. IC 10-18-1-5 IS REPEALED [EFFECTIVE JANUARY 1, 2027]. ~~Sec. 5. The commission shall elect the following:~~

~~(1) One (1) member of the commission to serve as president.~~

~~(2) One (1) member of the commission to serve as vice president.~~

~~(3) One (1) qualified person who is not a member of the commission to serve as secretary of the commission.~~

~~The commission shall elect officers each year. Officers shall hold their~~

~~respective offices for one (1) year or during the pleasure of the commission.~~

SECTION 109. IC 10-18-1-6 IS REPEALED [EFFECTIVE JANUARY 1, 2027]. ~~Sec. 6. (a) The president and vice president of the commission shall, before entering upon the discharge of their duties, give bond to the approval of the governor, each in the sum of ten thousand dollars ($10,000), conditioned for the faithful performance of the duties as may be imposed upon them by law.~~

~~(b) The officers and any other officers required to give a bond under this chapter may furnish as surety any surety company authorized to transact business in Indiana that meets the approval of the commission, and the premium on any bond shall be paid as a part of the expenses of the commission.~~

SECTION 110. IC 10-18-1-7 IS REPEALED [EFFECTIVE JANUARY 1, 2027]. ~~Sec. 7. (a) The president shall do the following:~~

~~(1) Preside over the meetings of the commission.~~

~~(2) Sign all vouchers approved by the commission under this chapter.~~

~~(3) Sign all contracts and agreements in the name of the commission that have been authorized by the commission. The secretary shall attest to contracts signed by the president.~~

~~(b) If the president is absent or unable to act, the vice president shall perform the president's duties.~~

SECTION 111. IC 10-18-1-8 IS REPEALED [EFFECTIVE JANUARY 1, 2027]. ~~Sec. 8. (a) The secretary appointed by the commission shall take an oath to faithfully perform the duties of the secretary's office.~~

~~(b) The secretary shall do the following:~~

~~(1) Keep a record of the proceedings of the commission.~~

~~(2) Make a record of contracts and obligations.~~

~~(3) Furnish each contractor with a copy of the contractor's contract that:~~

~~(A) is endorsed "approved by order of the commission";~~

~~(B) lists the date of the approval; and~~

~~(C) is signed by the secretary.~~

~~A contract is not valid until endorsed and delivered by the secretary.~~

~~(4) Certify all vouchers ordered by the commission.~~

~~(5) Keep a set of books to show the financial condition of the commission.~~

~~(6) Make quarterly statements as provided in this chapter of the costs and expenditures of the commission, a complete list of vouchers, and for what purpose and to whom paid. The reports shall be filed with the state comptroller as provided in this chapter and are open to the inspection and use of the general assembly.~~

~~(c) The secretary shall give a bond in the sum of ten thousand dollars ($10,000) for the faithful performance of the secretary's duties.~~

~~(d) The contracts for any purpose connected with the Indiana World War Memorial shall be recorded by the secretary in a book kept for that purpose. The secretary shall retain on file all vouchers and other valuable papers of value to the commission, to the contractor, and to the public.~~

SECTION 112. IC 10-18-1-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 9. (a) The ~~commission~~ **department** may employ a superintendent.

(b) The superintendent shall give bond in an amount and with surety to be approved by the ~~commission.~~ **department.**

(c) The superintendent's duties and compensation shall be prescribed by the **department.** ~~commission.~~

SECTION 113. IC 10-18-1-10 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 10. (a) The ~~commission~~ **department** shall employ an individual who is responsible for the care and preservation of all personal property owned by the ~~commission~~ **department** that has historic significance.

(b) The individual employed by the ~~commission~~ **department** under subsection (a) must meet the qualifications set by the division of state museums and historic sites of the department of natural resources.

SECTION 114. IC 10-18-1-11, AS AMENDED BY P.L.9-2024, SECTION 319, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 11. (a) The ~~commission~~ **department** shall do the following:

(1) Keep a record of the commission's proceedings.

(2) Make a quarterly report for public use that includes the following:

(A) A detailed account of the expenditures of the ~~commission.~~ **department to administer this chapter.**

(B) A summary of ~~the commission's proceedings~~ that includes:

(i) a statement of all contracts let;

(ii) the name of the person to whom the contracts were let; and

(iii) the amount of each contract.

(b) The report required under subsection (a) must be filed with the state comptroller.

(c) Reports created and filed under this section are public records.

SECTION 115. IC 10-18-1-12 IS REPEALED [EFFECTIVE JANUARY 1, 2027]. ~~Sec. 12. (a) The commission may adopt rules that set forth:~~

~~(1) the time, place, and method of calling and conducting meetings; and~~

~~(2) the manner and method of the conduct of business, including:~~

~~(A) the government and regulation of the commission's employees; and~~

~~(B) the management of the ground and premises under the commission's care and control;~~

~~as the commission considers prudent and not inconsistent with this chapter and other statutes.~~

~~(b) The commission shall meet at the call of the commission's president or at the time set forth in the commission's rules. A majority of the members constitutes a quorum for the transaction of business. However, all official action of the commission must receive the approval in a meeting of a majority of all the members of the commission.~~

SECTION 116. IC 10-18-1-13 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 13. (a) The ~~commission shall designate one (1) of its members to~~ **department shall** do the following:

(1) Assume general charge of and preserve all Indiana battle flags.

(2) Have custody of all battle and organization flags in the possession of the state that were used by any of the military organizations of the state:

(A) in any of the wars or campaigns in which the United States has been engaged; and

(B) in which Indiana veterans have participated.

(3) In the preservation of the battle flags, as far as possible, see that the name and the branch of service in which the organization served are attached to or preserved with the flag.

(4) Collect data in reference to each organization or military unit whose flag is in the possession of the commission and place the data with the flag or banner of each of the organizations or

military units.

(b) The ~~commission~~ **department** shall do the following:

(1) Collect Indiana battle flags not in the possession of the state from the United States, patriotic societies, or individuals.

(2) Reinforce, collect the data for, and otherwise prepare all battle flags for preservation.

(3) Collect, systematize, and prepare a brief history of each flag and index and catalogue each flag.

(4) Collect, purchase, and procure all necessary materials for the preservation of the flags.

(5) For the purpose of collecting and preparing the necessary data, reinforcing the flags, and performing other duties required by this chapter:

(A) with the approval of the budget agency, employ and fix the compensation of employees as may be necessary; and

(B) purchase material of any character that is required in carrying out this chapter.

SECTION 117. IC 10-18-1-14, AS AMENDED BY P.L.30-2013, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 14. (a) The Indiana battle flags fund is established to restore and preserve Indiana battle flags.

(b) The **department:** ~~commission:~~

(1) shall administer the fund; and

(2) may spend the money in the fund for the purposes of the fund.

(c) The expenses of administering the fund shall be paid from money in the fund.

(d) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public funds may be invested. Interest that accrues from these investments shall be deposited in the fund.

(e) All money accruing to the fund is appropriated continuously for the purposes of the fund.

(f) Money in the fund at the end of a fiscal year does not revert to the state general fund.

SECTION 118. IC 10-18-1-15 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 15. (a) All flag cases completed shall be in the custody of the **department** ~~commission.~~ The superintendent shall have the cases cleaned periodically as necessary.

(b) The **department** ~~commission~~ may determine the method and

manner in which the flags shall be preserved.

SECTION 119. IC 10-18-1-16 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 16. (a) Out-lot five (5) and out-lot thirty-six (36), in Indianapolis, according to the original plat of the city, are dedicated and set apart as grounds for the Indiana War Memorial subject to the provisions of this chapter.

(b) Out-lots five (5) and thirty-six (36) dedicated in subsection (a), together with all or any part of squares five (5) and sixteen (16) or any part of those squares, in Indianapolis, according to the original plat of the city, that are acquired, dedicated, and set apart and added to the real estate dedicated in subsection (a) by:

(1) the state; or

(2) Indianapolis, by Marion County, or Indianapolis and Marion County jointly and then conveyed by the city, county, or city and county jointly by proper deed, grant, or contract to the state;

for War Memorial and other public purposes constitutes and shall be referred to as "Memorial Place". The permanent name of "Memorial Place" shall be selected by the **department.** ~~commission.~~

(c) A necessity is declared to exist to limit:

(1) the kind, character, and height of buildings upon; and

(2) the use of real estate and buildings that are located within three hundred (300) feet of the outside boundaries of;

Memorial Place as constituted in this chapter. The **department** ~~commission~~ may acquire, by purchase, donation, or condemnation, the right to limit the kind, character, and height of buildings upon and the use of real estate and buildings on real estate within three hundred (300) feet of the outside boundaries of Memorial Place.

(d) The **department** ~~commission~~ shall erect and maintain in Indianapolis, upon or within grounds dedicated or acquired under this chapter, as the **department** ~~commission~~ considers best, a suitable structure or structures:

(1) to commemorate the valor and sacrifice of the soldiers, sailors, and marines of the United States and of all others who rendered faithful, loyal, heroic, and self-sacrificing service at home and overseas in World War I;

(2) to provide a place or places of meeting and headquarters for organizations of soldiers, sailors, and marines or any other patriotic societies or associations;

(3) to keep records, archives, documents, flags, mementos, and relics; and

(4) for other public meetings and other public purposes;

to inculcate a true understanding and appreciation of the duties, benefits, and privileges of American citizenship and inspire patriotism and respect for the law to the end that peace may prevail, good will be promoted, justice be administered and established, public order maintained, and liberty and freedom under the law perpetuated.

SECTION 120. IC 10-18-1-17 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 17. (a) If squares five (5) and sixteen (16) or any part of those squares in Indianapolis, according to the original plat of the city, are acquired, dedicated, and set apart and added to the real estate dedicated in this chapter by the state for war memorial and other public purposes by Indianapolis, by Marion County, or by the city and county jointly by proper deed, contract, or grant, by which the city or county, or the city and county jointly, convey the real estate or any part of the real estate to the state for war memorial and other public purposes, the **department** ~~commission~~ may accept from the city, the county, or the city and county jointly the deed, grant, or contract by which the real estate or any part of the real estate is conveyed to the state for war memorial and other public purposes, subject to the terms, conditions, and provisions contained in the deed, grant, or contract.

(b) The **department** ~~commission~~ may agree that, to the extent that the city, the county, or the city and county jointly appropriate and use money in the acquisition of the real estate or any part of the real estate, the real estate and interests in the real estate and the memorial structures erected on the real estate (to the extent of the money so appropriated and used by the city, by the county, or by the county and city jointly) shall be a city war memorial, a county war memorial, or a joint war memorial.

(c) If the real estate or any part of the real estate is acquired and conveyed to the state, the **department** ~~commission~~ may erect structures on outlots five (5) and thirty-six (36) dedicated in this chapter or upon any part of the real estate so dedicated or acquired as provided in this chapter as the **department** ~~commission~~ considers best.

(d) The **department** ~~commission~~ shall develop any part or all of the real estate described in this chapter that has been dedicated or acquired as provided in this chapter as a memorial place, together with square twenty-five (25), known as University Square in Indianapolis, according to the original plat of the city, to secure a harmonious and unified architectural and aesthetic effect of the entire series of grounds

used and dedicated for memorial purposes. The grounds must include square twenty-five (25), known as University Square, which shall be and constitute a part of the memorial park, and shall be used as a public park.

(e) The **department** ~~commission~~ may sell buildings and improvements situated on outlots five (5) and sixteen (16) when they come under the ~~commission's~~ **department's** jurisdiction, custody, and control or remove the buildings and improvements as the **department** ~~commission~~ considers best. The **department** ~~commission~~ may contract with Indianapolis, with Marion County, or with the county and city jointly, concerning the use and rents of the buildings and improvements on squares five (5) and sixteen (16) until it is necessary to remove the buildings for the purpose of erecting the memorial structure or structures. The **department** ~~commission~~ may contract with the city or county or the city and county jointly with reference to the sale of buildings and improvements upon the real estate that may be acquired and conveyed to the state by the city or county or by the city and county jointly for War Memorial and other public purposes. The contracts must provide how the proceeds from the rent or sale of buildings and improvements shall be applied.

SECTION 121. IC 10-18-1-18, AS AMENDED BY P.L.17-2005, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 18. The **department** ~~commission~~ may do the following:

(1) Make and execute contracts and other instruments that may be required in connection with the erection and maintenance of a suitable structure or structures upon or within Memorial Place.

(2) Adopt rules for the following:

(A) The proper management, government, and use of Memorial Place and the structures situated on Memorial Place.

(B) The government of employees.

(3) Acquire by condemnation the right to limit the kind, character, and height of buildings upon and the use of real estate or buildings located within three hundred (300) feet of the outside boundaries.

(4) Adopt reasonable rules as are proper to limit the kind, character, and height of buildings located or erected within three hundred (300) feet of the outside boundaries of Memorial Place and the use of the buildings or real estate. A building constructed or maintained or business conducted in violation of any rule may

be abated as a nuisance in an action begun and prosecuted by the **department.** ~~commission.~~

(5) Receive donations, gifts, devises, and bequests and use them in connection with the purposes of this chapter.

(6) Establish a nonprofit corporation to do the following:

(A) Promote public support for the purposes of the **department** ~~commission~~ and this chapter.

(B) Preserve and promote the historical and educational activities of the commission.

(C) Operate for the benefit of the purposes of the **department** ~~commission~~ and this chapter.

The corporation is subject to audit by the state board of accounts as if it were a state agency.

(7) Transfer money donated to the **department** ~~commission~~ for the purposes described in subdivision (6) to a corporation established under subdivision (6).

(8) Transfer:

(A) artifacts;

(B) images; or

(C) documents of cultural heritage, historical, or museum relevance;

under the commission's control to a corporation established under subdivision (6) without complying with IC 5-22-21 and IC 5-22-22.

SECTION 122. IC 10-18-1-20 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 20. The **department** ~~commission~~ shall adopt rules **under IC 4-22-2** for the government of the monument and Monument Circle. ~~The rules are binding and effective when approved by the governor.~~

SECTION 123. IC 10-18-1-21 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 21. (a) The **department:** ~~commission:~~

(1) has general control of the State Soldiers' and Sailors' Monument Circle; and

(2) may employ a superintendent.

(b) The superintendent may, with the advice and consent of the **department** ~~commission,~~ appoint engineers, elevator operators, electricians, and watchmen as are actually required, all of whom are subject to removal at any time by the **department** ~~commission~~ for any reason satisfactory to the commission.

(c) The superintendent:

(1) has direct charge and supervision of the monument and Monument Circle, subject to the orders of the **department;** ~~commission;~~ and

(2) may require watchmen to act as elevator operators and elevator operators to act as watchmen.

(d) The superintendent and the engineers, watchmen, and elevator operators have police powers with all powers of a constable.

SECTION 124. IC 10-18-1-22, AS AMENDED BY P.L.9-2024, SECTION 320, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 22. (a) The superintendent shall execute a bond in the penal sum of five thousand dollars ($5,000), to be approved by the **department.** ~~commission.~~

(b) The superintendent shall:

(1) on the first day of each month, make a sworn statement to the state comptroller of all receipts and expenditures, with vouchers attached for the preceding month, on account of the monument; and

(2) at the same time, pay over to the treasurer of state all money received by the superintendent from all sources in the operation of the monument for the preceding month.

The state comptroller shall draw a warrant on the treasurer of state, payable to the superintendent, engineers, elevator operators, and watchmen, for the amounts due them as salaries and to the superintendent for a total of expenditures other than salaries incurred in the management of the monument and Monument Circle as shown by the vouchers.

SECTION 125. IC 10-18-1-23 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 23. The Soldiers' and Sailors' Monument and all approaches to the monument and all surroundings belonging to the state shall be maintained perpetually and inviolate for the purpose originally designed.

SECTION 126. IC 10-18-1-25 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 25. A person who intentionally damages or removes any of the property of the state on Monument Circle is liable for the payment of a penalty not less than twice the sum necessary to repair the damage or restore the lost property. The penalty may be collected by the **department** ~~commission~~ in a civil action.

SECTION 127. IC 10-18-1-26 IS AMENDED TO READ AS

FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 26. (a) The **department** ~~commission~~ may do the following:

(1) Make or sell the following:

(A) Pictures, models, books, and other representations of the monuments and grounds.

(B) Souvenirs.

(2) Establish and maintain souvenir shops on property that the **department** ~~commission~~ manages.

(3) Hire and pay salaries for full-time or part-time employees for the souvenir shops.

(4) Contract with a nonprofit organization or corporation for the continuous management of the souvenir shops.

(5) Report annually to the governor on the activities, revenues, expenditures, and profits of the souvenir shops.

(b) Notwithstanding section 27 of this chapter, the following apply to the profits from souvenir shop sales:

(1) The souvenir shop fund is established. The souvenir shop fund shall be administered by the **department.** ~~commission.~~

(2) Profits from the sales at souvenir shops established under subsection (a) shall be deposited in the souvenir shop fund.

(3) The treasurer of state shall invest the money in the souvenir shop fund not currently needed to meet the obligations of the fund in the same manner as other public funds may be invested.

(4) The expenses of administering the souvenir shop fund shall be paid from money in the fund.

(5) The **department** ~~commission~~ may spend the money in the souvenir shop fund for the following purposes:

(A) Maintenance or repair of properties managed by the **department.** ~~commission.~~

(B) Maintenance, repair, and acquisition of the following:

(i) Battle flags.

(ii) Appropriate artifacts.

(iii) Appropriate memorabilia.

(6) All money accruing to the souvenir shop fund is appropriated continuously for the purposes listed in subdivision (5).

(7) Money in the souvenir shop fund at the end of a state fiscal year does not revert to the state general fund.

(c) A person may not make or sell pictures, models, books, or other representations of the monuments or grounds unless the person is authorized to do so by the **department.** ~~commission.~~

SECTION 128. IC 10-18-1-28 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 28. The superintendent of the State Soldiers' and Sailors' Monument and of Monument Circle and those serving under the superintendent who are appointed by the **department** ~~commission~~ have police powers and may make arrests or do other things as may be needed to enforce the laws for the protection and care of the monuments and Monument Circle.

SECTION 129. IC 10-18-1-29 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 29. The **department** ~~commission~~ may grant the use for public purposes of any structures or any parts of structures erected by the commission under this chapter without rent or charge or for only a nominal rental:

(1) to any organizations of soldiers, sailors, and marines and others as a place for their meeting and headquarters and for the keeping of records, archives, documents, flags, mementos, and relics; and

(2) for other public meetings and other public purposes not inconsistent with the purpose of this chapter;

for the time and upon the terms and conditions as the commission determines.

SECTION 130. IC 10-18-1-30 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 30. (a) The **department** ~~commission~~ may not enter into a contract for:

(1) the purchase or sale of property, material, or supplies; or

(2) the performance of work or labor, except for salaries of employees;

if the work and labor or materials and supplies cost more than ten thousand dollars ($10,000) without first giving notice of its intention to purchase or sell the materials or supplies or to contract for the work or labor by publication in a newspaper of general circulation printed and published in the English language in Indianapolis for two (2) successive weeks before the time fixed for the letting of the contract or the sale of the property.

(b) A contract under this section must be in writing. The other contracting party shall furnish bond for the faithful performance of the contract in an amount fixed by the **department** ~~commission~~ and with surety to the **department's** ~~commission's~~ approval, conditioned upon the faithful performance of the contract. However, if the **department** ~~commission~~ decides to purchase a patented article or material or an article or material of a special type, character, or design of construction

or make that may be purchased from only one (1) person, firm, limited liability company, or corporation, their agents or representatives, or for which there is a fixed, standard price, the **department** ~~commission~~ is not required to take or receive competitive bids. However, the **department** ~~commission~~ shall publish in the manner set forth under subsection (a) the number and character of the article or kind and quality of material proposed to be purchased, the unit price, and the total sum to be paid.

(c) A contract made in violation of this section is void.

SECTION 131. IC 10-18-1-32 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 32. The **department,** ~~commission,~~ with the approval of the governor, may let a contract for the erection of additional structures on the site of the Indiana World War Memorial, in accordance with plans and specifications adopted by the commission, with the approval of the governor, to any competent and reliable contractor.

SECTION 132. IC 10-18-1-33 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 33. (a) The **department** ~~commission~~ shall commemorate the valor of those loyal citizens of this state who served with the armed forces of the United States during World War II and the Korean Conflict by placing their names in the archives of the World War Memorial located at Indianapolis.

(b) The names must be placed in the archives in the same manner as those honored by Indiana who served in World War I.

SECTION 133. IC 10-18-1-34 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 34. (a) The **department** ~~commission~~ shall commemorate the valor of those loyal citizens of Indiana who served with the armed forces of the United States during the Vietnam conflict by placing their names in the archives of the World War Memorial located at Indianapolis.

(b) The names must be placed in the archives in the same manner as those honored by Indiana who served in World War I, World War II, and the Korean Conflict.

SECTION 134. IC 10-18-1-38, AS AMENDED BY P.L.158-2013, SECTION 169, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 38. It is a Level 6 felony for a ~~member of the commission or the architect, secretary,~~ superintendent, or any other person in the employ of the **department** ~~commission~~ to:

(1) knowingly be interested in or derive any profit from any

contract, employment, or purchase connected with the Indiana World War Memorial or with any action of the **department;** ~~commission;~~ or

(2) knowingly be interested in any claim against the **department** ~~commission~~ or the state growing out of the erection or maintenance of the Indiana World War Memorial;

other than for the compensation for their services or for their expenses as provided in this chapter.

SECTION 135. IC 10-18-2-18 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 18. In the establishment and maintenance of a county world war memorial, a county executive or a board of trustees of a joint county and city world war memorial has all the powers and duties conferred upon the **Indiana department of veterans' affairs** ~~Indiana War Memorials Commission~~ under IC 10-18-1, in so far as the powers and duties are not inconsistent with this chapter. However, a county executive or board may not employ a secretary.

SECTION 136. IC 10-18-3-18, AS AMENDED BY P.L.9-2024, SECTION 321, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 18. (a) The governor may appoint a commission known as the memorial art commission.

(b) The commission must consist of not more than seven (7) qualified persons who serve without pay. However, members are to be paid necessary expenses as certified by the governor to the state comptroller.

(c) The commission shall consider the artistic qualities of a plan for a proposed memorial.

(d) A memorial consisting of a building, monument, statue, tablet, picture, arch, or work of art of any kind may not be erected without first:

(1) submitting the plans to the memorial art commission; and

(2) securing criticism and advice from the commission with respect to the memorial.

If a state art commission is established by law, it is ex officio the memorial art commission.

(e) This section expires December 31, 2026.

SECTION 137. IC 10-18-4-19 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 19. In the establishment and maintenance of a World War memorial, a city's board of public works or the board of trustees of a joint county and city

World War memorial has all the powers and duties conferred upon the **Indiana department of veterans' affairs** ~~Indiana war memorials commission~~ under IC 10-18-1 to the extent the powers and duties conferred in IC 10-18-1 are not inconsistent with this chapter. However, this chapter does not authorize a city's board of public works or a board of trustees of a joint county and city World War memorial to employ a secretary.

SECTION 138. IC 10-19-3-3.5, AS AMENDED BY P.L.56-2023, SECTION 77, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 3.5. (a) For purposes of this section, "EMS" means emergency medical services.

(b) For purposes of this section, "state EMS medical director" refers to the state emergency medical services medical director appointed under subsection (c).

(c) The executive director shall appoint an individual to serve as the state emergency medical services medical director. The individual must have the following qualifications:

(1) Thorough knowledge of state EMS laws and administrative rules and regulations.

(2) At least five (5) years experience in the following:

(A) Medical direction of out of hospital EMS.

(B) Emergency department treatment of acutely ill and injured patients.

(3) Significant experience and familiarity with the following:

(A) The design and operation of statewide EMS systems.

(B) Working with national and other state EMS committees.

(4) At the time of the individual's appointment, has a valid and unrestricted license to practice medicine in Indiana.

(5) Be certified by the American Board of Emergency Medicine.

(6) Other areas of knowledge and expertise that the executive director determines essential.

The state EMS medical director shall be an employee of the department.

(d) The executive director shall submit the name of the individual whom the executive director would like to appoint as state EMS medical director to the Indiana ~~emergency medical services~~ **fire and EMS standards and education** commission created by ~~IC 16-31-2-1.~~ **IC 16-31-2-1.5.** The commission may, by a majority of the members, vote not later than thirty (30) days after the submission on whether to approve the appointment. If the commission:

(1) does not take any action; or

(2) by a majority of the commission votes to approve the appointment of the individual;

not later than thirty (30) days after, the appointment shall become effective. If a majority of the commission votes not later than thirty (30) days after the submission of the appointment to not approve the appointment, the executive director shall restart the appointment process and submit an alternative individual for appointment.

(e) The state EMS medical director shall oversee all pre-hospital aspects of the statewide EMS system, including the following:

(1) Medical components for systems of care that interface or integrate with the statewide EMS system, including the following:

(A) Statewide planning for trauma, burn, cardiac, and stroke care.

(B) Domestic preparedness.

(C) EMS for children.

(2) For all levels of emergency responders, establishment of the following:

(A) Statewide model guidelines and best practices for all patient care activities to ensure delivery of medical care consistent with professionally recognized standards.

(B) A statewide EMS continuous quality improvement program.

(C) A statewide EMS advocacy program.

(3) In cooperation with appropriate state and local agencies, training and certification of all EMS providers.

(f) The state EMS medical director shall assist the executive director on all issues related to statewide EMS, including the following:

(1) Consulting with EMS medical directors.

(2) In consultation with the Indiana ~~emergency medical services~~ **fire and EMS standards and education** commission created by ~~IC 16-31-2-1,~~ **IC 16-31-2-1.5,** providing guidance and assistance on the following matters:

(A) Scope of practice for EMS providers.

(B) Restrictions placed on EMS certifications.

(C) Appropriate corrective and disciplinary actions for EMS personnel.

(D) Education and training on emerging issues in EMS.

(3) EMS system research.

(4) Coordination of all medical activities for disaster planning and

response.

(5) Improving quality of care, research, and injury prevention programs.

(6) Partnering with state agencies, including the Indiana department of health and state educational institutions, to develop public safety education and outreach programs.

SECTION 139. IC 10-19-3-7, AS AMENDED BY P.L.156-2020, SECTION 50, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 7. (a) Except as provided in this section, for purposes of IC 4-22-2, the executive director is the authority that adopts rules for the department.

(b) The Indiana ~~emergency medical services~~ **fire and EMS standards and education** commission is the authority that adopts rules under IC 16-31.

~~(c) Except as provided in subsection (d), the fire prevention and building safety commission is the authority that adopts rules under any of the following:~~

~~(1) IC 22-11.~~

~~(2) IC 22-12.~~

~~(3) IC 22-13.~~

~~(4) IC 22-14.~~

~~(5) IC 22-15.~~

~~(d)~~ **(c)** The ~~board of firefighting personnel standards and education~~ **Indiana fire and EMS standards and education commission** is the authority that adopts rules under IC 22-14-2-7(c)(7) and IC 36-8-10.5.

~~(e)~~ **(d)** The executive director may adopt rules governing:

(1) emergency action plans; or

(2) emergency response plans;

for outdoor performances (as defined in IC 22-12-1-17.5) where outdoor event equipment (as defined in IC 22-12-1-17.7) is used.

SECTION 140. IC 10-19-7-3, AS AMENDED BY P.L.238-2025, SECTION 40, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 3. (a) The state fire marshal appointed under IC 22-14-2-2 shall manage the department's administration of the following:

(1) IC 22-11.

(2) IC 22-12.

(3) IC 22-13.

(4) IC 22-14.

(5) IC 22-15.

(b) In carrying out the duties under subsection (a), the state fire marshal shall ~~do the following:~~

~~(1) Provide department staff to support the fire prevention and building safety commission established by IC 22-12-2-1.~~

~~(2)~~ partner with state agencies, including the Indiana department of health and state educational institutions, to develop public safety education and outreach programs.

(c) The state fire marshal may not exercise any powers or perform any duties specifically assigned to ~~either of the following:~~

~~(1) The fire prevention and building safety commission.~~

~~(2)~~ the state building commissioner.

(d) The state fire marshal may delegate the state fire marshal's authority to the appropriate department staff.

SECTION 141. IC 11-12-4-1, AS AMENDED BY P.L.56-2023, SECTION 82, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1. (a) The department shall adopt under IC 4-22-2 minimum standards for county jails governing:

(1) general physical and environmental conditions;

(2) services and programs to be provided to confined persons;

(3) procedures for the care and control of confined persons that are necessary to ensure the health and safety of confined persons, the security of the jail, and public safety; and

(4) the restraint of pregnant inmates. Rules adopted under this subdivision must be consistent with IC 11-10-3.5.

However, the department may not adopt any standard that prohibits the placement of more than one (1) prisoner in a prisoner cell that has thirty-five (35) square feet or more of floor space per prisoner.

(b) The standards must be sufficiently flexible to foster the development of new and improved practices and to accommodate local needs and circumstances. The standards must be consistent with the laws of Indiana and the rules of the Indiana department of health and the ~~fire prevention and building safety commission.~~ **department of homeland security.**

(c) The commissioner shall select a committee of not less than five (5) county sheriffs to consult with the department before and during the drafting of the proposed minimum standards. County sheriffs shall be selected from the various classes of counties to ensure that densely, moderately, and sparsely populated counties are represented. Each county sheriff is entitled to the minimum salary per diem as provided in IC 4-10-11-2.1 for each day engaged in the official business of the

committee and to reimbursement for traveling and other expenses, as provided in the state travel policies and procedures established by the Indiana department of administration and approved by the budget agency.

(d) At least sixty (60) days before setting the date for a public hearing under IC 4-22-2, the department shall forward copies of the proposed minimum standards to each county sheriff and each board of county commissioners and shall solicit their views and suggestions.

SECTION 142. IC 12-7-2-34, AS AMENDED BY P.L.42-2024, SECTION 75, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 34. "Commission" means the following:

(1) For purposes of IC 12-10-2, the meaning set forth in IC 12-10-2-1.

(2) For purposes of IC 12-12-2, the meaning set forth in IC 12-12-2-1.

~~(3) For purposes of IC 12-13-14, the meaning set forth in IC 12-13-14-1.~~

~~(4) For purposes of IC 12-15-30.5, the meaning set forth in IC 12-15-30.5-2.~~

~~(5)~~ **(3)** For purposes of IC 12-15-33, the meaning set forth in IC 12-15-33-1.

~~(6)~~ **(4)** For purposes of IC 12-21-7.1, the meaning set forth in IC 12-21-7.1-1.

~~(7)~~ **(5)** For purposes of IC 12-28-1, the meaning set forth in IC 12-28-1-3.

SECTION 143. IC 12-7-2-44, AS AMENDED BY P.L.6-2012, SECTION 81, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 44. "Council" means the following:

(1) For purposes of IC 12-9-4, the meaning set forth in IC 12-9-4-1.

(2) For purposes of IC 12-12-8, the meaning set forth in IC 12-12-8-2.5.

~~(3) For purposes of IC 12-13-4, the meaning set forth in IC 12-13-4-1.~~

~~(4)~~ **(3)** For purposes of IC 12-12.7-2, the meaning set forth in IC 12-12.7-2-2.

~~(5)~~ **(4)** For purposes of IC 12-21-4, the meaning set forth in IC 12-21-4-1.

SECTION 144. IC 12-7-2-87.8, AS AMENDED BY P.L.210-2015, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

JANUARY 1, 2027]: Sec. 87.8. "Food retailer", for purposes of IC 12-13-14, has the meaning set forth in ~~IC 12-13-14-1(f).~~ **IC 12-13-14-1.**

SECTION 145. IC 12-7-2-142, AS AMENDED BY P.L.171-2011, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 142. "Political subdivision", for purposes of the following statutes, has the meaning set forth in IC 36-1-2-13:

(1) IC 12-8.

~~(2) IC 12-13-4.~~

~~(3)~~ **(2)** IC 12-32-1.

SECTION 146. IC 12-8-2.5-11, AS ADDED BY P.L.160-2012, SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 11. (a) A member who is not a state employee is **not** entitled to ~~both~~ **either** of the following:

(1) The minimum salary per diem provided by IC 4-10-11-2.1(b).

(2) Reimbursement for travel expenses and other expenses actually incurred in connection with the member's duties. ~~as provided in the state travel policies and procedures established by the Indiana department of administration and approved by the budget agency.~~

(b) A member who is a state employee is entitled to reimbursement for travel expenses and other expenses actually incurred in connection with the member's duties, as provided in the state travel policies and procedures established by the Indiana department of administration and approved by the budget agency.

(c) A member who is a member of the general assembly is entitled to receive the same per diem, mileage, and travel allowances paid to members of the general assembly serving on interim study committees established by the legislative council.

SECTION 147. IC 12-11-14-10, AS ADDED BY P.L.12-2016, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 10. (a) The ABLE board of the authority is established. The board consists of the following:

(1) The following four (4) ex officio members:

(A) The treasurer of state.

(B) The secretary of family and social services.

(C) The budget director.

(D) The executive director of the Indiana housing and community development authority.

(2) Five (5) ~~appointed~~ members ~~who:~~

~~(A) are appointed by the governor; and~~

~~(B) consist of the following:~~ **appointed as follows:**

~~(i)~~ **(A)** One (1) member **appointed by the governor** who has significant experience in actuarial analysis, accounting, investment management, or other areas of finance that are relevant to the authority.

~~(ii)~~ **(B)** One (1) member **appointed by the speaker of the house of representatives** who has significant legal expertise and knowledge of estate planning.

~~(iii)~~ **(C)** One (1) member **appointed by the president pro tempore of the senate** who is a representative of a statewide organization that advocates on behalf of individuals with disabilities.

~~(iv)~~ **(D)** One (1) member who is an individual with a disability.

~~(v)~~ **(E)** One (1) member who is a family member of an individual with a disability.

(b) A certificate of appointment or reappointment of each member shall be filed with the authority, and this certificate is conclusive evidence of the due and proper appointment of the member.

(c) Not more than three (3) of the appointed members of the board may belong to the same political party.

(d) An appointed member serves a four (4) year term. An appointed member shall hold over after the expiration of the member's term until the member's successor is appointed and qualified.

(e) The ~~governor~~ **appointing authority** may reappoint an appointed member of the board.

(f) A vacancy shall be filled for the balance of an unexpired term in the same manner as the original appointment.

(g) The treasurer of state shall serve as chairperson of the board. The board shall annually elect one (1) of its ex officio members as vice chairperson and may elect any other officer the board desires. The board shall meet at the call of the chairperson and as provided in the bylaws of the authority.

(h) The ~~governor~~ **appointing authority** may remove an appointed member for misfeasance, malfeasance, willful neglect of duty, or other cause.

(i) An appointed member of the board is not entitled to the minimum salary per diem provided by IC 4-10-11-2.1(b). However, each appointed member is entitled to reimbursement for traveling

expenses and other expenses actually incurred in connection with the member's duties.

(j) An ex officio member of the board is entitled to reimbursement for traveling expenses and other expenses actually incurred in connection with the member's duties.

(k) An ex officio member of the board may designate a person to serve as an ex officio member of the board in the absence of the ex officio member.

(l) The majority of the members of the board constitute a quorum for the purposes of conducting the board's business and exercising the board's powers and for all other purposes. Vacant positions may not be counted when determining whether a majority of the members is present.

(m) The affirmative vote of a majority of all the members of the board who are present is necessary for the authority to take action. A vacancy in the membership of the board does not impair the right of a quorum to exercise all the rights and perform all the duties of the authority. An action taken by the board under this article may be authorized by:

(1) resolution at any regular or special meeting; or

(2) unanimous consent of all the members who have not abstained.

A resolution takes effect immediately upon adoption and need not be published or posted.

SECTION 148. IC 12-13-4-8 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 8. This chapter expires December 31, 2026.**

SECTION 149. IC 12-13-14-1, AS AMENDED BY P.L.210-2015, SECTION 36, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 1. (a) As used in this chapter, "automated teller machine" means an electronic hardware device owned or operated by or on behalf of a financial institution or retailer that is capable of dispensing currency and responding to balance inquiries through the use of a magnetic stripe card issued by or on behalf of the division for distribution of assistance through an EBT system as described in this chapter.

~~(b) As used in this chapter, "commission" refers to the electronic benefits transfer commission established by this chapter.~~

~~(c)~~ **(b)** As used in this chapter, "Department" refers to the United

States Department of Health and Human Services.

~~(d)~~ **(c)** As used in this chapter, "EBT program" means an electronic benefits transfer program.

~~(e)~~ **(d)** As used in this chapter, "financial institution" means a bank, trust company, savings institution, credit union, or any other organization:

(1) whose principal business activity is providing banking or financial services to the public; and

(2) that is organized, supervised, and authorized to do business in Indiana under IC 28 or Title 12 of the United States Code.

~~(f)~~ **(e)** As used in this chapter, "food retailer" means a retailer that:

(1) sells food items to consumers; and

(2) has been authorized under 7 CFR 278 to participate in SNAP.

~~(g)~~ **(f)** As used in this chapter, "person" includes any individual or entity described in IC 6-2.5-1-3.

~~(h)~~ **(g)** As used in this chapter, "point of sale terminal" means an electronic hardware device that is:

(1) used at a retailer's place of business where consumers pay for goods or services; and

(2) capable of:

(A) initiating a request for authorization of a purchase of tangible personal property;

(B) disbursing currency from an account;

(C) initiating a balance inquiry for an account; or

(D) distributing assistance through an EBT system as described in this chapter.

~~(i)~~ **(h)** As used in this chapter, "primary business" means more than fifty percent (50%) of the gross retail income (as defined in IC 6-2.5-1-5) attributable to the location or premises where the business is located.

~~(j)~~ **(i)** As used in this chapter, "retailer" means a person that, in the ordinary course of business:

(1) sells or transfers tangible personal property; or

(2) provides or performs services for compensation;

to consumers.

~~(k)~~ **(j)** As used in this chapter, "Secretary" refers to the Secretary of the United States Department of Agriculture.

SECTION 150. IC 12-13-14-3, AS AMENDED BY P.L.210-2015, SECTION 38, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 3. (a) The electronic benefits transfer commission

is established.

(b) The commission consists of eight (8) members appointed by the secretary of family and social services as follows:

(1) Two (2) employees of the office of the secretary of family and social services.

(2) Two (2) members of the Indiana Grocers and Convenience Store Association, nominated by the chief executive officer of the Indiana Grocers and Convenience Store Association for consideration by the secretary of family and social services.

(3) Two (2) members of the Indiana Bankers Association, nominated by the chief executive officer of the Indiana Bankers Association for consideration by the office of the secretary of family and social services.

(4) Two (2) persons representing recipients of SNAP benefits or TANF benefits. One (1) person shall be nominated by the Indiana Food and Nutrition Network, and one (1) person shall be nominated by the Indiana Coalition for Human Services for consideration by the secretary of family and social services.

(c) The terms of office shall be for three (3) years. The members serve at the will of the secretary of family and social services. A vacancy on the commission shall be filled by the secretary of family and social services in the same manner the original appointment was made.

(d) The secretary of family and social services shall appoint the initial chairperson from among the members of the commission. The commission shall meet on the call of the chairperson. When the chairperson's term expires, the commission shall elect a new chairperson from among the membership of the commission.

(e) The division shall provide staff needed for the commission to operate under this chapter.

(f) The commission members are not eligible for per diem reimbursement or reimbursement for expenses incurred for travel to and from commission meetings.

(g) This section expires December 31, 2026.

SECTION 151. IC 12-13-16-3, AS ADDED BY P.L.73-2020, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 3. **(a)** As used in this chapter, "advisory committee" refers to the 211 advisory committee established by section 9 of this chapter.

(b) This section expires December 31, 2026.

SECTION 152. IC 12-13-16-9, AS AMENDED BY P.L.241-2023, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 9. (a) The 211 advisory committee is established. The advisory committee includes the following members appointed by the governor or the governor's designee:

(1) Two (2) members, each of whom represents a different Indiana United Way entity.

(2) Two (2) members, each of whom represents a different local service agency that receives referrals from 211.

(3) Seven (7) members representing the types of human services provided under this chapter.

(4) One (1) individual representing the Indiana Association of Rehabilitation Facilities.

(b) The initial members of the advisory committee serve the following terms:

(1) Three (3) members serve a term of one (1) year.

(2) Five (5) members serve a term of two (2) years.

(3) Five (5) members serve a term of four (4) years.

Members appointed to the advisory committee thereafter serve terms of four (4) years.

(c) The governor or the governor's designee shall appoint the chairperson of the advisory committee.

(d) The advisory committee shall do the following:

(1) Provide input and consultation regarding implementation and administration of 211 services by the office of the secretary to ensure compliance with any requirements or obligations under this chapter.

(2) Advise the office of the secretary and make recommendations concerning the use of and goals for 211 services.

(e) The office of the secretary shall staff the advisory committee. The expenses of the advisory committee shall be paid by the office of the secretary.

(f) Each member of the advisory committee who is not a state employee is entitled to the minimum salary per diem provided by IC 4-10-11-2.1(b). The member is also entitled to reimbursement for traveling expenses as provided under IC 4-13-1-4 and other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.

(g) Each member of the advisory committee who is a state employee

is entitled to reimbursement for traveling expenses as provided under IC 4-13-1-4 and other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.

(h) This section expires December 31, 2026.

SECTION 153. IC 12-15-30.5-2, AS ADDED BY P.L.116-2019, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2. **(a)** As used in this chapter, "commission" refers to the nonemergency medical transportation commission established by section 7 of this chapter.

(b) This section expires December 31, 2026.

SECTION 154. IC 12-15-30.5-6, AS ADDED BY P.L.116-2019, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 6. (a) Before October 1, 2019, the office of the secretary shall prepare a report containing the number of Medicaid fee-for-service nonemergency medical transportation claims paid by:

(1) vehicle type;

(2) Medicaid recipient category; and

(3) whether the recipient for which the claim was paid resided in:

(A) the community;

(B) a health facility;

(C) an intermediate care facility for individuals with intellectual disabilities;

(D) a hospital; or

(E) another location.

(b) Beginning June 1, 2016, through May 31, 2019, the claims data reported in subsection (a) must be organized by month.

(c) The office of the secretary shall submit the report prepared under subsection (a) to the commission.

(d) This section expires December 31, 2026.

SECTION 155. IC 12-15-30.5-7, AS AMENDED BY THE TECHNICAL CORRECTIONS BILL OF THE 2026 GENERAL ASSEMBLY, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 7. (a) The nonemergency medical transportation commission is established for the purpose of overseeing the provision of nonemergency medical transportation services to ensure that Medicaid fee-for-service recipients are receiving satisfactory service and to ensure that brokers pay the claims of transportation providers in a timely manner.

(b) The commission consists of the following members:

(1) Two (2) members of the senate, who may not be members of the same political party, appointed by the president pro tempore of the senate with the advice of the minority leader of the senate.

(2) Two (2) members of the house of representatives, who may not be members of the same political party, appointed by the speaker of the house of representatives with the advice of the minority leader of the house of representatives.

(3) One (1) representative of the office of the secretary.

(4) One (1) individual representing a broker.

(5) One (1) individual representing a transportation provider that has contracted with a broker.

(6) One (1) individual representing the Indiana Hospital Association.

(7) One (1) individual representing the Indiana Health Care Association.

(8) One (1) individual representing the Indiana Association of Rehabilitation Facilities.

(9) One (1) individual representing the Arc of Indiana.

(10) One (1) physician licensed under IC 25-22.5.

(11) One (1) individual representing dialysis providers.

(12) One (1) Medicaid fee-for-service recipient.

(13) One (1) individual representing the Indiana Association of Area Agencies on Aging.

(14) One (1) individual representing the Indiana Emergency Medical Services Association.

(c) The members of the commission described in subsection (b)(1) and (b)(2) shall serve:

(1) as nonvoting advisory members; and

(2) for a four (4) year term.

(d) The members of the commission described in subsection (b)(3) through (b)(14) shall be appointed by the governor for terms of four (4) years. The term of a member of the commission expires July 1. However, a member may continue to serve until a successor is appointed. In case of a vacancy, the governor shall appoint an individual to serve for the remainder of the unexpired term. The governor shall designate one (1) member described in this subsection as chairperson of the commission.

~~(e) The initial appointments beginning July 1, 2019, must be:~~

~~(1) made by the governor not later than October 1, 2019; and~~

~~(2) notwithstanding subsection (d), staggered as follows:~~

~~(A) Two (2) years for the members appointed under subsection (b)(4), (b)(6), (b)(8), (b)(10), (b)(12), and (b)(14).~~

~~(B) Three (3) years for the members appointed under subsection (b)(5), (b)(7), (b)(9), (b)(11), and (b)(13).~~

~~This subsection expires July 1, 2024.~~

~~(f)~~ **(e)** The office shall provide staff support and technical assistance to the commission, including the collection of and dissemination of data and reports required by this chapter, in order for the commission to carry out its duties under this chapter.

(f) This section expires December 31, 2026.

SECTION 156. IC 12-15-30.5-8, AS ADDED BY P.L.116-2019, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 8. (a) Each member of the commission who is not a state employee is entitled to the minimum salary per diem provided by IC 4-10-11-2.1(b). Such a member is also entitled to reimbursement for traveling expenses and other expenses actually incurred in connection with the member's duties, as provided in the state travel policies and procedures established by the Indiana department of administration and approved by the budget agency.

(b) Each member of the commission who is a state employee but who is not a member of the general assembly is entitled to reimbursement for traveling expenses and other expenses actually incurred in connection with the member's duties, as provided in the state travel policies and procedures established by the Indiana department of administration and approved by the budget agency.

(c) Each member of the commission who is a member of the general assembly is entitled to receive the same per diem, mileage, and travel allowances paid to legislative members of interim study committees established by the legislative council. Per diem, mileage, and travel allowances paid under this subsection shall be paid from appropriations made to the legislative council or the legislative services agency.

(d) This section expires December 31, 2026.

SECTION 157. IC 12-15-30.5-9, AS ADDED BY P.L.116-2019, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 9. **(a)** The commission shall meet at least two (2) times per year at a public meeting to do the following:

(1) Review a report submitted under this chapter.

(2) Provide feedback and make recommendations to the office of the secretary concerning the provision of nonemergency medical

transportation services.

(3) Approve any monies to be awarded to a broker as part of a withhold provision outlined in the contract between the office of the secretary and the broker.

(b) This section expires December 31, 2026.

SECTION 158. IC 12-15-30.5-10, AS ADDED BY P.L.161-2025, SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 10. **(a)** On or before July 1, 2027, and July 1 biennially thereafter, the commission shall submit a report to the executive director of the legislative services agency, in an electronic format under IC 5-14-6, for review by the interim committee on government in accordance with IC 1-1-15.5-4 and IC 2-5-1.3-13(g). The report shall describe:

(1) official action taken; and

(2) actionable items considered;

by the commission during the preceding two (2) years.

(b) This section expires December 31, 2026.

SECTION 159. IC 12-17.2-2-2, AS AMENDED BY P.L.56-2023, SECTION 117, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2. The division may do the following:

(1) Prescribe forms for reports, statements, notices, and other documents required by this article or by the rules adopted under this article.

(2) Increase public awareness of this article and the rules adopted under this article by preparing and publishing manuals and guides explaining this article and the rules adopted under this article.

(3) Facilitate compliance with and enforcement of this article through the publication of materials under subdivision (2).

(4) Prepare reports and studies to advance the purpose of this article.

(5) Seek the advice and recommendations of state agencies whose information and knowledge would be of assistance in writing, revising, or monitoring rules developed under this article. These agencies, including the office of the attorney general, Indiana department of health, division of mental health and addiction, bureau of criminal identification and investigation, and ~~fire prevention and building safety commission,~~ **the department of homeland security,** shall upon request supply necessary information to the division.

(6) Make the directory of licensees available to the public for a charge not to exceed the cost of reproducing the directory.

(7) Charge a reasonable processing fee for each license application and renewal as follows:

(A) For a child care center license, a fee of two dollars ($2) per licensed child capacity.

(B) For a child care center new inquiry application packet, a fee not to exceed five dollars ($5).

(C) For a child care home license new inquiry application packet, a fee not to exceed five dollars ($5).

(D) For a child care home annual inspection, a fee not to exceed twenty-five dollars ($25).

(8) Exercise any other regulatory and administrative powers necessary to carry out the functions of the division.

SECTION 160. IC 12-17.2-2-4, AS AMENDED BY P.L.56-2023, SECTION 118, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 4. (a) The division shall adopt rules under IC 4-22-2 concerning the licensing and inspection of child care centers and child care homes after consultation with the following:

(1) Indiana department of health.

(2) ~~Fire prevention and building safety commission.~~ **Department of homeland security.**

(b) The rules adopted under subsection (a) shall be applied by the division and state fire marshal in the licensing and inspection of applicants for a license and licensees under this article.

SECTION 161. IC 12-17.2-2-9, AS AMENDED BY P.L.187-2021, SECTION 44, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 9. (a) A program operated to serve migrant children that is exempted under section 8(6) of this chapter and is certified by the United States Department of Health and Human Services shall be:

(1) granted a provisional license by the division, for a limited period not to exceed one (1) year and that is subject to review every three (3) months, if the division determines that the program reasonably complies with the rules adopted by the division; and

(2) inspected by the department of homeland security.

(b) The division and the ~~fire prevention and building safety commission~~ **department of homeland security** shall adopt rules under IC 4-22-2 that apply only to programs operated to serve migrant

children that take into consideration the fact that the programs:

(1) operate in donated space;

(2) provide services for children from migrant worker families; and

(3) are operated during a single period of less than one hundred twenty (120) consecutive days during a calendar year.

(c) This section does not prohibit a program operated to serve migrant children from applying for a license under this article.

SECTION 162. IC 12-17.2-2-10, AS AMENDED BY P.L.225-2013, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 10. (a) The division may grant a variance or waiver of a rule governing a provider. A variance or waiver granted under this section must promote statewide practices and must protect the rights of persons affected by this article.

(b) The division may grant a variance to a rule if a provider does the following:

(1) Submits to the division a written request for the variance in the form and manner specified by the division.

(2) Documents that compliance with an alternative method of compliance approved by the division will not be adverse to the health, safety, or welfare of a child receiving services from the applicant for the variance, as determined by the division.

(c) A variance granted under subsection (b) must be conditioned upon compliance with the alternative method approved by the division. Noncompliance constitutes the violation of a rule of the division and may be the basis for revoking the variance.

(d) The division may grant a waiver of a rule if a provider does the following:

(1) Submits to the division a written request for the waiver in the form and manner specified by the division.

(2) Documents that compliance with the rule specified in the application for the waiver will create an undue hardship on the applicant for the waiver, as determined by the division.

(3) Documents that the applicant for the waiver will be in substantial compliance with the rules adopted by the division after the waiver is granted, as determined by the division.

(4) Documents that noncompliance with the rule specified in the application for a waiver will not be adverse to the health, safety, or welfare of a child receiving services from the applicant for the waiver, as determined by the division.

(e) Except for a variance or waiver of a rule governing child care homes, a variance or waiver of a rule under this section that conflicts with a building rule or fire safety rule adopted by the ~~fire prevention and building safety commission~~ **department of homeland security** is not effective until the variance or waiver is approved by the ~~fire prevention and building safety commission.~~ **department of homeland security or, with the approval of the department of homeland security, the state building commissioner.**

SECTION 163. IC 12-17.2-2-12 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 12. (a) If the division determines that a waiver or variance expiring under section 11 of this chapter will continue to serve the public interest, the division may do the following:

(1) Renew the waiver or variance without modifications.

(2) Renew and modify the waiver or variance as needed to promote statewide practices and to protect the rights of persons affected by this article.

(b) Before taking an action under subsection (a), the division may require a licensee under this article to do the following:

(1) Apply for the renewal of a waiver or variance on the form specified by the division.

(2) Provide the information required by the division.

(c) Except for a waiver or variance of a rule governing child care homes or foster homes, before taking an action under subsection (a), the division must obtain the approval of the ~~fire prevention and building safety commission~~ **department of homeland security** for the action if either of the following occurs:

(1) The ~~fire prevention and building safety commission~~ **department of homeland security** substantially changes a building rule or fire safety rule affected by the waiver or variance after the date the ~~commission~~ **department of homeland security** last approved the waiver or variance.

(2) The division substantially modifies any part of a waiver or variance that conflicts with a building rule or fire safety rule adopted by the ~~fire prevention and building safety commission.~~ **department of homeland security.**

SECTION 164. IC 12-17.2-2-14.2, AS ADDED BY P.L.2-2014, SECTION 68, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 14.2. (a) As used in this section, "program" refers to the paths to QUALITY program established by subsection (b).

(b) The paths to QUALITY program is established. The program is a voluntary child care facility quality rating and improvement system implemented by the division in partnership with the following organizations under the trademark "Paths to QUALITY":

(1) Indiana Association for the Education of Young Children.

(2) Indiana Association for Child Care Resource and Referral.

(3) Indiana Head Start Collaboration Office.

(4) Department of education established by IC 20-19-3-1.

(5) Early Childhood Alliance.

(6) 4C of Southern Indiana.

(c) The program shall use four (4) levels at which a child care facility participating in the program may be rated, with Level 4 indicating the highest level of quality child care.

(d) The office of the secretary shall adopt rules under IC 4-22-2 to administer the paths to QUALITY program rating system. The rules must include procedures that outline eligibility and application procedures for the program, the establishment of procedures relating to the rating process, and the establishment or alteration of standards used in the rating process.

~~(e) The office of the secretary shall adopt rules under IC 4-22-2 to establish the steering council of the program to make recommendations to the division on program issues and resources. Rules adopted under this subsection must require that council members be appointed from partner organizations that assist in the implementation of the program and serve to coordinate the program plan.~~

SECTION 165. IC 12-17.2-3.5-10 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 10. (a) A facility where a provider operates a child care program must have two (2) exits that:

(1) do not require passage through a:

(A) garage; or

(B) storage area;

where hazardous materials are stored;

(2) are not windows;

(3) are on different sides of the facility;

(4) are not blocked; and

(5) are operable from the inside without the use of a key or any special knowledge.

(b) A provider shall:

(1) conduct monthly documented fire drills:

(A) in accordance with the rules of the ~~fire prevention and~~

~~building safety commission;~~ **department of homeland security;** and

(B) that include complete evacuation of all:

(i) children; and

(ii) adults who provide child care;

in the facility;

(2) maintain documentation of all fire drills conducted during the immediately preceding twelve (12) month period, including:

(A) the date and time of the fire drill;

(B) the name of the individual who conducted the fire drill;

(C) the weather conditions at the time of the fire drill; and

(D) the amount of time required to fully evacuate the facility; and

(3) maintain a two and one-half (2 1/2) pound or greater ABC multiple purpose fire extinguisher:

(A) on each floor of the facility; and

(B) in the kitchen area of the facility;

in each facility where the provider operates a child care program.

SECTION 166. IC 12-17.2-5-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2. The ~~fire prevention and building safety commission~~ **department of homeland security** must provide consultation regarding the licensure of child care homes to the division upon request.

SECTION 167. IC 12-17.2-5-6.5, AS AMENDED BY P.L.134-2024, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 6.5. To qualify for a license to operate a class II child care home under this chapter, a person must do the following:

(1) Provide all child care services on the first story of the child care home unless the class II child care home meets the exceptions to the first story requirements contained in the Indiana building code adopted by the ~~fire prevention and building safety commission~~ **department of homeland security** in effect at the time the class II child care home provider applies for licensure.

(2) Provide a smoke detection system that is:

(A) hard wired to the building's electrical system; and

(B) wired in a manner that activates all of the detector devices in the building when one (1) detector device is activated.

(3) Provide a fire extinguisher in each room that is used to provide child care services.

(4) Meet:

(A) the exit requirements for an E-3 building occupancy classification under the Indiana building code adopted by the ~~fire prevention and building safety commission,~~ **department of homeland security,** except for any illumination requirements, in effect at the time the class II child care home provider initially applies for licensure; and

(B) the illumination requirements established in section 6.3(b)(3) of this chapter.

(5) Provide a minimum of thirty-five (35) square feet for each child.

(6) Conduct fire drills required under article 37 of the Indiana fire prevention code adopted by the ~~fire prevention and building safety commission~~ **department of homeland security** in effect at the time the class II child care home provider applies for licensure.

(7) Apply for a license before July 1, 1996, or after June 30, 2001.

(8) Comply with rules adopted by the division of family resources for class II child care homes.

(9) Complete the training course taught or approved by the division concerning safe sleeping practices for a child within the person's care as described in IC 12-17.2-2-1(10).

SECTION 168. IC 12-17.2-5-36 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 36. The ~~fire prevention and building safety commission~~ **department of homeland security** may not adopt rules that classify a child care home as an E building occupancy classification.

SECTION 169. IC 12-17.2-6-5, AS AMENDED BY P.L.187-2021, SECTION 46, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 5. (a) As used in this section, "primary use of the building" means the occupancy classification that is:

(1) most closely related to the intended use of the building; and

(2) determined by the rules of the ~~fire prevention and building safety commission~~ **department of homeland security** in effect at the time that the child care ministry is first registered.

(b) The state fire marshal shall inspect a child care ministry registered under section 2 of this chapter to ensure that the child care ministry complies with the requirements of subsection (c).

(c) Except as provided in the following, a registered child care ministry shall comply with all rules of the ~~fire prevention and building~~

~~safety commission~~ **department of homeland security** applicable to the primary use of the building:

(1) A registered child care ministry with an occupant load of at least fifty (50) shall do either of the following:

(A) Install and maintain a fire alarm system in compliance with the rules of the ~~fire prevention and building safety commission.~~ **department of homeland security.**

(B) Provide a notice on a form prescribed by the department of homeland security to the parents of each child who attends the ministry stating that the ministry does not have the same level of fire safety protection as a licensed child care center.

(2) Each registered child care ministry with an occupant load of less than fifty (50) shall do either of the following:

(A) Install and maintain in good operating condition at least one (1) battery operated smoke detector in each room and corridor used by the ministry.

(B) Provide a notice on a form prescribed by the department of homeland security to the parents of each child who attends the ministry stating that the ministry does not have the same level of fire safety protection as a licensed child care center.

(3) Each registered child care ministry shall comply with the rules of the ~~fire prevention and building safety commission~~ **department of homeland security** concerning fire drills.

For purposes of this subsection, occupant load is determined by dividing the total square footage of the area used by the child care ministry by thirty-five (35) and rounding any result that is not a whole number up to the next whole number.

(d) The state fire marshal shall make an inspection of a child care ministry registered under section 2 of this chapter at least annually.

(e) During an inspection, the state fire marshal shall inspect the structure in which the child care ministry is conducted for fire safety and life safety with respect to the structure's primary use.

SECTION 170. IC 12-17.6-2-7, AS AMENDED BY P.L.53-2014, SECTION 111, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 7. (a) The office shall contract with an independent organization to evaluate the program.

(b) The office shall report the results of each evaluation to the

~~(1) children's health policy board established by IC 4-23-27-2; and~~

~~(2)~~ interim study committee on public health, behavioral health,

and human services established by IC 2-5-1.3-4 in an electronic format under IC 5-14-6.

(c) This section does not modify the requirements of other statutes relating to the confidentiality of medical records.

SECTION 171. IC 12-17.6-2-12, AS AMENDED BY P.L.53-2014, SECTION 112, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 12. Not later than April 1, the office shall provide a report describing the program's activities during the preceding calendar year to the:

(1) budget committee;

(2) legislative council; **and**

~~(3) children's health policy board established by IC 4-23-27-2; and~~

~~(4)~~ **(3)** interim study committee on public health, behavioral health, and human services established by IC 2-5-1.3-4 in an electronic format under IC 5-14-6.

A report provided under this section to the legislative council must be in an electronic format under IC 5-14-6.

SECTION 172. IC 12-17.6-4-2, AS AMENDED BY P.L.103-2009, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2. (a) The benefit package provided under the program shall focus on age appropriate preventive, primary, and acute care services.

(b) The office shall offer health insurance coverage for the following basic services:

(1) Inpatient and outpatient hospital services.

(2) Physicians' services provided by a physician (as defined in 42 U.S.C. 1395x(r)).

(3) Laboratory and x-ray services.

(4) Well-baby and well-child care, including:

(A) age appropriate immunizations; and

(B) periodic screening, diagnosis, and treatment services according to a schedule developed by the office.

The office may offer services in addition to those listed in this subsection if appropriations to the program exist to pay for the additional services.

(c) The office shall offer health insurance coverage for the following additional services if **the office determines that** the coverage for the services has an actuarial value equal to or greater than the actuarial value of the services provided by the benchmark program: ~~determined~~

~~by the children's health policy board established by IC 4-23-27-2:~~

(1) Prescription drugs.

(2) Mental health services.

(3) Vision services.

(4) Hearing services.

(5) Dental services.

(d) Notwithstanding subsections (b) and (c), the office may not impose treatment limitations or financial requirements on the coverage of services for a mental illness if similar treatment limitations or financial requirements are not imposed on coverage for services for other illnesses. Coverage for mental illness under the program must include the following:

(1) Inpatient mental health services and substance abuse services provided in an institution that:

(A) treats mental disease; and

(B) has more than sixteen (16) beds;

unless coverage is prohibited by federal law.

(2) Psychiatric residential treatment services.

(3) Community mental health rehabilitation services.

(4) Outpatient mental health services and substance abuse services, with no greater limitations on the number of units per rolling year than are required under the Medicaid program.

However, the office may require prior authorization for the services specified in subdivisions (1) through (4).

SECTION 173. IC 12-17.6-4-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 5. (a) It is a violation of IC 27-4-1-4 if an insurer, or an insurance producer or insurance broker compensated by the insurer, knowingly or intentionally refers an insured or the dependent of an insured to the program for health insurance coverage when the insured already receives health insurance coverage through an employer's health care plan that is underwritten by the insurer.

(b) The office shall ~~coordinate with the children's health policy board under IC 4-23-27 to~~ evaluate the need for mechanisms that minimize the incentive for an employer to eliminate or reduce health care coverage for an employee's dependents.

SECTION 174. IC 12-30-7-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 9. (a) The county executive shall appoint a board of managers for the health center. The board of managers shall be composed of eleven (11) county residents

appointed on the basis of the residents' recognized interest in and demonstrated knowledge of the problems of the health center and the proper care and treatment of the patients and residents. The board of managers must be composed of any combination of the following:

(1) Physicians holding unlimited licenses to practice medicine in Indiana.

(2) Licensed registered nurses, pharmacists licensed under IC 25-26-13, or licensed dentists.

(3) Individuals appointed from business, industry, and the health professions, or consumer representatives.

(4) Social workers.

(5) Dietitians.

(6) Professional engineers (as defined in ~~IC 25-31-1-2).~~ **IC 25-4-0.5-10).**

(7) Any other resident of the county the board of commissioners considers qualified.

(b) Not more than six (6) members of the board of managers may be members of the same political party.

SECTION 175. IC 13-11-2-177.7, AS ADDED BY P.L.176-2023, SECTION 27, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 177.7. "Qualified environmental professional", for purposes of IC 13-23-13, means the following:

(1) A registered professional engineer (as defined in ~~IC 25-31-1-2).~~ **IC 25-4-0.5-10).**

(2) A licensed professional geologist (as defined in IC 25-17.6-1-6.5).

(3) A certified hazardous materials manager (CHMM) as certified by the Institute of Hazardous Material Management.

(4) A professional soil scientist registered under IC 25-31.5-4-1.

SECTION 176. IC 13-18-3-12, AS AMENDED BY P.L.113-2014, SECTION 70, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 12. The board shall adopt rules providing that whenever a person submits plans to a unit concerning the design or construction of:

(1) a sanitary sewer or public water main, if:

(A) a professional engineer who is registered under ~~IC 25-31~~ **IC 25-4-3** prepared the plans;

(B) the unit provided for review of the plans by a qualified engineer and subsequently approved the plans; and

(C) all other requirements specified in rules adopted by the

board are met; or

(2) a sanitary sewer extension for and within a subdivision, if:

(A) a qualified professional surveyor who is registered under IC 25-21.5 prepared the plans;

(B) the subdivision is being laid out or having been laid out by the professional surveyor subject to IC 25-21.5-7;

(C) the unit provided for review of the plans by a qualified engineer and subsequently approved the plans; and

(D) all other requirements specified in rules adopted by the board are met;

the plans are not required to be submitted to any state agency for a permit, permission, or review, unless required by federal law.

SECTION 177. IC 13-20-13-5, AS AMENDED BY P.L.37-2012, SECTION 33, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 5. A person that obtains a certificate of registration under section 3 of this chapter must do the following:

(1) Report annually to the department on the following:

(A) The number of passenger tire equivalents received at the waste tire storage site or by the waste tire processing operation.

(B) The number and manner of disposal of the passenger tire equivalents.

(2) Maintain contingency plans to protect public health and the environment.

(3) If the person operates a waste tire storage site, maintain financial assurance acceptable to the department necessary for waste tire removal, in an amount specified in rules adopted by the board under section 11(b)(3) of this chapter.

(4) Maintain a copy of the certificate of registration at the site.

(5) Comply with applicable rules and requirements established by the ~~fire prevention and building safety commission~~ **department of homeland security** for indoor waste tire storage sites.

(6) Retain a copy of manifests received from a waste tire transporter under IC 13-20-14 for at least one (1) year and make a copy of the manifests available to the department upon request.

SECTION 178. IC 13-20-26-1, AS AMENDED BY P.L.153-2023, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1. (a) There is established a central Indiana waste diversion project for the following purposes:

(1) Determining the most practical and effective means of:

(A) addressing domestic supply chain disruptions that result in:

(i) scarcity of raw materials necessary for manufacturing and other industries in Indiana;

(ii) increased prices of those raw materials; and

(iii) manufacturing delays, employment fluctuations, and stagnant growth;

(B) preventing the unnecessary disposal of potentially valuable recyclable materials in landfills and waste incinerators;

(C) stimulating economic development, including the:

(i) creation of employment opportunities throughout Indiana; and

(ii) market development through the reuse of recyclable materials by diverting the materials from waste streams throughout the project area for commercial reuse;

(D) advancing research and development to enhance existing waste diversion efforts and support the creation of new processes and technologies that expand upon the existing universe of waste diversion and reuse of recyclable material; and

(E) supporting recycling technology or programs that:

(i) involve the return, collection, and sorting of recyclable glass, aluminum, or plastic beverage containers;

(ii) are accessible to the general public; and

(iii) are operated by a retail merchant (as described in IC 6-2.5-4-1), a professional sports or entertainment venue, an airport, a school for students between kindergarten and grade 12, or an institution of higher education.

(2) Determining the feasibility of expansion of the waste diversion program throughout Indiana by analyzing data provided by project participants to the department to measure the success of the project in:

(A) diverting waste from landfills and incinerators; and

(B) providing valuable raw materials for manufacturing and other Indiana industries.

(3) Determining the potential for future market development.

(b) The project established under this section shall be limited to applicants located in Marion County during the first round of grants. Following the completion of the first round of grants, the project shall be expanded for a second round of grants. Applicants located in the

following counties shall be eligible to receive grants during the second round:

(1) Marion.

(2) Hamilton.

(3) Hancock.

(4) Shelby.

(5) Johnson.

(6) Morgan.

(7) Hendricks.

(8) Boone.

(c) An applicant who is eligible to participate in the project established under this section must demonstrate direct connectivity in diversion of valuable raw materials for procurement to identified Indiana based end markets as a commodity.

(d) The project established under this section shall commence upon the:

(1) approval of the proposals submitted under this chapter; and

(2) award of funds necessary to implement the project.

The duration of the project may not exceed four (4) years after the date that the project commences.

(e) The project established under this section shall commence a second round of grants within one (1) year after the first round of grants are awarded to the selected projects. Applicants selected for a grant during the first round of grants may apply for a grant during the second round of grants.

(f) Grant applicants seeking funding from the project established under this section must provide a financial match, as determined by the ~~Indiana recycling market development board~~ **department** under IC 4-23-5.5-7, to receive funding.

SECTION 179. IC 13-20.5-2-2, AS ADDED BY P.L.178-2009, SECTION 27, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2. Not later than sixty (60) days after the date of the statement provided to a manufacturer under section 1(c) of this chapter, the manufacturer may petition the ~~Indiana recycling market development board created by IC 4-23-5.5-2~~ **department** for relief from the variable recycling fee imposed under section 1 of this chapter upon showing of good cause. In determining whether to grant a petition for relief under this section, the ~~Indiana recycling market development board~~ **department** shall determine whether the manufacturer has made good faith progress to achieve substantial compliance with this article.

A determination by the ~~Indiana recycling market development board~~ **department** under this subsection is not subject to appeal by the manufacturer.

SECTION 180. IC 13-23-2-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1. A unit of local government may not enact or enforce an ordinance that is in conflict with any of the following:

(1) This article.

(2) Rules adopted by the ~~fire prevention and building safety commission~~ **department of homeland security** under this article.

(3) Rules adopted by the board under this article.

SECTION 181. IC 13-23-3-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2. (a) To obtain a certificate under section 1 of this chapter, a person must:

(1) take an examination that is approved;

(2) achieve a passing score on the examination that is established; and

(3) pay any reasonable fees necessary to offset the costs incurred by the ~~state fire marshal~~ **department** in administering the examination and certification procedures that are established;

under rules adopted by the ~~fire prevention and building safety commission.~~ **board.**

(b) An examination described under subsection (a) must cover the following subjects:

(1) Relevant rules adopted by ~~the:~~

~~(A) board; and~~

~~(B) fire prevention and building safety commission;~~

the board concerning underground storage tanks.

(2) Any other subjects approved under rules adopted by the ~~fire prevention and building safety commission.~~ **board.**

(c) The ~~fire prevention and building safety commission~~ **board** shall adopt rules establishing the following:

(1) The number of times a person who fails an examination described under this section may take the examination again.

(2) The period of time a person who fails an examination described under this section must wait before taking the examination again.

(d) The ~~state fire marshal~~ **department** may, ~~under rules adopted by the fire prevention and building safety commission,~~ certify a person:

(1) under section 1 of this chapter; and

(2) by reciprocity;

if the person is licensed or certified by another state that has certification requirements that are substantially similar to the requirements established under this section.

SECTION 182. IC 14-8-2-48, AS AMENDED BY P.L.251-2023, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 48. (a) "Commission", except as provided in this section, refers to the natural resources commission.

(b) "Commission", for purposes of IC 14-13-1, has the meaning set forth in IC 14-13-1-1.

(c) "Commission", for purposes of IC 14-13-2, has the meaning set forth in IC 14-13-2-2.

~~(d) "Commission", for purposes of IC 14-13-4, has the meaning set forth in IC 14-13-4-1.~~

~~(e) "Commission", for purposes of IC 14-13-5, has the meaning set forth in IC 14-13-5-1.~~

~~(f)~~ **(d)** "Commission", for purposes of IC 14-13-6, has the meaning set forth in IC 14-13-6-2.

~~(g)~~ **(e)** "Commission", for purposes of IC 14-13-9, has the meaning set forth in IC 14-13-9-2.

~~(h)~~ **(f)** "Commission", for purposes of IC 14-20-11, has the meaning set forth in IC 14-20-11-1.

~~(i)~~ **(g)** "Commission", for purposes of IC 14-28-4, has the meaning set forth in IC 14-28-4-1.

~~(j)~~ **(h)** "Commission", for purposes of IC 14-30-2, has the meaning set forth in IC 14-30-2-2.

~~(k)~~ **(i)** "Commission", for purposes of IC 14-30-3, has the meaning set forth in IC 14-30-3-2.

~~(l)~~ **(j)** "Commission", for purposes of IC 14-30-4, has the meaning set forth in IC 14-30-4-2.

~~(m)~~ **(k)** "Commission", for purposes of IC 14-30.5, has the meaning set forth in IC 14-30.5-1-2.

~~(n)~~ **(l)** "Commission", for purposes of IC 14-33-20, has the meaning set forth in IC 14-33-20-2.

SECTION 183. IC 14-8-2-59, AS AMENDED BY P.L.197-2011, SECTION 47, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 59. "Corridor" has ~~the following meaning:~~

~~(1) For purposes of IC 14-13-4, the meaning set forth in IC 14-13-4-2.~~

~~(2) For purposes of IC 14-13-5, the meaning set forth in~~

~~IC 14-13-5-2.~~

~~(3)~~ ~~For purposes of IC 14-13-6,~~ the meaning set forth in IC 14-13-6-3.

SECTION 184. IC 14-8-2-61 IS REPEALED [EFFECTIVE JULY 1, 2026]. ~~Sec. 61. "Council", for purposes of IC 14-21-1, has the meaning set forth in IC 14-21-1-5.~~

SECTION 185. IC 14-9-6 IS REPEALED [EFFECTIVE JULY 1, 2026]. (Advisory Council).

SECTION 186. IC 14-10-1-0.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 0.5. This article expires December 31, 2026.**

SECTION 187. IC 14-10-1-1, AS AMENDED BY P.L.78-2019, SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1. The natural resources commission is established. The commission consists of ~~twelve (12)~~ **eleven (11)** members as follows:

(1) The commissioner of the Indiana department of transportation or the commissioner's designee.

(2) The commissioner of the department of environmental management or the commissioner's designated deputy.

(3) The director of the office of tourism development or the director's designee (before July 1, 2020) or the director of the Indiana destination development corporation or the director's designee (after June 30, 2020).

(4) The director of the department.

~~(5) The chairperson of the advisory council established by IC 14-9-6-1.~~

~~(6)~~ **(5)** The president of the Indiana academy of science or the president's designee.

~~(7)~~ **(6)** Six (6) citizen members appointed by the governor, at least two (2) of whom must have knowledge, experience, or education in the environment or in natural resource conservation. Not more than three (3) citizen members may be of the same political party.

SECTION 188. IC 14-13-2-32, AS ADDED BY P.L.106-2012, SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 32. (a) The Little Calumet River basin project advisory board is established.

(b) The advisory board consists of the following members:

(1) One (1) member appointed by the executive of each

municipality located in the watershed.

(2) One (1) member appointed by the board of county commissioners of Lake County.

(c) Each member of the advisory board must have experience in:

(1) designing;

(2) constructing;

(3) maintaining; or

(4) managing;

drainage or flood control facilities in the watershed.

(d) This section expires December 31, 2026.

SECTION 189. IC 14-13-4-17 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 17. This chapter expires December 31, 2026.**

SECTION 190. IC 14-13-5-18 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 18. This chapter expires December 31, 2026.**

SECTION 191. IC 14-21-1-5 IS REPEALED [EFFECTIVE JULY 1, 2026]. ~~Sec. 5. As used in this chapter, "council" refers to the advisory council established by IC 14-9-6-1.~~

SECTION 192. IC 14-21-1-12 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 12. The division shall do the following:

(1) Develop a program of historical, architectural, and archeological research and development, including continuing surveys, excavations, scientific recording, interpretation, and publication of the state's historical, architectural, and archeological resources.

(2) Prepare a preservation plan for the state that establishes planning guidelines to encourage the continuous maintenance and integrity of historic sites and historic structures. However, the plan is not effective until the plan has been

~~(A)~~ presented to the council for review and comment; and

~~(B)~~ approved by the review board after public hearing.

(3) Undertake the action necessary to qualify the state for participation in sources of federal aid to further the purposes stated in subdivisions (1) and (2).

(4) Provide information on historic sites and structures within Indiana to federal, state, and local governmental agencies, private

individuals, and organizations.

(5) Advise and coordinate the activities of local historical associations, historic district commissions, historic commissions, and other interested groups or persons.

(6) Provide technical and financial assistance to local historical associations, historic district commissions, historic commissions, and other interested groups or persons.

(7) Review environmental impact statements as required by federal and state law for actions significantly affecting historic properties.

SECTION 193. IC 14-21-1-13, AS AMENDED BY P.L.2-2007, SECTION 169, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 13. The division may do the following:

(1) Recommend the purchase, lease, or gift of historic property of archeological importance and make recommendations to the director ~~council,~~ and commission regarding policies affecting the operation and administration of these sites and structures by the section of historic sites of the division of state museums and historic sites.

(2) Prepare and review planning and research studies relating to archeology.

(3) Conduct a program of education in archeology, either within the division or in conjunction with a postsecondary educational institution.

(4) Inspect and supervise an archeological field investigation authorized by this chapter.

SECTION 194. IC 14-21-1-25.5, AS AMENDED BY P.L.133-2012, SECTION 173, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 25.5. (a) If a Native American Indian burial ground is discovered, the department shall immediately provide notice to the ~~Native American Indian affairs commission established by IC 4-23-32.~~ **Indiana cultural commission established under IC 4-23-36.**

(b) If Native American Indian human remains are removed from a burial ground, the department shall provide the following to the ~~Native American Indian affairs~~ **Indiana cultural** commission:

(1) Any written findings or reports that result from the analysis and study of the human remains.

(2) Written notice to the ~~Native American Indian affairs~~ **Indiana**

cultural commission that the analysis and study of the human remains are complete.

(c) After receiving written notice under subsection (b)(2), the ~~Native American Indian affairs~~ **Indiana cultural** commission shall make recommendations to the department regarding the final disposition of the Native American Indian human remains.

SECTION 195. IC 14-25-2-2.5, AS AMENDED BY P.L.3-2008, SECTION 102, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2.5. (a) As used in this chapter, "water utility" means:

(1) a public utility (as defined in IC 8-1-2-1(a));

(2) a municipally owned utility (as defined in IC 8-1-2-1(h));

(3) a not-for-profit utility (as defined in IC 8-1-2-125(a));

(4) a cooperatively owned corporation;

(5) a conservancy district established under IC 14-33; or

(6) a regional water district established under IC 13-26;

that provides water service to the public.

(b) A person that seeks to contract with the commission for the provision of certain minimum quantities of stream flow or the sale of water on a unit pricing basis under section 2 of this chapter must submit a request to the commission and the department. The commission shall not make a determination as to whether to enter into a contract with the person making the request until:

(1) the procedures set forth in this section have been followed; and

(2) the commission has reviewed and considered each report submitted to the commission under subsection (i).

(c) Not later than thirty (30) days after receiving a request under subsection (b), the department shall provide, by certified mail, written notice of the request to the following:

(1) Each person with whom the commission holds a contract for:

(A) the provision of certain minimum quantities of stream flow; or

(B) the sale of water on a unit pricing basis;

as of the date of the request.

(2) The executive and legislative body of each:

(A) county;

(B) municipality, if any; and

(C) conservancy district established under IC 14-33, if any;

in which the water sought in the request would be used.

(3) The executive and legislative body of each:

(A) county;

(B) municipality, if any; and

(C) conservancy district established under IC 14-33, if any;

in which the affected reservoir is located.

(d) Not later than seven (7) days after receiving a notice from the department under subsection (c), each person described in subsection (c)(1) shall, by certified mail, provide written notice of the request to each:

(1) water utility; or

(2) other person;

that contracts with the person described in subsection (c)(1) for the purchase of water for resale. Each person to whom notice is mailed under this subsection is in turn responsible for providing written notice by certified mail to each water utility or other person that purchases water from that person for resale. A water utility or another person required to provide notice under this subsection shall mail the required notice not later than seven (7) days after it receives notice of the request from the water utility or other person from whom it purchases water for resale.

(e) At the same time that:

(1) a person described in subsection (c)(1); or

(2) a water utility or another person described in subsection (d);

mails any notice required under subsection (d), it shall also mail to the department, by certified mail, a list of the names and addresses of each water utility or other person to whom it has mailed the notice under subsection (d).

(f) In addition to the mailed notice required under subsection (c), the department shall publish notice of the request, in accordance with IC 5-3-1, in each county:

(1) in which a person described in section (c)(1) is located;

(2) in which the affected reservoir is located;

(3) in which the water sought in the request would be used; and

(4) in which a water utility or other person included in a list received by the department under subsection (e) is located.

Notwithstanding IC 5-3-1-6, in each county in which publication is required under this subsection, notice shall be published in at least one (1) general circulation newspaper in the county. The department may, in its discretion, publish public notices in a qualified publication (as defined in IC 5-3-1-0.7) or additional newspapers to provide

supplementary notification to the public. The cost of publishing supplementary notification is a proper expenditure of the department.

(g) A notice required to be mailed or published under this section must:

(1) identify the person making the request;

(2) include a brief description of:

(A) the nature of the pending request; and

(B) the process by which the commission will determine whether to enter into a contract with the person making the request;

(3) set forth the date, time, and location of the public meeting required under subsection (h); and

(4) in the case of a notice that is required to be mailed under subsection (c)(1) or (d), a statement of the recipient's duty to in turn provide notice to any:

(A) water utility; or

(B) other person;

that purchases water for resale from the recipient, in accordance with subsection (d).

(h) The ~~advisory council established by IC 14-9-6-1~~ **department** shall hold a public meeting in each county in which notice is published under subsection (f). A public meeting required under this subsection must include the following:

(1) A presentation by the department describing:

(A) the nature of the pending request; and

(B) the process by which the commission will determine whether to enter into a contract with the person making the request.

(2) An opportunity for public comment on the pending request.

The ~~advisory council~~ **department** may appoint a hearing officer to assist with a public meeting held under this subsection.

(i) Not later than thirty (30) days after a public meeting is held under subsection (h), the ~~advisory council~~ **department** shall submit to the commission a report summarizing the public meeting.

SECTION 196. IC 14-25-7-10, AS AMENDED BY P.L.161-2025, SECTION 23, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 10. (a) The commission shall administer this chapter.

(b) The deputy director for the bureau of resource management shall serve as technical secretary to the commission. The deputy director

shall perform the duties that are required by this chapter or that the commission directs.

~~(c) The advisory council established by IC 14-9-6-1 shall serve in an advisory capacity to the commission with respect to the implementation of the commission's powers and duties, including the drafting of rules and development of inventories, assessments, and plans.~~

~~(d) For the time that the advisory council is involved in the drafting of rules, the membership of the council shall be augmented as follows:~~

~~(1) Two (2) members of the senate, not more than one (1) of whom may be of the same political party, shall be appointed for a term of two (2) years by the president pro tempore of the senate.~~

~~(2) Two (2) members of the house of representatives, not more than one (1) of whom may be of the same political party, shall be appointed for a term of two (2) years by the speaker of the house of representatives.~~

~~These members are entitled to travel expenses and a per diem allowance as determined by the budget agency for members of boards and commissions generally.~~

~~(e)~~ **(c)** The department shall provide professional, technical, and clerical personnel, equipment, supplies, and support services reasonably required to assist the commission in the exercise of the commission's powers and duties under this chapter. The department shall include money for this purpose in the regular operating budget requests of the department.

~~(f) On or before July 1, 2027, and July 1 biennially thereafter, the advisory council shall submit a report to the executive director of the legislative services agency, in an electronic format under IC 5-14-6, for review by the interim committee on government in accordance with IC 1-1-15.5-4 and IC 2-5-1.3-13(g). The report shall describe:~~

~~(1) official action taken; and~~

~~(2) actionable items considered;~~

~~by the advisory council during the preceding two (2) years.~~

SECTION 197. IC 14-25-7-12.5, AS ADDED BY P.L.189-2015, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 12.5. (a) The department shall cooperate with the United States Geological Survey to establish a program under which volunteers may monitor the water resource and provide monitoring data to the commission, the department, and the United States Geological Survey. Data derived from the voluntary monitoring conducted under

the program may be:

(1) collected and disseminated by the commission under section 12(1) of this chapter; and

(2) used by the commission in conducting the continuing assessment of the availability of the water resource under section 11(1) of this chapter.

(b) The department may cooperate with other local, state, and federal governmental agencies in implementing this section.

(c) The commission, under IC 4-22-2 and section 10(a) of this chapter, may adopt rules concerning the administration of this section. ~~Section 10(c) and 10(d) of this chapter does not apply to the adoption of rules under this subsection.~~

SECTION 198. IC 14-26-2-24, AS AMENDED BY P.L.92-2025, SECTION 44, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 24. (a) Relying on recommendations of the department, ~~and the advisory council established by IC 14-9-6-1,~~ the commission shall adopt, under IC 4-22-7-7(a)(5)(A), and maintain a nonrule policy statement that lists the public freshwater lakes in Indiana. For each public freshwater lake the statement must include the following information:

(1) The name of the lake.

(2) The county and specific location within the county where the lake is located.

(b) A person may obtain an administrative adjudication from the office of administrative law proceedings for the listing or nonlisting of a lake as a public freshwater lake through a licensure action, status determination, or enforcement action under IC 4-21.5.

SECTION 199. IC 14-27-7.5-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 9. (a) The owner of a high hazard structure shall:

(1) have a professional engineer licensed under ~~IC 25-31~~ **IC 25-4-3** make an engineering inspection of the high hazard structure at least one (1) time every two (2) years;

(2) submit a report of the inspection in a form approved by the department to the department. The report must include at least the following information:

(A) An evaluation of the structure's condition, spillway capacity, operational adequacy, and structural integrity.

(B) A determination of whether deficiencies exist that could lead to the failure of the structure, and recommendations for

maintenance, repairs, and alterations to the structure to eliminate deficiencies, including a recommended schedule for necessary upgrades to the structure.

(b) If after an inspection under subsection (a) the licensed professional engineer who conducted the inspection determines that maintenance, repairs, or alterations to a high hazard structure are necessary to remedy deficiencies in the structure, the owner shall perform the recommended maintenance, repairs, or alterations.

(c) The department shall issue a notice of violation under section 11 of this chapter to the owner of a high hazard structure who fails to:

(1) have the structure inspected under subsection (a);

(2) perform recommended maintenance, repairs, or alterations to the structure under subsection (b); or

(3) biennially submit the inspection report prepared under subsection (a).

(d) The department may make an engineering inspection of a high hazard structure to ensure compliance with this chapter.

SECTION 200. IC 14-33-14-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 8. (a) As used in this section, "cost index source" refers to the Engineering News Record Construction Cost Index, as published by McGraw Hill Construction or its successor.

(b) Before January 1, 2006, the board of a district may elect to adjust the annual cost of maintenance of the works of improvement as stated in the plan, as calculated in subsection (d), if the following conditions are met:

(1) The board has at a meeting adopted a resolution that sets forth:

(A) the annual cost of maintenance of the works of improvement as stated in the plan, and the year when the annual cost was stated in the plan; and

(B) the new, adjusted annual cost of maintenance of the works of improvement.

(2) The calculation under subsection (d) has been verified by either the state conservation engineer for the Natural Resources Conservation Service of the United States Department of Agriculture or a professional engineer licensed under ~~IC 25-31-1.~~ **IC 25-4-3.**

(3) The board has provided a copy of the resolution to the department of local government finance (established by IC 6-1.1-30-1.1) within sixty (60) days of adoption.

(c) If the board of a district adopts a resolution under section (b)(1), a copy of the resolution must be included in the district's annual report, and a copy of the annual report must be provided to the local circuit court and the department of natural resources.

(d) The annual cost of maintenance of the works of improvement as stated in the plan of a district may be adjusted to an amount not to exceed the amount determined as follows:

STEP ONE: Determine the cost index from the cost index source for the most recent year.

STEP TWO: Determine the cost index from the cost index source for the year that the annual cost of maintenance of the works of improvement was stated in the plan.

STEP THREE: Divide the number determined in STEP ONE by the number determined in STEP TWO.

STEP FOUR: Multiply the result of STEP THREE by the annual cost of maintenance of the works of improvement that is stated in the plan.

SECTION 201. IC 14-34-3-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 3. An application for a surface coal mining and reclamation permit must include the following:

(1) The names and addresses of the following:

(A) The permit applicant.

(B) Every legal owner of record of the property (surface and mineral) to be mined.

(C) The holders of record of any leasehold interest in the property.

(D) Any purchaser of record of the property under a real estate contract.

(E) The operator if the operator is a person different from the applicant.

(F) If a person in clauses (A) through (E) is a business entity other than a single proprietor, the names and addresses of the principals, officers, and resident agent.

(2) The names and addresses of the owners of record of all surface and subsurface areas adjacent to any part of the permit area.

(3) A statement of each current or previous surface coal mining permit in the United States held by the applicant, including each pending application, the permit identification, and the state that

issued that permit or holds the pending application.

(4) If the applicant is a partnership, a corporation, an association, or other business entity, the following where applicable:

(A) The names and addresses of every officer, partner, or director or person performing a function similar to a director of the applicant.

(B) The name and address of each person owning, of record, at least ten percent (10%) of any class of voting stock of the applicant.

(C) A list of all names under which the applicant, partner, or principal shareholder previously operated a surface coal mining operation within the United States within:

(i) the five (5) years preceding the date of submission of the application; or

(ii) any additional period that the director establishes.

(5) A statement of whether the applicant or a subsidiary, an affiliate, or a person controlled by or under common control with the applicant has:

(A) ever held a federal or state coal mining permit that in:

(i) the five (5) years preceding the date of submission of the application; or

(ii) any additional period that the director establishes;

was suspended or revoked or is in the process of revocation; or

(B) had a mining bond or similar security deposited in lieu of bond forfeited;

and if so, a brief explanation of the facts involved and identification of the state in which this action occurred.

(6) A copy of the applicant's advertisement to be published under IC 14-34-4-1. The advertisement must include the following:

(A) The names of the property owners involved.

(B) A description of the exact location and boundaries of the proposed site sufficient so that the proposed surface coal mining operation is readily locatable by local residents.

(C) The location where the application is available for public inspection.

(7) A description of the following:

(A) The type and method of surface coal mining operation that exists or is proposed.

(B) The engineering techniques proposed or used.

(C) The equipment used or proposed to be used.

(8) The anticipated or actual starting and termination dates of each phase of the surface coal mining operation and the number of acres of land to be affected.

(9) An accurate map or plan, to an appropriate scale, clearly showing the following:

(A) The land to be affected as of the date of the application.

(B) The area of land within the permit area upon which the applicant has the legal right to enter and commence surface coal mining operations, including the following:

(i) A statement of those documents upon which the applicant bases the applicant's legal right to enter and commence surface coal mining operations on the area affected.

(ii) Whether that right is the subject of pending court litigation.

(10) The name of the watershed and location of the surface stream or tributary into which surface and pit drainage will be discharged.

(11) A determination of the probable hydrologic consequences of surface coal mining and reclamation operations, both on and off the mine site, with respect to the following:

(A) The hydrologic regime.

(B) The quantity and quality of water in surface and ground water systems, including the dissolved and suspended solids under seasonal flow conditions.

(C) The collection of sufficient data for the mine site and surrounding areas so that an assessment can be made of the probable cumulative impacts of all anticipated mining in the area upon the hydrology of the area and particularly upon water availability.

However, this determination is not required until the time that hydrologic information on the general area before mining is made available from an appropriate federal or state agency. The permit may not be approved until the information is available and is incorporated into the application.

(12) When requested by the director, the climatological factors that are peculiar to the locality of the land to be affected, including the following:

(A) The average seasonal precipitation.

(B) The average direction and velocity of prevailing winds.

(C) The seasonal temperature ranges.

(13) Accurate maps to an appropriate scale clearly showing the land affected on the date of application and the same information that is set forth on topographical maps of the United States Geological Survey of a scale of 1:24,000 or 1:25,000 or larger, including all manmade features and archeological and historical sites known by the division of historic preservation and archeology. The map or plan must show the following:

(A) All boundaries of the land to be affected.

(B) The boundary lines and names of present owners of record of all surface areas abutting the permit area.

(C) The location of all buildings within one thousand (1,000) feet of the permit area.

(14) Cross section maps or plans of the land to be affected, including the actual area to be mined, prepared by or under the direction of and certified by an engineer licensed under ~~IC 25-31~~ **IC 25-4-3** or a geologist licensed under IC 25-17.6 with assistance from experts in related fields such as land surveying and landscape architecture. The maps or plans must show pertinent elevation and location of test borings or core samplings and depict the following:

(A) The nature and depth of the various strata of overburden as required by the commission in the commission's rules.

(B) The location and quality of subsurface water if encountered.

(C) The nature and thickness of each coal or rider seam above the coal seam to be mined.

(D) The nature of the stratum immediately beneath the coal seam to be mined.

(E) All mineral crop lines and the strike and dip of the coal to be mined within the area of land to be affected.

(F) Existing or previous surface coal mining limits.

(G) The location and extent of known workings of each underground coal mine, including mine openings to the surface.

(H) The location of aquifers as required by the commission in the commission's rules.

(I) The estimated elevation of the water table.

(J) The location of spoil, waste, or refuse areas and topsoil preservation areas.

(K) The location of all impoundments for waste or erosion control.

(L) Each settling or water treatment facility.

(M) Constructed or natural drainageways and the location of each discharge to a surface body of water on the area of land to be affected or adjacent to the land to be affected.

(N) Profiles at appropriate cross sections of the anticipated final surface configuration that will be achieved under the operator's proposed reclamation plan.

(15) A statement of the result of test borings or core samplings from the permit area, including the following:

(A) Logs of the drill holes.

(B) The thickness of the coal seam found and an analysis of the chemical properties of that coal.

(C) The sulfur content of each coal seam.

(D) Chemical analysis of potentially acid or toxic forming sections of the overburden.

(E) A chemical analysis down to and including the deeper of the following:

(i) The stratum lying immediately underneath the lowest coal seam to be mined.

(ii) An aquifer below the lowest coal seam to be mined that may be adversely impacted by mining.

The director may waive the requirement as to the specific application of this clause if the director determines in writing the requirements are unnecessary.

(16) For the land in the permit application that a reconnaissance inspection suggests may be prime farmland and to confirm the exact location of the prime farmland, a soil survey in accordance with the standards established by the United States Secretary of Agriculture.

(17) A reclamation plan that meets the requirements of section 12 of this chapter.

(18) Proof that the applicant is self-insured or has a public liability insurance policy issued by an insurance company authorized to do business in Indiana in force for the surface coal mining and reclamation operations for which the permit is sought. The policy must provide for personal injury and property damage protection in an amount adequate to compensate each person injured as a result of the surface coal mining and reclamation

operation. If a permit is granted, the permittee shall maintain the policy in full force and effect for the duration of the permit or a renewal.

(19) A blasting plan that outlines the procedures the operator will use to comply with IC 14-34-12.

(20) A listing of all notices of violations, and their final resolution, of:

(A) IC 13-4.1 (before its repeal);

(B) this article; and

(C) a:

(i) federal statute or regulation; or

(ii) state statute or rule enacted or adopted in response to a federal statute or regulation;

pertaining to air or water environmental protection;

incurred by the applicant or a subsidiary, an affiliate, or a person controlled by or under common control with the applicant in connection with any surface coal mining operation during the three (3) year period before the date of application.

SECTION 202. IC 14-34-10-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 2. (a) As used in this section, "higher or better uses" means postmining land uses that have a higher:

(1) economic value; or

(2) nonmonetary benefit;

to the landowner or the community than the premining land uses.

(b) In addition to other standards a permittee must meet under rules of the commission, a permittee shall do the following:

(1) Place markers on the site to readily identify the permit area.

(2) Conduct the surface coal mining operation in a manner that maximizes the use and conservation of the solid fuel resource that is recovered so that reaffecting the land in the future through surface coal mining is minimized.

(3) Restore the land affected to a condition capable of supporting the uses that the land was capable of supporting before mining or higher or better uses of which there is a reasonable likelihood if:

(A) those uses do not:

(i) present an actual or a probable hazard to public health or safety; or

(ii) pose an actual or a probable threat of water diminution or pollution; and

(B) the permit applicant's declared proposed land use following reclamation:

(i) is not impractical or unreasonable;

(ii) is not inconsistent with applicable land use policies and plans;

(iii) does not involve unreasonable delay in implementation; or

(iv) does not violate federal, state, or local law.

(4) Except as provided in subdivisions (5) and (6) and section 4 of this chapter with respect to all surface coal mining operations backfill, compact where advisable to ensure stability or prevent the leaching of toxic materials, and grade to restore the approximate original contour of the land with all highwalls, spoil piles, and depressions eliminated. Small depressions are allowed if needed to retain moisture to assist revegetation or as otherwise authorized under this article.

(5) In a surface coal mining operation that:

(A) is carried out at the same location over a substantial time;

(B) transects the coal deposit and the thickness of the coal deposit relative to the volume of the overburden that is large; and

(C) has overburden and other spoil and waste materials at a particular point in the permit area or otherwise available from the entire permit area that is insufficient, giving due consideration to volumetric expansion, to restore the approximate original contour;

the operator, at a minimum, shall backfill, grade, and compact, where advisable, using all available overburden and other spoil and waste materials to attain the lowest practicable grade but not more than the angle of repose to provide adequate drainage and to cover all acid-forming and other toxic materials to achieve an ecologically sound land use compatible with the surrounding region.

(6) If in surface coal mining:

(A) the volume of overburden is large relative to the thickness of the coal deposit; and

(B) the operator demonstrates that due to volumetric expansion the amount of overburden and other spoil and waste materials removed in the course of the mining operation is more than sufficient to restore the approximate original

contour;

the operator shall, after restoring the approximate contour, backfill, grade, and compact, where advisable, the excess overburden and other spoil and waste materials to attain the lowest grade but not more than the angle of repose and to cover all acid-forming and other toxic materials to achieve an ecologically sound land use compatible with the surrounding region. The overburden or spoil shall be shaped and graded in a way that prevents slides, erosion, and water pollution and revegetated in accordance with the requirements of this article.

(7) Stabilize and protect all surface areas, including spoil piles, affected by the surface coal mining and reclamation operation to effectively control erosion and attendant air and water pollution.

(8) Remove the topsoil from the land in a separate layer and:

(A) replace the topsoil on the backfill area; or

(B) if the topsoil is not used immediately;

(i) segregate the topsoil in a separate pile from other spoil; and

(ii) if the topsoil is not replaced on a backfill area within a time short enough to avoid deterioration of the topsoil, maintain a successful cover by quick growing plants or other means so that the topsoil is preserved from wind and water erosion, remains free of any contamination by other acid or toxic material, and is in a usable condition for sustaining vegetation when restored during reclamation.

However, if the topsoil is of insufficient quantity or of poor quality to sustain vegetation or if other strata are more suitable for vegetation requirements, the operator shall remove, segregate, and preserve, in a like manner, the strata that are best able to support vegetation.

(9) Restore the topsoil or the best available subsoil that is best able to support vegetation.

(10) For all prime farmland as identified in IC 14-34-3-3(16), comply with the specifications for soil removal, storage, replacement, and reconstruction established by rules of the commission and do the following:

(A) Segregate the A horizon of the natural soil unless it is shown that other available soil materials will create a final soil that has a greater productive capacity, stockpile this material, if not used immediately, separately from other spoil, and

provide needed protection from wind and water erosion or contamination by other acid or toxic material.

(B) Segregate the B horizon of the natural soil, or underlying C horizons or other strata, or a combination of those horizons or other strata that are texturally and chemically suitable for plant growth and equal to or more favorable for plant growth than the B horizon, in sufficient quantities to create in the regraded final soil a root zone of comparable depth and quality to that existing in the natural soil, stockpile this material, if not used immediately, separately from other spoil, and provide needed protection from wind and water erosion or contamination by other acid or toxic material.

(C) Replace and regrade the root zone material described in clause (B) with proper compaction and uniform depth over the regraded spoil material.

(D) Redistribute and grade in a uniform manner the surface soil horizon described in clause (A).

(11) Create, if authorized in the approved surface coal mining and reclamation plan, permanent impoundments of water on mining sites. The permittee may create the permanent impoundment only after the permittee demonstrates the following:

(A) The size of the impoundment is adequate for the intended purposes.

(B) The impoundment dam construction will be designed to achieve necessary stability with an adequate margin of safety compatible with that of structures constructed under 16 U.S.C. 1006.

(C) The quality of impounded water will be suitable, on a permanent basis, for the intended use and discharges from the impoundment will not degrade the water quality below water quality standards established under applicable federal and state law in the receiving stream.

(D) The level of water will be reasonably stable.

(E) Final grading will provide adequate safety and access for proposed water users.

(F) The water impoundments will not result in the diminution of the quality or quantity of water used by adjacent or surrounding landowners for agricultural, industrial, recreational, or domestic uses.

(12) Conduct an augering operation associated with surface coal

mining in a manner that maximizes the recoverability of mineral reserves remaining after the surface coal mining and reclamation operation is complete and seal all auger holes with an impervious and noncombustible material to prevent drainage except where the director determines that the resulting impoundment of water in those auger holes may create a hazard to the environment or the public health or safety. The director may prohibit augering if necessary to:

(A) maximize the use, recoverability, or conservation of the solid fuel resources; or

(B) protect against adverse water quality impacts.

(13) Minimize disturbances to the prevailing hydrologic balance at the mine site and associated offsite areas and to the quality and quantity of water in surface and ground water systems during and after surface coal mining and reclamation operations by doing the following:

(A) Avoiding acid or other toxic mine drainage by measures such as the following:

(i) Preventing or removing water from contact with toxic-producing deposits.

(ii) Treating drainage to reduce toxic content that adversely affects downstream water upon being released to watercourses.

(iii) Casing, sealing, or otherwise managing boreholes, shafts, and wells and keep acid or other toxic drainage from entering ground and surface water.

(B) Conducting surface coal mining and reclamation operations so as to prevent, to the extent possible using the best technology currently available, violations of the effluent limitations for coal mining operations established under applicable state or federal law.

(C) Constructing siltation structures under clause (B) before commencement of surface coal mining operations that will be certified by an engineer licensed under ~~IC 25-31~~ **IC 25-4-3** and constructed as designed and approved in the reclamation plan.

(D) Cleaning out and removing temporary or large settling ponds or other siltation structures from drainageways after disturbed areas are revegetated and stabilized and depositing the silt and debris at a site and in a manner approved by the

director.

(E) Restoring recharge capacity of the mined area to approximate premining conditions.

(F) Avoiding channel deepening or enlargement in operations requiring the discharge of water from mines.

(G) Other actions required under the permit.

(14) With respect to surface disposal of mine wastes, tailings, coal processing wastes, and other wastes in areas other than the mine workings or excavations, the following:

(A) Stabilize all waste piles in designated areas through construction in compacted layers, including the use of incombustible and impervious materials if necessary.

(B) Assure the following:

(i) The final contour of the waste pile will be compatible with natural surroundings.

(ii) The site will be stabilized and revegetated according to this article.

(15) Refrain from surface coal mining within five hundred (500) feet of active and abandoned underground mines to prevent breakthroughs and to protect the health or safety of miners. However, the director shall permit an operator to mine near, through, or partially through an abandoned underground mine or closer to an active underground mine if the following conditions exist:

(A) The nature, timing, and sequencing of the approximate coincidence of specific coal surface mining activities with specific underground coal mining activities are jointly approved by the regulatory authorities concerned with surface coal mining regulation and the health and safety of underground miners.

(B) The operations will result in:

(i) improved resource recovery;

(ii) abatement of water pollution; or

(iii) elimination of hazards to the health and safety of the public.

(16) Design, locate, construct, operate, maintain, enlarge, modify, and remove or abandon, in accordance with the standards and criteria used by the United States Secretary of the Interior to ensure that flood control structures are safe and effectively perform their functions, all existing and new coal mine waste

piles:

(A) consisting of:

(i) mine wastes;

(ii) tailings;

(iii) coal processing wastes; or

(iv) other liquid and solid wastes; and

(B) used temporarily or permanently as dams or embankments.

(17) Ensure the following:

(A) All debris, acid-forming materials, toxic materials, or materials constituting a fire hazard are treated, buried, and compacted or otherwise disposed of in a manner designed to prevent contamination of ground or surface water.

(B) Contingency plans are developed to prevent sustained combustion.

(18) Ensure that explosives are used only in accordance with the following:

(A) IC 14-34-12.

(B) Applicable state and federal law.

(C) The rules adopted by the commission.

(19) Ensure that all reclamation efforts proceed in an environmentally sound manner and as contemporaneously as practicable with the surface coal mining operations. However, if the applicant proposes to combine surface coal mining operations with underground coal mining operations to assure maximum practical recovery of the mineral resources, the director may grant a variance for specific areas within the reclamation plan from the requirement that reclamation efforts proceed as contemporaneously as practicable and permit underground coal mining operations before reclamation if the following conditions are met:

(A) The director finds in writing the following:

(i) The applicant has presented, as part of the permit application, specific, feasible plans for the proposed underground mining operations.

(ii) The proposed underground mining operations are necessary or desirable to assure maximum practical recovery of the mineral resource and will avoid multiple disturbance of the surface.

(iii) The applicant has satisfactorily demonstrated that the plan for the underground coal mining operations conforms

to the requirements for underground coal mining in that jurisdiction and that permits necessary for the underground coal mining operations have been issued by the appropriate authority.

(iv) The applicant has shown the areas proposed for the variance are necessary for the implementation of the proposed underground coal mining operations.

(v) Substantial adverse environmental damage, either onsite or offsite, will not result from the delay in completion of reclamation as required by this article.

(vi) The provisions for the offsite storage of spoil will comply with subdivision (25).

(B) The commission has adopted specific rules to govern the granting of variances in accordance with this subdivision.

(C) Variances granted under this subdivision are to be reviewed by the director not more than three (3) years from the date of issuance of the permit.

(D) Liability under the bond filed by the applicant with the director under IC 14-34-6 is for the duration of underground coal mining operations and until the requirements of this section and IC 14-34-6 are fully complied with.

(20) Ensure that the construction, maintenance, and postmining conditions of access roads into and across the site of operations will control or prevent the following:

(A) Erosion and siltation.

(B) Pollution of water.

(C) Damage to the following:

(i) Fish or wildlife or their habitat.

(ii) Public or private property.

(21) Refrain from the construction of roads or other access ways:

(A) up a stream bed or drainage channel; or

(B) in the proximity of a channel;

that seriously alters the normal flow of water.

(22) Establish on the regraded areas and all other land affected a diverse, an effective, and a permanent vegetative cover:

(A) of the same seasonal variety native to the area of land to be affected; and

(B) that is capable of self-regeneration and plant succession at least equal in extent of cover to the natural vegetation of the area.

However, an introduced species may be used in the revegetation process where desirable and necessary to achieve the approved postmining land use plan.

(23) Assume the responsibility for successful revegetation, as required by subdivision (22), as follows:

(A) On lands not eligible for remining, for five (5) full years after the last year of augmented seeding, fertilizing, irrigation, or other work to assure compliance with subdivision (22). However, if the director approves a long term intensive agricultural postmining land use, the applicable five (5) or ten (10) year period of responsibility for revegetation commences at the date of initial planting for the long term intensive agricultural postmining land use. If the director issues a written finding approving a long term intensive agricultural postmining land use as part of the mining and reclamation plan, the director may grant exception to subdivision (22).

(B) On lands eligible for remining, for two (2) full years after the last year of augmented seeding, fertilizing, irrigation, or other work in order to ensure compliance with subdivision (22).

(24) Protect offsite areas from slides or damage occurring during the surface coal mining and reclamation operations and not deposit spoil material or locate any part of the operations or waste accumulations outside the permit area.

(25) Place all excess spoil material resulting from coal surface mining and reclamation activities to ensure the following:

(A) Spoil is transported and placed in a controlled manner in a position for concurrent compaction and in a manner that assures mass stability and prevents mass movement.

(B) The areas of disposal are within the bonded permit areas and all organic matter is removed immediately before spoil placement.

(C) Appropriate surface and internal drainage systems and diversion ditches are used in a manner that prevents spoil erosion and movement.

(D) The disposal area does not contain springs, natural watercourses, or wet weather seeps unless lateral drains are constructed from the wet areas to the main underdrains in a manner that prevents filtration of the water into the spoil pile.

(E) If placed on a slope, the spoil is placed as follows:

(i) On the most moderate slope among the slopes on which, in the judgment of the director, the spoil could be placed in compliance with all the requirements of this article.

(ii) If possible, upon or above a natural terrace, bench, or berm if the placement provides additional stability and prevents mass movement.

(F) Where the toe of the spoil rests on a downslope, a rock toe buttress of sufficient size to prevent mass movement is constructed.

(G) The final configuration is compatible with the natural drainage pattern and surroundings and suitable for intended uses.

(H) Design of the spoil disposal area is certified by an engineer licensed under ~~IC 25-31~~ **IC 25-4-3** and in conformance with professional standards.

(I) All other provisions of this article are met.

(26) To the extent possible using the best technology currently available the following:

(A) Minimize disturbances and adverse impacts of the operation on fish, wildlife, and related environmental values.

(B) Enhance those resources where practicable.

(27) Provide for an undisturbed natural barrier:

(A) beginning at the elevation of the lowest coal seam to be mined; and

(B) extending from the outslope for a distance determined by the director;

to serve as a barrier to slides and erosion.

(28) Replace the water supply of an owner of interest in real property who obtains all or part of the owner's supply of water for domestic, agricultural, industrial, or other legitimate use from an underground or a surface source if the supply is affected by contamination, diminution, or interruption proximately resulting from the surface coal mine operation. This article does not affect the right of a person to enforce or protect under applicable law the person's interest in water resources affected by a surface coal mining operation.

(29) Meet other criteria that are necessary to achieve reclamation in accordance with the purposes of this article, taking into consideration the physical, climatological, and other characteristics of the site.

SECTION 203. IC 14-34-10-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 4. (a) The director may, under procedures established by rule, permit surface coal mining operations if:

(1) an industrial, a commercial, an agricultural, a residential, a recreational, or a public facility is proposed for the postmining use of the affected land; and

(2) the mining operation will remove an entire coal seam running through the upper fraction of a ridge or hill, except as provided in subsection (c)(1), by:

(A) removing all of the overburden; and

(B) creating a level plateau or a gently rolling contour;

(i) with no highwalls remaining; and

(ii) capable of supporting the postmining uses listed in subdivision (1);

without regard to the requirement to restore the affected land to the approximate original contour as set forth in section 2(b)(4), 3(b)(2), or 3(b)(3) of this chapter.

(b) The director may permit the proposed uses under subsection (a) only if the following conditions are met:

(1) After consultation with the appropriate land use planning agencies, if any, the proposed postmining land use is considered an equal or a better economic or public use of the affected land compared with the premining use.

(2) The applicant presents specific plans for the proposed postmining land use and appropriate assurances that the use meets the following conditions:

(A) The use is compatible with adjacent land uses.

(B) The use is obtainable according to data regarding expected need and market.

(C) The use is assured of investment in necessary public facilities.

(D) The use is supported by commitments from public agencies where appropriate.

(E) The use is practicable with respect to private financial capability for completion of the proposed use.

(F) The use is planned according to a schedule attached to the reclamation plan so as to integrate the mining operation and reclamation with the postmining land use.

(G) The use is designed by an engineer licensed under

~~IC 25-31~~ **IC 25-4-3** and in conformance with professional standards established to assure the stability, drainage, and configuration necessary for the intended use of the site.

(3) The proposed use is consistent with adjacent land uses and existing state and local land use plans and programs.

(4) The governing body of the unit of general purpose government in which the land is located and a state or federal agency that the director determines to have an interest in the proposed use is provided an opportunity of not more than sixty (60) days to review and comment on the proposed use.

(5) All other requirements of this article are met.

(c) With respect to a permit granted under subsection (a) and in addition to other requirements the commission establishes by rule, the director shall require the following:

(1) The toe of the lowest coal seam and the overburden associated with the seam are retained in place as a barrier to slides and erosion.

(2) The reclaimed area is stable.

(3) The resulting plateau or rolling contour drains inward from the outslopes except at specified points.

(4) No damage is done to natural watercourses.

(5) Spoil is placed on the hilltop bench as is necessary to achieve the planned postmining land use and the operator places all excess spoil material not retained on the hilltop in accordance with section 2(b)(25) of this chapter.

(6) The operator ensures stability of the spoil retained on the hilltop and meets all other requirements of this article.

(d) The director shall review all permits issued under this section not more than three (3) years from the date of issuance unless the applicant affirmatively demonstrates that the proposed development is proceeding in accordance with the terms of the approved schedule and reclamation plan.

SECTION 204. IC 14-34-10-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 5. (a) The director may grant a variance from the requirement to restore to approximate original contour set forth in section 3(b)(2) of this chapter if the following conditions exist:

(1) After approval of the appropriate state environmental agencies, the watershed control of the area is improved.

(2) Complete backfilling with spoil materials that maintains

stability following mining and reclamation is required to completely cover the highwall.

(3) The owner of the surface knowingly requests in writing, as a part of the permit application, that a variance be granted so as to make the land, after reclamation, suitable for an industrial, a commercial, a residential, a public, or a recreational use.

(4) After consultation with the appropriate land use planning agencies, if any:

(A) the potential use of the affected land constitutes an equal or a better economic or public use; and

(B) the variance is designed and certified by a professional engineer licensed under ~~IC 25-31~~ **IC 25-4-3** and is in conformance with professional standards established to assure the stability, drainage, and configuration necessary for the intended use of the site.

(b) With respect to a variance granted under subsection (a) or under IC 13-4.1-8-4(a) (before its repeal) and in addition to other requirements the commission establishes by rule, the director shall require the following:

(1) Only the amount of spoil will be placed off the mine bench as is necessary to achieve the planned postmining land use.

(2) Stability of the spoil retained on the bench is ensured.

(3) All spoil placement off the mine bench must comply with section 2(b)(25) of this chapter.

(c) The director shall review all exceptions granted under this section not more than three (3) years after the date of issuance of the permit unless the permittee affirmatively demonstrates that the proposed development is proceeding in accordance with the terms of the reclamation plan.

SECTION 205. IC 14-37-7-8, AS ADDED BY P.L.140-2011, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 8. (a) The owner or lessee of coal or another person with an interest to develop a coal resource may file with the division an affidavit that:

(1) identifies by a map prepared by an engineer licensed under ~~IC 25-31~~ **IC 25-4-3** or a geologist licensed under IC 25-17.6:

(A) the location of coal that the owner or lessee controls by deed, lease, or other instrument for later commercial production;

(B) the location of coal that is in an area targeted for later

commercial production;

(C) the location of the coal seam or seams of interest; and

(D) the approximate depth of the coal seam or seams of interest; and

(2) states that the coal:

(A) can be mined using generally accepted underground mining practices; and

(B) is of sufficient quantity and quality to be commercially saleable.

(b) All coal in an area designated under subsection (a) is considered a commercially minable coal resource.

(c) An affidavit referred to in subsection (a) may be made before applying for permits for the actual mining of the commercially minable coal resource. The division shall:

(1) subject to subsection (e), keep the affidavit and map confidential; and

(2) use the affidavit and map solely for determining if a commercially minable coal resource is present in an area for which a permit application has been filed under IC 14-37.

(d) The division shall determine if the proposed well location is in an area underlain by coal identified in subsection (a) upon receipt of:

(1) a permit application referred to in subsection (c)(2); or

(2) an inquiry from a person interested in oil and gas explorations or drilling a well for oil and gas purposes.

(e) The name of the person who filed the map referred to in subsection (c) is not confidential.

SECTION 206. IC 15-11-2-3, AS AMENDED BY P.L.9-2018, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 3. (a) As used in this section, "biomass" means agriculturally based sources of renewable energy, including the following:

(1) Agricultural crops.

(2) Agricultural wastes and residues.

(3) Wood and wood byproducts, including the following:

(A) Wood residue.

(B) Forest thinning.

(C) Mill residue wood.

(4) Animal wastes.

(5) Animal byproducts.

(6) Aquatic plants.

(7) Algae.

The term does not include waste from construction and demolition.

(b) The department shall do the following:

(1) Provide administrative and staff support for the following:

(A) The state fair board for purposes of carrying out the director's duties under IC 15-13-5.

(B) The Indiana corn marketing council for purposes of administering the duties of the director under IC 15-15-12.

(C) The Indiana dairy industry development board for purposes of administering the duties of the director under IC 15-18-5.

~~(D) The Indiana land resources council under IC 15-12-5.~~

~~(E)~~ **(D)** The Indiana grain buyers and warehouse licensing agency under IC 26-3-7.

~~(F)~~ **(E)** The Indiana grain indemnity corporation under IC 26-4-3.

~~(G)~~ **(F)** The division.

(2) Administer the election of state fair board members under IC 15-13-5.

(3) Administer state programs and laws promoting agricultural trade.

(4) Administer state livestock or agriculture marketing grant programs.

(5) Administer economic development efforts for agriculture by doing the following:

(A) Promoting value added agricultural resources.

(B) Marketing Indiana agriculture to businesses internationally.

(C) Assisting Indiana agricultural businesses with developing partnerships with the Indiana economic development corporation.

(D) Soliciting private funding for selective economic development and trade initiatives.

(E) Providing for the orderly economic development and growth of Indiana's agricultural economy.

(F) Facilitating the use of biomass and algae production systems to generate renewable energy.

(6) Carry out the department's duties under IC 23-15-12.

(7) Provide administrative and staff support for the following:

(A) The state chemist for purposes of carrying out the state

seed commissioner duties under IC 15-15-1.

(B) The state chemist for purposes of carrying out the duties under IC 15-15-2.

(C) The state chemist for purposes of carrying out the state seed commissioner duties under IC 15-15-5.

(D) The state chemist for purposes of carrying out the state seed commissioner duties under IC 15-15-7.

(E) The state chemist for purposes of carrying out the state seed commissioner duties under IC 15-15-13.

(F) The state chemist for purposes of carrying out the duties under IC 15-16-1.

(G) The state chemist for purposes of carrying out the duties under IC 15-16-2.

(H) The state chemist for purposes of carrying out the duties under IC 15-16-3.

(I) The state chemist for purposes of carrying out the duties under IC 15-16-4.

(J) The state chemist for purposes of carrying out the duties under IC 15-16-5.

(K) The state chemist for purposes of carrying out the duties under IC 15-19-7.

SECTION 207. IC 15-11-2-9, AS ADDED BY P.L.5-2025, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 9. (a) As used in this section, "user" includes:

(1) a rural community;

(2) a farmer;

(3) an agribusiness; or

(4) any other individual or entity using the online portal established under this section for the purposes described in subsection (d).

(b) The department shall establish an online portal on the department's website.

(c) The department shall administer the online portal.

(d) The purposes of the online portal shall be to:

(1) assist users in the successful navigation of agricultural or related topics among various federal and state agencies;

(2) provide a single source for users to access agricultural or related federal and state funding opportunities;

(3) provide a searchable data base of available federal and state grants with information on eligibility and deadline criteria; and

(4) provide regular updates to reflect changes in federal and state funding opportunities.

(e) The online portal shall include links that will facilitate the navigation of the websites of various federal and state agencies, including the following:

(1) The United States Department of Agriculture.

(2) The United States Department of Agriculture's Natural Resources Conservation Service.

(3) The United States Environmental Protection Agency.

(4) The department of environmental management established by IC 13-13-1-1.

(5) The Indiana state board of animal health established by IC 15-17-3-1.

(6) The office of **the** state chemist (and by virtue of office, the state seed commissioner under IC 15-15-1-26) established by ~~IC 15-16-2-24.~~ **IC 15-11-4.5-1.**

(7) The office of community and rural affairs established by IC 4-4-9.7-4.

(8) Any other federal or state agency, the interaction with which would be helpful to users.

(f) To accomplish the purposes described in subsection (d), the online portal shall do the following:

(1) Provide a series of regulatory checklists for users that are considering diversifying into new markets to assist users in:

(A) the navigation of agricultural and related regulations; and

(B) the avoidance of punitive enforcement actions before they arise.

(2) Assist users in collaborating with:

(A) the Purdue University cooperative extension service;

(B) the state climate office hosted by Purdue University; and

(C) the United States Department of Agriculture;

to create a one stop venue that will help connect users with responsive data visualization tools and technical assistance programming.

(3) Provide a one stop venue where users may gather information regarding, and apply for, available federal and state agricultural and related funding opportunities.

(4) Include a link to provide users with ongoing updates on the status of land that was identified as lost farmland included in the department's inventory of lost farmland, and as reported by the

department, under IC 15-11-9-1.1 (before its expiration) or IC 15-11-9-1.3.

(5) Include a formal venue to collect comments from the public regarding federal regulations that impact Indiana's rural economy with the goal of assisting the state in providing vigorous advocacy on behalf of the public.

(6) Include a formal venue where users may provide to the department reviews and feedback regarding the usefulness of the online portal.

SECTION 208. IC 15-11-4.5 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]:

Chapter 4.5. Office of the State Chemist

Sec. 1. The office of the state chemist is established as a division of the department.

Sec. 2. The director shall appoint the state chemist, who serves at the pleasure of the director, and the state chemist is the administrative head of the office of the state chemist.

Sec. 3. The state chemist may designate staff or an employee to discharge duties imposed on the state chemist by law.

Sec. 4. The state chemist shall administer the following chapters:

(1) IC 15-15-1.

(2) IC 15-15-2.

(3) IC 15-15-5.

(4) IC 15-15-7.

(5) IC 15-15-13.

(6) IC 15-16-1.

(7) IC 15-16-2.

(8) IC 15-16-3.

(9) IC 15-16-4.

(10) IC 15-16-5.

(11) IC 15-19-7.

Sec. 5. (a) After December 31, 2027, all individuals employed by the state chemist shall become employees of the state.

(b) The department shall determine qualifications, duties, compensation, and terms of service for individuals employed by the state chemist as employees or as independent contractors.

(c) Employees of the state chemist who are employed on December 31, 2027, under Purdue University and who continue

employment after December 31, 2027, under the department as provided in subsection (a) are entitled to have their service under Purdue University included for purposes of computing:

(1) retention in the event of a layoff; and

(2) all other applicable employment and retirement benefits.

Sec. 6. (a) As used in this section, "Purdue University" refers to:

(1) the treasurer of Purdue University;

(2) the board of trustees of Purdue University; or

(3) the dean of agriculture of Purdue University;

as applicable in the administration of the office of the state chemist under IC 15-16-2-24 (before its repeal).

(b) After December 31, 2027, all powers, duties, agreements, and liabilities of the office of the state chemist administered by Purdue University are transferred to the department, as the successor agency.

(c) After December 31, 2027, all records and property of the office of the state chemist administered by Purdue University, including appropriations and other funds under the control or supervision of the office of the state chemist, are transferred to the department, as the successor agency.

(d) After December 31, 2027, any amounts owed to the office of the state chemist administered by Purdue University before December 31, 2027, are considered to be owed to the office of the state chemist administered by the department, as the successor agency.

Sec. 7. (a) After December 31, 2027, all records and fees collected under IC 15-15-1 by the state seed commissioner and transferred to the treasurer of Purdue University, including appropriations under the control or supervision of the treasurer of Purdue University, are transferred to the seed fund established by IC 15-15-1-34.5 and to the department, as the successor agency.

(b) After December 31, 2027, all records and fees collected under IC 15-15-2 by the state chemist and transferred to the treasurer of Purdue University, including appropriations under the control or supervision of the treasurer of Purdue University, are transferred to the plant cultures fund established by IC 15-15-2-5.5 and to the department, as the successor agency.

(c) After December 31, 2027, all records and fees collected under IC 15-15-13 by the state seed commissioner and paid to the treasurer of Purdue University, including appropriations under the

control or supervision of the treasurer of Purdue University, are transferred to the industrial hemp fund established by IC 15-15-13-15.5 and to the department, as the successor agency.

(d) After December 31, 2027, all records and fees collected under IC 15-16-2-35 by the state chemist and transferred to the treasurer of Purdue University, including appropriations under the control or supervision of the treasurer of Purdue University, are transferred to the commercial fertilizer fund established by IC 15-16-2-34.5 and to the department, as the successor agency.

(e) After December 31, 2027, all records and fees collected by the state chemist and paid to the treasurer of Purdue University under IC 15-16-2-36, including appropriations under the control or supervision of the treasurer of Purdue University, are transferred to the horticulture products and control excess fund established by IC 15-16-2-35.5 and to the department, as the successor agency.

(f) After December 31, 2027, all records and fees collected by the state chemist and paid to the treasurer of Purdue University under IC 15-16-4, including appropriations under the control or supervision of the treasurer of Purdue University, are transferred to the pesticide fund established by IC 15-16-4-61.5 and to the department, as the successor agency.

(g) After December 31, 2027, all records and fees collected by the state chemist and paid to the treasurer of Purdue University under IC 15-16-5, including appropriations under the control or supervision of the treasurer of Purdue University, are transferred to the pesticide use and application fund established by IC 15-16-5-59.5 and to the department, as the successor agency.

(h) After December 31, 2027, all records and fees collected by the state chemist and paid to the treasurer of Purdue University under IC 15-19-7, including appropriations under the control or supervision of the treasurer of Purdue University, are transferred to the commercial feed inspection fund established by IC 15-19-7-32.5 and to the department, as the successor agency.

(i) After December 31, 2027, all records and fees collected by the state chemist and paid to the treasurer of Purdue University for the soil scientist registration fund under IC 25-31.5-3-9, including appropriations under the control or supervision of the treasurer of Purdue University, are transferred to the department, as the successor agency.

SECTION 209. IC 15-11-16.5 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]:

Chapter 16.5. Commission on Invasive Species and Pests

Sec. 1. (a) After June 30, 2026, all powers, duties, agreements, and liabilities of the Indiana pesticide review board established by IC 15-16-4-42, before its repeal, and the invasive species council established by IC 15-16-10-3, before its repeal, are transferred to the department, as the successor entity.

(b) After June 30, 2026, all records and property of the Indiana pesticide review board and the invasive species council, including appropriations and other funds under the control or supervision of the Indiana pesticide review board and the invasive species council, are transferred to the department, as the successor entity.

(c) After June 30, 2026, any amounts owed to the Indiana pesticide review board and the invasive species council before December 31, 2027, are considered to be owed to the department, as the successor agency.

(d) After June 30, 2026, a reference to the Indiana pesticide review board or the invasive species council in a statute, rule, or other document is considered a reference to the commission, as the successor entity.

(e) After June 30, 2026, any rule adopted by the Indiana pesticide review board is considered a rule of the commission.

(f) On July 1, 2026, the Purdue University treasurer shall transfer the balance that remains on June 30, 2026, in the invasive species council fund established by IC 15-16-10-12 to the state comptroller. The state comptroller shall deposit the money received under this subsection into the commission on invasive species and pests' invasive species council fund established by section 7 of this chapter.

Sec. 2. As used in this chapter, "commission" refers to the commission on invasive species and pests established by section 4 of this chapter.

Sec. 3. As used in this chapter, "fund" refers to the commission on invasive species and pests' invasive species council fund established by section 7 of this chapter.

Sec. 4. (a) The commission on invasive species and pests is established. The commission consists of the following voting members:

(1) One (1) representative of the Indiana department of health.

(2) One (1) representative of the department of natural resources.

(3) One (1) representative of the department of environmental management.

(4) One (1) representative of the department of transportation.

(5) One (1) representative of the department.

(6) One (1) representative of the Purdue University office of agricultural research programs, appointed by the director of the department.

(7) Two (2) ecologists:

(A) one (1) of whom is a terrestrial ecologist; and

(B) one (1) of whom is an aquatic ecologist;

appointed by the director of the department. Not more than one (1) ecologist may be a plant ecologist.

(8) One (1) public representative, appointed by the director of the department.

(9) One (1) representative of the pesticide producing or manufacturing industry, appointed by the director of the department.

(10) Two (2) representatives of producers of agricultural crops or products on which pesticides are applied or that may be affected by the application of pesticides:

(A) one (1) of whom represents producers of agronomic crops; and

(B) one (1) of whom represents producers of specialty crops;

appointed by the director of the department.

(11) One (1) public representative from a conservation organization, appointed by the director of the department.

(12) Three (3) qualified scientists, one (1) each in the fields of entomology, plant pathology, and weed science, appointed by the director of the department. One (1) scientist must be the representative of either the Purdue University office of agricultural research programs or the Purdue University cooperative extension service.

(13) Three (3) certified and licensed commercial applicators of pesticides who must represent three (3) different certificate

or license categories established under IC 15-16-5-45, appointed by the director of the department.

(14) Two (2) individuals, appointed by the director of the department, who represent organizations that are primarily concerned with any of the following:

(A) The hardwood tree industry.

(B) The horticulture industry.

(C) The agriculture industry.

(D) The aquaculture industry.

(15) Two (2) individuals, appointed by the director of the department, who represent organizations or local governmental agencies primarily concerned with any of the following:

(A) Land trusts.

(B) Biodiversity conservation.

(C) Aquatic conservation.

(D) Local parks and recreation.

(b) The state chemist shall serve as:

(1) chairperson of the commission; and

(2) a nonvoting member of the commission.

(c) The members appointed under subsection (a) serve at the will of the appointing authority.

(d) The commission must meet at least one (1) time annually and may meet at other times and at a location specified by the chairperson or a majority of the commission.

(e) The commission shall publish the:

(1) minutes; and

(2) video;

of each meeting.

(f) Twelve (12) voting members of the commission constitute a quorum.

(g) Official actions are subject to approval by a simple majority of the voting members present at a called meeting.

(h) The commission shall be staffed by the department.

Sec. 5. (a) Each member of the commission who is not a state employee is entitled to the minimum salary per diem provided by IC 4-10-11-2.1(b). The member is also entitled to reimbursement for mileage, traveling expenses as provided under IC 4-13-1-4, and other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established

by the Indiana department of administration and approved by the budget agency.

(b) Each member of the commission who is a state employee is entitled to reimbursement for traveling expenses as provided under IC 4-13-1-4 and other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.

Sec. 6. (a) The commission has the following duties:

(1) Carry out the commission's duties under IC 15-16-4.

(2) Recommend:

(A) priorities for projects;

(B) funding; and

(C) rules and laws;

concerning invasive species to the appropriate governmental agencies and legislative committees.

(3) Recommend a lead state agency to:

(A) develop an invasive species inventory for each invasive species taxon; and

(B) develop and maintain a data management system for invasive species in Indiana.

(4) Communicate with other states, federal agencies, and state and regional organizations to enhance consistency and effectiveness in:

(A) preventing the spread of;

(B) early detection of;

(C) response to; and

(D) management of;

invasive species.

(5) Coordinate invasive species education and outreach programs.

(6) Convene or support an invasive species meeting at least once per biennium to provide information on best practices and pertinent research findings.

(7) Assist governmental agencies in:

(A) reviewing current invasive species policies and procedures; and

(B) addressing any deficiencies or inconsistencies concerning invasive species policies and procedures.

(8) Assist state agencies in reviewing the agencies'

performance measures for accountability concerning the agencies' invasive species actions.

(9) Receive reports from any governmental agency regarding actions taken on recommendations of the commission.

(10) Apply for grants.

(11) Provide grants for education concerning or management of invasive species.

(b) The commission does not have any regulatory authority over invasive species or the authority to hear appeals of grievances.

(c) The commission may create advisory committees to provide information and recommendations to the commission.

(d) The commission shall issue a report to the interim study committee on agriculture and natural resources established by IC 2-5-1.3-4 in an electronic format under IC 5-14-6 in every odd-numbered year. The report must include a summary of:

(1) the commission's activities;

(2) the performance of the commission's duties; and

(3) efforts in Indiana to identify and manage invasive species.

The report may include recommendations of the commission.

Sec. 7. (a) The commission on invasive species and pests' invasive species council fund is established to carry out the commission's responsibilities under section 6(a)(2) through 6(a)(11) of this chapter. The fund shall be administered by the department.

(b) The fund consists of any of the following:

(1) Grants.

(2) Appropriations.

(3) Gifts and donations.

(c) The expenses of administering the fund shall be paid from money in the fund.

(d) The state treasurer shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public funds may be invested. Interest that accrues from these investments must be deposited in the fund.

(e) Money in the fund may be used for purposes set forth in this chapter and to meet the expenses of administering this chapter.

(f) Money in the fund at the end of a state fiscal year does not revert to the state general fund.

SECTION 210. IC 15-12-5-1 IS REPEALED [EFFECTIVE JANUARY 1, 2027]. ~~Sec. 1. As used in this chapter, "council" refers to the Indiana land resources council established by section 3 of this~~

~~chapter.~~

SECTION 211. IC 15-12-5-2 IS REPEALED [EFFECTIVE JANUARY 1, 2027]. ~~Sec. 2. As used in this chapter, "director" refers to the director of the Indiana state department of agriculture.~~

SECTION 212. IC 15-12-5-3 IS REPEALED [EFFECTIVE JANUARY 1, 2027]. ~~Sec. 3. The Indiana land resources council is established.~~

SECTION 213. IC 15-12-5-4 IS REPEALED [EFFECTIVE JANUARY 1, 2027]. ~~Sec. 4. The director shall provide the necessary staff and administrative support for the council.~~

SECTION 214. IC 15-12-5-5, AS ADDED BY P.L.2-2008, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 5. **(a)** The ~~purpose of the council is to:~~ **department shall:**

(1) collect information; and

(2) provide:

(A) educational assistance;

(B) technical assistance; and

(C) advice;

to local governments regarding land use strategies and issues across the state.

(b) The department shall retain all records and information produced under this chapter and kept under section 11 of this chapter (before its repeal).

SECTION 215. IC 15-12-5-6, AS ADDED BY P.L.2-2008, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 6. The ~~council~~ **department** may do the following:

(1) Provide technical assistance and information about land use strategies.

(2) Facilitate collaboration among commonly affected state, county, and local government units.

(3) Compile and maintain a land planning information library, both hard copy and electronic, that includes current data on land resources in Indiana.

(4) Establish or coordinate educational programs for governmental units, nongovernmental entities, and the public with special consideration for local planning commission members and county commissioners.

(5) Provide counties and local communities conducting land use

planning with access to technical and legal assistance through a referral service.

(6) Provide information to local authorities on model ordinances for programs and techniques on land use.

(7) Obtain grants and assist counties and local communities in locating additional funding sources for planning projects.

(8) Make recommendations to the general assembly and other governmental bodies concerning land resources.

(9) When requested, advise the general assembly on proposals relating to land resources.

SECTION 216. IC 15-12-5-7 IS REPEALED [EFFECTIVE JANUARY 1, 2027]. ~~Sec. 7. (a) The council consists of the following members:~~

~~(1) The director or the director's designee.~~

~~(2) Nine (9) members appointed by the governor as follows:~~

~~(A) One (1) member representing county government.~~

~~(B) One (1) member representing municipal government.~~

~~(C) One (1) member representing farm owners.~~

~~(D) One (1) member representing home building and land development.~~

~~(E) One (1) member representing business.~~

~~(F) One (1) member representing the environment.~~

~~(G) One (1) member with expertise in land use issues representing academia.~~

~~(H) One (1) member representing soil and water conservation districts.~~

~~(I) One (1) member representing forestry.~~

~~(b) Not more than five (5) of the members appointed by the governor under subsection (a)(2) may be of the same political party.~~

~~(c) The term of a member is four (4) years.~~

~~(d) Each member appointed by the governor under subsection (a)(2) is entitled to hold office for the term of the member's appointment and is entitled to continue to serve after expiration of the member's appointment until a successor is appointed and qualified.~~

~~(e) A member is eligible for reappointment.~~

~~(f) A member appointed by the governor under subsection (a)(2) may be removed from office by the governor and serves at the pleasure of the governor.~~

~~(g) If a vacancy occurs among the members of the council appointed by the governor under subsection (a)(2), the governor shall appoint an~~

~~individual to serve for the unexpired term of the vacating member.~~

SECTION 217. IC 15-12-5-8 IS REPEALED [EFFECTIVE JANUARY 1, 2027]. ~~Sec. 8. The director or the director's designee serves as chairperson of the council.~~

SECTION 218. IC 15-12-5-9 IS REPEALED [EFFECTIVE JANUARY 1, 2027]. ~~Sec. 9. (a) A quorum of the council for transacting business consists of six (6) members.~~

~~(b) The affirmative vote of at least six (6) members is necessary for any action to be taken by the council.~~

~~(c) A vacancy in the membership of the council does not impair the right of a quorum to exercise all rights and perform all duties of the council.~~

SECTION 219. IC 15-12-5-10 IS REPEALED [EFFECTIVE JANUARY 1, 2027]. ~~Sec. 10. The council shall meet at the call of the chairperson.~~

SECTION 220. IC 15-12-5-11 IS REPEALED [EFFECTIVE JANUARY 1, 2027]. ~~Sec. 11. The council's records and information shall be kept at the office of the director.~~

SECTION 221. IC 15-12-5-12 IS REPEALED [EFFECTIVE JANUARY 1, 2027]. ~~Sec. 12. (a) Each member of the council who is not a state employee is entitled to the minimum salary per diem provided by IC 4-10-11-2.1(b). The member is also entitled to reimbursement for traveling expenses as provided under IC 4-13-1-4 and other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.~~

~~(b) Each member of the council who is a state employee is entitled to reimbursement for traveling expenses as provided under IC 4-13-1-4 and other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.~~

SECTION 222. IC 15-15-1-34.6 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 34.6. (a) The seed fund is established to carry out the functions of this chapter. The fund shall be administered by the state seed commissioner.**

(b) The fund consists of:

(1) money appropriated to the fund by the general assembly;

(2) fees collected under this chapter; and

(3) money received from any other source, including transfers from other:

(A) funds; or

(B) accounts.

(c) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public funds may be invested.

(d) Money in the fund at the end of a state fiscal year does not revert to the state general fund.

SECTION 223. IC 15-15-1-35, AS AMENDED BY P.L.29-2024, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 35. (a) The state seed commissioner shall ~~pay~~ **deposit** all fees collected under this chapter ~~to~~ **in** the ~~treasurer of Purdue University.~~ **seed fund established by section 34.6 of this chapter.**

(b) The ~~board of trustees of Purdue University~~ **state seed commissioner** shall ~~expend the fees on proper vouchers filed with the treasurer of Purdue University. The treasurer shall pay vouchers~~ **use funds from the seed fund to pay** for the following expenses:

(1) The employment of inspectors and seed analysts.

(2) Procuring samples.

(3) Printing bulletins giving the results of inspection.

(4) Any other expenses ~~of the Purdue University agricultural programs~~ authorized by law and for implementing this chapter.

(c) The ~~dean of agriculture of Purdue University~~ **state seed commissioner** shall make and submit an annual financial report to the:

(1) governor;

(2) legislative council; and

(3) budget committee;

in such form as the state board of accounts requires, showing the total receipts and expenditures of all fees received under this chapter. The budget committee shall review this report annually.

(d) Excess funds from the collection of fees under this chapter are subject to IC 15-16-2-36.

SECTION 224. IC 15-15-2-5.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 5.5. (a) The plant cultures fund is established to carry out the functions of this chapter. The fund shall be administered by the state chemist.**

(b) The fund consists of:

(1) money appropriated to the fund by the general assembly;

(2) fees collected under this chapter; and

(3) money received from any other source, including transfers from other:

(A) funds; or

(B) accounts.

(c) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public funds may be invested.

(d) Money in the fund at the end of a state fiscal year does not revert to the state general fund.

SECTION 225. IC 15-15-2-6, AS AMENDED BY P.L.29-2024, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 6. (a) The state chemist shall charge, collect, and receive a minimum fee of twenty-five dollars ($25):

(1) at the time of registering a pure or mixed culture of microorganisms or materials described in section 3 of this chapter for each material or culture registered; and

(2) not later than the fifteenth day of January of each succeeding year until the pure or mixed cultures of microorganisms or material is no longer sold, distributed, offered, or displayed for sale in Indiana.

(b) Money received under subsection (a) must be ~~forwarded to the treasurer of Purdue University, who shall~~ **deposited in the plant cultures fund established by section 5.5 of this chapter and used by** ~~expend the money on vouchers to be filed with~~ the state comptroller to pay all necessary expenses incurred in implementing this chapter, including:

(1) the employment of inspectors, chemists, and bacteriologists;

(2) the expenses incurred in procuring samples;

(3) printing bulletins; and

(4) giving the results of inspections, as provided by this chapter; ~~and for any other expenses of Purdue University agricultural programs,~~ as authorized by law and in support of the purposes of this chapter.

(c) The ~~dean of agriculture of Purdue University~~ **state chemist** shall submit to the:

(1) governor;

(2) legislative council; and

(3) budget committee;

an annual classified report showing the total receipts and expenditures of all fees received under this chapter. The budget committee shall review this report annually.

(d) Excess funds from the collection of fees under this chapter are subject to IC 15-16-2-36.

SECTION 226. IC 15-15-5-29 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 29. This chapter expires December 31, 2026.**

SECTION 227. IC 15-15-13-15.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 15.5. (a) The industrial hemp fund is established to carry out the functions of this chapter. The state seed commissioner shall deposit all fees collected under this chapter into the fund. The fund shall be administered by the state seed commissioner.**

(b) The fund consists of:

(1) money appropriated to the fund by the general assembly;

(2) all fees collected under this chapter; and

(3) money received from any other source, including transfers from other:

(A) funds; or

(B) accounts.

(c) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public funds may be invested.

(d) Money in the fund at the end of a state fiscal year does not revert to the state general fund.

SECTION 228. IC 15-15-13-16, AS AMENDED BY P.L.29-2024, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 16. (a) The state seed commissioner shall **deposit** ~~pay~~ all fees collected under this chapter ~~to~~ **in** the ~~treasurer of Purdue University.~~ **industrial hemp fund established by section 15.5 of this chapter.**

(b) ~~The board of trustees of Purdue University shall expend the fees on proper vouchers filed with the treasurer of Purdue University.~~ The ~~treasurer~~ **state seed commissioner** shall pay ~~vouchers for~~ the following expenses:

(1) The employment of inspectors and seed analysts.

(2) Procuring samples.

(3) Printing bulletins giving the results of inspection.

(4) Any other expenses ~~of the Purdue University agricultural programs~~ authorized by law and for implementing this chapter.

(c) The ~~dean of agriculture of Purdue University~~ **state seed commissioner** shall make and submit an annual financial report to the:

(1) governor;

(2) legislative council; and

(3) budget committee;

in such form as the state board of accounts requires, showing the total receipts and expenditures of all fees received under this chapter. The budget committee shall review this report annually.

(d) Excess funds from the collection of fees under this chapter are subject to IC 15-16-2-36.

SECTION 229. IC 15-16-1-3.5 IS REPEALED [EFFECTIVE JANUARY 1, 2027]. ~~Sec. 3.5. As used in this chapter, "board" refers to the Indiana fertilizer advisory board established by IC 15-16-2-25.~~

SECTION 230. IC 15-16-2-1 IS REPEALED [EFFECTIVE JULY 1, 2026]. ~~Sec. 1. Because the department of biochemistry at Purdue University is particularly conversant with the purpose and procedures provided by this chapter, the general assembly desires that the governor appoint a professor of biochemistry at Purdue University as the state chemist.~~

SECTION 231. IC 15-16-2-5 IS REPEALED [EFFECTIVE JANUARY 1, 2027]. ~~Sec. 5. As used in this chapter, "board" refers to the Indiana fertilizer advisory board established by section 25 of this chapter.~~

SECTION 232. IC 15-16-2-24 IS REPEALED [EFFECTIVE JULY 1, 2026]. ~~Sec. 24. (a) The office of state chemist is established.~~

~~(b) The governor shall appoint the state chemist, who serves at the pleasure of the governor.~~

~~(c) The state chemist shall administer this chapter.~~

~~(d) The state chemist may designate an agent to discharge duties imposed on the state chemist by law.~~

SECTION 233. IC 15-16-2-25, AS AMENDED BY P.L.81-2009, SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 25. (a) The Indiana fertilizer advisory board is established to:

(1) study the regulation of fertilizer material; and

(2) advise the state chemist on the administration of this chapter.

(b) The board consists of the following members:

(1) Two (2) representatives of the retail fertilizer industry.

(2) One (1) representative of fertilizer manufacturing, distributing, or manufacturing and distributing.

(3) Two (2) representatives of producers of agricultural crops.

(4) One (1) representative of the lawn care industry.

(5) One (1) representative of the Purdue School of Agriculture.

(6) One (1) representative of a public conservation organization.

(7) One (1) representative of the livestock industry.

(8) The president of the Indiana Plant Food and Agricultural Chemicals Association, who serves as a nonvoting member.

(9) One (1) representative of the department of environmental management, who serves as a nonvoting member.

(10) The fertilizer administrator for the office of the state chemist, who serves as a nonvoting member.

(11) The engineer specialist for the office of the state chemist, who serves as a nonvoting member.

(12) One (1) representative of the Indiana state department of agriculture, who shall serve as a nonvoting member.

(c) The state chemist shall appoint the voting members of the board, who serve for terms of four (4) years.

(d) Voting members of the board may be appointed for successive terms at the discretion of the state chemist.

(e) This section expires December 31, 2026.

SECTION 234. IC 15-16-2-26 IS REPEALED [EFFECTIVE JANUARY 1, 2027]. ~~Sec. 26. (a) The state chemist may remove a voting member of the board for cause before the expiration of the member's term.~~

~~(b) Vacancies created by the death, resignation, or removal for cause of a member of the board must be filled in the manner prescribed for appointment to that board position. Vacancies must be filled not later than thirty (30) days after the death, resignation, or removal for cause.~~

SECTION 235. IC 15-16-2-27 IS REPEALED [EFFECTIVE JANUARY 1, 2027]. ~~Sec. 27. The board shall elect one (1) of its voting members chairperson to serve for a term of two (2) years, unless the chairperson's appointment expires before the expiration of the term, in which case the term is for the duration of the chairperson's appointment.~~

SECTION 236. IC 15-16-2-28 IS REPEALED [EFFECTIVE JANUARY 1, 2027]. ~~Sec. 28. The board shall invite nonvoting members to serve at the pleasure of the board.~~

SECTION 237. IC 15-16-2-29 IS REPEALED [EFFECTIVE JANUARY 1, 2027]. ~~Sec. 29. (a) The board may meet at times specified by the chairperson or by a majority of the board, but shall meet at least once a year.~~

~~(b) Five (5) voting members of the board constitutes a quorum. Official actions require a majority of the voting members. The chairperson may actively participate in all decisions of the board.~~

SECTION 238. IC 15-16-2-30, AS AMENDED BY P.L.81-2009, SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 30. (a) Each member of the board who is not a state employee is entitled to receive both:

(1) the minimum salary per diem **provided by IC 4-10-11-2.1(b);** and

(2) reimbursement for **mileage and** travel expenses **as provided under IC 4-13-1-4** and other expenses actually incurred in connection with the member's duties;

as provided in the ~~Purdue University travel policies and procedures established by the Purdue University department of transportation and approved by the Purdue University vice president of business services.~~ **state policies and procedures established by the Indiana department of administration and approved by the budget agency.**

(b) Each member of the board who is a state employee is entitled to reimbursement for travel expenses as provided under IC 4-13-1-4 and other expenses actually incurred in connection with the member's duties, as provided in the state travel policies and procedures established by the Indiana department of administration and approved by the budget agency.

(c) This section expires December 31, 2026.

SECTION 239. IC 15-16-2-34.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 34.5. (a) The commercial fertilizer fund is established to carry out the functions of this chapter. The fund shall be administered by the state chemist.**

(b) The fund consists of:

(1) money appropriated to the fund by the general assembly;

(2) inspection fees collected under this chapter; and

(3) money received from any other source, including transfers from other:

(A) funds; or

(B) accounts.

(c) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public funds may be invested.

(d) Money in the fund at the end of a state fiscal year does not revert to the state general fund.

SECTION 240. IC 15-16-2-35, AS AMENDED BY P.L.29-2024, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 35. (a) The state chemist shall ~~pay to the treasurer of Purdue University~~ **deposit** all inspection fees collected under this chapter **in the commercial fertilizer fund established by section 34.5 of this chapter.**

(b) Inspection fees collected under this chapter must be used to pay all necessary expenses incurred in carrying out this chapter, including the following:

(1) Employing inspectors and chemists.

(2) Procuring samples.

(3) Printing bulletins.

(4) Giving the results of inspections as provided for by this chapter.

(5) Any other expenses incurred by ~~Purdue University agricultural programs:~~ **the office of the state chemist:**

(A) authorized by law; and

(B) in support of the purposes of this chapter.

(c) The ~~dean of agriculture of Purdue University~~ **state chemist** shall make an annual classified report to the:

(1) governor;

(2) legislative council; and

(3) budget committee;

showing the total receipts and expenditures of all fees received under this chapter. The budget committee shall review this report annually.

SECTION 241. IC 15-16-2-35.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 35.5. (a) The horticulture products and control excess fund is established to carry out the functions of those chapters referred to in subsection (b)(2). The fund shall be administered by the state chemist.**

(b) The fund consists of:

(1) money appropriated to the fund by the general assembly;

(2) excess funds accumulated from the fees collected by:

(A) the state chemist, under this chapter, IC 15-15-2,

IC 15-16-4, IC 15-16-5, and IC 15-19-7; and

(B) the state seed commissioner under IC 15-15-1 and IC 15-15-13; and

(3) money received from any other source, including transfers from other:

(A) funds; or

(B) accounts.

(c) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public funds may be invested.

(d) Money in the fund at the end of a state fiscal year does not revert to the state general fund.

SECTION 242. IC 15-16-2-36, AS AMENDED BY P.L.29-2024, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 36. (a) Notwithstanding any other law, all excess funds accumulated from the fees collected by:

(1) the state chemist, under this chapter, IC 15-15-2, IC 15-16-4, IC 15-16-5, and IC 15-19-7; and

(2) the state seed commissioner under IC 15-15-1 and IC 15-15-13;

shall be ~~paid to the treasurer of Purdue University.~~ **deposited in the horticulture products and control excess fund established by section 35.5 of this chapter.** The funds shall be administered by the ~~board of trustees of Purdue University.~~ **state chemist.**

(b) On approval of the governor and the budget agency, and upon review of the budget committee, the ~~board of trustees~~ **state chemist** may spend the excess funds for the construction, operation, rehabilitation, and repair of buildings, structures, or other facilities used for:

(1) carrying out the purposes of those chapters referred to in subsection (a) under which the fees are collected; or

(2) the agricultural programs authorized by law and in support of the purposes of the chapters referred to in subsection (a).

SECTION 243. IC 15-16-2-44.5, AS AMENDED BY P.L.29-2024, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 44.5. (a) The state chemist shall ~~pay to the treasurer of Purdue University all certification and educational program~~ **deposit** fees collected under section 44 of this chapter **into the commercial fertilizer fund established by section 34.5 of this chapter.**

(b) Certification and educational program fees collected under section 44 of this chapter must be used to pay all necessary expenses incurred in carrying out and administering the certification and educational programs.

(c) The ~~dean of agriculture of Purdue University~~ **state chemist** shall make an annual classified report to the:

(1) governor;

(2) legislative council; and

(3) budget committee;

showing the total receipts and expenditures of all fees received under this section. The budget committee shall review this report annually.

SECTION 244. IC 15-16-2-49.5, AS AMENDED BY P.L.81-2009, SECTION 31, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 49.5. (a) If a person violates this chapter or a rule adopted under this chapter, the state chemist may:

(1) warn, issue a citation to, or impose a civil penalty on the person; or

(2) deny, suspend, revoke, or amend the person's registration under this chapter.

(b) The state chemist shall adopt by rule, under IC 4-22-2, a schedule of civil penalties that may be imposed under subsection (a). ~~The state chemist may impose a civil penalty only according to a schedule of civil penalties recommended by the board.~~

(c) A person who knowingly or intentionally violates this chapter commits a Class A misdemeanor.

SECTION 245. IC 15-16-4-6 IS REPEALED [EFFECTIVE JULY 1, 2026]. ~~Sec. 6. As used in this chapter, "board" means the Indiana pesticide review board established by section 42 of this chapter.~~

SECTION 246. IC 15-16-4-6.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 6.5. As used in this chapter, "commission" refers to the commission on invasive species and pests established by IC 15-11-16-4.**

SECTION 247. IC 15-16-4-10, AS AMENDED BY P.L.91-2020, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 10. As used in this chapter, "device" means any instrument or contrivance intended for trapping, destroying, repelling, or mitigating any pest. The term does not include:

(1) equipment used for the application of pesticides when sold separately from the pesticides;

(2) firearms; or

(3) simple mechanical devices, including barriers, traps, or adhesives, or other simple contrivances that are not subject to this chapter as determined by the ~~pesticide review board.~~ **commission.**

SECTION 248. IC 15-16-4-17, AS ADDED BY P.L.2-2008, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 17. As used in this chapter, "highly volatile herbicide" means a herbicide that the ~~board~~ **commission** has determined to be capable of emitting vapors that may cause serious injury to desired plants by reason of movement of the vapors from the area of application of the herbicide to areas inhabited by the desired plants.

SECTION 249. IC 15-16-4-37, AS AMENDED BY P.L.249-2023, SECTION 73, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 37. As used in this chapter, "restricted use pesticide" means the following:

(1) Any pesticide classified as a restricted use pesticide by the administrator of the United States Environmental Protection Agency.

(2) A pesticide designated as a restricted use pesticide in a law enacted by the general assembly.

(3) Subject to section 50 of this chapter, a pesticide that the ~~board~~ **commission** has determined to be unduly hazardous to persons, animals, plants, wildlife, waters, or lands other than the pests it is intended to prevent, destroy, control, or mitigate.

(4) All formulations containing methomyl (Chemical Abstracts Service Reg. No. 16752-77-5).

(5) Any dicamba containing pesticide product that:

(A) contains a dicamba active ingredient concentration greater than or equal to six and one-half percent (6.5%); and

(B) is intended for agricultural production uses but is not labeled solely for use on turf or other nonagricultural use sites.

SECTION 250. IC 15-16-4-38, AS ADDED BY P.L.2-2008, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 38. As used in this chapter, "rodenticide" means any substance or mixture of substances intended for:

(1) preventing;

(2) destroying;

(3) repelling; or

(4) mitigating;

rodents or any other vertebrate animal that the ~~board~~ **commission** declares to be a pest.

SECTION 251. IC 15-16-4-42 IS REPEALED [EFFECTIVE JULY 1, 2026]. ~~Sec. 42. (a) The Indiana pesticide review board is established. The board consists of the following members:~~

~~(1) One (1) representative of the Indiana department of health.~~

~~(2) One (1) representative of the department of natural resources.~~

~~(3) One (1) representative of the department of environmental management.~~

~~(4) One (1) representative of the Purdue University office of agricultural research programs.~~

~~(5) One (1) representative of the Purdue University cooperative extension service.~~

~~(6) Two (2) ecologists:~~

~~(A) one (1) a terrestrial ecologist; and~~

~~(B) one (1) an aquatic ecologist.~~

~~Not more than one (1) ecologist may be a plant ecologist.~~

~~(7) One (1) public representative.~~

~~(8) One (1) representative of the pesticide producing or manufacturing industry.~~

~~(9) Two (2) representatives of producers of agricultural crops or products on which pesticides are applied or that may be affected by the application of pesticides:~~

~~(A) one (1) of whom represents producers of agronomic crops; and~~

~~(B) one (1) of whom represents producers of specialty crops.~~

~~(10) One (1) public representative from a conservation organization.~~

~~(11) Three (3) qualified scientists, one (1) each in the fields of entomology, plant pathology, and weed science. One (1) scientist must be the representative of either the Purdue University office of agricultural research programs or the Purdue University cooperative extension service.~~

~~(12) Three (3) certified and licensed commercial applicators of pesticides who must represent three (3) different certificate or license categories established under IC 15-16-5-45.~~

~~(13) The state chemist, who is an ex officio member and shall serve as a nonvoting member.~~

~~(14) The pesticide administrator for the office of the state chemist, who shall serve as a nonvoting member.~~

~~(15) The pesticide training coordinator, who shall serve as a nonvoting member.~~

~~(b) The voting members shall be appointed by the governor for terms of four (4) years and, subject to subsection (d), continue until the member's successor is approved and qualified. Appointments shall be made so that not more than five (5) terms expire annually.~~

~~(c) Voting members may be appointed for successive terms at the discretion of the governor.~~

~~(d) The governor may remove a voting member of the board prior to the expiration of the member's term for cause.~~

SECTION 252. IC 15-16-4-43 IS REPEALED [EFFECTIVE JULY 1, 2026]. ~~Sec. 43. A vacancy on the board of a voting member created by death, resignation, or removal for cause of a member shall be filled by the governor not later than thirty (30) days after the occurrence. The new member serves for the remainder of the vacated term and must meet the qualifications to be appointed to the board.~~

SECTION 253. IC 15-16-4-44 IS REPEALED [EFFECTIVE JULY 1, 2026]. ~~Sec. 44. The board shall elect a member to serve as chairperson for a term of two (2) years. However, if the chairperson's appointment ends before the expiration of the term, the term is for the duration of the chairperson's appointment.~~

SECTION 254. IC 15-16-4-45 IS REPEALED [EFFECTIVE JULY 1, 2026]. ~~Sec. 45. (a) The board shall meet at least annually.~~

~~(b) The board may meet at other times and at a location specified by the chairperson or a majority of the board.~~

~~(c) The board shall publish the:~~

~~(1) minutes; and~~

~~(2) video;~~

~~of each meeting.~~

SECTION 255. IC 15-16-4-46 IS REPEALED [EFFECTIVE JULY 1, 2026]. ~~Sec. 46. (a) Ten (10) voting members of the board constitute a quorum.~~

~~(b) Official actions are subject to approval by a simple majority of board members present at a called meeting.~~

~~(c) The chairperson shall actively participate in all decisions of the board.~~

SECTION 256. IC 15-16-4-47 IS REPEALED [EFFECTIVE JULY 1, 2026]. ~~Sec. 47. The following individuals appointed to the board shall serve without compensation but are entitled to receive per diem payments at rates and under conditions incident to these positions:~~

~~(1) State officials.~~

~~(2) Staff members of state offices.~~

~~(3) Staff members of the Purdue University office of agricultural research programs.~~

~~(4) Cooperative extension service staff members.~~

~~Other members are entitled to reimbursement for traveling and other expenses as provided in the Purdue University travel policies and procedures, established by the Purdue University department of transportation and approved by the Purdue University vice president of business services.~~

SECTION 257. IC 15-16-4-48, AS AMENDED BY P.L.99-2012, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 48. The ~~board~~ **commission** may:

(1) collect;

(2) analyze; and

(3) interpret;

information on matters relating to the registration and use of pesticides.

SECTION 258. IC 15-16-4-49, AS ADDED BY P.L.2-2008, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 49. (a) The ~~board~~ **commission** may, after notice and public hearing as provided in IC 4-22-2, declare as a pest any form of:

(1) plant;

(2) animal life; or

(3) virus;

that is injurious to plants, humans, domestic animals, articles, or substances.

(b) When a hearing is held by the ~~board,~~ **commission,** the ~~board~~ **commission** may designate one (1) or more persons as the ~~board's~~ **commission's** agent or representative to conduct the hearing.

SECTION 259. IC 15-16-4-50, AS AMENDED BY P.L.29-2024, SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 50. (a) The ~~board~~ **commission** may recommend to the general assembly the addition, deletion, or reclassification of pesticides by submitting in an electronic format under IC 5-14-6 a report of the recommendations to the legislative council. In making a determination to add or reclassify a pesticide as a restricted use pesticide for all of Indiana or designated areas within Indiana, the ~~board~~ **commission** must find that the characteristics of a pesticide require that rules restricting the:

(1) sale;

(2) distribution; or

(3) use;

of the pesticide by any person are necessary to prevent undue hazards to persons, animals, wildlife, lands, or waters, other than the pests that they are intended to prevent, destroy, control, or mitigate. The ~~board~~ **commission** shall publish the ~~board's~~ **commission's** findings in the Indiana Register.

(b) The ~~board~~ **commission** may adopt rules under IC 4-22-2 to do the following:

(1) Provide for the safe:

(A) handling;

(B) transportation;

(C) storage;

(D) display;

(E) distribution;

(F) disposal; and

(G) production;

of pesticide products and pesticide containers.

(2) Restrict or prohibit the use of certain types of containers or packages for specific pesticides. The restrictions may apply to the:

(A) type of construction;

(B) strength; or

(C) size;

to alleviate danger of spillage, breakage, or misuse.

(3) Determine the time and conditions of the:

(A) sale;

(B) distribution; or

(C) use;

of restricted use pesticide products.

(4) Require that any or all restricted use pesticide products be purchased, possessed, or used only under:

(A) permit;

(B) certificate;

(C) license; or

(D) registration;

of the state chemist or under certain conditions or in certain quantities or concentrations.

(5) Require all persons issued:

(A) permits;

(B) certificates;

(C) licenses; or

(D) registrations;

under this subsection to maintain records as to the use of the restricted use pesticide products.

(c) The state chemist shall maintain a list of each class of pesticides adopted by Indiana law or ~~board~~ **commission** rule on the website for the state chemist. Failure to include a pesticide on the list does not exempt a person from compliance with a law or rule for a pesticide designated by law or rule.

SECTION 260. IC 15-16-4-52.5, AS ADDED BY P.L.249-2023, SECTION 76, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 52.5. (a) Neither the ~~board~~ **commission** nor the state chemist may by rule or otherwise impose a requirement or limitation on the storage, distribution, use, application, or record keeping of a general use pesticide by:

(1) a certified applicator;

(2) a commercial applicator;

(3) a licensed applicator for hire;

(4) a licensed applicator not for hire;

(5) a licensed pesticide business;

(6) a licensed public applicator; or

(7) a private applicator;

that is more stringent than the requirements and limitations applicable under federal law, federal regulations, or Indiana statutory law to the general use pesticide or a pesticide product containing a general use pesticide and no restricted use pesticide.

(b) A rule or other requirement or limitation of the ~~board~~ **commission** in effect on June 30, 2023, that does not comply with this section is voided on July 1, 2023, to the extent it conflicts with this section.

SECTION 261. IC 15-16-4-59, AS AMENDED BY P.L.99-2012, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 59. A person may not:

(1) detach, alter, deface, or destroy, in whole or in part, any label or labeling provided for in this chapter or rules adopted under this chapter;

(2) add any substance to, or take any substance from, a pesticide in a manner that may defeat the purpose of this chapter;

(3) use for the person's own advantage or reveal, other than to:

(A) the state chemist;

(B) proper officials;

(C) employees of the state;

(D) the courts of this state in response to a subpoena;

(E) physicians; or

(F) pharmacists and other qualified persons for use in emergencies in the preparation of antidotes;

any information relative to formulas of products acquired by authority of section 61 or 64 of this chapter;

(4) use or cause to be used any pesticide contrary to section 50 of this chapter;

(5) use a highly volatile herbicide except on written permission by the state chemist; or

(6) neglect, or after notice, refuse to comply with this chapter, the rules adopted under this chapter, or a lawful order of the state chemist or ~~board.~~ **commission.**

SECTION 262. IC 15-16-4-60, AS ADDED BY P.L.2-2008, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 60. Section 59(4) of this chapter does not apply to pesticides used in research by:

(1) the United States Department of Agriculture;

(2) the United States Department of Interior;

(3) the Purdue University agricultural research programs; or

(4) other persons who are qualified researchers as approved by the ~~board.~~ **commission.**

SECTION 263. IC 15-16-4-61.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 61.5. (a) The pesticide fund is established to carry out the functions of this chapter. The fund shall be administered by the state chemist.**

(b) The fund consists of:

(1) money appropriated to the fund by the general assembly;

(2) fees collected under this chapter;

(3) money collected for civil penalties imposed under section 69 of this chapter; and

(4) money received from any other source, including transfers from other:

(A) funds; or

(B) accounts.

(c) The treasurer of state shall invest the money in the fund not

currently needed to meet the obligations of the fund in the same manner as other public funds may be invested.

(d) Money in the fund at the end of a state fiscal year does not revert to the state general fund.

SECTION 264. IC 15-16-4-61.6 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 61.6. (a) The pesticide education account is established within the pesticide fund to provide education about the safe and effective use of pesticides. The account shall be administered by the state chemist.**

(b) The account consists of money transferred under section 62(d)(6) of this chapter.

(c) The expenses of administering the account shall be paid from money in the account.

(d) The treasurer of state shall invest the money in the account not currently needed to meet the obligations of the account in the same manner as other public money may be invested.

(e) Money in the account at the end of a state fiscal year does not revert to the state general fund.

SECTION 265. IC 15-16-4-62, AS AMENDED BY P.L.29-2024, SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 62. (a) Each registrant shall pay an annual, nonrefundable application fee of one hundred seventy dollars ($170) for each application for each pesticide product submitted for registration or reregistration.

(b) Each registration expires January 1 of each year.

(c) All fees collected by the state chemist under this chapter shall be ~~paid to the treasurer of Purdue University, who shall deposit the fees in a special restricted account designated by the treasurer of the board of trustees of Purdue University.~~ **deposited in the pesticide fund established by section 61.5 of this chapter.**

(d) From the ~~account~~ **fund** described in subsection (c), the ~~treasurer~~ **state chemist** shall pay all expenses incurred in administering this chapter, including expenses for the following:

(1) The employment of:

(A) inspectors;

(B) investigators;

(C) researchers;

(D) analysts;

(E) administrators; and

(F) clerical and service staff.

(2) Expenses in procuring samples and printing results of inspections.

(3) Purchasing:

(A) supplies;

(B) equipment; and

(C) services.

(4) Necessary remodeling.

(5) Other expenses of the office of the state chemist.

(6) The transfer of ten dollars ($10) from each fee paid under subsection (a) on an annual basis to the ~~office of Purdue pesticide programs~~ **pesticide education account established by section 61.6 of this chapter** to provide education about the safe and effective use of pesticides.

The ~~treasurer~~ **state chemist** is not required to use any other funds, except those collected as registration fees, to pay any expenses incurred in the administration of this chapter. The ~~dean of agriculture~~ **state chemist** shall make an annual financial report to the governor, legislative council, and budget committee showing total receipts and expenditures of all fees received under this chapter. The budget committee shall review this report annually.

(e) A registrant who registers or pays an annual fee after December 31 of any year shall pay a late fee of one hundred seventy dollars ($170) as well as the annual fee.

(f) Excess funds from the collection of fees under this chapter are subject to IC 15-16-2-36.

SECTION 266. IC 15-16-4-64.5, AS ADDED BY P.L.120-2008, SECTION 70, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 64.5. (a) A person who is:

(1) regulated under this chapter; and

(2) aggrieved by any decision of the state chemist;

may obtain a review by the ~~board~~ **commission** if the person files a written petition with the ~~board~~ **commission** not later than thirty (30) days after the state chemist's decision.

(b) The ~~board~~ **commission** shall provide a copy of a petition filed under subsection (a) to the state chemist not later than seven (7) days after receiving the petition.

(c) Not more than fifteen (15) days after receiving a petition under subsection (b), the state chemist shall certify and file with the ~~board~~ **commission** a transcript of any record related to the petition, including

a transcript of any evidence received.

(d) Whenever a hearing is held under this section, the ~~board~~ **commission** may designate one (1) or more persons as the ~~board's~~ **commission's** agent or representative to conduct the hearing. The agent or representative shall conduct the hearing in the manner provided by IC 4-21.5-3.

(e) After hearing the appeal, the ~~board~~ **commission** shall affirm, set aside, or modify the action of the state chemist. However, the state chemist's finding of facts that are supported by the substantial evidence is considered conclusive.

(f) A person aggrieved by any action of the ~~board~~ **commission** may obtain judicial review under IC 4-21.5-5.

SECTION 267. IC 15-16-4-69, AS AMENDED BY P.L.29-2024, SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 69. (a) Subject to this section, if a person violates this chapter or a rule adopted under this chapter, the state chemist under IC 4-21.5-3-6 may warn, cite, or impose a civil penalty on the person or:

(1) deny;

(2) suspend;

(3) revoke; or

(4) amend;

the person's registration under this chapter.

(b) The state chemist may impose civil penalties under this section only in accordance with subsections (c) through (e). However, this section does not require the state chemist to impose a civil penalty on a person for any violation of this chapter or a rule adopted under this chapter.

(c) Except for a violation described in subsection (d) or (e), the state chemist may impose a civil penalty not exceeding two hundred fifty dollars ($250) for a violation of this chapter or any rule adopted under this chapter. A civil penalty imposed under this subsection may be adjusted for mitigating actions described in subsection (f). A civil penalty under this subsection may not be imposed unless a warning for a violation has previously been issued to the person for the same violation within the previous five (5) years.

(d) Subject to adjustment under subsection (f) for mitigating actions, the state chemist may impose a civil penalty not exceeding five hundred dollars ($500) if the state chemist finds that a person has done any of the following:

(1) Unknowingly committed an act described in section 57(1) of this chapter.

(2) Committed an act described in section 57(2) through 57(5) of this chapter.

(3) Unknowingly committed an act described in section 66(1) of this chapter.

(4) Committed an act described in section 66(2) or 66(3) of this chapter.

(5) Stored or dispensed a general use pesticide in a manner inconsistent with 40 CFR 165.

(e) The state chemist may impose a civil penalty of one thousand dollars ($1,000) if the state chemist finds that a person has done any of the following:

(1) Knowingly committed an act described in section 57(1) of this chapter.

(2) Committed an act described in section 57(8) of this chapter.

(3) Knowingly committed an act described in section 66(1) of this chapter.

(4) Committed an act described in section 67, 68, 73(c), or 77 of this chapter.

(5) Stored or dispensed a restricted use pesticide in a manner inconsistent with 40 CFR 165.

(6) After notice, refused to comply with this chapter, the rules adopted under this chapter, or a lawful order of the state chemist or ~~board.~~ **commission.**

(f) The state chemist may not adjust the amount of the civil penalty for a violation listed in subsection (e). The state chemist may reduce the amount of the civil penalty for a violation listed in subsection (c) or (d) if the state chemist finds that the person responsible for the violation has taken any of the following mitigating actions:

(1) Cooperated with the state chemist during the investigation or inspection process.

(2) Took corrective action to prevent future similar violations.

(3) Compensated a victim for any adverse effects that resulted from the violation.

The state chemist may reduce the amount of the civil penalty by twenty percent (20%) for each mitigating action taken by the person responsible for the violation.

(g) A proceeding under IC 4-21.5-3 that involves the imposition of a civil penalty may be consolidated with any other proceeding

commenced under IC 4-21.5 to enforce this chapter or the rules adopted under this chapter.

(h) The state chemist shall limit the imposition of a civil penalty in a proceeding involving multiple counts of repeated incidents of the same violation to five (5) counts.

(i) Any findings related to a violation of this chapter must be disclosed to the alleged violator before a:

(1) final determination is made; and

(2) penalty is assessed.

(j) Unless the state chemist has evidence of wrongdoing by the licensed pesticide business, any warnings, citations, or civil penalties regarding a pesticide use in violation of this chapter must be directed at:

(1) the employee who committed the violation; or

(2) the person who was responsible for the supervision of the employee who committed the violation.

(k) Money collected for civil penalties imposed under this section shall be ~~credited to the office of Purdue pesticide programs. The money may be used only to provide education about pesticides.~~ **deposited in the pesticide fund established by section 61.5 of this chapter.**

SECTION 268. IC 15-16-5-4 IS REPEALED [EFFECTIVE JULY 1, 2026]. ~~Sec. 4. As used in this chapter, "board" means the Indiana pesticide review board established by IC 15-16-4-42.~~

SECTION 269. IC 15-16-5-7.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 7.5. As used in this chapter, "commission" refers to the commission on invasive species and pests established by IC 15-11-16-4.**

SECTION 270. IC 15-16-5-24, AS ADDED BY P.L.2-2008, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 24. As used in this chapter, "pest" means:

(1) any insect, rodent, nematode, fungus, or weed; or

(2) any other form of terrestrial or aquatic plant or animal life or virus, bacteria, or other microorganism (except viruses, bacteria, or other microorganisms on or in living humans or other living animals) that is declared to be a pest by the administrator of the United States Environmental Protection Agency or by the ~~board.~~ **commission.**

SECTION 271. IC 15-16-5-44, AS AMENDED BY P.L.29-2024, SECTION 38, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

JULY 1, 2026]: Sec. 44. (a) The ~~board~~ **commission** may adopt rules under IC 4-22-2 prescribing policies and procedures relating to restricted use pesticides:

(1) use;

(2) application;

(3) storage;

(4) distribution; and

(5) record keeping.

(b) The state chemist may adopt additional rules under IC 4-22-2 as required to accomplish the purpose of this chapter.

(c) Rules adopted under this chapter may not permit any pesticide use that is prohibited by federal law and regulations or orders issued under federal law.

(d) The following requirements and standards established in federal rules shall be adopted as state requirements and standards:

(1) 40 CFR 165, federal pesticide containers, repackaging, and containment structures.

(2) 40 CFR 170, federal pesticide agricultural worker protection standard.

(3) 40 CFR 171.201, federal direct supervision of noncertified applicators by certified applicators.

SECTION 272. IC 15-16-5-59.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 59.5. (a) The pesticide use and application fund is established to carry out the functions of this chapter. The fund shall be administered by the state chemist.**

(b) The fund consists of:

(1) money appropriated to the fund by the general assembly;

(2) fees collected under this chapter;

(3) money collected for civil penalties imposed under section 66 of this chapter; and

(4) money received from any other source, including transfers from other:

(A) funds; or

(B) accounts.

(c) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public funds may be invested.

(d) Money in the fund at the end of a state fiscal year does not revert to the state general fund.

SECTION 273. IC 15-16-5-61, AS AMENDED BY P.L.29-2024, SECTION 51, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 61. (a) All fees collected by the state chemist under this chapter shall be ~~paid to Purdue University and deposited in a special restricted account designated by the treasurer of the board of trustees of Purdue University.~~ **deposited in the pesticide use and application fund established by section 59.5 of this chapter.**

(b) From the ~~account~~ **fund** described in subsection (a), the ~~treasurer~~ **state chemist** shall pay from the ~~special restricted account~~ **fund** the expenses incurred in administering this chapter, including expenses for the following:

(1) The employment of:

(A) inspectors;

(B) investigators;

(C) researchers;

(D) analysts;

(E) administrators; and

(F) clerical and service staff.

(2) Conducting and reporting inspections and investigations.

(3) Purchasing supplies and services.

(4) Providing necessary facilities and remodeling.

(5) Any other expense of the office of the state chemist.

The ~~treasurer~~ **state chemist** is not required to use any other funds, except those collected under this chapter, to defray any expenses incurred in the administration of this chapter.

(c) The ~~dean of agriculture of Purdue University~~ **state chemist** shall make an annual financial report to the:

(1) governor;

(2) legislative council; and

(3) budget committee;

showing total receipts and expenditures of all fees received under this chapter. The budget committee shall review this report annually.

(d) Fee revenue remaining in the ~~account~~ **fund** described in subsection (a) after payment of the expenses described in subsection (b) is subject to IC 15-16-2-36.

SECTION 274. IC 15-16-5-64, AS AMENDED BY P.L.29-2024, SECTION 53, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 64. (a) A person may not produce, transport, store, handle, or dispose of any pesticide product or pesticide product containers in a manner that may:

(1) cause injury to:

(A) humans;

(B) beneficial vegetation;

(C) crops;

(D) livestock;

(E) wildlife; or

(F) beneficial insects; or

(2) pollute any waterway in a way harmful to any wildlife in a waterway.

(b) The ~~board~~ **commission** may adopt rules governing the production, transportation, storage, handling, and disposal of pesticide products or pesticide containers. In determining these standards, the ~~board~~ **commission** shall take into consideration any regulations issued by the United States Environmental Protection Agency.

(c) Except for pesticides labeled for use in the treatment of drinking water, pesticide storage, mixing, and loading is prohibited within the isolation area of a wellhead protection area zone. Application of pesticides within the isolation area is permitted unless prohibited by the pesticide label.

(d) A pesticide storage container located within the wellhead protection area zone and outside of the isolation area must be stored:

(1) on an impervious surface designed to contain a discharge of the entire contents of the largest storage container plus the volume displaced by all the other items within the contained area; and

(2) in an area protected from precipitation.

(e) A pesticide spill or discharge within the wellhead protection area zone must be cleaned up immediately upon discovery and in a manner that prevents the pesticide from threatening waters of the state, dry wells, storm sewers, sanitary sewers, or septic systems.

(f) A person may not open burn a pesticide container in a manner that allows air contaminants resulting from combustion to be emitted directly into the air without passing through a stack or chimney from an enclosed chamber, as allowed under 326 IAC 4-1.

SECTION 275. IC 15-16-5-65, AS AMENDED BY P.L.29-2024, SECTION 56, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 65. Subject to section 66 of this chapter, the state chemist under IC 4-21.5-3-6 may warn, cite, or impose a civil penalty on a person for a violation under this chapter. The state chemist may also deny, suspend, revoke, or modify any provision of any license, permit, registration, or certification issued under this chapter if the state

chemist finds that the applicant or the holder of a license, permit, registration, or certification has been issued a final civil order imposed under 7 U.S.C. 136l(a), has a criminal conviction under 7 U.S.C. 136l(b), or has committed any of the following acts, each of which is a violation of this chapter:

(1) Made false or fraudulent claims either verbally or through any media misrepresenting the effect of pesticide products or methods to be used.

(2) Recommended, used, or supervised the use of any registered pesticide product in a manner inconsistent with its labeling approved by the United States Environmental Protection Agency or Indiana state registration for that pesticide, or in violation of the United States Environmental Protection Agency or Indiana state restrictions on the use of that pesticide product.

(3) Used known ineffective or improper pesticide products or known ineffective amounts of pesticides.

(4) Operated faulty or unsafe equipment.

(5) Operated in a careless or negligent manner.

(6) Neglected or, after notice, refused to comply with this chapter, the rules adopted under this chapter, or of any lawful order of the state chemist or the ~~board.~~ **commission.**

(7) Refused or neglected to:

(A) keep and maintain the records required by this chapter; or

(B) make reports and supply information when required or requested by the state chemist in the course of an investigation or inspection.

(8) Made false or fraudulent records, invoices, or reports.

(9) Engaged in or professed to be engaged in the business of:

(A) using a pesticide or any other product regulated under this chapter or by rules adopted under this chapter; or

(B) making a diagnostic inspection to determine infestations of a wood destroying pest;

for hire on the property of another without having a business license issued by the state chemist.

(10) Used or supervised the use of a pesticide product that is required to be used under this chapter by a person who is certified, licensed, or permitted without having a person who is certified, licensed, or permitted under this chapter conducting the use.

(11) Used fraud or misrepresentation in the qualification or

application for, or renewal of, a license, permit, registration, or certification.

(12) Refused or neglected to comply with any limitations or restrictions on or in a duly issued license, permit, registration, or certification.

(13) Aided or abetted a person to evade this chapter, conspired with a person to evade this chapter, or allowed a license, permit, registration, or certification to be used by another person.

(14) Made false or misleading statements during or after an inspection concerning any infestation or infection of pests.

(15) Impersonated any federal, state, county, or city inspector, investigator, or official.

(16) Knowingly purchased or used a pesticide product that was not registered under IC 15-16-4.

(17) Failed to continuously maintain financial responsibility required under section 58 of this chapter or to provide proof of financial responsibility to the state chemist when requested.

(18) Intentionally altered a duly issued license, permit, registration, or certification.

(19) Recklessly, knowingly, or intentionally impeded or prevented the state chemist or the state chemist's agent from performing a duty of the state chemist.

(20) Applied a pesticide in a manner that allowed it to drift from the target site in a sufficient quantity to cause an adverse effect to a nontarget site.

(21) Distributed a restricted use pesticide without having a pesticide dealer registration issued by the state chemist.

(22) Distributed a restricted use pesticide to a noncertified end user of the pesticide.

(23) Stored or disposed of a pesticide in a manner inconsistent with the requirements established by the United States Environmental Protection Agency or this chapter.

(24) Failed to perform the notification requirements for a pesticide application in a school.

SECTION 276. IC 15-16-5-66, AS AMENDED BY P.L.29-2024, SECTION 57, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 66. (a) The state chemist may impose civil penalties under this section only in accordance with subsections (b) through (d). However, this section does not require the state chemist to impose a civil penalty on a person for any violation of this chapter or

a rule adopted under this chapter.

(b) Except for a violation described in subsection (c) or (d), the state chemist may impose a civil penalty not exceeding two hundred fifty dollars ($250) for a violation of this chapter or any rule adopted under this chapter. A civil penalty imposed under this subsection shall be adjusted for mitigating actions described in subsection (e). A civil penalty under this subsection may not be imposed unless a warning for a violation has previously been issued to the person for the same violation within the previous five (5) years.

(c) Subject to adjustment under subsection (e) for mitigating actions, the state chemist may impose a civil penalty not exceeding five hundred dollars ($500) if the state chemist finds that a person has done any of the following:

(1) After written notice, neglected to:

(A) keep and maintain records; or

(B) make reports and supply information when required or requested by the state chemist in the course of an investigation or inspection;

as described in section 65(7) of this chapter.

(2) Committed an act described in section 65(8) of this chapter.

(3) Unknowingly committed an act described in section 65(9) or 65(10) of this chapter.

(4) After written notice, neglected to comply with any limitations or restrictions on or in a duly issued license, permit, registration, or certification as described in section 65(12) of this chapter.

(5) Committed an act described in section 65(14) or 65(16) of this chapter.

(6) Recommended, used, or supervised the use of a general use pesticide product in a manner inconsistent with its labeling and resulting in an adverse effect.

(7) Recommended, used, or supervised the use of a restricted use pesticide product in a manner inconsistent with its labeling and resulting in no adverse effect.

(8) Applied a general use pesticide in a manner that allows it to drift from the target site in a sufficient quantity to cause an adverse effect to a nontarget site.

(9) Stored or dispensed a general use pesticide in a manner inconsistent with the requirements in 40 CFR 165, Subpart E.

(d) The state chemist may impose a civil penalty of one thousand dollars ($1,000) if the state chemist finds that a person has done any of

the following:

(1) Stored or dispensed a pesticide in a manner inconsistent with the requirements in 40 CFR 165, Subpart E, or as described in section 64(a) of this chapter.

(2) Committed an act described in section 65(5) of this chapter.

(3) After notice, refused to comply with this chapter, the rules adopted under this chapter, or any lawful order of the state chemist or the ~~board~~ **commission** as described in section 65(6) of this chapter.

(4) Refused to:

(A) keep and maintain records; or

(B) make reports and supply information when required or requested by the state chemist in the course of an investigation or inspection;

as described in section 65(7) of this chapter.

(5) Intentionally committed an act described in section 65(8) of this chapter.

(6) Knowingly committed an act described in section 65(9) or 65(10) of this chapter.

(7) Committed an act described in section 65(11) of this chapter.

(8) Refused to comply with any limitations or restrictions on or in a duly issued license, permit, registration, or certification as described in section 65(12) of this chapter;

(9) Committed an act described in section 65(13), 65(15), 65(18), or 65(19) of this chapter.

(10) Recommended, used, or supervised the use of a restricted use pesticide product in a manner inconsistent with its labeling and resulting in an adverse effect.

(11) Applied a restricted use pesticide in a manner that allows it to drift from the target site in a sufficient quantity to cause an adverse effect to a nontarget site.

(12) Distributed a restricted use pesticide without having a pesticide dealer registration issued by the state chemist, as described in section 65(21) of this chapter.

(13) Distributed a restricted use pesticide to a noncertified end user of the pesticide, as described in section 65(22) of this chapter.

(e) The state chemist may not adjust the amount of the civil penalty for a violation listed in subsection (d). The state chemist may reduce the amount of the civil penalty for a violation listed in subsection (b)

or (c) if the state chemist finds that the person responsible for the violation has taken any of the following mitigating actions:

(1) Cooperated with the state chemist during the investigation or inspection process.

(2) Took corrective action to prevent future similar violations.

(3) Compensated a victim for any adverse effects that resulted from the violation.

The state chemist may reduce the amount of the civil penalty by twenty percent (20%) for each mitigating action taken by the person responsible for the violation.

(f) A proceeding under IC 4-21.5-3 that involves a civil penalty may be consolidated with any other proceeding commenced under IC 4-21.5 to enforce this chapter or the rules adopted under this chapter.

(g) The state chemist shall limit the imposition of a civil penalty in a proceeding involving multiple counts of repeated incidents of the same violation to five (5) counts.

(h) Any findings related to a violation of this chapter or rules adopted under this chapter must be disclosed to the alleged violator before a:

(1) final determination is made; and

(2) penalty is assessed.

(i) Unless the state chemist has evidence of wrongdoing by the licensed pesticide business, any warnings, citations, or civil penalties regarding a pesticide use in violation of this chapter must be directed at:

(1) the employee who committed the violation; or

(2) the person who was responsible for the supervision of the employee who committed the violation.

(j) Money collected for civil penalties imposed under section 65 of this chapter shall be ~~credited to the office of Purdue pesticide programs. The money may be used only to provide education about pesticides.~~ **deposited in the pesticide use and application fund established by section 59.5 of this chapter.**

SECTION 277. IC 15-16-5-67, AS AMENDED BY P.L.109-2015, SECTION 38, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 67. (a) A person who is:

(1) subject to an action under section 65, 66, or 70 of this chapter; and

(2) aggrieved by any decision by the state chemist;

may obtain a review by the ~~board,~~ **commission,** if the person files a

written petition with the ~~board~~ **commission** not later than thirty (30) days after the state chemist's decision.

(b) The ~~board~~ **commission** shall provide a copy of a petition filed under subsection (a) to the state chemist not later than seven (7) days after receiving the petition.

(c) Not more than fifteen (15) days after receiving a petition under subsection (b), the state chemist shall certify and file with the ~~board~~ **commission** a transcript of any record related to the petition, including a transcript of any evidence received.

(d) Whenever a hearing is held under this section, the ~~board~~ **commission** may designate one (1) or more persons as the board's agent or representative to conduct the hearing. The agent or representative shall conduct the hearing in the manner provided by IC 4-21.5-3.

(e) After hearing the appeal, the ~~board~~ **commission** shall affirm, set aside, or modify the action of the state chemist. However, the state chemist's finding of facts that are supported by the substantial evidence is considered conclusive.

(f) A person aggrieved by any action of the ~~board~~ **commission** may obtain judicial review under IC 4-21.5-5.

SECTION 278. IC 15-16-5-71, AS ADDED BY P.L.2-2008, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 71. (a) A political subdivision (as defined in IC 36-1-2-13) does not have authority to regulate by ordinance the use or application of pesticides.

(b) A political subdivision may, by resolution, petition the ~~board~~ **commission** for a hearing to allow a variance from a rule of the ~~board~~ **commission** because of special circumstances relating to the use or application of a pesticide. If a petition is received, the ~~board~~ **commission** shall hold a public hearing to consider allowing the variance requested. The public hearing shall be conducted in an informal manner. IC 4-21.5 does not apply to the public hearing under this section.

(c) The ~~board~~ **commission** may grant a variance requested under this section with or without changes.

SECTION 279. IC 15-16-10 IS REPEALED [EFFECTIVE JULY 1, 2026]. (Invasive Species Council).

SECTION 280. IC 15-18-2-2, AS ADDED BY P.L.2-2008, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 2. As used in this chapter, "board" refers to

the ~~creamery examining board established by section 9 of this chapter.~~ **Indiana state board of animal health established by IC 15-17-3-1.**

SECTION 281. IC 15-18-2-8, AS ADDED BY P.L.2-2008, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 8. The ~~creamery license division of Purdue University, in cooperation with the~~ board shall enforce this chapter.

SECTION 282. IC 15-18-2-9, AS AMENDED BY P.L.186-2014, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 9. (a) The creamery examining board is established. The board consists of eight (8) members composed of the following:

(1) Three (3) producers of milk and cream.

(2) Three (3) processors of milk and cream.

(3) One (1) member of the animal sciences department who shall be appointed by the dean of agriculture of Purdue University.

(4) One (1) milk hauler.

The board shall elect a chairperson annually.

(b) Two (2) of the producer members shall be elected to the board by the board of directors of the Indiana Dairy Producers, Inc. The third producer member shall be elected to the board by the Indiana State Dairy Association. If an organization is unable to elect a producer to the board, then the other organization shall elect the producer to the board. However, if both organizations are unable to elect a producer to the board, the dean of agriculture of Purdue University shall appoint a producer to fill the open position after consulting with dairy producers in Indiana.

(c) The three (3) processor members shall be elected to the board by the Midwest Dairy Products Association. If the Midwest Dairy Products Association is not able to elect a processor to the board, the dean of agriculture of Purdue University shall appoint a processor to fill the open position after consulting with dairy processors in Indiana.

(d) The Midwest Dairy Products Association shall elect one (1) member each year. The board of directors of the Indiana Dairy Producers, Inc., shall elect a producer member to the board two (2) out of every three (3) years and the Indiana State Dairy Association shall select a producer member during the third year.

(e) The milk hauler member shall be appointed to the board by the dean of agriculture of Purdue University.

(f) This section expires December 31, 2026.

SECTION 283. IC 15-18-2-10 IS REPEALED [EFFECTIVE

JANUARY 1, 2027]. ~~Sec. 10. (a) The term of a board member is three (3) years.~~

~~(b) A vacancy in any membership of the board shall be filled by the same process for the unexpired term.~~

SECTION 284. IC 15-18-2-11 IS REPEALED [EFFECTIVE JANUARY 1, 2027]. ~~Sec. 11. Board members shall be reimbursed by the creamery license division for actual traveling expenses and subsistence while attending a regular or called meeting.~~

SECTION 285. IC 15-18-2-13, AS AMENDED BY P.L.186-2014, SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 13. ~~On recommendation of the board and with the approval of the dean of agriculture of Purdue University, inspectors of the creamery license division~~ **With the approval of the dean of agriculture of Purdue University, the board** may inspect records or collect data on the quality and quantity of milk and cream in plants that:

(1) cooperate with Purdue University in the quality improvement program; or

(2) assist in any other project that will be of mutual benefit to the Indiana dairy industry and the Purdue University animal sciences department.

SECTION 286. IC 15-18-2-14, AS ADDED BY P.L.2-2008, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 14. (a) Milk and cream must be purchased on the basis of weight or volume and:

(1) the butterfat content;

(2) the protein content; or

(3) a combination of butterfat and protein content;

as determined by any test or tests approved by the board, which may also have been designated official by AOAC International.

(b) A payment for milk must be made either on the basis of:

(1) a fresh sample taken and tested according to procedures established under rules adopted by the board; or

(2) a composite test.

A composite sample must cover a period of not more than sixteen (16) days. In each plant, all composite samples must cover the same period for each test and succeeding periods must be as nearly equal as possible. All composite samples must cover the same period. A uniform sample consisting of at least ten (10) cubic centimeters of milk must be taken each day, except when milk is frozen or partly churned,

from the milk furnished by each person. An approved preservative must be added to the sample and each composite sample must be held in an approved, rubber stoppered, airtight bottle that is plainly labeled to show the name or number of the person whose milk the composite sample represents. The milk to be sampled must be poured into a weigh tank approved by the ~~creamery license division~~ **board** meeting the standards prescribed in rules, be run through a fine mesh or perforated metal strainer, and be homogeneous in richness before any sample is taken. The composite samples must be kept in a refrigerated cabinet or cooler in or near the receiving room at a temperature of not more than forty-two (42) degrees Fahrenheit, away from strong light, and must be kept free of mold. The test must be made within seventy-two (72) hours, excluding Sundays and holidays, after the last sample has been added to the composite sample.

(c) If at the close of any composite period the composite samples are inaccurate as determined by the ~~creamery license division,~~ **board,** three (3) daily samples must be taken within the first five (5) days of the following composite period. The average of the three (3) fresh samples determines the basis of payment for the composite period in question.

(d) In each plant where composite samples of milk are taken, the owner or manager shall delegate an individual who is responsible for the care, condition, and accuracy of all composite samples.

(e) After the composite samples are emptied, the sample bottles must be thoroughly washed, and all bottles and rubber stoppers shall be sterilized before being used again.

(f) Composite samples may be removed from the plant for testing elsewhere only on written permission from the ~~creamery license division.~~ **board.**

SECTION 287. IC 15-18-2-18, AS ADDED BY P.L.2-2008, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 18. (a) A dairy processing plant, a receiving station, a milk shipping station, a milk factory, a milk distributor, a cheese factory, a condensery, an ice cream factory, other processing plant, person, or person's agent that handles, receives, buys, or pays for milk or cream from a producer, a bargaining agent, or another plant shall obtain a license from the ~~creamery license division.~~ **board.**

(b) A license must be issued to the dairy, dairy processing plant, receiving station, milk factory, milk distributor, cheese factory, condensery, ice cream factory, other processing plant, person, or person's agent by the ~~creamery license division~~ **board** upon:

(1) compliance with sections 14 through 17 of this chapter; and

(2) payment of a license fee as provided in sections 22 and 23 of this chapter.

A license shall be revoked by ~~Purdue University upon recommendation of~~ the board if the licensee fails to comply with the rules under which the license was granted.

SECTION 288. IC 15-18-2-19, AS AMENDED BY P.L.186-2014, SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 19. (a) A person who does testing in connection with the receiving, buying, or paying for milk or cream on the basis of the total composition or the protein and fat components contained in the milk or cream, either for the person or as an officer, a servant, an agent, or an employee of any person, must hold a tester's license.

(b) A dairy processing plant, receiving station, or other factory, or person, or person's agent, that receives, buys, or pays for milk or cream on the basis of the total composition or the protein and fat components contained in the milk or cream shall employ a licensed tester to supervise and is responsible for the operation of the testing of milk or cream.

(c) A milk tester's license or cream tester's license shall be issued to a person by the ~~creamery license division~~ **board** if the person:

(1) passes a satisfactory examination as provided for in the rules adopted by the board and demonstrates that the person is competent and qualified to test milk or cream; and

(2) pays a license fee as provided in section 24 of this chapter.

A license shall be revoked by the ~~creamery license division upon recommendation of the~~ board if the licensee fails to comply with the rules under which the license was granted.

(d) The board may refuse to issue or reissue a license under this section to a person who:

(1) has:

(A) previously held a license under this section; and

(B) had the license revoked or suspended by the board; or

(2) has held a milk testing related license or permit that has been suspended or revoked in another state.

SECTION 289. IC 15-18-2-20, AS AMENDED BY P.L.186-2014, SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 20. (a) A person who does sampling in connection with receiving, buying, or paying for milk or cream on the

basis of the total composition of milk or the protein and fat components contained in the milk or cream, either for the person, or as officer, servant, agent, or employee of any person, must hold a sampler's license.

(b) A dairy processing plant, receiving station, other factory, person, or person's agent, that receives, buys, or pays for milk or cream on the basis of the amount of butterfat contained in the milk or cream shall employ a licensed sampler to supervise and is responsible for the sampling and weighing of milk or cream to obtain a representative sample and make and record correct weights of the whole amount of milk or cream delivered.

(c) A milk sampler's license or cream sampler's license shall be issued to a person by the ~~creamery license division~~ **board** if the person:

(1) passes a satisfactory examination as provided for in the rules adopted by the board and demonstrates that the person is competent and qualified to sample milk or cream; and

(2) pays a license fee as provided in section 25 of this chapter.

A license shall be revoked by the ~~creamery license division upon recommendation of the~~ board if the licensee fails to comply with the rules under which the license was granted.

(d) A license to test milk or cream includes the authority to sample and weigh milk or cream.

(e) The board may refuse to issue or reissue a license under this section to a person who:

(1) has:

(A) previously held a license under this section; and

(B) had the license revoked or suspended by the board; or

(2) has held a milk sampling related license or permit that has been suspended or revoked in another state.

SECTION 290. IC 15-18-2-22, AS ADDED BY P.L.2-2008, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 22. The ~~creamery license division~~ **board** shall issue a plant license to every dairy processing plant, receiving station, milk factory, cheese factory, condensery, ice cream factory, or other person that complies with section 18 of this chapter and pays to the ~~creamery license division~~ **board** seventy-five dollars ($75) plus a fee of:

(1) twelve dollars ($12) per million on milk receipts of at least ten million (10,000,000) but not more than fifty million (50,000,000) pounds;

(2) nine dollars ($9) per million on milk receipts of at least fifty million (50,000,000) but not more than one hundred million (100,000,000) pounds; and

(3) five dollars ($5) per million on milk receipts of at least one hundred million (100,000,000) pounds;

during the preceding year ending December 31. The maximum fee may not exceed one thousand dollars ($1,000) regardless of volume received. Out-of-state milk receipts are exempt from the payment of fees.

SECTION 291. IC 15-18-2-23, AS ADDED BY P.L.2-2008, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 23. A license shall be issued to a receiving station or other milk or cream processing plant upon payment to the ~~creamery license division~~ **board** a fee of twenty-five dollars ($25).

SECTION 292. IC 15-18-2-24, AS ADDED BY P.L.2-2008, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 24. A license shall be issued to an applicant for a milk tester's license or cream tester's license if the applicant:

(1) complies with section 19 of this chapter; and

(2) pays to the ~~creamery license division~~ **board** a fee of fifteen dollars ($15).

SECTION 293. IC 15-18-2-25, AS ADDED BY P.L.2-2008, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 25. A license shall be issued to an applicant for a sampler's license if the applicant:

(1) complies with section 20 of this chapter; and

(2) pays to the ~~creamery license division~~ **board** a fee of ten dollars ($10).

SECTION 294. IC 15-18-2-28, AS ADDED BY P.L.2-2008, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 28. (a) To secure sufficient funds to implement this chapter and to ensure accuracy to milk and cream producers in the weighing, sampling, and testing of milk and cream:

(1) a dairy processing plant;

(2) a receiving station;

(3) a milk factory;

(4) a milk distributor;

(5) a cheese factory;

(6) a condensery;

(7) an ice cream factory;

(8) any other processing plant; or

(9) a person purchasing fluid milk or cream in Indiana directly from producers or a producers' association or otherwise receiving milk directly from producers;

shall, during the month of May of each year, pay to the ~~treasurer of Purdue University~~ **board** for the fluid milk or cream delivered during the month of May a sum equal in amount to two and one-half cents ($.025) per one hundred (100) pounds for all fluid milk purchased during that time. For the financing of the producers' share of this program, the processor shall charge the two and one-half cents ($.025) per one hundred (100) pounds back to the producer association or cooperative. For those patrons who do not belong to producer associations or cooperatives, the processor shall make this charge directly to the individual producer. Butterfat purchased from producers other than in the form of fluid milk shall be converted for the purpose of the deduction into four percent (4%) milk equivalent. Out-of-state receipts are exempt from the payment of these fees.

(b) All persons required to make payments under this section shall make reports of all purchases of milk and cream at the times and in the form as required by the ~~creamery license division.~~ **board.**

(c) It is a violation of this chapter for a person to fail to make:

(1) the payments required under this section; or

(2) an accurate accounting of the amount of fluid milk and cream purchased.

SECTION 295. IC 15-18-2-29, AS ADDED BY P.L.2-2008, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 29. Payments under section 28 of this chapter shall be made to the ~~treasurer of Purdue University~~ **board** not later than June 20 of each year. The money received is for the exclusive use of the ~~creamery license division.~~ **board.** The money shall be expended for the following:

(1) Salaries and traveling expenses of inspectors.

(2) Necessary equipment and supplies for the inspection of all plants and stations.

(3) The examination of applicants for licenses.

(4) Disseminating information and instruction by means of publication.

(5) All other expenses necessary in administering this chapter.

SECTION 296. IC 15-18-2-31, AS AMENDED BY P.L.9-2024, SECTION 367, IS AMENDED TO READ AS FOLLOWS

[EFFECTIVE JANUARY 1, 2027]: Sec. 31. ~~(a)~~ The money for license fees and for inspection fees as provided in this chapter shall be paid to the ~~treasurer of Purdue University. The Purdue University board of trustees shall expend the collected fees, on proper vouchers to be filed with the state comptroller, in meeting all necessary expenses in carrying out this chapter, including the employment of inspectors, traveling expenses of inspectors, expenses of issuing publications, and glassware equipment, testing device, and factory inspection as provided in this chapter.~~

~~(b) The treasurer's annual report to the governor must include a classified report showing the total receipts and expenditures of all fees received under this chapter.~~ **board for deposit in the creamery inspection fund established by section 31.5 of this chapter.**

SECTION 297. IC 15-18-2-31.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: **Sec. 31.5. (a) The creamery inspection fund is established.**

(b) The creamery inspection fund consists of license fees and inspection fees paid under this chapter.

(c) Money in the creamery inspection fund may be used to carry out the purposes of this chapter.

SECTION 298. IC 15-18-2-32, AS ADDED BY P.L.2-2008, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 32. Plants and stations covered by this chapter as listed in section 18 of this chapter (dairy processing plant and receiving station licenses) shall report before April 1 of each year the amount of milk or cream, or both, purchased during the last calendar year with the amount of butterfat in the milk or cream. Any other data or statistics desired by the ~~creamery license division~~ **board** pertaining to the purchase of milk or cream must be reported to the ~~creamery license division~~ **board** by the person according to and on forms furnished by the ~~creamery license division.~~ **board.** A person providing information under this section shall keep complete and accurate records of the person's business.

SECTION 299. IC 15-18-2-33, AS ADDED BY P.L.2-2008, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 33. (a) For purposes of this chapter, inspectors of the ~~creamery license division~~ **board** may do the following:

(1) Enter at all reasonable hours all places where milk or cream

is being stored, bottled, or processed, or where milk or cream is being bought, sold, or handled, to inspect records pertaining to the purchase and payment of milk or cream.

(2) Inspect and copy the records pertaining to the purchase and payment of milk or cream.

(3) Take testimony to ascertain facts pertaining to the purchase and payment of milk or cream that in the judgment of the ~~creamery license division~~ **board** are necessary to administer this chapter.

(b) The board may determine the truth and accuracy of the books, records, papers, documents, accounts, and reports required to be furnished in accordance with this chapter.

SECTION 300. IC 15-18-2-34, AS ADDED BY P.L.2-2008, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 34. (a) A person or an officer, a servant, an agent, or an employee of a person may not interfere with an authorized inspector of the ~~creamery license division~~ **board** who is:

(1) making an inspection; or

(2) taking a sample;

required under this chapter.

(b) A person that owns or operates or is in charge of a dairy processing plant, a receiving station, a milk factory, a cheese factory, a condensery, an ice cream factory, or other processing plant that is subject to inspection or entry by an inspector of the ~~creamery license division~~ **board** may not refuse to allow or may not obstruct an inspector's entry or inspection.

SECTION 301. IC 15-19-7-32.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 32.5. (a) The commercial feed inspection fund is established to carry out the purposes of this chapter. The fund shall be administered by the state chemist.**

(b) The fund consists of:

(1) money appropriated to the fund by the general assembly;

(2) fees collected by the state chemist under this chapter; and

(3) money received from any other source, including transfers from other:

(A) funds; or

(B) accounts.

(c) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same

manner as other public funds may be invested.

(d) Money in the fund at the end of a state fiscal year does not revert to the state general fund.

SECTION 302. IC 15-19-7-33, AS ADDED BY P.L.2-2008, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 33. (a) Fees collected by the state chemist under this chapter shall be ~~paid to the treasurer of Purdue University. The board of trustees of Purdue University shall expend the money received under this section on proper vouchers in meeting all necessary expenses in carrying out this chapter, including:~~ **deposited in the commercial feed inspection fund established by section 32.5 of this chapter, and used to meet all necessary expenses in carrying out this chapter, including:**

(1) the employment of inspectors and chemists;

(2) other expenses of the work of feed inspection as provided for by this chapter; and

(3) any other expenses ~~of Purdue University agricultural programs~~ authorized by law and in support of the purposes of this chapter.

(b) Excess funds from the collection of fees under this chapter are subject to IC 15-16-2-36.

SECTION 303. IC 16-18-2-37.5, AS AMENDED BY P.L.3-2008, SECTION 103, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 37.5. (a) "Board", for purposes of IC 16-22-8, has the meaning set forth in IC 16-22-8-2.1.

(b) "Board", ~~for purposes of IC 16-41-42.2, has the meaning set forth in IC 16-41-42.2-1.~~ **for purposes of IC 16-42-11, has the meaning set forth in IC 16-42-11-1.1.**

SECTION 304. IC 16-18-2-62, AS AMENDED BY P.L.143-2025, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 62. (a) "Commission", for purposes of IC 16-27.5, refers to the certified health care professions commission established by IC 16-27.5-2-1.

(b) **Before January 1, 2027,** "commission", for purposes of IC 16-31, refers to the Indiana emergency medical services commission.

(c) After December 31, 2026, "commission", for purposes of IC 16-31. refers to the Indiana fire and EMS standards and education commission.

~~(c)~~ **(d)** "Commission", for purposes of IC 16-46-11.1, has the meaning set forth in IC 16-46-11.1-1. **This subsection expires**

December 31, 2026.

SECTION 305. IC 16-18-2-84, AS AMENDED BY P.L.129-2023, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 84. (a) "Council", for purposes of IC 16-46-6, refers to the interagency state council on black and minority health. **This subsection expires December 31, 2026.**

(b) "Council", for purposes of IC 16-46-17, refers to the rare disease advisory council.

SECTION 306. IC 16-18-2-161.5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 161.5. **(a)** "Health care interpreter", for purposes of IC 16-46-11.1, has the meaning set forth in IC 16-46-11.1-2.

(b) This section expires December 31, 2026.

SECTION 307. IC 16-18-2-163.5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 163.5. **(a)** "Health care translator", for purposes of IC 16-46-11.1, has the meaning set forth in IC 16-46-11.1-3.

(b) This section expires December 31, 2026.

SECTION 308. IC 16-19-3-4, AS AMENDED BY P.L.1-2025, SECTION 182, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 4. (a) The executive board may, by an affirmative vote of a majority of its members, adopt reasonable rules under IC 4-22-2 on behalf of the state department to protect or to improve the public health in Indiana.

(b) The rules may concern but are not limited to the following:

(1) Nuisances dangerous to public health.

(2) The pollution of any water supply other than where jurisdiction is in the environmental rules board and department of environmental management.

(3) The disposition of excremental and sewage matter.

(4) The control of fly and mosquito breeding places.

(5) The detection, reporting, prevention, and control of diseases that affect public health.

(6) The care of maternity and infant cases and the conduct of maternity homes.

(7) The production, distribution, and sale of human food.

(8) Except as provided in section 4.4 of this chapter, the conduct of camps.

(9) Standards of cleanliness of eating facilities for the public.

(10) Standards of cleanliness of sanitary facilities offered for

public use.

(11) The handling, disposal, disinterment, and reburial of dead human bodies.

(12) Vital statistics.

(13) Sanitary conditions and facilities in public buildings and grounds, including plumbing, drainage, sewage disposal, water supply, lighting, heating, and ventilation, other than where jurisdiction is vested by law in the ~~fire prevention and building safety commission~~ **department of homeland security** or other state agency.

(14) The design, construction, and operation of swimming and wading pools. However, the rules governing swimming and wading pools do not apply to a pool maintained by an individual for the sole use of the individual's household and house guests.

(c) The executive board shall adopt reasonable rules to regulate the following:

(1) The sanitary operation of tattoo parlors.

(2) The sanitary operation of body piercing facilities.

(d) The executive board may adopt rules on behalf of the state department for the efficient enforcement of this title, except as otherwise provided. However, fees for inspections relating to weights and measures may not be established by the rules.

(e) The executive board may declare that a rule described in subsection (d) is necessary to meet an emergency and adopt the rule under IC 4-22-2.

(f) The rules of the state department may not be inconsistent with this title and or any other state law.

SECTION 309. IC 16-19-3-27.5, AS AMENDED BY P.L.151-2025, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 27.5. (a) As used in this section and section 27.8 of this chapter, "technology new to Indiana" (referred to in this section as "TNI") means sewage treatment or disposal methods, processes, or equipment that are not described in the administrative rules of the state department or the executive board concerning residential onsite sewage systems (410 IAC 6-8.3) or commercial onsite sewage systems (410 IAC 6-10.1).

(b) The state department shall establish and maintain a technical review panel consisting of individuals with technical or scientific knowledge relating to onsite sewage systems. The technical review panel:

(1) shall decide under subsection (f) whether to approve:

(A) proprietary residential wastewater treatment devices; and

(B) proprietary commercial wastewater treatment devices;

for general use in Indiana;

(2) shall biannually review the performance of residential onsite sewage systems and commercial onsite sewage systems;

(3) shall assist the state department in developing standards and guidelines for proprietary residential wastewater treatment devices and proprietary commercial wastewater treatment devices;

(4) shall assist the executive board and the state department in updating rules adopted under section 4 of this chapter concerning residential onsite sewage systems and commercial onsite sewage systems; and

(5) may exercise the powers granted by section 27.7 of this chapter.

(c) The technical review panel shall include the following:

(1) A member of the staff of the state department, who shall serve as the chair.

(2) A local health department environmental health specialist appointed by the governor.

(3) An Indiana professional engineer registered under ~~IC 25-31-1~~ **IC 25-4-3** representing the American Council of Engineering Companies.

(4) A representative of the Indiana Builders Association.

(5) An Indiana registered professional soil scientist (as defined in IC 25-31.5-1-6) representing the Indiana Registry of Soil Scientists.

(6) A representative of an Indiana college or university with a specialty in engineering, soil science, environmental health, or biology appointed by the governor.

(7) A representative of the Indiana Onsite Wastewater Professionals Association.

(8) An Indiana onsite sewage system contractor appointed by the governor.

(9) A representative of the Indiana State Building and Construction Trades Council.

All members of the technical review panel are voting members, except the member described in subdivision (1).

(d) In the case of a tie vote of the technical review panel, the

following shall occur:

(1) If the tie vote is in regard to a county, city, or town ordinance concerning residential onsite sewage systems:

(A) the technical review panel shall send the ordinance back to the county, city, or town not more than seven (7) days after the day of the tie vote;

(B) the county, city, or town may revise and resubmit the ordinance; and

(C) if the ordinance is revised and resubmitted, the technical review panel shall consider the revised ordinance at its next meeting.

(2) If the tie vote is in regard to a matter not described in subdivision (1), the technical review panel shall, not more than seven (7) days after the day of the tie vote:

(A) contact the applicant by phone call and by mail; and

(B) request more information or provide an explanation of how the applicant can modify the application to make it more complete.

The technical review panel shall review any new information provided by the applicant and vote again on the application not more than thirty (30) days after receiving the information.

(e) The technical review panel shall do the following:

(1) Receive applications for the approval of TNI for general use in:

(A) residential onsite sewage systems under sections 4 and 27 of this chapter and IC 16-41-25; and

(B) commercial onsite sewage systems under sections 4 and 27 of this chapter and IC 16-19-3.5.

(2) Meet monthly as needed to assist the executive board and the state department as described in subsection (b)(4) and to review applications described in subdivision (1).

(3) Notify each person who submits an application described in subdivision (1):

(A) that the person's application has been received by the technical review panel; and

(B) of whether the application is complete;

not later than thirty (30) days after the technical review panel receives the application.

(4) Inform each person who submits an application described in subdivision (1) of:

(A) a tentative decision of the technical review panel; or

(B) the technical review panel's final decision under subsection (f);

concerning the application not more than ninety (90) days after the technical review panel notifies the person under subdivision (3) that the panel has received the person's application.

(f) In response to each application described in subsection (e)(1), the technical review panel shall make, and inform the applicant of, one (1) of the following final decisions:

(1) That the TNI to which the application relates is approved for general use in Indiana.

(2) That the TNI to which the application relates is approved for use in Indiana with certain conditions, which may include:

(A) a requirement that the TNI be used initially only in a pilot project;

(B) restrictions on the number or type of installations of the TNI;

(C) sampling and analysis requirements for TNI involving or comprising a secondary treatment system;

(D) requirements relating to training concerning the TNI;

(E) requirements concerning the operation and maintenance of the TNI; or

(F) other requirements.

(3) That the TNI to which the application relates is approved on a project-by-project basis.

(4) That the TNI is not approved for use in Indiana, which must be accompanied by a statement of the reason for the decision.

(g) If the technical review panel makes a decision under subsection (f)(4) that the TNI is not approved for use in Indiana, the applicant may:

(1) submit a new application to the technical review panel under this section; or

(2) file a petition for review of the technical review panel's decision under IC 4-21.5-3.

(h) If the technical review panel fails to notify a person who submits an application of the technical review panel's tentative decision or final recommendation within ninety (90) days after receiving the application as required by subsection (e)(4), the person who submitted the application may use the TNI to which the application relates in a single residential onsite sewage system or commercial onsite sewage system,

as if the TNI had been approved only for use in a pilot project.

(i) The technical review panel shall decide that the TNI to which an application relates is approved for general use in Indiana if:

(1) the TNI has been certified as meeting the NSF/ANSI 40 Standard;

(2) a proposed Indiana design and installation manual for the TNI is submitted with the permit application; and

(3) the technical review panel certifies that the proposed Indiana design and installation manual meets the vertical and horizontal separation, sizing, and soil loading criteria of the state department.

(j) Subsection (k) applies if:

(1) a particular TNI meets the requirements of NSF/ANSI 40, NSF/ANSI 245, or NSF/ANSI 350;

(2) the proposed Indiana design and installation manual for the TNI meets the vertical and horizontal separation, sizing, and soil loading criteria of the state department; and

(3) an Indiana professional engineer registered under ~~IC 25-31-1~~ **IC 25-4-3** prepares site specific plans for the use of the TNI for a residential or commercial application.

(k) In a case described in subsection (j):

(1) if the TNI is to be used in a residential application, the site specific plans prepared under subsection (j)(3), after being submitted to the local health department of the county, city, or multiple county unit in which the TNI would be installed, may be approved by the local health department within the period set forth in IC 16-41-25-1(a); and

(2) if the TNI is to be used in a commercial application, the site specific plans prepared under subsection (j)(3) shall be approved by the state department upon submission of the site specific plans.

(l) A local health department may not refuse an application for a permit for the construction or installation of a residential onsite sewage system (as defined in IC 16-41-25-0.4) solely because the residential onsite sewage system has not been used previously in the jurisdiction of the local health department or is unfamiliar to the local health department, if either of the following apply:

(1) The residential onsite sewage system has been approved by the technical review panel under this section for general use in Indiana.

(2) The residential onsite sewage system:

(A) is based on one (1) or more sewage treatment or disposal methods or processes; or

(B) incorporates equipment;

approved by the technical review panel under this section for general use in Indiana.

SECTION 310. IC 16-19-3-27.6, AS ADDED BY P.L.167-2022, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 27.6. (a) As used in this section, "type of residential onsite sewage system" means an onsite sewage system that:

(1) has a particular design;

(2) consists of particular components; and

(3) is installed or constructed in a particular way.

(b) For purposes of this section, the following are different types of residential onsite sewage systems:

(1) A conventional septic system consisting of a septic tank and a gravel or stone soil absorption field.

(2) A chamber system in which wastewater is piped from the septic tank to a series of connected chambers backfilled with soil.

(3) A subsurface drip distribution system in which wastewater is pumped from the septic tank to a dose tank and then gradually delivered to drip laterals in the soil.

(4) An aerobic treatment unit in which oxygen is injected into the wastewater to accelerate the biological processes used to treat the wastewater before being discharged to a soil absorption field.

(5) A recirculating sand filter system in which wastewater flows from a septic tank to a pump chamber and then is recirculated through a sand filter before being discharged to a soil absorption field.

(6) An evapotranspiration system that includes a drain field having a watertight liner and in which wastewater, after entering the drain field, evaporates into the air.

(7) A constructed wetland system in which wastewater from a septic tank enters a wetland cell containing an impermeable liner, gravel, sand fill, and wetland plants that remove pathogens and nutrients from the wastewater before being discharged to a soil absorption field.

(8) A sand-lined system in which wastewater flows from a septic tank to a combined treatment and dispersal soil absorption field containing piping laterals surrounded by sand.

(c) If:

(1) the local health department of a county, city, or multiple county unit has issued a permit for construction or installation of a type of residential onsite sewage system;

(2) the use of the same type of residential onsite sewage system at a location in a different county, city, or multiple county unit has been approved by:

(A) a professional engineer registered under ~~IC 25-31-1;~~ **IC 25-4-3;**

(B) a registered soil scientist (as defined in IC 25-31.5-1-7);

(C) an individual or entity engaged in the business of constructing and installing residential onsite sewage systems; and

(D) the designer of the system, if the system was designed by someone other than a person referred to in clause (A) or (C); and

(3) all of the persons referred to in subdivision (2) attest that the same type of residential onsite sewage system, if constructed or installed at the location referred to in subdivision (2), would satisfy the requirements of the rule of the state department concerning residential onsite sewage systems;

the local health department of the county, city, or multiple county unit referred to in subdivision (2) may not refuse to issue a permit for the construction or installation of a residential onsite sewage system of the type referred to in subdivisions (1), (2), and (3) at the location referred to in subdivision (2).

SECTION 311. IC 16-19-3.5-11, AS ADDED BY P.L.49-2016, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 11. The state department may not deny a construction permit based upon noncompliance or suspected noncompliance with a rule adopted under the authority of the ~~fire prevention and building safety commission established by IC 22-12-2-1.~~ **department of homeland security.**

SECTION 312. IC 16-19-13-3, AS AMENDED BY P.L.51-2021, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 3. The office is established for the following purposes:

(1) To educate and advocate for women's health by requesting that the state department, either on its own or in partnership with other entities, establish appropriate forums, programs, or initiatives designed to educate the public regarding women's health, with an

emphasis on preventive health and healthy lifestyles.

(2) To assist the state health commissioner in identifying, coordinating, and establishing priorities for programs, services, and resources the state should provide for women's health issues and concerns relating to the reproductive, menopausal, and postmenopausal phases of a woman's life, with an emphasis on postmenopausal health.

(3) To serve as a clearinghouse and resource for information regarding women's health data, strategies, services, and programs that address women's health issues, including the following:

(A) Diseases that significantly impact women, including heart disease, cancer, and osteoporosis.

(B) Menopause.

(C) Mental health.

(D) Substance abuse.

(E) Sexually transmitted diseases.

(F) Sexual assault and domestic violence.

(G) Female genital mutilation (as defined in IC 35-42-2-10).

(4) To collect, classify, and analyze relevant research information and data conducted or compiled by:

(A) the state department; or

(B) other entities in collaboration with the state department;

and to provide interested persons with information regarding the research results, except as prohibited by law.

(5) To develop and recommend funding and program activities for educating the public on women's health initiatives, including the following:

(A) Health needs throughout a woman's life.

(B) Diseases that significantly affect women, including heart disease, cancer, and osteoporosis.

(C) Access to health care for women.

(D) Poverty and women's health.

(E) The leading causes of morbidity and mortality for women.

(F) Special health concerns of minority women.

(6) To make recommendations to the state health commissioner regarding programs that address women's health issues for inclusion in the state department's biennial budget and strategic planning.

(7) To seek funding from private or governmental entities to carry out the purposes of this chapter.

(8) To prepare materials for publication and dissemination to the public on women's health.

(9) To conduct public educational forums in Indiana to raise public awareness and to educate citizens about women's health programs, issues, and services.

(10) To coordinate the activities and programs of the office with other entities that focus on women's health or women's issues, including the ~~Indiana commission for women (IC 4-23-25-3).~~ **Indiana cultural commission established by IC 4-23-36.**

(11) To represent the state health commissioner, upon request, before the general assembly and the ~~Indiana commission for women established by IC 4-23-25-3.~~ **Indiana cultural commission established by IC 4-23-36.**

(12) To provide an annual report to the governor, the legislative council, and the ~~Indiana commission for women~~ **Indiana cultural commission established by IC 4-23-36** regarding the successes of the programs of the office, priorities and services needed for women's health in Indiana, and areas for improvement. A report provided under this subdivision to the legislative council must be in an electronic format under IC 5-14-6.

This section does not allow the director or any employees of the office to advocate, promote, refer to, or otherwise advance abortion or abortifacients.

SECTION 313. IC 16-20-2-5, AS AMENDED BY P.L.164-2023, SECTION 23, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 5. (a) For a county with a population of at least two hundred thousand (200,000), the members of a local board of health shall be chosen as follows:

(1) Five (5) persons knowledgeable in clinical and public health, at least two (2) of whom are licensed physicians, and appointed by the county executive. The other appointees may be any of the following:

(A) A registered nurse licensed under IC 25-23.

(B) A registered pharmacist licensed under IC 25-26.

(C) A dentist licensed under IC 25-14.

(D) A hospital administrator.

(E) A social worker.

(F) An attorney with expertise in health matters.

(G) A school superintendent.

(H) A veterinarian licensed under IC 25-38.1.

(I) A professional engineer registered under ~~IC 25-31.~~ **IC 25-4-3.**

(J) An environmental scientist.

(K) A physician assistant licensed under IC 25-27.5.

(L) A public health professional, including an epidemiologist.

(2) One (1) representative of the general public, appointed by the county executive.

(3) One (1) individual appointed by the county fiscal body who either:

(A) has public health knowledge; or

(B) is a member of the general public.

(4) Two (2) representatives appointed by the county executive, one (1) each from a list of three (3) recommendations from each executive of the county's two (2) most populous municipalities in the county of individuals described in subdivision (1)(B) through (1)(K).

(b) For a county with a population of less than two hundred thousand (200,000), the members of a local board of health shall be chosen as follows:

(1) Five (5) persons knowledgeable in clinical and public health, at least one (1) of whom is a physician, and appointed by the county executive. The other appointees may be any of the following:

(A) A physician licensed under IC 25-22.5.

(B) A registered nurse licensed under IC 25-23.

(C) A registered pharmacist licensed under IC 25-26.

(D) A dentist licensed under IC 25-14.

(E) A hospital administrator.

(F) A social worker.

(G) An attorney with expertise in health matters.

(H) A school superintendent.

(I) A veterinarian licensed under IC 25-38.1.

(J) A professional engineer registered under ~~IC 25-31.~~ **IC 25-4-3.**

(K) An environmental scientist.

(L) A physician assistant licensed under IC 25-27.5.

(M) A public health professional, including an epidemiologist.

(2) One (1) person who either has public health knowledge or is a member of the general public, and is appointed by the county fiscal body.

(3) One (1) person appointed by the county executive from a list of three (3) recommendations by the executive of the most populous municipality in the county of individuals described in subdivision (1)(C) through (1)(M).

SECTION 314. IC 16-20-3-2, AS AMENDED BY P.L.164-2023, SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 2. (a) There must be at least seven (7) members of a multiple county board of health.

(b) The county executives establishing a multiple county health department shall determine the following for the multiple county board of health:

(1) The number of members.

(2) The qualifications of members.

(3) The number of appointments made by each county.

(c) The county executive of each county participating in a multiple county board of health shall appoint the members of the multiple county board of health, except that the executive of the most populous municipality of the participating counties of the multiple county board of health shall appoint one (1) member to the multiple county board of health.

(d) The appointments made by the county executives must meet the following requirements:

(1) At least five (5) individuals appointed to the multiple county board of health must be knowledgeable in clinical and public health and also be one (1) of the following:

(A) A physician licensed under IC 25-22.5.

(B) A registered nurse licensed under IC 25-23.

(C) A registered pharmacist licensed under IC 25-26.

(D) A dentist licensed under IC 25-14.

(E) A hospital administrator.

(F) A social worker.

(G) An attorney with expertise in health matters.

(H) A school superintendent.

(I) A veterinarian licensed under IC 25-38.1.

(J) A professional engineer registered under ~~IC 25-31.~~ **IC 25-4-3.**

(K) An environmental scientist.

(L) A physician assistant licensed under IC 25-27.5.

(M) A public health professional, including an epidemiologist.

(2) At least one (1) individual who either has public health

knowledge or is a member of the public and is recommended by any of the participating county fiscal bodies.

SECTION 315. IC 16-27-1-1, AS AMENDED BY P.L.207-2021, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 1. As used in this chapter, "health care professional" means any of the following:

(1) A licensed physician.

(2) A licensed dentist.

(3) A licensed chiropractor.

(4) A licensed podiatrist.

(5) A licensed optometrist.

(6) A nurse licensed under IC 25-23-1.

(7) A physical therapist licensed under IC 25-27 or a physical therapy assistant certified under IC 25-27.

(8) A speech-language pathologist or an audiologist licensed under IC 25-35.6-3.

(9) A speech-language pathology aide or an audiology aide (as defined in IC 25-35.6-1-2).

(10) An:

(A) occupational therapist; or

(B) occupational therapy assistant;

licensed under ~~IC 25-23.5.~~ **IC 25-27-4.**

(11) A social worker licensed under IC 25-23.6 or a social work assistant.

(12) A pharmacist licensed under IC 25-26-13.

(13) An advanced practice registered nurse licensed under IC 25-23.

(14) A physician assistant licensed under IC 25-27.5.

SECTION 316. IC 16-27-2-1, AS AMENDED BY P.L.207-2021, SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 1. As used in this chapter, "health care professional" means any of the following:

(1) A licensed physician or a physician assistant (as defined in IC 25-22.5-1-1.1).

(2) A dentist licensed under IC 25-14.

(3) A chiropractor licensed under IC 25-10-1.

(4) A podiatrist licensed under IC 25-29.

(5) An optometrist licensed under IC 25-24.

(6) A nurse licensed under IC 25-23-1.

(7) A physical therapist licensed under IC 25-27 or a physical

therapy assistant certified under IC 25-27.

(8) A speech-language pathologist or an audiologist licensed under IC 25-35.6-3.

(9) A speech-language pathology aide or an audiology aide (as defined in IC 25-35.6-1-2).

(10) An:

(A) occupational therapist licensed; or

(B) occupational therapy assistant licensed;

under ~~IC 25-23.5.~~ **IC 25-27-4.**

(11) A social worker licensed under IC 25-23.6 or a clinical social worker licensed under IC 25-23.6.

(12) A pharmacist licensed under IC 25-26-13.

(13) An advanced practice registered nurse licensed under IC 25-23.

SECTION 317. IC 16-27.5-5-1, AS ADDED BY P.L.143-2025, SECTION 24, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 1. (a) As used in this chapter, "health care professional" means any of the following:

(1) A physician licensed under IC 25-22.5.

(2) A dentist licensed under IC 25-14.

(3) A chiropractor licensed under IC 25-10-1.

(4) A nurse licensed under IC 25-23-1.

(5) A podiatrist licensed under IC 25-29.

(6) An optometrist licensed under IC 25-24.

(7) A physical therapist licensed under IC 25-27 or a physical therapy assistant certified under IC 25-27.

(8) A speech-language pathologist or an audiologist licensed under IC 25-35.6-3.

(9) A speech-language pathology aide or an audiology aide (as defined in IC 25-35.6-1-2).

(10) An:

(A) occupational therapist licensed; or

(B) occupational therapy assistant licensed;

under ~~IC 25-23.5.~~ **IC 25-27-4.**

(11) A social worker licensed under IC 25-23.6 or a clinical social worker licensed under IC 25-23.6.

(12) A pharmacist licensed under IC 25-26-13.

(b) As used in this chapter, "home health aide services" means only those home health services that may be performed by a home health aide under this chapter and 42 CFR 484.80.

(c) As used in this chapter, "supervision" means guidance provided by a qualified health care professional to a subordinate for the purpose of accomplishing a function or activity.

SECTION 318. IC 16-28-1-7, AS AMENDED BY P.L.141-2014, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 7. The state department shall do the following:

(1) Adopt rules under IC 4-22-2 governing the following:

(A) Health and sanitation standards necessary to protect the health, safety, security, rights, and welfare of patients.

(B) Qualifications of applicants for licenses issued under this article to assure the proper care of patients.

(C) Operation, maintenance, management, equipment, and construction of facilities required to be licensed under this article if jurisdiction is not vested in any other state agency.

(D) Manner, form, and content of the license, including rules governing disclosure of ownership interests.

(E) Levels of medical staffing and medical services in cooperation with the office of Medicaid policy and planning, division of family resources, and other agencies authorized to pay for the services.

(2) Recommend to the ~~fire prevention and building safety commission~~ **department of homeland security** fire safety rules necessary to protect the health, safety, security, rights, and welfare of patients.

(3) Classify health facilities in health care categories.

SECTION 319. IC 16-29-2-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 6. A certificate of need for a project to construct, add, or convert beds that receives final approval of the state department under this chapter or IC 16-10-4 (before its repeal) becomes void eighteen (18) months after the determination becomes final unless the following conditions are met:

(1) Construction plans for the project are approved by the state department and the department of fire and building safety.

(2) The applicant has completed construction of the project's foundation in conformity with the approved plans as certified by an independent architect licensed under IC 25-4 or an independent professional engineer licensed under ~~IC 25-31.~~ **IC 25-4-3.**

(3) Construction work on the project is continuous and in conformity with the approved plans.

SECTION 320. IC 16-29-7-15, AS ADDED BY P.L.202-2018, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 15. A certificate of need that is approved under this chapter is valid for eighteen (18) months after approval is final. The certificate of need becomes void after eighteen (18) months unless:

(1) construction plans for the project are approved by the state department and the department of fire and building safety;

(2) the applicant has completed construction of the project's foundation in conformity with the approval plans and an independent:

(A) architect licensed under IC 25-4; or

(B) professional engineer licensed under ~~IC 25-31,~~ **IC 25-4-3;** has certified the completion; and

(3) construction work on the project is continuous and conforms with the approved plans.

However, modification of the approved plans to make technical changes, correct errors or omissions, or comply with zoning or other requirements of a governmental entity are allowable.

SECTION 321. IC 16-31-1-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 1. (a) The general assembly declares that the provision of emergency medical services is a matter of vital concern affecting the public health, safety, and welfare of the people of Indiana.

(b) It is the purpose of this article:

(1) to promote the establishment and maintenance of an effective system of emergency medical service, including the necessary equipment, personnel, and facilities to ensure that all emergency patients receive prompt and adequate medical care throughout the range of emergency conditions encountered;

(2) that the ~~emergency medical services~~ **Indiana fire and EMS standards and education** commission established under IC 16-31-2 shall cooperate with other agencies empowered to license persons engaged in the delivery of health care so as to coordinate the efforts of the commission and other agencies; and

(3) to establish standards and requirements for the furnishing of emergency medical services by persons not licensed or regulated by other appropriate agencies.

SECTION 322. IC 16-31-2-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1. **(a)** The Indiana

emergency medical services commission is created.

(b) This section expires December 31, 2026.

SECTION 323. IC 16-31-2-1.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 1.5. (a) This section applies after December 31, 2026.**

(b) The commission consists of the following eleven (11) members who must reside in Indiana:

(1) The director of the Indiana department of homeland security or the director's designee.

(2) The commissioner of the Indiana department of health.

(3) The state emergency medical services medical director.

(4) Three (3) members representing the fire services appointed as follows:

(A) One (1) member appointed by the Indiana fire chiefs association.

(B) One (1) member appointed by the professional fire fighters union of Indiana.

(C) One (1) member appointed by the Indiana volunteer firefighters association.

(5) Three (3) members appointed as follows who are knowledgeable in the training of emergency medical services providers:

(A) A provider of emergency medical services appointed by the Indiana fire chiefs association.

(B) A provider of emergency medical services appointed by the professional fire fighters union of Indiana.

(C) A provider of emergency medical services appointed by the Indiana volunteer firefighters association.

(6) A licensed physician appointed by the governor who is a member of the national association of EMS physicians.

(7) An individual appointed by the governor who is an executive employed by a hospital that provides emergency medical services.

(c) This subsection applies to a member of the commission appointed under subsection (b)(4) through (b)(7). The initial term of each member begins January 1, 2027. Except as provided in subsection (d), a member of the commission serves a four (4) year term.

(d) The initial terms of the members described in subsection (c)

expire as follows:

(1) The terms of the members appointed under subsection (b)(4)(A), (b)(5)(B), and (b)(6) expire December 31, 2030.

(2) The terms of the members appointed under subsection (b)(4)(B), (b)(5)(B), and (b)(7) expire December 31, 2029.

(3) The terms of the members appointed under subsection (b)(4)(C) and (b)(5)(C) expire December 31, 2028.

(e) Members of the commission may be reappointed to successive terms. The appropriate appointing authority shall fill a vacancy on the commission for the duration of the unexpired term.

(f) The director of the Indiana department of homeland security or the director's designee shall serve as the chairperson of the commission. The commissioner of the Indiana department of health shall serve as the vice chairperson of the commission.

(g) The director of the Indiana department of homeland security shall assist the appointing authorities in appointing members of the commission from throughout Indiana to ensure balanced representation from every region of Indiana.

SECTION 324. IC 16-31-2-2, AS AMENDED BY P.L.170-2022, SECTION 24, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2. (a) The commission is composed of fourteen (14) members. The governor shall appoint the members for four (4) year terms as follows:

(1) One (1) must be appointed from a volunteer fire department that provides emergency medical service.

(2) One (1) must be appointed from a full-time municipal fire or police department that provides emergency medical service.

(3) One (1) must be a nonprofit provider of ambulance services organized on a volunteer basis other than a volunteer fire department.

(4) One (1) must be a provider of private ambulance services.

(5) One (1) must be a state licensed paramedic.

(6) One (1) must be a licensed physician who:

(A) has a primary interest, training, and experience in emergency medical services; and

(B) is currently practicing in an emergency medical services facility.

(7) One (1) must be a chief executive officer of a hospital that provides ambulance services.

(8) One (1) must be a registered nurse who has supervisory or

administrative responsibility in a hospital emergency department.

(9) One (1) must be a licensed physician who:

(A) has a primary interest, training, and experience in trauma care; and

(B) is practicing in a trauma facility.

(10) One (1) must be a state certified emergency medical service technician.

(11) One (1) must be an individual who:

(A) represents the public at large; and

(B) is not in any way related to providing emergency medical services.

(12) One (1) must be a program director (as defined in 836 IAC 4-2-2(12)(B)(iii)) for a commission certified advanced life support training institution.

(13) One (1) must be the executive director of the department of homeland security appointed under IC 10-19-3-1 or the designee of the executive director.

(14) One (1) must be a representative of an entity that provides air ambulance services.

(b) The chief executive officer of a hospital appointed under subsection (a)(7) may designate another administrator of the hospital to serve for the chief executive officer on the commission.

(c) Not more than eight (8) members may be from the same political party.

(d) This section expires December 31, 2026.

SECTION 325. IC 16-31-2-3 IS REPEALED [EFFECTIVE JANUARY 1, 2027]. ~~Sec. 3. An appointment to fill a vacancy occurring on the commission is for the unexpired term.~~

SECTION 326. IC 16-41-25-5, AS ADDED BY P.L.167-2022, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 5. (a) The authority of a local health department to administer the rule of the state department concerning residential onsite sewage systems is subject to this section.

(b) If a professional engineer registered under ~~IC 25-31-1~~ **IC 25-4-3** certifies that the:

(1) location;

(2) design;

(3) proposed construction; and

(4) proposed installation;

of a planned residential onsite sewage system comply with the

administrative rule of the state department concerning residential onsite sewage systems, a local health department may not disapprove an application for a permit for the residential onsite sewage system on the grounds that the location, design, construction, or installation of the residential onsite sewage system is faulty.

(c) If a professional engineer registered under ~~IC 25-31-1~~ **IC 25-4-3** certifies that the:

(1) design;

(2) construction;

(3) installation;

(4) location;

(5) maintenance; and

(6) operation;

of an existing residential onsite sewage system comply with the administrative rule of the state department concerning residential onsite sewage systems, a local health department may not issue an order based on a finding that the residential onsite sewage system is a failed system.

(d) If a professional engineer registered under ~~IC 25-31-1~~ **IC 25-4-3** certifies that an existing residential onsite sewage system is not functioning properly but can be restored to proper functioning through repair, a local health department must allow the repair of the residential onsite sewage system to be made in accordance with the certification of the professional engineer.

SECTION 327. IC 16-41-25-8, AS AMENDED BY P.L.232-2023, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 8. (a) If:

(1) an application has been filed with a local health department for a permit for the installation of a residential onsite sewage system;

(2) a professional soil scientist registered under IC 25-31.5-4 has conducted an onsite evaluation, including a description of the soil profile, and has determined that the proposed site of the residential onsite sewage system is suitable for the installation of the residential onsite sewage system; and

(3) the design and specifications for the residential onsite sewage system proposed for installation at the site described in subdivision (2) have been approved by either:

(A) the local health department; or

(B) at the option and expense of the property owner:

(i) a professional engineer registered under ~~IC 25-31-1;~~ **IC 25-4-3;**

(ii) a septic system installer or inspector registered with the county in which the residential onsite sewage system would be installed; and

(iii) the designer of the system, if the system was designed by someone other than a person referred to in item (i) or (ii);

the local health department shall issue a permit for the residential onsite sewage system not later than thirty (30) business days after receiving a complete application for the permit.

(b) Subject to IC 16-19-3-27.5, IC 16-19-3-27.6, and sections 5 and 6 of this chapter, this section does not affect the authority of a local health department to inspect an onsite sewage system before or after the system's installation.

SECTION 328. IC 16-41-25-10, AS AMENDED BY P.L.160-2024, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 10. (a) Neither an officer or employee of a local health department nor another agency, officer, or employee of a county, city, or town may enter property on which a residential onsite sewage system is located for the purpose of inspecting the residential onsite sewage system if, not more than one hundred eighty (180) days before the date of the inspection, the owner or occupant of the residence served by the residential onsite sewage system and:

(1) a septic system installer or inspector registered with the county in which the residential onsite sewage system is located;

(2) an onsite sewage system technician; or

(3) an Indiana professional engineer registered under ~~IC 25-31-1;~~ **IC 25-4-3;**

state in a writing transmitted to the local health department, county, city, or town that the residential onsite sewage system is functioning properly.

(b) Subject to subsection (d), if subsection (a) does not apply, an officer or employee of a local health department or another officer or employee of a county, city, or town may not enter property on which a residential onsite sewage system is located for the purpose of inspecting the residential onsite sewage system unless the owner or occupant of the residence served by the residential onsite sewage system is given notice of the inspection by first class mail addressed to the residence at least seven (7) days before the day of the inspection.

(c) Subject to subsection (d), an officer or employee of a local health

department may inspect residential onsite sewage systems and nonresidential onsite sewage systems (as defined in IC 16-19-3.5-3.5):

(1) after installation if:

(A) the manufacturer of a residential onsite sewage system recommends inspection of the system multiple times a year;

(B) an owner of the property on which a residential onsite sewage system is located requests an officer or employee of a local health department or another agency, officer, or employee of a county, city, or town to inspect the residential onsite sewage system located on the owner's property; or

(C) a complaint is filed with the local health department requiring an inspection or inspections to protect the health of the community;

(2) to verify compliance with a permit issued under best judgment pursuant to rules adopted under IC 4-22-2 not more than once per year; or

(3) to verify compliance with an operating permit issued pursuant to rules adopted under IC 4-22-2 at least once per year.

(d) An advance notice to the owner or occupant of the residence is not required under subsection (b) in an urgent situation caused by a malfunction of the residential onsite sewage system that creates a clear and immediate danger to the public's health, safety, or property.

(e) This section shall not be interpreted as prohibiting or restricting the periodic:

(1) inspection;

(2) servicing;

(3) testing; or

(4) maintenance;

of an onsite residential sewage discharging disposal system (as defined in IC 13-11-2-144.7).

SECTION 329. IC 16-41-25-11, AS ADDED BY P.L.232-2023, SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 11. (a) As used in this section, "residential onsite sewage system failure" means a residential onsite sewage system that exhibits one (1) or more of the following:

(1) The onsite sewage system refuses to accept sewage at the rate of design application and interferes with the normal use of residential plumbing fixtures.

(2) Effluent discharge exceeds the absorptive capacity of the soil, resulting in ponding, seepage, or other discharge of the effluent

to the ground surface or to surface waters.

(3) Effluent is discharged from the onsite sewage system causing contamination of a potable water supply, ground water, or surface waters.

(b) A local health department that determines that a residential onsite sewage system is in residential onsite sewage system failure may issue an order requiring that the failure be corrected. However, an order issued under this subsection is stayed if the owner or occupant of the residence served by the residential onsite sewage system, within fourteen (14) days after the date of the order, enters into a contract with:

(1) a septic system installer or inspector registered with the county in which the residential onsite sewage system is located;

(2) an onsite sewage system technician; or

(3) an Indiana professional engineer registered under ~~IC 25-31-1;~~ **IC 25-4-3;**

under which the installer or inspector, onsite sewage system technician, or professional engineer agrees to conduct an inspection to determine whether the residential onsite sewage system is in residential onsite sewage system failure.

(c) An order is stayed under subsection (b) until the earlier of the following:

(1) The date on which the installer or inspector, technician, or engineer performs the inspection and presents the results of the inspection in writing to:

(A) the owner or occupant of the residence served by the residential onsite sewage system; and

(B) the local health department.

(2) The expiration of forty-five (45) days after the date of the order issued under subsection (b).

(d) If the installer or inspector, onsite sewage system technician, or professional engineer states in the report provided to the local health department that the residential onsite sewage system is not in residential onsite sewage system failure, the local health department shall:

(1) withdraw the order issued under subsection (b); or

(2) conduct an investigation of the residential onsite sewage system to make a new determination whether the residential onsite sewage system is in residential onsite sewage system failure.

(e) If the local health department conducts an investigation under subsection (d)(2), the order issued under subsection (b) is stayed pending the new determination of the local health department based on the investigation.

SECTION 330. IC 16-41-26-8, AS AMENDED BY P.L.181-2018, SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 8. (a) Except as provided in subsection (b), the state department shall adopt rules under IC 4-22-2 necessary to protect the health, safety, and welfare of persons living in agricultural labor camps, prescribing standards for living quarters at agricultural labor camps, including provisions relating to construction of camps, sanitary conditions, light, air, safety protection from fire hazards, equipment, maintenance and operation of the camp, sewage disposal through septic tank absorption fields or other approved methods, and other matters appropriate for the security of the life and health of occupants.

(b) The environmental rules board shall adopt rules under IC 13-14-9 pertaining to water supplies required for agricultural labor camps.

(c) In the preparation of rules, the state department:

(1) shall consult with and request technical assistance from other appropriate state agencies; and

(2) may appoint and consult with committees of technically qualified persons and of representatives of employers and employees.

(d) If a conflict exists between rules adopted under this chapter and rules adopted by the ~~fire prevention and building safety commission,~~ **department of homeland security,** the rules authorized in this section apply.

(e) A copy of every rule adopted under this chapter shall be sent to each health officer in Indiana and to the heads of other state agencies with specific or related responsibility affecting agricultural labor camps and to any person requesting the rules. The rules affecting agricultural labor camps adopted under this chapter shall be published periodically in the manner the state department determines.

SECTION 331. IC 16-41-31-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 6. The ~~fire prevention and building safety commission~~ **department of homeland security** shall adopt rules under IC 4-22-2 to establish fire safety standards for bed and breakfast establishments.

SECTION 332. IC 16-41-37.5-4, AS ADDED BY P.L.79-2008,

SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 4. (a) An individual conducting an indoor air quality test under this chapter must be:

(1) a professional engineer (as defined in ~~IC 25-31-1-2);~~ **IC 25-4-0.5-10);**

(2) an industrial hygienist; or

(3) a supervisor or technician certified by a national organization that:

(A) writes and adheres to standards for:

(i) testing, adjusting, and balancing of heating, ventilation, and air conditioning equipment or exhaust systems; and

(ii) indoor air quality testing procedures and requirements; and

(B) certifies supervisors and technicians to perform:

(i) testing, adjusting, and balancing of heating, ventilation, and air conditioning equipment or exhaust systems; and

(ii) indoor air quality testing procedures and requirements.

(b) The report of a test conducted under this chapter must be certified by the person conducting the test. If the person uses a professional seal on documents, the certification must include the person's seal.

SECTION 333. IC 16-41-42.2-1 IS REPEALED [EFFECTIVE JANUARY 1, 2027]. ~~Sec. 1. As used in this chapter, "board" refers to the spinal cord and brain injury research board established by section 5 of this chapter.~~

SECTION 334. IC 16-41-42.2-4, AS AMENDED BY P.L.200-2015, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 4. The fund is to be used for the following purposes:

(1) Establishing and maintaining a state medical surveillance registry for traumatic spinal cord and brain injuries.

~~(2) Fulfilling the duties of the board established by section 5 of this chapter.~~

~~(3)~~ **(2)** Funding research related to the treatment and cure of spinal cord and brain injuries, including acute management, medical complications, rehabilitative techniques, and neuronal recovery. Research must be conducted in compliance with all state and federal laws.

~~(4)~~ **(3)** Concerning spinal cord injuries, funding of at least ten percent (10%) and not more than fifteen percent (15%) of money

in the fund for:

(A) post acute extended treatment and services for an individual with a spinal cord injury; or

(B) facilities that offer long term activity based therapy services at affordable rates to an individual with a spinal cord injury that requires extended post acute care.

~~(5)~~ **(4)** Concerning brain injuries, funding of at least ten percent (10%) and not more than fifteen percent (15%) of money in the fund for:

(A) post acute extended treatment and services for an individual with a brain injury; or

(B) facilities that offer long term activity based therapy services at affordable rates to an individual with a brain injury that requires extended post acute care.

~~(6)~~ **(5)** Develop a statewide trauma system. However, not more than fifty percent (50%) of money in the fund may be used for purposes of developing a statewide trauma system.

SECTION 335. IC 16-41-42.2-5, AS AMENDED BY P.L.29-2016, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 5. ~~(a) The spinal cord and brain injury research board is established for the purpose of administering the fund. The board is composed of eleven (11) members.~~

~~(b) The following six (6) members of the board shall be appointed by the governor:~~

~~(1) One (1) member who has a spinal cord or head injury or who has a family member with a spinal cord or head injury.~~

~~(2) One (1) member who is a physician licensed under IC 25-22.5 who has specialty training in neuroscience and surgery.~~

~~(3) One (1) member who is a physiatrist holding a board certification from the American Board of Physical Medicine and Rehabilitation.~~

~~(4) One (1) member representing the technical life sciences industry.~~

~~(5) One (1) member who is a physical therapist licensed under IC 25-27 who treats individuals with traumatic spinal cord injuries or brain injuries.~~

~~(6) One (1) member who owns or operates a facility that provides long term activity based therapy services at affordable rates to individuals with traumatic spinal cord injuries or brain injuries.~~

~~(c) Five (5) members of the board shall be appointed as follows:~~

~~(1) One (1) member representing Indiana University to be appointed by Indiana University.~~

~~(2) One (1) member representing Purdue University to be appointed by Purdue University.~~

~~(3) One (1) member representing the National Spinal Cord Injury Association to be appointed by the National Spinal Cord Injury Association.~~

~~(4) One (1) member representing the largest freestanding rehabilitation hospital for brain and spinal cord injuries in Indiana to be appointed by the Rehabilitation Hospital of Indiana located in Indianapolis.~~

~~(5) One (1) member representing the Brain Injury Association of America to be appointed by the Brain Injury Association of Indiana.~~

~~(d) The term of a member is four (4) years. A member serves until a successor is appointed and qualified. If a vacancy occurs on the board before the end of a member's term, the appointing authority appointing the vacating member shall appoint an individual to serve the remainder of the vacating member's term.~~

~~(e) A majority of the members appointed to the board constitutes a quorum. The affirmative votes of a majority of the members are required for the board to take action on any measure.~~

~~(f) Each member of the board is entitled to the minimum salary per diem provided by IC 4-10-11-2.1(b). The member is also entitled to reimbursement for traveling expenses as provided under IC 4-13-1-4 and other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.~~

~~(g) The board shall annually elect a chairperson who shall be the presiding officer of the board. The board may establish other officers and procedures as the board determines necessary.~~

~~(h) The board shall meet at least two (2) times each year. The chairperson may call additional meetings.~~

~~(i) The state department shall provide staff for the board. The state department shall maintain a registry of the members of the board. An appointing authority shall provide written confirmation of an appointment to the board to the state department in the form and manner specified by the state department.~~

~~(j)~~ The ~~board~~ **state department** shall do the following:

(1) Consider policy matters relating to spinal cord and brain injury research projects and programs under this chapter.

(2) Consider research applications and make grants for approved research projects under this chapter.

(3) Consider applications and make grants to health care clinics that:

(A) are exempt from federal income taxation under Section 501 of the Internal Revenue Code;

(B) employ physical therapists licensed under IC 25-27; and

(C) provide in Indiana long term activity based therapy services at affordable rates to individuals with spinal cord injuries or brain injuries that require extended post acute care.

(4) Consider the application's efficacy in providing significant and sustained improvement to individuals with spinal cord injuries or brain injuries.

(5) Formulate policies and procedures concerning the operation of the board.

(6) Review and authorize spinal cord and brain injury research projects and programs to be financed under this chapter. For purposes of this subdivision, the ~~board~~ **state department** may establish an independent scientific advisory panel composed of scientists and clinicians who are not members of the ~~board~~ **state department** to review proposals submitted to the board and make recommendations to the ~~board.~~ **state department.** Collaborations are encouraged with other Indiana-based researchers as well as researchers located outside Indiana, including researchers in other countries.

(7) Review and approve progress and final research reports on projects authorized under this chapter, including any other information the board has required to be submitted as a condition of receiving a grant.

(8) Review and make recommendations concerning the expenditure of money from the fund.

(9) Take other action necessary for the purpose stated in subsection (a).

(10) Provide to the governor, the general assembly, and the legislative council an annual report not later than January 30 of each year showing the status of funds appropriated under this chapter. The report to the general assembly and the legislative council must be in an electronic format under IC 5-14-6.

~~(k) A member of the board is exempt from civil liability arising or thought to arise from an action taken in good faith as a member of the board.~~

~~(l) The department shall annually present to the board a financial statement that includes the following information for the current and previous fiscal year:~~

~~(1) The amount of money deposited into the fund.~~

~~(2) The amount of money expended from the fund.~~

~~(3) The amount of money, including any reserves, available for grants from the fund.~~

SECTION 336. IC 16-42-5.3-1, AS AMENDED BY P.L.151-2024, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1. (a) As used in this chapter, "end consumer" means a person who is the last person to purchase any food product and who does not resell the food product.

(b) As used in this chapter, "roadside stand" means a structure, including a tent, stand, vehicle, or trailer that is:

(1) visible from a road; and

(2) located not more than one hundred (100) feet from the edge of the side of the road;

where whole uncut produce, food products that are not time temperature control for safety food, poultry that is exempt under IC 15-17-5-11, rabbits, or eggs permitted for sale by the ~~state egg board~~ **Indiana state board of animal health** are sold to an end consumer.

SECTION 337. IC 16-42-11-1.1, AS AMENDED BY P.L.11-2023, SECTION 60, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1.1. The following definitions apply throughout this chapter:

(1) "Board" refers to the Indiana state board of animal health established by IC 15-17-3-1.

~~(1)~~ **(2)** "Case" means thirty (30) dozen.

~~(2)~~ **(3)** "Eggs" means shell eggs represented as fresh or treated.

~~(3)~~ **(4)** "Farmers' market" means a common facility where two (2) or more farmers or growers gather on a regular basis to sell farm products, which they produce, directly to the consumer.

~~(4)~~ **(5)** "Fresh eggs" means consumer grades of eggs as defined by the standards of quality and weights as set forth by the state egg board.

~~(5)~~ **(6)** "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons,

regardless of whether the group is incorporated.

~~(6)~~ **(7)** "Retailer" means any person who sells eggs for human consumption and not for resale.

~~(7)~~ **(8)** "Treated eggs" means eggs that have been treated by a process such as pasteurization, irradiation, or other method of treatment that changes the interior quality of an egg in such a manner that United States Department of Agriculture quality standards do not apply.

~~(8)~~ **(9)** "Wholesaler" means any person engaged in buying eggs for human consumption for resale to retailers, hotels, restaurants, hospitals, nursing homes, schools, state or federal institutions, operators of multiple unit retail outlets engaged in the distribution of eggs to their own retail units, or producers who sell or deliver eggs to retailers, hotels, restaurants, hospitals, nursing homes, schools, or state or federal institutions.

SECTION 338. IC 16-42-11-4 IS REPEALED [EFFECTIVE JULY 1, 2026]. ~~Sec. 4. (a) The state egg board is established. The board consists of nine (9) members appointed by the governor as follows:~~

~~(1) One (1) member from recommendations submitted by the Indiana State Poultry Association, Inc.~~

~~(2) One (1) member from recommendations submitted by the Indiana Farm Bureau, Inc.~~

~~(3) One (1) member from recommendations submitted by the Indiana Retail Grocery and Convenience Store Association, Inc.~~

~~(4) One (1) member from recommendations submitted by the Indiana Retail Council, Inc.~~

~~(5) One (1) member from recommendations submitted by the Egg Council of the Indiana State Poultry Association, Inc.~~

~~(6) One (1) member from recommendations submitted by the dean of the college of agriculture of Purdue University.~~

~~(7) One (1) member at large to represent the interests of the consumer.~~

~~(8) One (1) member to represent those engaged in the wholesaling of eggs through the Federal-State Egg Grading Program in Indiana.~~

~~(9) One (1) member to represent the interests of the food service industry.~~

~~(b) All appointments are for terms of three (3) years. However, an appointment to fill an unexpired term shall be made by the governor for the remainder of that term only.~~

~~(c) The recommendations provided for in this section shall be submitted to the governor within ten (10) days before an appointment is to be made to the state egg board. All appointments by the governor under this chapter shall be made within twenty (20) days after submission to the governor of the recommendations for appointments. If the recommendations are not submitted to the governor within the specified time, the governor shall make the appointment without the recommendations. If the governor does not make an appointment to fill an expired term for a member described in subsection (a)(1), (a)(2), (a)(3), (a)(4), (a)(5), or (a)(6) within twenty (20) days after receiving the recommendation, the current members of the state egg board may select an individual from the names submitted by an organization under subsection (a) to fill the position represented by that organization on the state egg board. The individual shall serve a three (3) year term beginning with the next official board meeting following the twenty (20) day deadline.~~

~~(d) The members of the state egg board shall, before entering upon their duties, take and subscribe to the oath of office provided for other state officers. The oath of office shall be filed in the office of the secretary of state. The secretary of state shall administer the oath as a part of the duties of the office of secretary of state.~~

~~(e) The state egg board shall elect from its own membership the following officers:~~

~~(1) President.~~

~~(2) A vice president who serves in the president's absence or disability.~~

~~(3) Recording secretary.~~

~~The officers serve for one (1) year or until their successors are elected and qualified.~~

~~(f) Each member of the state egg board who is not a state employee is entitled to the minimum salary per diem provided by IC 4-10-11-2.1(b). The member is also entitled to reimbursement for traveling expenses as provided under IC 4-13-1-4 and other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.~~

~~(g) The state egg board shall provide a suitable office, equipment, supplies, and facilities for the conduct of the board's business.~~

SECTION 339. IC 16-42-11-5, AS AMENDED BY P.L.28-2009, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

JULY 1, 2026]: Sec. 5. (a) The ~~state egg~~ board shall administer, enforce, and carry out this chapter.

(b) The ~~state egg~~ board shall do the following:

(1) Formulate and determine standards of quality and weights of eggs sold or offered for sale.

(2) Regulate the sale of and commerce in eggs sold or offered for sale at retail or wholesale and regulate the sale of eggs by wholesalers and retailers.

(3) Formulate and publish definitions, names, and grades of eggs and specifications for the care and handling of eggs that may be offered for sale at retail and wholesale under the terms of this chapter and for the care and handling of eggs that may be offered for sale by wholesalers and retailers as eggs fit for human consumption.

(4) Provide for and issue permits to wholesalers or retailers of eggs and provide for the registration of wholesalers and retailers of eggs.

(5) Adopt rules necessary for or incident to carrying out this chapter.

(6) Investigate and report violations of this chapter and violations of the rules of the state egg board to the proper authorities for prosecution.

(7) Revoke any registration or permit for a violation of this chapter or of the rules adopted by the ~~state egg~~ board.

(8) ~~Hold four (4) regular meetings at quarterly intervals at the time and place the state egg board designates. The president of the state egg board may call special meetings of the state egg board whenever in the president's judgment it becomes necessary. The president shall call a special meeting of the state egg board upon written request of a majority of the members of the state egg board.~~

~~(9) The state egg board shall~~ Publish or cause to be published an annual report of the board's work. In addition, the ~~state egg~~ board may periodically publish or cause to be published and distributed other information concerning eggs.

SECTION 340. IC 16-42-11-5.5, AS AMENDED BY P.L.93-2024, SECTION 137, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 5.5. **(a)** The ~~state egg~~ board may adopt rules under IC 4-22-2 when there is a declared emergency or sudden disruption that affects the commerce of eggs.

(b) After June 30, 2026, rules adopted by the state egg board (before its repeal) under subsection (a) or section 10.2 of this chapter are considered rules adopted by the board.

SECTION 341. IC 16-42-11-6, AS AMENDED BY P.L.28-2009, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 6. A person may not sell, offer for sale, or advertise for sale at retail or wholesale eggs that do not meet the standards of quality and weight set forth by the ~~state egg~~ board.

SECTION 342. IC 16-42-11-7, AS AMENDED BY P.L.28-2009, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 7. (a) Every person selling eggs to a retailer shall furnish proof of delivery at the time of delivery showing:

(1) the date;

(2) the grades; and

(3) the quantity of the eggs;

according to the standards prescribed by the ~~state egg~~ board.

(b) A copy of the proof of delivery shall be kept on file by retailers at their respective places of business for thirty (30) days and at all reasonable times shall be available and open for inspection by accredited inspectors or representatives of the state egg board.

SECTION 343. IC 16-42-11-9.5, AS AMENDED BY P.L.11-2023, SECTION 61, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 9.5. (a) A farmer or bona fide egg producer who markets directly to the consumer at a location that is not the farmer's or producer's own premises and is recognized as a farmers' market may be required to have a farmers' market retail permit issued by the ~~state egg~~ board. The ~~state egg~~ board shall establish requirements and procedures for obtaining a farmers' market retail permit by rule under IC 4-22-2.

(b) Notwithstanding any other law, a local unit of government (as defined in IC 14-22-31.5-1) may not by ordinance or resolution require any licensure, certification, or inspection of foods or food products of a farmer or bona fide egg producer acting under this section.

SECTION 344. IC 16-42-11-10, AS AMENDED BY P.L.28-2009, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 10. (a) Except as provided in section 10.2(d) of this chapter, this section applies to:

(1) registrations and permits issued by; and

(2) fees due and payable to;

the state egg board before July 1, 2010.

(b) Every wholesaler or retailer selling eggs shall, before July 1 of

each year, file with the state egg board a statement setting forth the fact that the wholesaler or retailer desires to sell eggs. The statement shall designate the name of the wholesaler or retailer desiring to register the location of the wholesaler's or retailer's principal office and any location where eggs are stored or distributed if that location is different from the principal office. The state egg board shall furnish blank forms for registration. The state egg board shall register the facts set forth in the statement in a permanent record. The state egg board shall furnish to each registered wholesaler a registration number upon payment of the registration fee and deposit.

(c) The state egg board shall require and collect from each wholesaler at the time of registration a fee based upon the average number of cases of eggs sold to retailers, hotels, restaurants, hospitals, nursing homes, schools, or to state or federal institutions each week during the preceding calendar year, as follows:

Average Number of Cases Sold		Registration Fee
0 -	100	$ 30
101 -	250	$ 60
251 -	500	$ 90
501 -	1,000	$ 120
1,001	and over	$ 150

(d) The state egg board shall require and collect from each wholesaler at the time of registration a deposit equal to the product obtained by using a multiplier of six cents ($0.06) and a multiplicand that is the number of cases of eggs sold in that quarter of the immediately preceding five (5) calendar quarters in which the highest number of cases of eggs were sold by the wholesaler to retailers, hotels, restaurants, hospitals, nursing homes, schools, or to state or federal institutions. However, if the wholesaler does not have a five (5) quarter history, the state egg board shall fix the deposit at a reasonable amount.

(e) The state egg board shall require and collect from each retail store or unit of retailing a fee based upon the average number of cases of eggs sold each week during the preceding calendar year, as follows:

Average Number of Cases Sold	Registration Fee
1-5	$20
more than 5	$25

(f) All registered wholesalers must make application to the state egg board for a permit to report the case volume of eggs sold in Indiana and

submit a fee of six cents ($0.06) for each thirty (30) dozen eggs or a fraction of that number of the volume reported. In applying for a permit, the applicant must agree to do the following:

(1) Keep records the state egg board considers necessary to indicate accurately the case volume of eggs sold in Indiana.

(2) Grant the state egg board permission to examine those records and verify the statement of the number and grade of eggs reported.

(3) Report under oath to the state egg board, on forms furnished by the state egg board, the number of eggs reported during the period covered.

(g) This section expires December 31, 2026.

SECTION 345. IC 16-42-11-10.2, AS ADDED BY P.L.28-2009, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 10.2. (a) ~~Except as provided in subsection (d),~~ This section applies to:

(1) registrations and permits issued by; and

(2) fees due and payable to;

the state egg board after June 30, 2010.

(b) The ~~state egg~~ board ~~may~~ **shall** establish requirements for issuing a permit or registration under this chapter by rule under IC 4-22-2.

(c) The ~~state egg~~ board ~~may~~ **shall** establish fees necessary to carry out this chapter by rule under IC 4-22-2.

~~(d) If a rule is not in effect by July 1, 2010, the fees and requirements for obtaining a registration or permit under section 10 of this chapter apply until the date the rule takes effect.~~

SECTION 346. IC 16-42-11-10.4, AS ADDED BY P.L.28-2009, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 10.4. The ~~state egg~~ board may grant a permit if the board determines that the action will lead to efficient enforcement of this chapter. The ~~state egg~~ board may revoke a permit at any time if it appears to the ~~state egg~~ board that a wholesaler is not complying with the terms of the agreement entered into at the time of the issuance. The report of eggs is due and the fees are payable quarterly on the last day of the month following the end of the quarter. If:

(1) the report is not filed and the fee paid by the tenth day following the due date;

(2) the report is false; or

(3) the requirements of this chapter have not been complied with;

the ~~state egg~~ board may revoke the permit. If the fee is unpaid after the

ten (10) day grace period, a penalty of the greater of twenty dollars ($20) or ten percent (10%) of the amount due in addition to the amount due shall be assessed. If the ~~state egg~~ board determines that an account review is necessary, out-of-state permit holders shall reimburse the ~~state egg~~ board for expenses incurred to conduct the account review.

SECTION 347. IC 16-42-11-12, AS AMENDED BY P.L.28-2009, SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 12. The ~~dean of the college of agriculture of Purdue University may, subject to the approval of the state~~ egg board **may** employ an executive administrator, inspectors, clerks, and other assistants necessary to carry out this chapter. ~~under the direction and supervision of the state egg board.~~ The inspectors shall inspect and examine eggs sold, offered for sale, or exposed for sale and shall also inspect and examine eggs sold by wholesalers and retailers as fit for human consumption under this chapter at times and places and in the manner the ~~state egg~~ board directs.

SECTION 348. IC 16-42-11-13 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 13. **(a)** All money received by the ~~state egg~~ board ~~shall be paid to the treasurer of Purdue University who shall, under the direction of the state egg board, expend the money on proper vouchers to meet all necessary expenditures for carrying out this chapter and for any other expenses of Purdue University agricultural programs authorized by law and in support of the purposes of this chapter. The dean of agriculture shall submit to the state egg board~~ **under this chapter must be transferred to the treasurer of state for deposit in the state general fund.**

(b) The board shall prepare an annual report showing the receipts and expenditures of all money received and expended by the ~~director~~ **board** under this chapter. ~~The report shall be made a part of the annual report of the state egg board.~~ **The board shall submit the report to the legislative council in an electronic format under IC 5-14-6.**

SECTION 349. IC 16-42-11-15, AS AMENDED BY P.L.28-2009, SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 15. The

~~(1) members of the state egg board;~~

~~(2) dean of the college of agriculture of Purdue University; and~~

~~(3)~~ employees of the ~~state egg~~ board

are not liable in their individual capacity, except to the state, for an act done or omitted in connection with the performance of their respective duties under this chapter.

SECTION 350. IC 16-42-11-16 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 16. On July 1, 2026, the records, accounts, and property held by the state egg board (before its repeal) are transferred to the board as the successor agency.**

SECTION 351. IC 16-46-6-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1. **(a)** As used in this chapter, "council" refers to the interagency state council on black and minority health.

(b) This section expires December 31, 2026.

SECTION 352. IC 16-46-6-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 3. **(a)** The state department shall establish the interagency state council on black and minority health.

(b) This section expires December 31, 2026.

SECTION 353. IC 16-46-6-4, AS AMENDED BY P.L.42-2024, SECTION 126, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 4. (a) The council consists of the following twenty-one (21) members:

(1) Two (2) members of the house of representatives from different political parties appointed by the speaker of the house of representatives.

(2) Two (2) members of the senate from different political parties appointed by the president pro tempore of the senate.

(3) The governor or the governor's designee.

(4) The state health commissioner or the commissioner's designee.

(5) The director of the division of family resources established by IC 12-13-1-1 or the director's designee.

(6) The director of the office of Medicaid policy and planning established by IC 12-8-6.5-1 or the director's designee.

(7) The director of the division of mental health and addiction established by IC 12-21-1-1 or the director's designee.

(8) The commissioner of the department of correction or the commissioner's designee.

(9) One (1) representative of a local health department appointed by the governor.

(10) One (1) representative of a public health care facility appointed by the governor.

(11) One (1) psychologist appointed by the governor who:

(A) is licensed to practice psychology in Indiana; and

(B) has knowledge and experience in the special health needs of minorities.

(12) One (1) member appointed by the governor based on the recommendation of the Indiana State Medical Association.

(13) One (1) member appointed by the governor based on the recommendation of the National Medical Association.

(14) One (1) member appointed by the governor based on the recommendation of the Indiana Hospital and Health Association.

(15) One (1) member appointed by the governor based on the recommendation of the American Cancer Society.

(16) One (1) member appointed by the governor based on the recommendation of the American Heart Association.

(17) One (1) member appointed by the governor based on the recommendation of the American Diabetes Association.

(18) One (1) member appointed by the governor based on the recommendation of the Black Nurses Association.

(19) One (1) member appointed by the governor based on the recommendation of the Indiana Minority Health Coalition.

(b) At least fifty-one percent (51%) of the members of the council must be minorities.

(c) This section expires December 31, 2026.

SECTION 354. IC 16-46-6-5 IS REPEALED [EFFECTIVE JANUARY 1, 2027]. ~~Sec. 5. (a) Except as provided in subsection (b), all appointments to the council are for two (2) years. A legislative member's term expires on June 30 of an odd-numbered year.~~

~~(b) The term of a member appointed by the governor is four (4) years and expires as follows:~~

~~(1) June 30, 2025, and each fourth year thereafter for a member appointed under section 4(a)(9) through 4(a)(14) of this chapter.~~

~~(2) December 31, 2025, and each fourth year thereafter for a member appointed under section 4(a)(15) through 4(a)(19) of this chapter.~~

~~(c) A member may be reappointed to the commission for succeeding terms.~~

SECTION 355. IC 16-46-6-6 IS REPEALED [EFFECTIVE JANUARY 1, 2027]. ~~Sec. 6. The council shall select a chairman from the membership annually.~~

SECTION 356. IC 16-46-6-7 IS REPEALED [EFFECTIVE JANUARY 1, 2027]. ~~Sec. 7. Appointments to fill a vacancy are for the~~

~~remainder of an unexpired term and are made by the authority who made the original appointment.~~

SECTION 357. IC 16-46-6-8 IS REPEALED [EFFECTIVE JANUARY 1, 2027]. ~~Sec. 8. The state department shall provide staff for the council.~~

SECTION 358. IC 16-46-6-9 IS REPEALED [EFFECTIVE JANUARY 1, 2027]. ~~Sec. 9. The council shall hold at least four (4) meetings annually.~~

SECTION 359. IC 16-46-6-10 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 10. The ~~council~~ **state department** shall do the following:

(1) Identify and study the special health care needs and health problems of minorities.

(2) Examine the factors and conditions that affect the health of minorities.

(3) Examine the health care services available to minorities in the public and private sector and determine the extent to which these services meet the needs of minorities.

(4) Study the state and federal laws concerning the health needs of minorities.

(5) Examine the coordination of services to minorities and recommend improvements in the delivery of services.

(6) Examine funding sources for minority health care.

(7) Examine and recommend preventive measures concerning the leading causes of death or injury among minorities, including the following:

(A) Heart disease.

(B) Stroke.

(C) Cancer.

(D) Intentional injuries.

(E) Accidental death and injury.

(F) Cirrhosis.

(G) Diabetes.

(H) Infant mortality.

(I) HIV and acquired immune deficiency syndrome.

(J) Mental Health.

(K) Substance Abuse.

(8) Examine the impact of the following on minorities:

(A) Adolescent pregnancy.

(B) Sexually transmitted and other communicable diseases.

(C) Lead poisoning.

(D) Long term disability and aging.

(E) Sickle cell anemia.

(9) Monitor the Indiana minority health initiative and other public policies that affect the health status of minorities.

(10) Develop and implement a comprehensive plan and time line to address health disparities and health issues of minority populations in Indiana.

SECTION 360. IC 16-46-6-11 IS REPEALED [EFFECTIVE JANUARY 1, 2027]. ~~Sec. 11. The council shall submit a report in an electronic format under IC 5-14-6 to the general assembly before November 1 of each year. The report must include the following:~~

~~(1) The findings and conclusions of the council.~~

~~(2) Recommendations of the council.~~

SECTION 361. IC 16-46-6-12 IS REPEALED [EFFECTIVE JANUARY 1, 2027]. ~~Sec. 12. (a) Except as otherwise provided, a person who recklessly violates or fails to comply with this chapter commits a Class B misdemeanor.~~

~~(b) Each day a violation continues constitutes a separate offense.~~

SECTION 362. IC 16-46-6-13 IS REPEALED [EFFECTIVE JANUARY 1, 2027]. ~~Sec. 13. (a) Each member of the council who is not a state employee is entitled to the minimum salary per diem provided by IC 4-10-11-2.1(b). The council member is also entitled to reimbursement for mileage, traveling expenses as provided under IC 4-13-1-4, and other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.~~

~~(b) Each member of the council who is a state employee is entitled to reimbursement for traveling expenses as provided under IC 4-13-1-4 and other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.~~

~~(c) Except as provided in subsection (d), expenses incurred under this section must be paid out of the funds appropriated to the state department.~~

~~(d) Each member of the council who is a member of the general assembly is entitled to receive the same per diem, mileage, and travel allowances paid to legislative members of interim study committees~~

~~established by the legislative council. Per diem, mileage, and travel allowances paid under this subsection shall be paid from appropriations made to the legislative council or the legislative services agency.~~

SECTION 363. IC 16-46-11-1, AS AMENDED BY P.L.56-2023, SECTION 171, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1. The office of minority health and the state department, in partnership with the Indiana Minority Health Coalition, Inc., shall do the following:

(1) Staff, coordinate, and assist in the implementation of the comprehensive health plan developed by the interagency state council on black and minority health established under IC 16-46-6. **This subdivision expires December 31, 2026.**

(2) Expand, develop, and implement a community based state structure that is conducive to addressing the health disparities of the minority populations in Indiana.

(3) Monitor minority health progress.

(4) Establish policy.

(5) Fund minority health programs, research, and other initiatives.

(6) Provide the following through interdepartmental coordination:

(A) The data and technical assistance needs of the local minority health coalitions.

(B) Measurable minority health objectives to local minority health coalitions for the development of health intervention programs.

(7) Provide through the state health data center established by IC 16-19-10-3 minority health research and resource information addressing the following:

(A) Research within minority populations.

(B) A resource database that can be disseminated to local organizations interested in minority health.

(C) Racial and ethnic specific databases including morbidity, diagnostic groups, social/economic, education, and population.

(D) Attitude, knowledge, and belief information.

(8) Staff a minority health hotline that establishes linkages with other health and social service hotlines and local coalitions.

(9) Develop and implement an aggressive recruitment and retention program to increase the number of minorities in the health and social services professions.

(10) Develop and implement an awareness program that will increase the knowledge of health and social service providers to

the special needs of minorities.

(11) Develop and implement culturally and linguistically appropriate health promotion and disease prevention programs that would emphasize avoiding the health risk factors for conditions affecting minorities and incorporate an accessible, affordable, and acceptable early detection and intervention component.

(12) Provide the state support necessary to ensure the continued development of the existing minority health coalitions and to develop coalitions in other areas targeted for minority health intervention.

(13) Coordinate each of the counties with existing local minority health coalitions to:

(A) provide community planning and needs assessment assistance to the local minority health coalitions; and

(B) assist the local minority health coalitions in the development of local minority health intervention plans. The plans shall be developed to coincide with the state fiscal year.

(14) Establish a liaison between the state department and the Indiana Minority Health Coalition, Inc., to:

(A) coordinate the state department resources needed for the development of local coalitions;

(B) provide assistance to and monitor the local coordinators in the development of local intervention plans;

(C) serve as the barometer to the state department on the minority health concerns of local coalitions;

(D) assist in coordinating the minority community input on state policies and programs;

(E) serve as the linkage with the state department and the local minority health coordinators; and

(F) monitor the progress of the fulfilling of their responsibilities.

(15) Provide funding, within the limits of appropriations, to support preventive health, education, and treatment programs in the minority communities that are developed, planned, and evaluated by approved organizations.

(16) Provide assistance to local communities to obtain funding for the development of a health care delivery system to meet the needs, gaps, and barriers identified in the local plans.

SECTION 364. IC 16-46-11.1-7 IS ADDED TO THE INDIANA

CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 7. This chapter expires December 31, 2026.**

SECTION 365. IC 20-20-38-4, AS AMENDED BY P.L.213-2025, SECTION 163, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 4. (a) The state board shall develop and implement a long range state plan for a comprehensive secondary level career and technical education program in Indiana.

(b) The plan developed under this section must be updated as changes occur. The state board shall make the plan and any revisions made to the plan available to:

(1) the governor;

(2) the general assembly;

(3) the department of workforce development;

(4) the commission for higher education; **and**

~~(5) the board for proprietary education; and~~

~~(6)~~ **(5)** any other appropriate state or federal agency.

A plan or revised plan submitted under this section to the general assembly must be in an electronic format under IC 5-14-6.

(c) The plan developed under this section must set forth specific goals for secondary level public career and technical education and must include the following:

(1) The preparation of each graduate for both employment and further education.

(2) Accessibility of career and technical education to individuals of all ages who desire to explore and learn for economic and personal growth.

(3) Projected employment opportunities in various career and technical education fields.

(4) A study of the supply of and the demand for a labor force skilled in particular career and technical education areas.

(5) A study of technological and economic change affecting Indiana.

(6) An analysis of the private career and education sector in Indiana.

(7) Recommendations for improvement in the state career and technical education program.

(8) The educational levels expected of career and technical education programs proposed to meet the projected employment needs.

(d) When making any revisions to the plan, the state board shall consider the workforce needs and training and education needs identified in the occupational demand report prepared by the department of workforce development under IC 22-4.1-4-10.

(e) The state board shall use data from the department of workforce development to develop and implement a plan or make revisions to a plan under this section.

SECTION 366. IC 20-20-38-6, AS AMENDED BY P.L.213-2025, SECTION 164, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 6. (a) The state board shall do the following:

(1) Make recommendations to the general assembly concerning the development, duplication, and accessibility of employment training and career and technical education on a regional and statewide basis.

(2) Consult with any state agency, commission, or organization that supervises or administers programs of career and technical education concerning the coordination of career and technical education, including the following:

(A) The Indiana economic development corporation.

(B) A private industry council (as defined in 29 U.S.C. 1501 et seq.).

(C) The department of labor.

(D) The commission for higher education.

(E) The department of workforce development.

~~(F) The board for proprietary education.~~

~~(G)~~ **(F)** The department of veterans' affairs.

(3) Review and make recommendations concerning plans submitted by the commission for higher education. The state board may request the resubmission of plans or parts of plans that:

(A) are not consistent with the long range state plan of the state board;

(B) are incompatible with other plans within the system; or

(C) duplicate existing services.

(4) Report to the general assembly on the state board's conclusions and recommendations concerning interagency cooperation, coordination, and articulation of career and technical education and employment training. A report under this subdivision must be in an electronic format under IC 5-14-6.

(5) Study and develop a plan concerning the transition between

secondary level career and technical education and postsecondary level career and technical education.

(b) The state board shall use data from the department of workforce development in carrying out the state board's duties under this section.

SECTION 367. IC 20-20-40-3 IS REPEALED [EFFECTIVE JANUARY 1, 2027]. ~~Sec. 3. As used in this chapter, "commission" refers to the commission on seclusion and restraint in schools established by section 11 of this chapter.~~

SECTION 368. IC 20-20-40-3.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 3.5. As used in this chapter, "council" refers to the state advisory council established by IC 20-35-3-1.**

SECTION 369. IC 20-20-40-11 IS REPEALED [EFFECTIVE JANUARY 1, 2027]. ~~Sec. 11. (a) The commission on seclusion and restraint in schools is established.~~

~~(b) The commission has the following ten (10) members:~~

~~(1) The designee of the secretary of education, who serves at the pleasure of the secretary of education.~~

~~(2) A representative of the Autism Society of Indiana, chosen by the organization, who serves a two (2) year term.~~

~~(3) A representative of the Arc of Indiana, chosen by the organization, who serves a two (2) year term.~~

~~(4) A representative of the Indiana Council of Administrators of Special Education, chosen by the organization, who serves a two (2) year term.~~

~~(5) A representative of Mental Health America of Indiana, chosen by the organization, who serves a two (2) year term.~~

~~(6) A parent of a student with a disability, nominated by a member described in subdivisions (2), (3), and (5) and approved by a majority of the members described in subdivisions (1) through (5) and (8) through (10), who serves a two (2) year term.~~

~~(7) A parent of a student who does not have a disability, nominated by a member described in subdivisions (2), (3), and (5) and approved by a majority of the members described in subdivisions (1) through (5) and (8) through (10), who serves a two (2) year term.~~

~~(8) One (1) state accredited nonpublic school administrator nominated by the Indiana Non-public Education Association, who serves a two (2) year term.~~

~~(9) One (1) public school superintendent nominated by the Indiana Association of Public School Superintendents, who serves a two (2) year term.~~

~~(10) One (1) member of the Indiana School Resource Officers Association chosen by the organization, who serves a two (2) year term.~~

~~(c) Each member of the commission who is not a state employee is entitled to the minimum salary per diem provided by IC 4-10-11-2.1(b). A member who is not a state employee is also entitled to reimbursement for traveling expenses and other expenses actually incurred in connection with the member's duties, as provided in the state travel policies and procedures established by the Indiana department of administration and approved by the budget agency.~~

SECTION 370. IC 20-20-40-12 IS REPEALED [EFFECTIVE JANUARY 1, 2027]. ~~Sec. 12. (a) The designee of the secretary of education under section 11(b)(1) of this chapter serves as chairperson of the commission.~~

~~(b) The commission shall meet at least biannually on the call of the chairperson, and may meet as often as is necessary. The chairperson shall provide not less than fourteen (14) days notice of a meeting to the members of the commission and to the public.~~

~~(c) The affirmative votes of at least five (5) members of the commission are necessary for the commission to take action. The votes of the commission must be recorded.~~

~~(d) All commission meetings shall be open to the public, and each meeting must include opportunities for public comment.~~

~~(e) The department shall provide staff support for the commission.~~

SECTION 371. IC 20-20-40-13, AS AMENDED BY P.L.162-2024, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 13. (a) The ~~commission~~ **council** has the following duties:

(1) To adopt rules concerning the following:

(A) The use of restraint and seclusion in a school corporation or a state accredited nonpublic school, with an emphasis on eliminating or minimizing the use of restraint and seclusion.

(B) The prevention of the use of types of restraint or seclusion that may harm a student, a school employee, a school volunteer, or the educational environment of the school.

(C) Requirements for notifying parents.

(D) Training regarding the use of restraint and seclusion,

including the frequency of training and what employees must be trained.

(E) The distribution of the seclusion and restraint policy to parents and the public.

(F) Requirements for the reporting of incidents of restraint and seclusion in the annual school performance report, including incidents of restraint and seclusion involving school resource officers (as defined in IC 20-26-18.2-1).

(G) Circumstances that may require more timely incident reporting and the requirements for such reporting.

(2) To develop, maintain, and revise a model restraint and seclusion plan for schools that includes the following elements:

(A) A statement on how students will be treated with dignity and respect and how appropriate student behavior will be promoted and taught.

(B) A statement ensuring that the school will use prevention, positive behavior intervention and support, and conflict de-escalation to eliminate or minimize the need for use of any of the following:

(i) Seclusion.

(ii) Chemical restraint.

(iii) Mechanical restraint.

(iv) Physical restraint.

(v) Time-out.

(C) A statement ensuring that any behavioral intervention used will be consistent with the student's most current behavioral intervention plan, or individualized education program, if applicable.

(D) Definitions for restraint and seclusion, as defined in this chapter.

(E) A statement ensuring that if a procedure listed in clause (B) is used, the procedure will be used:

(i) as a last resort safety procedure, employed only after another, less restrictive procedure has been implemented without success; and

(ii) in a situation in which there is an imminent risk of injury to the student, other students, school employees, or visitors to the school.

(F) An indication that restraint or seclusion may be used only for a short time period, or until the imminent risk of injury has

passed.

(G) A documentation and recording requirement governing instances in which procedures listed in clause (B) are used, including:

(i) how every incident will be documented and debriefed;

(ii) how responsibilities will be assigned to designated employees for evaluation and oversight; and

(iii) designation of a school employee to be the keeper of such documents.

(H) A requirement that the student's parent must be notified as soon as possible when an incident involving the student occurs that includes use of procedures listed in clause (B).

(I) A requirement that a copy of an incident report must be sent to the student's parent after the student is subject to a procedure listed in clause (B).

(J) Required recurrent training for appropriate school employees on the appropriate use of effective alternatives to physical restraint and seclusion, including the use of positive behavioral intervention and support and conflict de-escalation. The training must include the safe use of physical restraint and seclusion in incidents involving imminent danger or serious harm to the student, school employees, or others. Consideration must be given to available school resources and the time commitments of school employees.

(3) To accept and review reports from the public and make nonbinding recommendations to the department of any suggested action to be taken.

~~(4) To biannually provide a report to the state advisory council on the education of children with disabilities appointed under IC 20-35-3-1 regarding the:~~

~~(A) execution of the commission's duties under this section; and~~

~~(B) review of incident reports under section 13.6 of this chapter.~~

(b) The model policy developed by the ~~commission~~ **council** must take into consideration that implementation and reporting requirements for state accredited nonpublic schools may vary, and the model plan must provide state accredited nonpublic schools flexibility with regards to accountability under and implementation of the plan adopted by a state accredited nonpublic school under section 14 of this chapter.

(c) The ~~commission~~ **council** will assist the department in enabling

training required by this section to be provided after ~~June 30, 2024,~~ **January 1, 2027,** through the online platform established or licensed for use under IC 20-19-3-29, if the online platform is established.

SECTION 372. IC 20-20-40-13.6, AS AMENDED BY P.L.162-2024, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 13.6. (a) The department shall biannually review incident reports under rules established by the ~~commission~~ **council** under IC 4-22-2 and submit summary findings to the ~~commission~~ **council** in compliance with the federal Family Educational Rights and Privacy Act (20 U.S.C. 1232g and 34 CFR Part 99).

(b) The ~~commission~~ **council** shall biannually review summary findings submitted by the department under subsection (a) and may make nonbinding recommendations to the department or other entities.

(c) If the department receives a recommendation from the ~~commission~~ **council** under subsection (b), the department shall provide the ~~commission~~ **council** a response with regard to the ~~commission's~~ **council's** recommendation in a manner prescribed by the department within a reasonable time after the department receives the recommendation from the ~~commission.~~ **council.**

SECTION 373. IC 20-20-40-15, AS AMENDED BY P.L.92-2020, SECTION 24, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 15. (a) Nothing in this chapter may be construed to prevent a school employee from stopping a physical altercation, acting to prevent physical harm to a student or another individual, or acting to address an emergency until the emergency is over, whether or not the school employee has received training under this chapter.

(b) This chapter may not be construed to give rise to a cause of action, either civil or criminal, against the state, the department, a school corporation, a state accredited nonpublic school, the ~~commission,~~ **council,** or a member of the ~~commission.~~ **council.**

(c) In all matters relating to the plan adopted under section 14 of this chapter, school corporation or state accredited nonpublic school personnel have qualified immunity with respect to an action taken to promote student conduct under a plan adopted under section 14 of this chapter if the action is taken in good faith and is reasonable.

SECTION 374. IC 20-20-40-16, AS AMENDED BY P.L.93-2024, SECTION 139, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 16. The ~~commission~~ **council**

shall adopt rules under IC 4-22-2 to carry out the purposes of this chapter.

SECTION 375. IC 20-20-40-17 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 17. (a) The commission on seclusion and restraint in schools established by section 11 of this chapter (before its repeal) is abolished on December 31, 2026.**

(b) The following are transferred on January 1, 2027, from the commission on seclusion and restraint in schools to the state advisory council established by IC 20-35-3-1:

(1) All real and personal property of the commission on seclusion and restraint in schools.

(2) All powers, duties, assets, and liabilities of the commission on seclusion and restraint in schools.

(3) All appropriations to the commission on seclusion and restraint in schools.

(c) All rules or policies that were adopted by the commission on seclusion and restraint in schools before December 31, 2026, shall be treated as though the rules were adopted by the state advisory council established by IC 20-35-3-1 until the council adopts new rules or policies.

(d) After December 31, 2026, a reference to the commission on seclusion and restraint in schools in a statute or rule shall be treated as a reference to the state advisory council established by IC 20-35-3-1.

SECTION 376. IC 20-26-5-6, AS AMENDED BY P.L.56-2023, SECTION 177, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 6. All powers delegated to the governing body of a school corporation under section 1 or 4 of this chapter are subject to all laws subjecting the school corporation to regulation by a state agency, including the secretary of education, state board of accounts, state police department, ~~fire prevention and building safety commission,~~ **department of homeland security,** department of local government finance, environmental rules board, state school bus committee, Indiana department of health, and any local governmental agency to which the state has been delegated a specific authority in matters other than educational matters and other than finance, including plan commissions, zoning boards, and boards concerned with health and safety.

SECTION 377. IC 20-28-1-11, AS AMENDED BY P.L.196-2021,

SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 11. "School psychology" means the following:

(1) Administering, scoring, and interpreting educational, cognitive, career, vocational, behavioral, and affective tests and procedures that address a student's:

(A) education;

(B) developmental status;

(C) attention skills; and

(D) social, emotional, and behavioral functioning;

as they relate to the student's learning or training in the academic or vocational environment.

(2) Providing consultation, collaboration, and intervention services (not including psychotherapy) and providing referral to community resources to:

(A) students;

(B) parents of students;

(C) teachers;

(D) school administrators; and

(E) school staff;

concerning learning and performance in the educational process.

(3) Participating in or conducting research relating to a student's learning and performance in the educational process:

(A) regarding the educational, developmental, career, vocational, or attention functioning of the student; or

(B) screening social, affective, and behavioral functioning of the student.

(4) Providing inservice or continuing education services relating to learning and performance in the educational process to schools, parents, or others.

(5) Supervising school psychology services.

(6) Referring a student to:

(A) a speech-language pathologist or an audiologist licensed under IC 25-35.6 for services for speech, hearing, and language disorders;

(B) an occupational therapist licensed under ~~IC 25-23.5~~ **IC 25-27-4** for occupational therapy services; or

(C) a physical therapist licensed under IC 25-27 for mandated school services within a physical therapist's scope of practice;

by a school psychologist who is employed by a school corporation

and who is defined as a practitioner of the healing arts for the purpose of referrals under 42 CFR 440.110.

The term does not include the diagnosis or treatment of mental and nervous disorders, except for conditions and interventions provided for in state and federal mandates affecting special education and vocational evaluations as the evaluations relate to the assessment of handicapping conditions and special education decisions or as the evaluations pertain to the placement of children and the placement of adults with a developmental disability.

SECTION 378. IC 20-35-11-4, AS AMENDED BY P.L.143-2025, SECTION 39, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 4. (a) The center shall carry out the following duties in an unbiased manner to ensure that children who are deaf and children who are hard of hearing acquire optimal language skills and academic abilities, regardless of the mode of communication used:

(1) Observe and follow children who are deaf and hard of hearing from:

(A) birth through three (3) years of age, in collaboration with the early hearing detection and intervention program and the office of the secretary of family and social services; and

(B) three (3) years of age through twenty-one (21) years of age and who are enrolled or preparing to enroll in early intervention services, preschool, elementary, or secondary school, in collaboration with the department.

(2) Provide family support from birth through twenty-one (21) years of age by any of the following:

(A) Connecting families to existing public and private resources for information and services, which may include any of the following:

(i) First steps agencies.

(ii) Deaf mentors.

(iii) Interpreting agencies.

(iv) Hearing health care professionals.

(v) Educational professionals.

(B) Providing audiology assessments and management.

(C) Using family navigators.

Except for deaf mentor services, audiology services, and interpreter services, the center may not provide any direct therapy services.

(3) Develop and ensure comprehensive educational evaluations that:

(A) consider the full continuum of communication options; and

(B) make available the following professionals based on the needs of the individual child:

(i) A speech-language pathologist licensed under IC 25-35.6-3.

(ii) A school psychologist licensed by the department.

(iii) An occupational therapist licensed under ~~IC 25-23.5.~~ **IC 25-27-4.**

(iv) A physical therapist licensed under IC 25-27.

(v) A certified listening and spoken language specialist.

(vi) An American Sign Language specialist, as defined by the National Association of State Directors of Special Education.

(vii) An audiologist licensed under IC 25-35.6-3.

(viii) A deaf educator licensed under IC 20-28-5.

(4) Assist professionals who provide students with sign language interpreting services.

(5) Provide consultation by qualified professionals to schools concerning students who are deaf and students who are hard of hearing, including classroom accommodations, instruction, acoustics, and other environmental aspects.

(6) Act as a liaison with all state agencies that provide services to individuals who are deaf and hard of hearing, including the department, the Indiana department of health, the office of the secretary of family and social services, and the Indiana School for the Deaf.

(7) Beginning July 1, 2025, and every three (3) months thereafter, provide the Indiana department of health with aggregate data and metrics concerning the center's duties.

(b) The Indiana department of health shall post the following on the Indiana department of health's website:

(1) The data and metrics submitted by the center under subsection (a)(7).

(2) The center's current operational policies and procedures concerning the center's duties, as specified in this section.

SECTION 379. IC 20-37-2-13, AS AMENDED BY P.L.168-2022, SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 13. (a) As used in this section, "applicable high school" means a high school at which all the students participate in a

work based learning course (as defined in IC 20-43-8-0.7) or school based enterprise.

(b) As used in this section, "primary use of the building" means an occupancy classification that is:

(1) most closely related to the intended use of the building; and

(2) determined by the rules of the ~~fire prevention and building safety commission established by IC 22-12-2-1~~ **department of homeland security** that apply to the building immediately preceding the date that the applicable high school agrees to use the building.

(c) Except as provided in subsection (d), an applicable high school shall comply with all rules of the ~~fire prevention and building safety commission~~ **department of homeland security** applicable to the primary use of the building.

(d) The ~~fire prevention and building commission~~ **department of homeland security** may grant a variance under IC 22-13-2-11 to the rules applicable to the primary use of the building necessary to implement this section.

SECTION 380. IC 21-7-13-6, AS AMENDED BY P.L.11-2023, SECTION 70, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 6. (a) "Approved postsecondary educational institution", for purposes of this title (except section 15 of this chapter and IC 21-12-6) means the following:

(1) A postsecondary educational institution that operates in Indiana and:

(A) provides an organized two (2) year or longer program of collegiate grade directly creditable toward a baccalaureate degree;

(B) is either operated by the state or operated nonprofit; and

(C) is accredited by a recognized regional accrediting agency, including:

(i) Ancilla College;

(ii) Anderson University;

(iii) Bethel University;

(iv) Butler University;

(v) Calumet College of St. Joseph;

(vi) DePauw University;

(vii) Earlham College;

(viii) Franklin College;

(ix) Goshen College;

(x) Grace College and Seminary;
(xi) Hanover College;
(xii) Holy Cross College;
(xiii) Huntington University;
(xiv) Indiana Institute of Technology;
(xv) Indiana Wesleyan University;
(xvi) Manchester University;
(xvii) Marian University;
(xviii) Martin University;
(xix) Oakland City University;
(xx) Rose-Hulman Institute of Technology;
(xxi) Saint Mary-of-the-Woods College;
(xxii) Saint Mary's College;
(xxiii) Taylor University;
(xxiv) Trine University;
(xxv) University of Evansville;
(xxvi) University of Indianapolis;
(xxvii) University of Notre Dame;
(xxviii) University of Saint Francis;
(xxix) Valparaiso University; and
(xxx) Wabash College;

or is accredited by the ~~board for proprietary education~~ **commission for higher education** under IC 21-18.5-6 or an accrediting agency recognized by the United States Department of Education.

(2) Ivy Tech Community College.

(3) A hospital that operates a nursing diploma program that is accredited by the Indiana state board of nursing.

(4) A postsecondary credit bearing proprietary educational institution that meets the following requirements:

(A) Is incorporated in Indiana, or is registered as a foreign corporation doing business in Indiana.

(B) Is fully accredited by and is in good standing with the ~~board for proprietary education~~ **commission for higher education** under IC 21-18.5-6.

(C) Is accredited by and is in good standing with a regional or national accrediting agency.

(D) Offers a course of study that is at least eighteen (18) consecutive months in duration (or an equivalent to be determined by the ~~board for proprietary education~~ **commission**

for high education under IC 21-18.5-6) and that leads to an associate or a baccalaureate degree recognized by the ~~board for proprietary education~~ **commission for higher education** under IC 21-18.5-6.

(E) Is certified by the ~~board for proprietary education~~ **commission for higher education** as meeting the requirements of this subdivision.

(5) A postsecondary SEI affiliated educational institution.

(b) "Approved postsecondary educational institution" for purposes of section 15 of this chapter and IC 21-12-6, means the following:

(1) A state educational institution.

(2) A nonprofit college or university.

(3) A postsecondary credit bearing proprietary educational institution that is accredited by an accrediting agency recognized by the United States Department of Education.

(4) A postsecondary SEI affiliated educational institution.

SECTION 381. IC 21-7-13-26.5, AS ADDED BY P.L.217-2017, SECTION 142, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 26.5. (a) "Postsecondary SEI affiliated educational institution" means a degree granting and credit bearing institution that:

(1) is organized as a public benefit corporation (as described in IC 23-17-2-23) and controlled by a state educational institution;

(2) is authorized under procedures approved by the executive officer of the commission under IC 21-18-12.4 to provide instructional or educational services or training in Indiana using onsite, online, or any combination of these or other instructional modalities;

(3) is accredited by a recognized regional accrediting agency or is seeking or progressing toward accreditation by a recognized regional accrediting agency; and

(4) has its debts and liabilities backed by the controlling state educational institution described in subdivision (1) in the form of a contribution, bond, or other surety consisting solely of eligible property (as defined in IC 21-27-10-4).

(b) The term does not include the following:

(1) A state educational institution.

(2) A postsecondary credit bearing proprietary educational institution approved or regulated by the ~~board for proprietary education~~ **commission for higher education** under IC 21-18.5-6.

(3) Any educational institution or educational training that:

(A) is maintained or provided by an employer or employers at no charge for employees or potential employees;

(B) is maintained or provided by a labor organization at no charge for its members or apprentices; or

(C) offers instruction that is exclusively focused on self-improvement or exclusively intended to be motivational or avocational, including instruction in dance, music, self-defense, and private tutoring.

(4) A public or nonprofit degree granting institution organized or incorporated in a jurisdiction other than Indiana that offers instructional or educational services or training in Indiana.

(5) A religious institution that offers educational instruction or an educational program of a clearly religious nature.

SECTION 382. IC 21-9-4-1, AS AMENDED BY P.L.43-2021, SECTION 139, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1. (a) The board of directors of the authority is established. The board consists of the following:

(1) The following four (4) ex officio members or directors:

(A) The treasurer of state.

(B) The secretary of education.

(C) The Indiana commissioner for higher education.

(D) The budget director.

(2) Five (5) ~~appointed~~ members or directors ~~who:~~

~~(A)~~ ~~are appointed by the governor; and~~

~~(B)~~ **who** have knowledge, skill, and experience in academic, business, financial, or education fields **appointed as follows:**

(A) One (1) member appointed by the governor.

(B) Two (2) members appointed by the president pro tempore of the senate.

(3) Two (2) members appointed by the speaker of the house of representatives.

(b) During a member's term of service on the board, an appointed member of the board may not be an official or employee of the state.

~~(c) Not more than three (3) of the appointed members of the board may belong to the same political party.~~

~~(d)~~ **(c)** An appointed member serves a four (4) year term. An appointed member shall hold over after the expiration of the member's term until the member's successor is appointed and qualified. **A member may be appointed to successive terms.**

~~(e) The governor may reappoint an appointed member of the board.~~

~~(f)~~ **(d)** A vacancy shall be filled **by the appropriate appointing authority** for the balance of an unexpired term in the same manner as the original appointment.

~~(g)~~ **(e)** The treasurer of state shall serve as chairman of the board. The board shall annually elect one (1) of its ex officio members as vice chairman, and may elect any other officer that the board desires.

~~(h)~~ **(f)** The ~~governor~~ **appointing authority** may remove an appointed member for misfeasance, malfeasance, willful neglect of duty, or other cause after notice and a public hearing, unless the member expressly waives the notice and hearing in writing.

SECTION 383. IC 21-12-1-8, AS AMENDED BY P.L.157-2023, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 8. "Eligible institution", for the purposes of:

(1) IC 21-12-6, refers to a postsecondary educational institution that qualifies as an eligible institution under IC 21-12-6-4; and

(2) IC 21-12-8, refers to a postsecondary educational institution that:

(A) operates in Indiana;

(B) is either operated by the state or operated nonprofit;

(C) operates an organized program of postsecondary education leading to a technical certificate, nursing diploma, or associate or baccalaureate degree; and

(D) is authorized by the department of workforce development under IC 22-4.1-21 or accredited by:

(i) a recognized regional accrediting agency;

(ii) the ~~board for proprietary education~~ **commission for higher education** under IC 21-18.5-6; or

(iii) the Indiana state board of nursing.

SECTION 384. IC 21-12-4-2, AS AMENDED BY P.L.281-2013, SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 2. A person is eligible for a freedom of choice grant if:

(1) the person is qualified for a higher education award under the terms of IC 21-12-3-1, IC 21-12-3-2, and IC 21-12-3-3 or IC 21-12-3-4, even if lack of funds prevents the award or grant;

(2) for a freedom of choice grant awarded before September 1, 2014, the person has a financial need that exceeds the award, as determined in accordance with:

(A) this chapter, IC 21-18.5-4, IC 21-12-2, and IC 21-12-3; and

(B) the rules of the commission; and

(3) the person will attend an approved postsecondary educational institution that:

(A) either:

(i) operates in Indiana, provides an organized two (2) year or longer program of collegiate grade directly creditable toward a baccalaureate degree, is operated by a nonprofit entity, and is accredited by a recognized regional accrediting agency or the ~~board for proprietary education~~ **commission for higher education** under IC 21-18.5-6; or

(ii) is a hospital that operates a nursing diploma program that is accredited by the Indiana state board of nursing; and

(B) is operated privately and not administered or controlled by any state agency or entity.

SECTION 385. IC 21-12-6-4, AS AMENDED BY P.L.107-2012, SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 4. A scholarship recipient may apply a scholarship under this chapter to the educational costs of a postsecondary educational institution only if the postsecondary educational institution qualifies under this section. For a postsecondary educational institution to qualify under this section, the postsecondary educational institution must satisfy the following requirements:

(1) Be an approved postsecondary educational institution.

(2) Be accredited by an agency that is recognized by the Secretary of the United States Department of Education.

(3) Operate an organized program of postsecondary education leading to an associate or a baccalaureate degree on a campus located in Indiana.

(4) Be approved by the commission:

(A) under rules adopted under IC 4-22-2; and

(B) in consultation with the ~~board for proprietary education established by IC 21-18.5-5-1,~~ **commission for higher education,** if appropriate.

SECTION 386. IC 21-13-6-7, AS ADDED BY P.L.170-2009, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 7. The medical **graduate and** education board shall annually make available to the commission the most recent information concerning the number of primary care physicians who are serving as medical residents in Indiana.

SECTION 387. IC 21-13-6.5-3, AS ADDED BY P.L.190-2015,

SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 3. The medical **graduate and** education board shall annually make available to the commission the most recent information concerning the number of current residency program slots in Indiana.

SECTION 388. IC 21-16-4-7, AS AMENDED BY P.L.152-2018, SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 7. The commission may remove an eligible institution's qualified status upon finding, after reasonable notice and hearing, that the eligible institution fails to meet the standards established by the commission. The commission may direct the department of workforce development ~~or the board for proprietary education~~ to review a school under its jurisdiction, or a comparable school outside Indiana that is an eligible institution under this chapter. The commission may use the results of the review to determine whether to remove an eligible institution's qualified status.

SECTION 389. IC 21-18-6-1, AS AMENDED BY P.L.213-2025, SECTION 245, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 1. The general purposes of the commission are the following:

(1) Plan for and coordinate Indiana's state supported system of postsecondary education.

(2) Review appropriation requests of state educational institutions.

(3) Make recommendations to the governor, budget agency, or the general assembly concerning postsecondary education.

(4) Perform other functions assigned by the governor or the general assembly.

(5) Administer state financial aid programs under IC 21-18.5-4.

~~(6) Provide staff and office space for the board for proprietary education established by IC 21-18.5-5-1.~~

SECTION 390. IC 21-18-12-1, AS AMENDED BY P.L.92-2020, SECTION 106, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 1. (a) The Indiana e-transcript program is created to allow students at all state accredited high schools accredited under IC 20-31-4.1 located in Indiana to request that the student's school transcripts be transmitted electronically to state educational institutions, participating Indiana not-for-profit or privately endowed institutions, and participating Indiana institutions authorized by the ~~board for proprietary education established by IC 21-18.5-5-1.~~

commission for higher education.

(b) The commission shall administer the program.

(c) Beginning July 1, 2013, the department of education established by IC 20-19-3-1, in collaboration with the state educational institutions and the commission, shall develop a common electronic transcript, using common data fields and formats that are required by state educational institutions.

(d) Not later than July 1, 2015, all public secondary schools shall use the common electronic transcript developed by the department of education.

(e) The governing body of a state accredited nonpublic secondary school may elect to use the common electronic transcript developed by the department of education.

SECTION 391. IC 21-18.5-1-3, AS AMENDED BY P.L.152-2018, SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 3. Any reference to the Indiana commission for postsecondary proprietary education or the Indiana commission on proprietary education in any statute or rule shall be treated:

(1) after June 30, 2012, as a reference to the board for proprietary education established by IC 21-18.5-5-1 **(before its expiration)** if the reference pertains to a postsecondary credit bearing proprietary educational institution; or

(2) if the reference pertains to a postsecondary proprietary educational institution (as defined in IC 22-4.1-21-9):

(A) after June 30, 2012, and before July 1, 2016, as a reference to the state workforce innovation council established by IC 22-4.1-22-3 (before its repeal); or

(B) after June 30, 2016, as a reference to the department of workforce development established by IC 22-4.1-2-1.

SECTION 392. IC 21-18.5-1-4, AS AMENDED BY P.L.152-2018, SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 4. (a) Changes made by P.L.218-1987 do not affect:

(1) rights or liabilities accrued;

(2) penalties incurred;

(3) crimes committed; or

(4) proceedings begun;

before July 1, 1987. These rights, liabilities, penalties, crimes, and proceedings continue and shall be imposed and enforced under prior law as if P.L.218-1987 had not been enacted.

(b) The abolishment of the Indiana commission on proprietary education on July 1, 2012, by P.L.107-2012 does not affect:

(1) rights or liabilities accrued;

(2) penalties incurred;

(3) crimes committed; or

(4) proceedings begun;

before July 1, 2012, that pertain to a postsecondary credit bearing proprietary educational institution. These rights, liabilities, penalties, crimes, and proceedings continue and shall be imposed and enforced by the board for proprietary education established by IC 21-18.5-5-1 **(before its expiration).**

(c) The abolishment of the Indiana commission on proprietary education on July 1, 2012, by P.L.107-2012 does not affect:

(1) rights or liabilities accrued;

(2) penalties incurred;

(3) crimes committed; or

(4) proceedings begun;

before July 1, 2012, that pertain to a postsecondary proprietary educational institution (as defined in IC 22-4.1-21-9). After June 30, 2012, and before July 1, 2016, these rights, liabilities, penalties, crimes, and proceedings continue and shall be imposed and enforced by the state workforce innovation council established under IC 22-4.1-22-3 (before its repeal). After June 30, 2016, these rights, liabilities, penalties, crimes, and proceedings continue and shall be imposed and enforced by the department of workforce development established by IC 22-4.1-2-1.

SECTION 393. IC 21-18.5-1-5, AS AMENDED BY P.L.152-2018, SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 5. (a) The Indiana commission on proprietary education is abolished on July 1, 2012.

(b) Unless otherwise specified in a memorandum of understanding described in subsection (e), the following are transferred on July 1, 2012, from the Indiana commission on proprietary education to the commission for higher education established by IC 21-18-2-1:

(1) All real and personal property of the Indiana commission on proprietary education.

(2) All assets and liabilities of the Indiana commission on proprietary education.

(3) All appropriations to the Indiana commission on proprietary education.

(c) All powers and duties of the Indiana commission on proprietary education before its abolishment pertaining to the accreditation of a postsecondary credit bearing proprietary educational institution are transferred to the board for proprietary education established by IC 21-18.5-5-1 **(before its expiration).**

(d) All powers and duties of the Indiana commission on proprietary education before its abolishment pertaining to the accreditation of a postsecondary proprietary educational institution (as defined in IC 22-4.1-21-9) are transferred to the state workforce innovation council established by IC 22-4.1-22-3 (before its repeal). After June 30, 2016, all powers and duties transferred to the state workforce innovation council by this subsection are transferred to the department of workforce development established by IC 22-4.1-2-1.

(e) The commission for higher education established by IC 21-18-2-1 may enter into a memorandum of understanding with the state workforce innovation council established by IC 22-4.1-22-3 (before its repeal) to implement the transition of the responsibilities and obligations of the Indiana commission on proprietary education before its abolishment to the commission for higher education and the state workforce innovation council. After June 30, 2016, the rights, powers, duties, and obligations of the state workforce innovation council under a memorandum of understanding entered into by the state workforce innovation council under this subsection are transferred to the department of workforce development established by IC 22-4.1-2-1.

(f) Rules that were adopted by the Indiana commission on proprietary education before July 1, 2012, shall be treated as though the rules were adopted by the state workforce innovation council established by IC 22-4.1-22-3 (before its repeal) until the state workforce innovation council or the department of workforce development adopts rules under IC 4-22-2 to implement IC 22-4.1-21. Rules that were adopted by the state workforce innovation council after June 30, 2012, and before July 1, 2016, to implement IC 22-4.1-21 shall be treated as though the rules were adopted by the department of workforce development until the department of workforce development adopts rules under IC 4-22-2 to implement IC 22-4.1-21.

(g) An accreditation granted or a permit issued under IC 21-17-3 (repealed) by the Indiana commission on proprietary education before July 1, 2012, shall be treated after June 30, 2012, as an authorization granted by the:

(1) board for proprietary education established by IC 21-18.5-5-1 **(before its expiration)** if the accreditation pertains to a postsecondary credit bearing proprietary educational institution (as defined in IC 21-18.5-2-12); or

(2) department of workforce development if the accreditation pertains to a postsecondary proprietary educational institution (as defined in IC 22-4.1-21-9).

(h) An accreditation granted or a permit issued before May 15, 2013, under IC 21-17-3 (repealed):

(1) by the board for proprietary education established by IC 21-18.5-5-1 **(before its expiration)** shall be treated as an authorization granted by the board for proprietary education; and

(2) by the state workforce innovation council shall be treated as an authorization granted by the department of workforce development.

(i) Proceedings pending before the Indiana commission on proprietary education on July 1, 2012, shall be transferred from the Indiana commission on proprietary education to:

(1) the board for proprietary education established by IC 21-18.5-5-1 **(before its expiration)** for a proceeding pertaining to a postsecondary credit bearing proprietary educational institution (as defined in IC 21-18.5-2-12); or

(2) the state workforce innovation council if the proceeding pertains to a postsecondary proprietary educational institution (as defined in IC 22-4.1-21-9).

(j) Proceedings that pertain to a postsecondary proprietary educational institution (as defined in IC 22-4.1-21-9) pending before the state workforce innovation council on July 1, 2012, shall be transferred from the state workforce innovation council to the department of workforce development established by IC 22-4.1-2-1.

SECTION 394. IC 21-18.5-1-7 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: **Sec. 7. All of the rights, duties, obligations, and responsibilities transferred from the Indiana commission on proprietary education to the board for proprietary education established by IC 21-18.5-5-1 (before its expiration) under this chapter are transferred to the commission for higher education, including the following:**

(1) The rights, liabilities, penalties, crimes, and proceedings described in section 4(b) of this chapter continue and are

imposed and enforced by the commission for higher education.

(2) The powers and duties described in section 5(c) of this chapter are transferred to the commission for higher education.

(3) An accreditation granted or a permit issued as described in sections 5(g) of this chapter is treated as an authorization by the commission for higher education.

(4) Any proceedings pending as described in section 5(i) of this chapter are transferred to the commission for higher education.

SECTION 395. IC 21-18.5-2-5, AS AMENDED BY P.L.273-2013, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 5. "Application", for purposes of IC 21-18.5-6, means a written request for authorization on forms supplied by the ~~board for proprietary education.~~ **commission for higher education.**

SECTION 396. IC 21-18.5-2-5.5, AS ADDED BY P.L.273-2013, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 5.5. "Authorization", for purposes of IC 21-18.5-6, means certification of a status of approval or authorization by the ~~board for proprietary education~~ **commission for higher education** to conduct business as a postsecondary credit bearing proprietary educational institution.

SECTION 397. IC 21-18.5-2-12, AS AMENDED BY P.L.273-2013, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 12. (a) "Postsecondary credit bearing proprietary educational institution" means a degree granting and credit bearing institution that provides instructional or educational services or training, whether onsite, online, or through any combination of these or other instructional modalities, and is accredited by an accrediting agency recognized by the United States Department of Education or is seeking and progressing toward accreditation by an accrediting agency recognized by the United States Department of Education.

(b) The term does not include the following:

(1) An Indiana state educational institution or another Indiana educational institution established by law and financed in whole or in part by public funds.

(2) A postsecondary proprietary educational institution approved or regulated by any other state regulatory board, agency, or

commission other than the ~~board for proprietary education.~~ **commission for higher education.**

(3) An elementary or secondary school attended by students in kindergarten or grades 1 through 12 and supported in whole or in part by private tuition payments.

(4) Any educational institution or educational training that:

(A) is maintained or given by an employer or a group of employers, without charge, for employees or for individuals the employer anticipates employing;

(B) is maintained or given by a labor organization, without charge, for its members or apprentices;

(C) offers exclusively instruction that is clearly self-improvement, motivational, or avocational in intent (including instruction in dance, music, or self-defense, and private tutoring); or

(D) is a Montessori or nursery school.

(5) A privately endowed two (2) or four (4) year degree granting institution that is regionally accredited and whose principal campus is located in Indiana.

(6) Out-of-state public and nonprofit degree granting institutions offering instructional or educational services or training in Indiana.

(7) A religious institution that offers educational instruction or an educational program of a clearly religious nature.

SECTION 398. IC 21-18.5-4-11 IS REPEALED [EFFECTIVE JANUARY 1, 2027]. ~~The commission may cooperate in developing training programs concerning grant program requirements with the board for proprietary education.~~

SECTION 399. IC 21-18.5-5-1 IS REPEALED [EFFECTIVE JANUARY 1, 2027]. ~~Sec. 1. The board for proprietary education is established.~~

SECTION 400. IC 21-18.5-5-2 IS REPEALED [EFFECTIVE JANUARY 1, 2027]. ~~Sec. 2. (a) The board for proprietary education consists of the following seven (7) members:~~

~~(1) The secretary of education or the secretary's designee.~~

~~(2) The executive officer of the commission for higher education or the executive officer's designee.~~

~~(3) Five (5) members appointed by the governor.~~

~~(b) The members appointed by the governor under subsection (a) serve for a term of four (4) years.~~

~~(c) Not more than three (3) of the members appointed by the governor may be members of the same political party.~~

~~(d) Of the five (5) members appointed by the governor:~~

~~(1) one (1) must have been engaged for a period of at least five (5) years immediately preceding appointment in an executive or a managerial position in a postsecondary proprietary educational institution subject to IC 21-18.5-6;~~

~~(2) one (1) must have been engaged in administering or managing an industrial employee training program for a period of at least five (5) years immediately preceding appointment; and~~

~~(3) three (3) must be representatives of the public at large who are not representatives of the types of postsecondary credit bearing proprietary educational institutions to be authorized.~~

~~For purposes of subdivision (3), an elected or appointed state or local official or a member of a private or public school may not be appointed as a representative of the public at large.~~

~~(e) An appointment to fill a vacancy occurring on the board for proprietary education is for the unexpired term.~~

SECTION 401. IC 21-18.5-5-3 IS REPEALED [EFFECTIVE JANUARY 1, 2027]. ~~Sec. 3. (a) A member of the board for proprietary education who is not a state employee is entitled to the minimum salary per diem provided by IC 4-10-11-2.1(b). The member is also entitled to reimbursement for traveling expenses as provided under IC 4-13-1-4 and other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.~~

~~(b) Each member of the board for proprietary education who is a state employee is entitled to reimbursement for traveling expenses as provided under IC 4-13-1-4 and other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.~~

SECTION 402. IC 21-18.5-5-4 IS REPEALED [EFFECTIVE JANUARY 1, 2027]. ~~Sec. 4. (a) The board for proprietary education may select officers from the board for proprietary education's membership as the board for proprietary education considers necessary.~~

~~(b) The board for proprietary education may adopt reasonable rules under IC 4-22-2 to implement this chapter and IC 21-18.5-6.~~

~~(c) The board for proprietary education:~~

~~(1) may meet as necessary upon call of the chairperson; and~~

~~(2) shall meet at least four (4) times a year.~~

SECTION 403. IC 21-18.5-5-5 IS REPEALED [EFFECTIVE JANUARY 1, 2027]. ~~Sec. 5. An associate commissioner of the commission (as defined in IC 21-18.5-2-7) shall serve as the executive director of the board for proprietary education.~~

SECTION 404. IC 21-18.5-5-6 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 6 (a) The board for proprietary education established by section 1 of this chapter (before its repeal) expires on December 31, 2026.**

(b) The following are transferred on January 1, 2027, from the board for proprietary education to the commission for higher education:

(1) All real and personal property of the board for proprietary education.

(2) All powers, duties, assets, and liabilities of the board for proprietary education.

(3) All appropriations to the board for proprietary education.

(c) All rules or policies that were adopted by the board for proprietary education before December 31, 2026, are treated as through the rules were adopted by the commission for higher education until the commission adopts new rules or policies.

(d) After December 31, 2026, a reference to the board for proprietary education in a statute or a rule is treated as a reference to the commission for higher education.

SECTION 405. IC 21-18.5-6-2, AS AMENDED BY P.L.273-2013, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 2. A person may not do business as a postsecondary credit bearing proprietary educational institution in Indiana without having obtained authorization by the ~~board for proprietary education~~ **commission for higher education** under this chapter, except for a religious institution that offers educational instruction or an educational program of a clearly religious nature.

SECTION 406. IC 21-18.5-6-3, AS AMENDED BY P.L.273-2013, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 3. Applications for authorization under this chapter must be filed with the ~~board for proprietary education~~ **commission for higher education** and accompanied by an application fee of at least one hundred dollars ($100) for processing the application

and evaluating the postsecondary credit bearing proprietary educational institution.

SECTION 407. IC 21-18.5-6-5, AS AMENDED BY P.L.273-2013, SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 5. The ~~board for proprietary education~~ **commission for higher education** shall require each postsecondary credit bearing proprietary educational institution to include in each curriculum catalog and promotional brochure the following:

(1) A statement indicating that the postsecondary credit bearing proprietary educational institution is authorized by the ~~board for proprietary education~~ **commission for higher education** under this chapter.

(2) The ~~board for proprietary education's~~ **commission for higher education's** mailing address and telephone number.

SECTION 408. IC 21-18.5-6-6, AS AMENDED BY P.L.273-2013, SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 6. (a) The career college student assurance fund is established to provide indemnification to a student or an enrollee of a postsecondary credit bearing proprietary educational institution who suffers loss or damage as a result of:

(1) the failure or neglect of the postsecondary credit bearing proprietary educational institution to faithfully perform all agreements, express or otherwise, with the student, enrollee, one (1) or both of the parents of the student or enrollee, or a guardian of the student or enrollee as represented by the application for the institution's authorization and the materials submitted in support of that application;

(2) the failure or neglect of the postsecondary credit bearing proprietary educational institution to maintain and operate a course or courses of instruction or study in compliance with the standards of this chapter; or

(3) an agent's misrepresentation in procuring the student's enrollment.

(b) The ~~board for proprietary education~~ **commission for higher education** shall administer the fund.

(c) The expenses of administering the fund shall be paid from money in the fund.

(d) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public funds may be invested.

(e) Money in the fund at the end of a state fiscal year does not revert to the state general fund but remains available to be used for providing money for reimbursements allowed under this chapter.

(f) Upon the fund acquiring fifty thousand dollars ($50,000), the balance in the fund must not become less than fifty thousand dollars ($50,000). If:

(1) a claim against the fund is filed that would, if paid in full, require the balance of the fund to become less than fifty thousand dollars ($50,000); and

(2) the ~~board for proprietary education~~ **commission for higher education** determines that the student is eligible for a reimbursement under the fund;

the ~~board for proprietary education~~ **commission for higher education** shall prorate the amount of the reimbursement to ensure that the balance of the fund does not become less than fifty thousand dollars ($50,000), and the student is entitled to receive that balance of the student's claim from the fund as money becomes available in the fund from contributions to the fund required under this chapter.

(g) The ~~board for proprietary education~~ **commission for higher education** shall ensure that all outstanding claim amounts described in subsection (f) are paid as money in the fund becomes available in the chronological order of the outstanding claims.

(h) A claim against the fund may not be construed to be a debt of the state.

SECTION 409. IC 21-18.5-6-7, AS ADDED BY P.L.107-2012, SECTION 58, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 7. (a) Except as otherwise provided in this section, each postsecondary credit bearing proprietary educational institution shall make quarterly contributions to the fund. The quarters begin January 1, April 1, July 1, and October 1.

(b) For each quarter, each postsecondary credit bearing proprietary educational institution shall make a contribution equal to the STEP THREE amount derived under the following formula:

STEP ONE: Determine the total amount of tuition and fees earned during the quarter.

STEP TWO: Multiply the STEP ONE amount by one-tenth of one percent (0.1%).

STEP THREE: Add the STEP TWO amount and sixty dollars ($60).

(c) After June 30, 2012, upon the career college student assurance

fund achieving at least an initial balance of five hundred thousand dollars ($500,000), a postsecondary credit bearing proprietary educational institution that contributes to the career college student assurance fund when the initial quarterly contribution is required under this chapter after the fund's establishment is not required to make contributions to the fund.

(d) The ~~board for proprietary education~~ **commission for higher education** shall determine the number of quarterly contributions required for the career college student assurance fund to initially accumulate five hundred thousand dollars ($500,000).

(e) Except as provided in subsections (a), (b), and (f), a postsecondary credit bearing proprietary educational institution that begins making contributions to the career college student assurance fund after the initial quarterly contribution as required under this section shall make contributions to the fund for the same number of quarters as determined by the ~~board for proprietary education~~ **commission for higher education** under subsection (d).

(f) If, after a career college student assurance fund acquires five hundred thousand dollars ($500,000), the balance in the fund becomes less than two hundred fifty thousand dollars ($250,000), all postsecondary credit bearing proprietary educational institutions not required to make contributions to the career college student assurance fund as described in subsection (c) or (e) shall make contributions to the career college student assurance fund for the number of quarters necessary for the fund to accumulate five hundred thousand dollars ($500,000).

SECTION 410. IC 21-18.5-6-8, AS AMENDED BY P.L.273-2013, SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 8. (a) Upon receipt of an application for authorization under this chapter, the ~~board for proprietary education~~ **commission for higher education** shall make an investigation to determine the accuracy of the statements in the application to determine if the postsecondary credit bearing proprietary educational institution meets the minimum standards for authorization.

(b) During the investigation under subsection (a), the ~~board for proprietary education~~ **commission for higher education** may grant a temporary status of authorization. The temporary status of authorization is sufficient to meet the requirements of this chapter until a determination on authorization is made.

SECTION 411. IC 21-18.5-6-10, AS AMENDED BY P.L.9-2021,

SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 10. (a) A postsecondary credit bearing proprietary educational institution shall maintain at least the following records for each student:

(1) The program in which the student enrolls.

(2) The length of the program.

(3) The date of the student's initial enrollment in the program.

(4) A transcript of the student's academic progress.

(5) The amount of the student's tuition and fees.

(6) A copy of the enrollment agreement.

(b) Upon the request of the ~~board for proprietary education,~~ **commission for higher education,** a postsecondary credit bearing proprietary educational institution shall submit the records described in subsection (a) to the ~~board for proprietary education.~~ **commission for higher education.**

(c) If a postsecondary credit bearing proprietary educational institution ceases operation, the postsecondary credit bearing proprietary educational institution shall submit the records described in subsection (a) to the Indiana archives and records administration not later than thirty (30) days after the institution ceases to operate, regardless of any outstanding debts owed to the institution.

SECTION 412. IC 21-18.5-6-11, AS AMENDED BY P.L.273-2013, SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 11. Full authorization under this chapter may not be issued unless and until the ~~board for proprietary education~~ **commission for higher education** finds that the postsecondary credit bearing proprietary educational institution meets minimum standards that are appropriate to that type or class of postsecondary credit bearing proprietary educational institution, including the following minimum standards:

(1) The postsecondary credit bearing proprietary educational institution has a sound financial structure with sufficient resources for continued support.

(2) The postsecondary credit bearing proprietary educational institution has satisfactory training or educational facilities with sufficient tools, supplies, or equipment and the necessary number of work stations or classrooms to adequately train, instruct, or educate the number of students enrolled or proposed to be enrolled.

(3) The postsecondary credit bearing proprietary educational

institution has an adequate number of qualified instructors or teachers, sufficiently trained by experience or education, to give the instruction, education, or training contemplated.

(4) The advertising and representations made on behalf of the postsecondary credit bearing proprietary educational institution to prospective students are truthful and free from misrepresentation or fraud.

(5) The charge made for the training, instruction, or education is clearly stated and based upon the services rendered.

(6) The premises and conditions under which the students work and study are sanitary, healthful, and safe according to modern standards.

(7) The postsecondary credit bearing proprietary educational institution has and follows a refund policy approved by the ~~board for proprietary education.~~ **commission for higher education.**

(8) The owner or chief administrator of the postsecondary credit bearing proprietary educational institution is subject to a background check by the ~~board for proprietary education~~ **commission for higher education** and has not been convicted of a felony.

(9) The owner or chief administrator of the postsecondary credit bearing proprietary educational institution has not been the owner or chief administrator of a postsecondary credit bearing proprietary educational institution that has had its authorization revoked or has been closed involuntarily in the five (5) year period preceding the application for authorization. However, if the owner or chief administrator of the postsecondary credit bearing proprietary educational institution has been the owner or chief administrator of a postsecondary credit bearing proprietary educational institution that has had its authorization revoked or has been closed involuntarily more than five (5) years before the application for authorization, the ~~board for proprietary education~~ **commission for higher education** may issue full authorization at the board for proprietary education's discretion.

SECTION 413. IC 21-18.5-6-12, AS AMENDED BY P.L.273-2013, SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 12. (a) After an investigation and a finding that the information in the application is true and that the postsecondary credit bearing proprietary educational institution meets the minimum standards, the ~~board for proprietary education~~

commission for higher education shall issue an authorization to the postsecondary credit bearing proprietary educational institution upon payment of an additional fee of at least twenty-five dollars ($25). An applicant's market research may not be considered or required by the ~~board for proprietary education~~ **commission for higher education** as a condition for authorizing or renewing the accreditation of or for authorization of the programs of a postsecondary credit bearing proprietary educational institution.

(b) The ~~board for proprietary education~~ **commission for higher education** may waive inspection of a postsecondary credit bearing proprietary educational institution that has been authorized by an accrediting agency recognized by the United States Department of Education whose standards are approved by the ~~board for proprietary education~~ **commission for higher education** as meeting or exceeding the requirements of this chapter.

(c) A valid license, authorization to operate, or other form of authorization issued to a postsecondary credit bearing proprietary educational institution by another state may be accepted, instead of inspection, if:

(1) the requirements of that state meet or exceed the requirements of this chapter; and

(2) the other state will, in turn, extend reciprocity to postsecondary credit bearing proprietary educational institutions authorized by the ~~board for proprietary education.~~ **commission for higher education.**

(d) The ~~board for proprietary education~~ **commission for higher education** may join interstate reciprocity agreements and authorize an institution to operate in Indiana, if the:

(1) institution; and

(2) state in which both the institution's:

(A) principal campus is located; and

(B) institutional accreditation is provided;

are members of the interstate reciprocity agreement.

(e) An authorization issued under this section expires one (1) year following the authorization's issuance.

(f) An authorized postsecondary credit bearing proprietary educational institution may renew the institution's authorization annually upon:

(1) the payment of a fee of at least twenty-five dollars ($25); and

(2) continued compliance with this chapter.

SECTION 414. IC 21-18.5-6-13, AS AMENDED BY P.L.273-2013, SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 13. Authorization may be revoked by the ~~board for proprietary education:~~ **commission for higher education:**

(1) for cause upon notice and an opportunity for a hearing before the ~~board for proprietary education;~~ **commission for higher education;** and

(2) for the authorized postsecondary credit bearing proprietary educational institution failing to make the appropriate quarterly contributions to the career college student assurance fund not later than forty-five (45) days after the end of a quarter.

SECTION 415. IC 21-18.5-6-14, AS AMENDED BY P.L.273-2013, SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 14. (a) A postsecondary credit bearing proprietary educational institution, after notification that the institution's authorization has been refused, revoked, or suspended, may apply for a hearing before the ~~board for proprietary education~~ **commission for higher education** concerning the institution's qualifications. The application for a hearing must be filed in writing with the ~~board for proprietary education~~ **commission for higher education** not more than thirty (30) days after receipt of notice of the denial, revocation, or suspension.

(b) The ~~board for proprietary education~~ **commission for higher education** shall give a hearing promptly and with not less than ten (10) days notice of the date, time, and place. The postsecondary credit bearing proprietary educational institution is entitled to be represented by counsel and to offer oral and documentary evidence relevant to the issue.

(c) Not more than fifteen (15) days after a hearing, the ~~board for proprietary education~~ **commission for higher education** shall make written findings of fact, a written decision, and a written order based solely on the evidence submitted at the hearing, either granting or denying authorization to the postsecondary credit bearing proprietary educational institution.

SECTION 416. IC 21-18.5-6-20, AS AMENDED BY P.L.13-2013, SECTION 62, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 20. (a) This section applies to claims against the balance of the career college student assurance fund.

(b) A student or enrollee of a postsecondary credit bearing proprietary educational institution who believes that the student or

enrollee has suffered loss or damage resulting from any of the occurrences described in section 6(a) of this chapter may file a claim with the ~~board for proprietary education~~ **commission for higher education** against the balance of the fund.

(c) A claim under this section is limited to a refund of the claimant's applicable tuition and fees.

(d) All claims must be filed not later than five (5) years after the occurrence resulting in the loss or damage to the claimant occurs.

(e) Upon the filing of a claim under this section, the ~~board for proprietary education~~ **commission for higher education** shall review the records submitted by the appropriate postsecondary credit bearing proprietary educational institution described under section 12 of this chapter and shall investigate the claim.

(f) Upon a determination by the ~~board for proprietary education~~ **commission for higher education** that a claimant shall be reimbursed under the career college student assurance fund, the ~~board for proprietary education~~ **commission for higher education** shall prioritize the reimbursements under the following guidelines:

(1) A student's educational loan balances.

(2) Federal grant repayment obligations of the student.

(3) Other expenses paid directly by the student.

SECTION 417. IC 21-18.5-6-23, AS ADDED BY P.L.107-2012, SECTION 58, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 23. The prosecuting attorney of the county in which an offense under this chapter occurred shall, at the request of the ~~board for proprietary education~~ **commission for higher education** or on the prosecuting attorney's own motion, bring any appropriate action, including a mandatory and prohibitive injunction.

SECTION 418. IC 21-18.5-6-24, AS AMENDED BY P.L.273-2013, SECTION 27, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 24. An action of the ~~board for proprietary education~~ **commission for higher education** concerning the issuance, denial, or revocation of an authorization under this chapter is subject to review under IC 4-21.5.

SECTION 419. IC 21-18.5-6-26, AS AMENDED BY P.L.273-2013, SECTION 28, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 26. (a) As used in this section, "fund" means the postsecondary credit bearing proprietary educational institution authorization fund established by subsection (b).

(b) The postsecondary credit bearing proprietary educational

institution authorization fund is established.

(c) The fund shall be administered by the commission (as defined in IC 21-18.5-2-7.).

(d) Money in the fund at the end of a state fiscal year does not revert to the general fund.

(e) All fees collected by the ~~board for proprietary education~~ **commission for higher education** under this chapter shall be deposited in the fund.

(f) Money in the fund shall be used by the ~~board for proprietary education~~ **commission for higher education** to administer this chapter.

SECTION 420. IC 21-18.5-6-27, AS ADDED BY P.L.107-2012, SECTION 58, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 27. The ~~board for proprietary education~~ **commission for higher education** may adopt rules under IC 4-22-2 to implement this chapter.

SECTION 421. IC 21-38-1-1.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 1.5. "Commission" refers to the commission for higher education of the state of Indiana established by IC 21-18-2.**

SECTION 422. IC 21-38-1-3, AS ADDED BY P.L.2-2007, SECTION 279, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 3. **(a)** "Council" refers to the Indiana excellence in teaching council.

(b) This section expires December 31, 2026.

SECTION 423. IC 21-38-8-1, AS ADDED BY P.L.2-2007, SECTION 279, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1. **(a)** The Indiana excellence in teaching council is established. The council consists of nine (9) members as follows:

(1) One (1) representative of the commission for higher education.

(2) One (1) representative of the budget agency.

(3) One (1) representative from each state educational institution.

(b) This section expires December 31, 2026.

SECTION 424. IC 21-38-8-2, AS AMENDED BY P.L.234-2007, SECTION 56, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2. (a) The Indiana excellence in teaching endowment is established to provide state educational institutions with

grants to match interest income generated by an endowment to attract and retain distinguished teachers. The fund shall be administered by the ~~council.~~ **commission.**

(b) The expenses of administering the fund shall be paid from money in the fund.

(c) The treasurer of state shall invest the money in the fund not currently needed to meet obligations of the fund in the same manner as other public funds may be invested.

(d) Money in the fund at the end of the state fiscal year does not revert to the state general fund but remains available to be used for providing money for grants as allowed under this chapter.

SECTION 425. IC 21-38-8-4, AS ADDED BY P.L.2-2007, SECTION 279, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 4. A state educational institution must apply for a matching grant in the manner prescribed by the ~~council.~~ **commission.**

SECTION 426. IC 21-38-8-5, AS ADDED BY P.L.2-2007, SECTION 279, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 5. When determining a distinguished teacher's prominence, the ~~council~~ **commission** shall consider the following criteria when distributing endowment funds:

(1) Evidence of excellent teaching ability.

(2) Distinguished accomplishments.

(3) Either:

(A) productive scholarship; or

(B) artistic achievement and superior talent.

The ~~council~~ **commission** may consider any other criteria for distributing endowment funds that the ~~council~~ **commission** determines appropriate.

SECTION 427. IC 21-38-8-6, AS ADDED BY P.L.2-2007, SECTION 279, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 6. (a) The ~~council~~ **commission** shall approve or disapprove a matching grant application within sixty (60) days after the application is received by the ~~council.~~ **commission.**

(b) The ~~council~~ **commission** may approve a grant application with an amount that is the same or less than the amount requested by the state educational institution.

SECTION 428. IC 21-38-8-7, AS ADDED BY P.L.2-2007, SECTION 279, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 7. (a) Each matching grant from the

fund is intended to be used to supplement, and may not be used instead of, a distinguished teacher's regular annual salary.

(b) The ~~council~~ **commission** may not approve a matching grant from the fund that exceeds income generated from the endowment of the institution.

SECTION 429. IC 21-38-8-8, AS ADDED BY P.L.2-2007, SECTION 279, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 8. **(a)** Staff for the council shall be provided by the commission for higher education.

(b) This section expires December 31, 2026.

SECTION 430. IC 21-38-8-10, AS ADDED BY P.L.2-2007, SECTION 279, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 10. **(a)** The council may:

(1) develop guidelines; and

(2) adopt rules under IC 4-22-2;

to administer the fund and this chapter.

(b) This section expires December 31, 2026.

SECTION 431. IC 21-44-1-3, AS AMENDED BY P.L.190-2015, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 3. ~~(a)~~ "Board", for purposes of IC 21-44-5 **and IC 21-44-7,** refers to the medical **graduate and** education board established by IC 21-44-5-1.

~~(b) "Board", for purposes of IC 21-44-6, refers to the mental health and addiction services development programs board established by IC 21-44-6-1.~~

~~(c) "Board", for purposes of IC 21-44-7, refers to the graduate medical education board established by IC 21-44-7-2.~~

SECTION 432. IC 21-44-1-12, AS AMENDED BY P.L.170-2009, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 12. "Intern, residency, and graduate program", for purposes of IC 21-44-5, refers to an intern, residency, and graduate program for which the medical **graduate and** education board establishes policies under IC 21-44-5.

SECTION 433. IC 21-44-5-1, AS ADDED BY P.L.2-2007, SECTION 285, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 1. There is established a medical **graduate and** education board. ~~consisting of seven (7) persons.~~

SECTION 434. IC 21-44-5-2, AS AMENDED BY P.L.56-2023, SECTION 202, IS AMENDED TO READ AS FOLLOWS

[EFFECTIVE JANUARY 1, 2027]: Sec. 2. (a) The board consists of the following members:

(1) The dean of the Indiana University School of Medicine, who serves as an ex officio member of the board. The dean of the Indiana University School of Medicine shall serve as the chairman of the board.

(2) The commissioner of the Indiana department of health, who serves as an ex officio member of the board.

(3) Five (5) members appointed by the governor as follows:

(A) One (1) member appointed by the governor who is a director of medical education of an Indiana hospital not owned or operated by Indiana University.

(B) One (1) member who:

(i) is a hospital administrator in a hospital not owned or operated by Indiana University; and

(ii) is not the hospital administrator for the hospital that employs the member appointed under clause (A).

(C) One (1) member who:

(i) is a citizen of Indiana; and

(ii) is not a physician and not a hospital administrator.

(D) Two (2) members who are physicians holding unlimited licenses to practice medicine in Indiana. The two (2) physicians appointed under this subdivision may not be directors of medical education. One (1) of the members appointed under this subdivision must practice in the specialty of family practice.

(b) The terms of the five (5) members appointed to the board by the governor are for three (3) years beginning January 1 of the year of appointment and continuing until the member's successor is appointed and qualified. If a membership on the board becomes vacant before the expiration of the term, the governor shall appoint a replacement with the same representative status to fill the unexpired term.

(c) This section expires December 31, 2026.

SECTION 435. IC 21-44-5-2.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 2.5. (a) This section applies after December 31, 2026.**

(b) The board consists of the following fourteen (14) members:

(1) The dean of the Indiana University School of Medicine, who serves as the chairperson of the board.

(2) The following thirteen (13) members appointed by the governor:

(A) One (1) member representing a regional medical school campus of the Indiana University School of Medicine.

(B) One (1) member representing the Marian University College of Osteopathic Medicine.

(C) One (1) member representing the Indiana state medical association.

(D) One (1) member representing the Indiana primary health care association.

(E) One (1) member representing a teaching hospital that is a member of the Indiana hospital association.

(F) One (1) member representing a non-teaching hospital that is a member of the Indiana hospital association.

(G) Two (2) members who are medical directors of residency programs.

(H) One (1) member who is the director of medical education of an Indiana hospital that is not owned by, operated by, or affiliated with Indiana University.

(I) One (1) member who is:

(i) a hospital administrator employed by a hospital not owned by, operated by, or affiliated with Indiana University; and

(ii) not employed by the hospital that employs the member appointed under clause (H).

(J) Two (2) members who are physicians holding unlimited licenses to practice medicine in Indiana. The following apply to the members appointed under this clause:

(i) Neither member may be employed as a director of medical education.

(ii) At least one of the members must practice in the specialty of family medicine.

(c) The terms of the appointed to the board by the governor are for three (3) years beginning January 1 of the year of appointment and continuing until the member's successor is appointed and qualified. If a membership on the board becomes vacant before the expiration of the term, the governor shall appoint a replacement with the same representative status to fill the unexpired term.

(d) A member may be reappointed to successive terms.

SECTION 436. IC 21-44-5-3.5 IS ADDED TO THE INDIANA

CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: **Sec. 3.5. The chairperson of the board is permitted to vote only to break a tie.**

SECTION 437. IC 21-44-6-1, AS AMENDED BY P.L.142-2014, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1. **(a)** There is established the mental health and addiction services development programs board.

(b) This section expires December 31, 2026.

SECTION 438. IC 21-44-6-1.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 1.5. As used in this chapter, "commission" refers to the commission for higher education of the state of Indiana established by IC 21-18-2.**

SECTION 439. IC 21-44-6-2, AS AMENDED BY P.L.56-2023, SECTION 203, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2. **(a)** The board consists of the following ten (10) members:

(1) The dean of the Indiana University School of Medicine or the dean's designee. The dean of the Indiana University School of Medicine or the dean's designee shall serve as the chairperson of the board.

(2) The chairperson of the department of psychiatry of the Indiana University School of Medicine or the chairperson's designee.

(3) The director of the division of mental health and addiction created by IC 12-21-1-1 or the director's designee.

(4) The commissioner of the Indiana department of health or the commissioner's designee.

(5) The dean of the department of family practice of the Marian University College of Osteopathic Medicine or the dean's designee.

(6) The administrator of a graduate program in an institution of higher education in Indiana engaged in training psychologists.

(7) The administrator of a program in an institution of higher education in Indiana engaged in training advanced practice psychiatric nurses.

(8) One (1) psychiatrist who practices psychiatry in Indiana.

(9) The administrator of a program in an institution of higher education in Indiana engaged in training addiction counselors.

(10) The director of the Indiana department of veterans' affairs or the director's designee.

The governor shall appoint the members of the board described in subdivisions (6) through (9).

(b) This section expires December 31, 2026.

SECTION 440. IC 21-44-6-3, AS AMENDED BY P.L.142-2014, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 3. **(a)** The board shall meet at least quarterly each year at the call of the chairperson.

(b) This section expires December 31, 2026.

SECTION 441. IC 21-44-6-4, AS AMENDED BY P.L.142-2014, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 4. (a) Each board member who is not a state employee is not entitled to a salary per diem. The member is, however, entitled to reimbursement for traveling expenses as provided under IC 4-13-1-4 and other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.

(b) Each member of the board who is a state employee is entitled to reimbursement for traveling expenses as provided under IC 4-13-1-4 and other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.

(c) The affirmative votes of a majority of the members appointed to the board are required for the board to take action on any measure.

(d) This section expires December 31, 2026.

SECTION 442. IC 21-44-6-5, AS AMENDED BY P.L.209-2015, SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 5. The ~~purpose of the board is to~~ **commission shall** do the following:

(1) ~~To~~ Establish and oversee a loan forgiveness program designed to increase the number of professional mental health care providers, including addiction health care professionals, in areas with health professional shortages, as determined by the ~~board,~~ **commission,** by assisting professionals in the following occupational categories to pay off loans incurred in the training needed to practice in Indiana:

(A) Psychiatrists.

(B) Addiction psychiatrists, including psychiatrists pursuing fellowship training and certification in addiction psychiatry.

(C) Psychologists.

(D) Psychiatric nurses.

(E) Addiction counselors.

(F) Mental health professionals.

(2) ~~To~~ Establish and oversee an integrated behavioral health and addiction treatment development program to attract and train psychiatrists, psychologists, psychiatric nurses, addiction counselors, or mental health professionals who will engage in the practice of integrated behavioral health and addiction treatment in:

(A) state mental health institutions;

(B) community mental health centers;

(C) state funded addiction treatment centers; or

(D) other behavioral health and addiction treatment settings determined by the ~~board~~ **commission** to be mental health and addiction dual diagnoses treatment settings.

(3) ~~To~~ Develop and oversee an integrated behavioral health and addiction treatment training track program through the Indiana University School of Medicine, Department of Psychiatry residency training program. The training track program must provide an opportunity for residents to work in mental health and addiction dual diagnoses treatment settings, including:

(A) state psychiatric hospitals;

(B) community mental health centers;

(C) state funded addiction treatment centers; or

(D) other behavioral health and addiction treatment settings determined by the ~~board~~ **commission** to be mental health and addiction dual diagnoses treatment settings.

(4) ~~To~~ Develop standards for participation in the training track program that include:

(A) guidelines for the amounts of grants and other assistance a participant receives;

(B) guidelines for the type of training in integrated behavioral health and addiction treatment the participant receives;

(C) guidelines for agreements with mental health hospitals, community mental health centers, and other entities participating in the training track program; and

(D) other guidelines and standards necessary for governing the training track program.

SECTION 443. IC 21-44-6-6, AS AMENDED BY P.L.142-2014,

SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 6. The ~~board~~ **commission** shall establish guidelines for the repayment of the loans incurred by a psychiatrist, psychologist, psychiatric nurse, addiction counselor, or mental health professional, including the following:

(1) A participant may not receive more than twenty-five thousand dollars ($25,000) in a year.

(2) Except as provided in subdivision (3), a participant may not receive grants for more than four (4) years.

(3) A participant who is a psychiatrist pursuing fellowship training and certification in addiction psychiatry may not receive grants for more than five (5) years.

(4) A participant must commit to a full year of service in an integrated behavioral health and addiction treatment setting as described in section 5(2) or 5(3) of this chapter for each year of loan repayment.

(5) A participant must be a practitioner who:

(A) is:

(i) from Indiana; and

(ii) accepting a new position in Indiana; or

(B) is:

(i) from outside Indiana;

(ii) not currently practicing in Indiana and has not practiced in Indiana for three (3) years before applying for the program; and

(iii) establishing a new practice in Indiana.

SECTION 444. IC 21-44-6-7, AS AMENDED BY P.L.142-2014, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 7. (a) As used in this section, "account" refers to the mental health and addiction services loan forgiveness account established in subsection (b).

(b) The mental health and addiction services loan forgiveness account within the state general fund is established for the purpose of providing grants for loan repayment under this chapter. The account shall be administered by the ~~board.~~ **commission.** Money in the account shall be used to fund loan forgiveness grants under this chapter.

(c) The account consists of:

(1) appropriations made by the general assembly;

(2) grants; and

(3) gifts and bequests.

(d) The expenses of administering the account shall be paid from money in the account.

(e) The treasurer of state shall invest the money in the account not currently needed to meet the obligations of the account in the same manner as other public money may be invested. Interest that accrues from these investments shall be deposited in the account.

(f) Money in the account at the end of a state fiscal year does not revert to the state general fund.

SECTION 445. IC 21-44-6-8, AS AMENDED BY P.L.142-2014, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 8. (a) As used in this section, "account" refers to the integrated behavioral health and addiction treatment development program account established in subsection (b).

(b) The integrated behavioral health and addiction treatment development program account within the state general fund is established for the purpose of providing funding for the integrated behavioral health and addiction treatment development program established under this chapter. The account shall be administered by the division of mental health and addiction. Money in the account shall be used to fund residency positions, fellowship training, and certification in addiction psychiatry, including:

(1) educational expenses;

(2) grants and scholarships;

(3) salaries; and

(4) benefits.

(c) The account consists of:

(1) appropriations made by the general assembly;

(2) grants; and

(3) gifts and bequests.

(d) The expenses of administering the account shall be paid from money in the account.

(e) The treasurer of state shall invest the money in the account not currently needed to meet the obligations of the account in the same manner as other public money may be invested. Interest that accrues from these investments shall be deposited in the account.

(f) Money in the account at the end of a state fiscal year does not revert to the state general fund.

(g) The ~~board~~ **division of mental health and addiction, in consultation with the commission,** shall give due consideration to annually funding two (2) psychiatrists pursuing fellowship training and

certification in addiction psychiatry. A participant who is a psychiatrist pursuing fellowship training and certification in addiction psychiatry must agree to establish a new practice in Indiana for at least five (5) years upon completion of the fellowship training and certification in addiction psychiatry.

SECTION 446. IC 21-44-6-9 IS REPEALED [EFFECTIVE JANUARY 1, 2027]. ~~Sec. 9. The division of mental health and addiction shall provide administrative support for the board.~~

SECTION 447. IC 21-44-7-1, AS ADDED BY P.L.190-2015, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 1. The following definitions apply throughout this chapter:

(1) "Board" refers to the ~~graduate~~ medical **graduate and** education board established by ~~section 2 of this chapter.~~ **IC 21-44-5-1.**

(2) "Fund" refers to the graduate medical education fund established by section 8 of this chapter.

SECTION 448. IC 21-44-7-2, AS ADDED BY P.L.190-2015, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2. **(a)** The graduate medical education board is established for the following purposes:

(1) To provide funding for residents not funded by the federal Centers for Medicare and Medicaid Services.

(2) To provide technical assistance for entities that wish to establish a residency program, including the following:

(A) Entities that are not licensed hospitals.

(B) Federally qualified health centers.

(3) To provide startup funding for entities that wish to establish a residency program.

(b) This section expires December 31, 2026.

SECTION 449. IC 21-44-7-3, AS ADDED BY P.L.190-2015, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 3. (a) The board is comprised of ten (10) members appointed by the governor as follows:

(1) One (1) member representing the Indiana University School of Medicine.

(2) One (1) member representing a regional medical school campus of the Indiana University School of Medicine.

(3) One (1) member representing the Marian University College of Osteopathic Medicine.

(4) One (1) member representing the Indiana State Medical Association.

(5) One (1) member representing the Indiana Osteopathic Medical Association.

(6) One (1) member representing the Indiana Primary Health Care Association.

(7) One (1) member representing a teaching hospital in the Indiana Hospital Association.

(8) One (1) member representing a nonteaching hospital in the Indiana Hospital Association.

(9) Two (2) members who are medical directors of residency programs.

(b) Except as provided in subsection (c), a member appointed to the board shall serve for a term of two (2) years. Except as provided in subsection (c), the term of a member appointed under subsection (a)(1) through (a)(4) begins on January 1 of an odd-numbered year. The term of a member appointed under subsection (a)(5) through (a)(9) begins on January 1 of an even-numbered year.

(c) This subsection applies to a member appointed under subsection (a)(1) through (a)(4) before January 1, 2016. A member to whom this subsection applies serves for a term of one (1) year beginning January 1, 2016.

(d) The governor shall make appointments to the board at the following times:

(1) The governor shall make the initial appointments to the board before January 1, 2016.

(2) Before the end of each year after 2015, the governor shall appoint members to the board to succeed those members whose terms are scheduled to expire at the end of the year.

(3) When a member resigns or is otherwise unable to complete the member's term, the governor shall appoint a member to serve the remaining term of the member who has resigned or who is otherwise unable to complete the member's term.

(e) This section expires December 31, 2026.

SECTION 450. IC 21-44-7-4 IS REPEALED [EFFECTIVE JANUARY 1, 2027]. ~~Sec. 4. (a) The commission for higher education shall provide staff for the board. The commission shall call the first meeting of the board and notify members of the board.~~

~~(b) The board members shall designate a chairperson from among themselves. The member designated as the chairperson continues to~~

~~serve as chairperson until the earlier of:~~

~~(1) the first anniversary of the chairperson's designation under this section; or~~

~~(2) the date on which the chairperson's term expires.~~

~~(c) The board shall meet at the call of the chairperson or at the call of a majority of the appointed members.~~

SECTION 451. IC 21-44-7-5 IS REPEALED [EFFECTIVE JANUARY 1, 2027]. ~~Sec. 5. An affirmative vote of at least six (6) members is necessary in order for the board to take any official action.~~

SECTION 452. IC 21-47-2-4, AS AMENDED BY P.L.161-2025, SECTION 27, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 4. (a) There is established a geological and water survey advisory council.

(b) The council consists of the following members:

(1) One (1) member appointed by the president of Indiana University who is a faculty member of the Indiana University School of Public and Environmental Affairs to serve for a period of four (4) years. A member appointed under this subdivision must have a background in energy, geology, water, or environmental science.

(2) One (1) member appointed by the president of Indiana University who is a faculty member of the earth sciences department to serve for a period of four (4) years.

(3) The vice provost of research of Indiana University, or the vice provost's designee.

(4) The chairperson of the house of representatives standing committee tasked with studying utilities and energy, or the chairperson's designee.

(5) The chairperson of the senate standing committee tasked with studying utilities and energy, or the chairperson's designee.

(6) The director of the department of natural resources, or the director's designee.

(7) The director of the Indiana department of environmental management, or the director's designee.

(8) The director of the Indiana economic development corporation, or the director's designee.

(9) The public finance director appointed under IC 5-1.2-3-6, or the public finance director's designee.

(10) Two (2) individuals who:

(A) are appointed by the governor;

(B) represent private industry; and

(C) have a background in energy, geology, water, or environmental science.

An individual appointed by the governor under this subdivision serves for a term of four (4) years.

A designee under subdivision (3), (4), (5), (6), (7), (8), or (9) must have a background in energy, geology, water, or environmental science. The members of the council shall annually elect a chair and vice chair from among the membership of the council.

(c) A member who is appointed or designated to serve on the council under subsection (b):

(1) in the case of an appointed member:

(A) holds the position for the term of the appointment;

(B) continues to serve after expiration of the appointment until a successor is appointed and qualified; and

(C) subject to subdivision (2), is eligible for reappointment;

(2) may not serve on the council for a total of more than two (2) consecutive terms; and

(3) serves at the pleasure of the appointing or designating authority and may be removed by the appointing or designating authority at any time.

The appointing or designating authority shall fill a vacancy that occurs after a member appointed or designated by the authority resigns, is removed, or is no longer qualified to serve.

(d) The state geologist shall serve as secretary of the council, shall provide staff support to the council, and shall report on the following at each meeting of the council:

(1) The staffing of the survey.

(2) The finances of the survey.

(3) The outreach programs of the survey.

(4) The current research projects of the survey.

(5) Any other report requested by the council.

(e) The state geologist may cast the deciding vote to break a tie.

(f) Each member of the council who is not a state employee is entitled to the minimum salary per diem provided by IC 4-10-11-2.1(b). A member is also entitled to reimbursement for mileage and traveling expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.

(g) Each member of the council who is a member of the general

assembly is entitled to receive the same per diem, mileage, and travel allowances paid to legislative members of interim study committees established by the legislative council. Per diem, mileage, and travel allowances paid under this section shall be paid from appropriations made to the legislative council or the legislative services agency.

(h) Each member of the commission who is a state employee is entitled to reimbursement for traveling expenses as provided under IC 4-13-1-4 and other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.

(i) Expenses paid under subsections (f) and (h) shall be paid from appropriations made to the state geologist.

(j) The council shall meet quarterly in the first month of each quarter. The date, time, and location of a meeting must be upon agreement of the council.

(k) The council shall meet with the state geologist to make recommendations concerning:

(1) the functions and performance of the survey; and

(2) appropriations and funding for the survey.

(l) The council may make recommendations concerning the effectiveness and efficiency of the survey and other matters.

(m) Recommendations and reports of the council shall be directed to the following:

(1) The governor.

(2) The budget agency.

(3) The president of Indiana University.

(4) The director of the department of natural resources.

(5) The commissioner of the department of environmental management.

(n) The terms of the members of the council described in subsection (b)(1), (b)(2), and (b)(10) expire as follows:

(1) For the members described in subsection (b)(1) and (b)(2), June 30, 2025, and each fourth year thereafter.

(2) For the members described in subsection (b)(10), June 30, 2027, and each fourth year thereafter.

(o) The terms of the members of the council who are members of the general assembly designated under subsection (b)(4) and (b)(5) expire June 30 of an odd-numbered year.

~~(p) On or before July 1, 2027, and July 1 biennially thereafter, the~~

~~council shall submit a report to the executive director of the legislative services agency, in an electronic format under IC 5-14-6, for review by the interim committee on government in accordance with IC 1-1-15.5-4 and IC 2-5-1.3-13(g). The report shall describe:~~

~~(1) official action taken; and~~

~~(2) actionable items considered;~~

~~by the council during the preceding two (2) years.~~

(p) This section expires December 31, 2026.

SECTION 453. IC 21-47-2-7, AS AMENDED BY P.L.42-2024, SECTION 145, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 7. (a) As used in this section, "center" refers to the center for water established by subsection ~~(c).~~ **(b).**

~~(b) As used in this section, "council" refers to the geological and water survey advisory council established by section 4 of this chapter.~~

~~(c)~~ **(b)** The center for water is established within the survey for the purpose of:

(1) carrying out the survey's statutory duties concerning Indiana's water resources;

(2) supporting long term studies of the state's water resources, as requested by the Indiana finance authority; and

(3) upon request, providing resources to:

(A) state agencies;

(B) municipal agencies; and

(C) soil and water conservation groups.

~~(d)~~ **(c)** The center shall be staffed

~~(1)~~ by employees of the survey who have expertise in water resources. ~~and~~

~~(2) at staffing levels consistent with recommendations of the council.~~

~~(e) The center shall report to the council before each quarterly meeting of the council under section 4(j) of this chapter.~~

~~(f)~~ **(d)** The state geologist shall oversee and manage the activities of the center.

~~(g)~~ **(e)** The center shall be funded by the available resources of the survey.

SECTION 454. IC 21-47-2-8, AS AMENDED BY P.L.42-2024, SECTION 146, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 8. (a) As used in this section, "center" refers to the center for energy established by subsection ~~(c).~~ **(b).**

~~(b) As used in this section, "council" refers to the geological and water survey advisory council established by section 4 of this chapter.~~

~~(c)~~ **(b)** The center for energy is established within the survey for the purpose of:

(1) carrying out the survey's statutory duties concerning Indiana's natural energy resources;

(2) supporting long term studies of the state's energy resources, as requested by the state; and

(3) upon request, providing resources to:

(A) state agencies;

(B) municipal agencies; and

(C) energy stakeholders.

~~(d)~~ **(c)** The center shall be staffed

~~(1)~~ by employees of the survey who have expertise in energy resources. ~~and~~

~~(2) at staffing levels consistent with recommendations of the council.~~

~~(e) The center shall report to the council before each quarterly meeting of the council under section 4(j) of this chapter.~~

~~(f)~~ **(d)** The state geologist shall oversee and manage the activities of the center.

~~(g)~~ **(e)** The center shall be funded by the available resources of the survey.

SECTION 455. IC 22-1-1-11, AS AMENDED BY P.L.113-2014, SECTION 112, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 11. The commissioner of labor is authorized and directed to do the following:

(1) To investigate and adopt rules under IC 4-22-2 prescribing what safety devices, safeguards, or other means of protection shall be adopted for the prevention of accidents in every employment or place of employment, to determine what suitable devices, safeguards, or other means of protection for the prevention of industrial accidents or occupational diseases shall be adopted or followed in any or all employments or places of employment, and to adopt rules under IC 4-22-2 applicable to either employers or employees, or both for the prevention of accidents and the prevention of industrial or occupational diseases.

(2) Annually forward the report received from the ~~mining board~~ **bureau of mines and mine safety** under IC 22-10-1.5-5(a)(5) to the legislative council in an electronic format under IC 5-14-6 and

request from the general assembly funding for necessary additional mine inspectors.

(3) Administer the mine safety fund established under IC 22-10-12-16.

SECTION 456. IC 22-4.1-21-9, AS AMENDED BY P.L.174-2018, SECTION 40, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 9. As used in this chapter, "postsecondary proprietary educational institution" means a person doing business in Indiana by offering to the public, for a tuition, fee, or charge, instructional or educational services or training in a technical, professional, mechanical, business, or industrial occupation, in the recipient's home, at a designated location, or by mail. The term does not include the following:

(1) A postsecondary credit bearing proprietary educational institution accredited by the ~~board for proprietary education~~ **commission for higher education** under IC 21-18.5-6.

(2) A state educational institution or another educational institution established by law and financed in whole or in part by public funds.

(3) A postsecondary proprietary educational institution approved or regulated by any other state regulatory board, agency, or commission.

(4) An elementary or secondary school attended by students in kindergarten or grades 1 through 12 and supported in whole or in part by private tuition payments.

(5) Any educational institution or educational training that:

(A) is maintained or given by an employer or a group of employers, without charge, for employees or for individuals the employer anticipates employing;

(B) is maintained or given by a labor organization, without charge, for its members or apprentices;

(C) offers exclusively instruction that is clearly self-improvement, motivational, or avocational in intent (including instruction in dance, music, or self-defense, and private tutoring); or

(D) is a Montessori or nursery school.

(6) A privately endowed two (2) or four (4) year degree granting institution that is regionally accredited and whose principal campus is located in Indiana.

(7) All educational institutions offering programs requiring

approval by the Indiana state board of nursing under IC 25-23-1-7.

SECTION 457. IC 22-8-1.1-1, AS AMENDED BY P.L.32-2008, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 1. As used in this chapter, unless otherwise provided:

"Board" means the board of safety review created by this chapter.

~~"Commission" means the occupational safety standards commission created by this chapter.~~

"Commissioner" means the commissioner of labor or the commissioner's duly designated representative.

"Department" means the department of labor.

"Employee" means a person permitted to work by an employer in employment.

"Employer" means any individual or type of organization, including the state and all its political subdivisions, that has in its employ one (1) or more individuals.

"INSafe" means the division of the department created by section 40 of this chapter.

"Safety order" refers to a notice issued to employers by the commissioner of labor for alleged violations of this chapter, including any health and safety standards.

"Standard" refers to both health and safety standards.

"Voluntary protection program" means a program offered by the United States Occupational Safety and Health Administration to employers subject to this chapter that exempts the employers from general scheduled inspections.

SECTION 458. IC 22-8-1.1-7 IS REPEALED [EFFECTIVE JANUARY 1, 2027]. ~~Sec. 7. An occupational safety standards commission is created within the department to promulgate, modify, or revoke safety and health standards in Indiana and to hear and determine applications for temporary and permanent variances from those standards.~~

SECTION 459. IC 22-8-1.1-8 IS REPEALED [EFFECTIVE JANUARY 1, 2027]. ~~Sec. 8. Commission: Membership. The commission shall be composed of nine (9) members, all of whom shall be selected by the governor as follows: three (3) shall represent the management of principal industries in the state, one (1) of which shall represent agricultural industry: three (3) shall represent labor and three (3) shall represent the public all of whom shall be recognized as~~

~~experienced in the field of occupational health and safety. The commissioner shall serve as secretary of the commission. No member of the commission having an economic interest in any application for a temporary or permanent variance, shall be allowed to participate in the decision.~~

SECTION 460. IC 22-8-1.1-9 IS REPEALED [EFFECTIVE JANUARY 1, 2027]. ~~Sec. 9. Commission: Terms. Members of the commission shall serve terms of three (3) years and until their successors are appointed except that of the members first appointed, three (3) members representing management, labor and the public shall be appointed for three (3) years and three (3) members representing management, labor and the public for two (2) years and three (3) members representing management, labor and the public for one (1) year. Vacancies shall be filled by appointment for an unexpired term by the governor in the same manner as the original appointments.~~

SECTION 461. IC 22-8-1.1-10 IS REPEALED [EFFECTIVE JANUARY 1, 2027]. ~~Sec. 10. The commission shall meet annually at the call of the commissioner and elect a chairman and such other officers as they deem appropriate.~~

SECTION 462. IC 22-8-1.1-11 IS REPEALED [EFFECTIVE JANUARY 1, 2027]. ~~Sec. 11. (Commission: Quorum) A majority of the commission constitutes a quorum for the transaction of business.~~

SECTION 463. IC 22-8-1.1-12 IS REPEALED [EFFECTIVE JANUARY 1, 2027]. ~~Sec. 12. (a) Each member of the commission who is not a state employee is entitled to the minimum salary per diem provided by IC 4-10-11-2.1(b). Such a member is also entitled to reimbursement for traveling expenses and other expenses actually incurred in connection with the member's duties, as provided in the state travel policies and procedures established by the department of administration and approved by the budget agency.~~

~~(b) Each member of the commission who is a state employee is entitled to reimbursement for traveling expenses and other expenses actually incurred in connection with the member's duties, as provided in the state travel policies and procedures established by the department of administration and approved by the budget agency.~~

SECTION 464. IC 22-8-1.1-13 IS REPEALED [EFFECTIVE JANUARY 1, 2027]. ~~Sec. 13. The commission shall meet at the call of the commissioner or the chairman or upon the written request of any four (4) members. However, the commission shall meet at least one (1) time per year at the call of the commissioner to conduct the business~~

~~that comes before the commission.~~

SECTION 465. IC 22-8-1.1-15 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 15. (Standards: Incorporation by reference) The ~~commission~~ **board** may adopt by reference any standards, code, manuals or portions thereof, published by any nationally recognized organizations or associations organized or conducted in whole or in part for the purpose of developing standards for the protection of the life, health or safety of employees.

SECTION 466. IC 22-8-1.1-15.1, AS AMENDED BY P.L.123-2006, SECTION 33, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 15.1. Any interested person, including representatives of employers and representatives of employees may propose a standard to the ~~commission,~~ **board,** or the ~~commission~~ **board** may do so on its own motion. Such proposals shall be in writing. In the development or adoption of each standard proposed in this manner, the ~~commission~~ **board** shall appoint and consult with an advisory committee. The advisory committee shall include equal number of persons qualified to present the viewpoint of employers involved and of persons similarly qualified to present the viewpoint of the workers involved. All members of the advisory committee shall be experienced in the field to which the proposed standard will apply. The number of members of any advisory committee shall be at the discretion of the ~~commission.~~ **board.** Any standard developed shall not unduly burden interstate commerce. Any such standard must be adopted by the ~~commission~~ **board** in accordance with IC 4-22-2. The said standard shall be published in a newspaper of general circulation published in Marion County, Indiana, at least ten (10) days prior to the filing of said standard with the publisher of the Indiana Register.

SECTION 467. IC 22-8-1.1-16.1, AS AMENDED BY P.L.93-2024, SECTION 160, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 16.1. The ~~commission~~ **board** may adopt emergency temporary standards under IC 4-22-2. The emergency temporary standard shall be published in a newspaper of general circulation published in Marion County, Indiana, at least ten (10) days before the filing with the publisher of the Indiana Register. In the exercise of this power, the ~~commission~~ **board** shall first expressly determine:

(1) that employees are exposed to grave danger from exposure to substances or agents determined to be toxic or physically harmful

or from new hazards; and

(2) that such emergency temporary standard is necessary to protect employees from such danger.

SECTION 468. IC 22-8-1.1-16.2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 16.2. (a) A United States Occupational Safety and Health Administration (OSHA) standard lawfully adopted by OSHA under federal law may be enforced by the department without any further action by the ~~commission.~~ **board.**

(b) The commissioner or the commissioner's designee shall enforce the federal standards described in subsection (a) not earlier than sixty (60) days after the final standard by federal OSHA becomes effective.

(c) The ~~commission~~ **board** may adopt an alternate standard which it finds is at least as effective in providing safe and healthful employment as the federal standard under the procedures set forth in IC 22-8-1.1-15, IC 22-8-1.1-15.1, and IC 22-8-1.1-16.1.

(d) Notwithstanding IC 4-22-7-7(a), the ~~commission~~ **board** shall publish a statement describing a standard enforceable under this section. The statement must make reference to the federal regulation. The statement must be published under IC 4-22-7-7(b).

SECTION 469. IC 22-8-1.1-17.1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 17.1. (a) Any standard promulgated under this chapter shall prescribe the use of labels or other appropriate forms of warning as are necessary to insure that employees are apprised of all hazards to which they are exposed, relevant symptoms and appropriate emergency treatment, and proper conditions and precautions of safe use or exposure. Where appropriate, such a standard shall also prescribe suitable protective equipment and control or technological procedures to be used in connection with the hazards and shall provide for monitoring or measuring employee exposure at such locations and intervals and in such manner as may be necessary for the protection of employees. In addition where appropriate, any standard shall prescribe the type or frequency of medical examinations or other tests which shall be made available by the employer, at employer's cost, to employees exposed to hazards in order to most effectively determine whether the health of the employees is adversely affected by the exposure. Upon request, the results of examinations or tests shall be furnished to the department and shall remain confidential within the department. At the request of the employee, results shall be furnished to his physician.

(b) The ~~commission,~~ **board,** in promulgating standards dealing with toxic materials or harmful physical agents, shall set the standard which most adequately assures, to the extent feasible, on the basis of the best available evidence, that no employee will suffer material impairment of health or functional capacity even if the employee has regular exposure to the hazard dealt with by the standard for the period of his working life. Development of standards shall be based upon research, demonstrations, experiments, and such other information as may be appropriate. In addition to the attainment of the highest degree of health and safety protection for the employee, other considerations shall be the latest available scientific data in the field, the feasibility of the standards, and experience gained under this and other health and safety laws. Whenever practicable, the standard promulgated shall be expressed in terms of objective criteria and of the performance desired.

(c) The ~~commission,~~ **board,** in promulgating standards, shall adopt rules requiring employers to maintain accurate records of employee exposures to potentially toxic material or harmful physical agents which are required to be monitored or measured under the standards. These rules shall provide employees or their representatives with an opportunity to observe monitoring or measuring and to have access to the records thereof. These rules shall also make appropriate provisions for each employee to have access to such records as will indicate his own exposure to toxic materials or harmful physical agents. Under these rules, each employer shall notify any employee who is being consistently exposed to toxic materials or harmful physical agents in concentrations or at levels which exceed those prescribed by an occupational safety and health standard and shall inform any employee who is being thus exposed of the corrective action being taken.

SECTION 470. IC 22-8-1.1-19 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 19. Standards: Declaratory Judgment. After promulgation of a safety standard by the ~~commission,~~ **board,** any question as to its applicability or legal validity may be adjudicated by an action for a declaratory judgment filed by an affected person or firm under IC 34-14-1 (or IC 34-4-10 before its repeal).

SECTION 471. IC 22-8-1.1-19.1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 19.1. Temporary Variances. Any employer may apply to the ~~commission~~ **board** for a temporary order granting a variance from a standard or any provision thereof promulgated under this chapter. Such temporary order shall be

granted only if the employer establishes that he is unable to comply with a standard by its effective date because of unavailability of professional or technical personnel or of materials and equipment needed to come into compliance with the standard or because necessary construction or alteration of facilities cannot be completed by the effective date; that he is taking all available steps to safeguard his employees against the hazards covered by the standard; and that he has an effective program for coming into compliance with a standard as quickly as practicable. Any temporary order issued under this section shall prescribe the practices, means, methods, operations and processes which the employer must adopt and use while the order is in effect and state in detail his program for coming into compliance with the standard. Such a temporary order may be granted only after notice to employees and an opportunity for a hearing. Said notice shall be given to the authorized representative of the employees and be posted at or near the location for which the variance is sought. No order for a temporary variance may be in effect for longer than the period needed by the employer to achieve compliance with the standard or one (1) year, whichever is shorter, except that such an order may be renewed not more than twice, so long as the requirements of this paragraph are met and if an application for renewal is filed at least ninety (90) days prior to the expiration date of the order.

SECTION 472. IC 22-8-1.1-20.1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 20.1. Any affected employer may apply to the ~~commission~~ **board** for a permanent variance from a standard promulgated under this chapter. Affected employees shall be given notice of each such application by posting it at or near the location for which the variance is sought, and an opportunity to participate in a hearing. The ~~commission~~ **board** shall issue such rule or order if it determines, after a hearing, including an inspection, if appropriate, that the proponent of the variance has demonstrated by a preponderance of the evidence that the conditions, practices, means, methods, operations, or processes used or proposed to be used by the employer will provide employment and places of employment to his employees which are as safe and healthful as those which would prevail if he complied with the standard. The rule or order so issued shall prescribe the conditions the employer must maintain, and the practices, means, methods, operations, and processes which he must adopt and utilize to the extent they differ from the standard in question. Such a rule or order may be modified or revoked upon

application by an employer, employees, the commissioner of labor, or the ~~commission~~ **board** on its own motion, in the manner prescribed for its issuance under this section at any time after six (6) months from its issuance, provided that the moving party gives thirty (30) days notice to the other parties, and a hearing is held at the request of any of the parties.

SECTION 473. IC 22-8-1.1-21.1 IS REPEALED [EFFECTIVE JANUARY 1, 2027]. ~~Sec. 21.1. The commissioner and the department shall provide such administrative services, including docketing, stenographic, and recordkeeping services, as the commission may require in discharging its function under this chapter.~~

SECTION 474. IC 22-8-1.1-22.1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 22.1. Commissioner to Administer - Other Agencies. The commissioner and such representatives as he may designate shall administer and enforce the provisions of this chapter and the safety standards adopted by the ~~commission.~~ **board.** The commissioner may utilize other agencies of the state government and its political subdivisions in carrying out his functions under this chapter.

SECTION 475. IC 22-8-1.1-30.1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 30.1. (a) A board of safety review is created within the department.

(b) The board shall conduct hearings on contests involving safety orders, penalties, and notices of failure to correct a violation issued under this chapter and may affirm, modify, or dismiss the action of the commissioner in respect to the violation, the penalty, and the abatement period. All enforcement action on a properly contested safety order shall be suspended until a final decision has been rendered by the board of safety review. If a petition for judicial review is filed under IC 4-21.5-5, the person seeking review may seek a stay under IC 4-21.5-5-9. If compliance with the safety order is a final decision, the full abatement period shall commence from the date of the issuance of the final decision of the board of safety review or of a court if a stay has been granted.

(c) The board may promulgate, modify, or revoke safety and health standards in Indiana and shall hear and determine applications for temporary and permanent variances from those standards.

SECTION 476. IC 22-8-1.1-48.1, AS AMENDED BY P.L.32-2008, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

JANUARY 1, 2027]: Sec. 48.1. The commissioner of labor, ~~the occupational safety standards commission,~~ the board of safety review, and INSafe shall have the power to make rules governing functions under this chapter, provided such rules shall not be inconsistent with this chapter or other applicable statutes.

SECTION 477. IC 22-8-1.1-48.4, AS AMENDED BY P.L.32-2008, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 48.4. (a) All information reported to or otherwise obtained by the commissioner, the designated representatives of the commissioner, the department of labor, ~~the occupational safety standards commission,~~ the board of safety review, INSafe, and the agents and employees of any of them that contains or might reveal a trade secret, shall be considered confidential and shall be disclosed only to such other officers or employees concerned with the functions set forth in this chapter as may be necessary for them to discharge their duties under this chapter. In any proceeding, the commissioner, ~~the commission,~~ the board, or a court shall issue such orders as may be appropriate, including the impoundment of files, or portions of files, to protect the confidentiality of trade secrets.

(b) No person may violate the confidentiality of trade secrets.

SECTION 478. IC 22-9.5-5-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 5. (a) A person may not discriminate in the sale or rental or otherwise make unavailable or deny a dwelling to any buyer or renter because of a disability of:

(1) the buyer or renter;

(2) a person residing in or intending to reside in the dwelling after the dwelling is sold, rented, or made available; or

(3) any person associated with the buyer or renter.

(b) A person may not discriminate against any person in the terms, conditions, or privileges of sale or rental of a dwelling or in the provision of services or facilities in connection with the dwelling because of a disability of:

(1) the person;

(2) a person residing in or intending to reside in the dwelling after the dwelling is sold, rented, or made available; or

(3) any person associated with the person.

(c) For purposes of this section only, discrimination includes the following:

(1) A refusal to permit, at the expense of the person with a disability, reasonable modifications of existing premises occupied

or to be occupied by the person if the modifications may be necessary to afford the person full enjoyment of the premises.

(2) A refusal to make reasonable accommodations in rules, policies, practices, or services, when the accommodations may be necessary to afford the person equal opportunity to use and enjoy a dwelling.

(3) In connection with the design and construction of covered multifamily dwellings for first occupancy after March 13, 1991, a failure to design and construct those dwellings in a manner that:

(A) the public use and common use parts of the dwellings are readily accessible to and usable by persons with disabilities;

(B) all the doors are designed to allow passage into and within all premises within the dwellings and are sufficiently wide to allow passage by persons with disabilities in wheelchairs; and

(C) all premises within the dwellings contain the following features of adaptive design:

(i) An accessible route into and through the dwelling.

(ii) Light switches, electrical outlets, thermostats, and other environmental controls in accessible locations.

(iii) Reinforcements in bathroom walls to allow later installation of grab bars.

(iv) Usable kitchens and bathrooms so that an individual in a wheelchair can maneuver about the space.

(d) As used in subsection (c), "covered multifamily dwellings" means:

(1) buildings consisting of four (4) or more units if the buildings have one (1) or more elevators; and

(2) ground floor units in other buildings consisting of four (4) or more units.

(e) Compliance with the rules of the ~~fire prevention and building safety commission~~ **department of homeland security** that incorporate by reference the appropriate requirements of the American National Standard for buildings and facilities providing accessibility and usability for people with physical disabilities (ANSI A117.1) satisfies the requirements of subsection (c)(3)(C).

(f) This section does not require that a dwelling be made available to an individual whose tenancy would constitute a direct threat to the health or safety of other individuals or whose tenancy would result in substantial physical damage to the property of others.

SECTION 479. IC 22-10-1.5-1, AS AMENDED BY P.L.35-2007,

SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 1. **(a)** This article applies to all mines.

(b) The bureau of mines and mine safety created under IC 22-1-1-4(1) shall administer this chapter.

SECTION 480. IC 22-10-1.5-2, AS AMENDED BY P.L.35-2007, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2. (a) The mining board is established. The board is composed of five (5) members appointed by the governor. The members must have the following qualifications:

(1) Two (2) members must be practical and experienced nonsupervisory underground coal miners.

(2) Two (2) members must be practical and experienced underground coal operators.

(3) One (1) member must represent the general public and must not be associated with the coal industry.

(b) The governor shall appoint each member to a four (4) year term. The governor shall fill any vacancy occurring on the board for the unexpired term of the member being replaced. The individual appointed to fill a vacancy must have the same qualifications as the member the individual is replacing.

(c) The governor may remove a member of the board for cause.

(d) The board shall organize by the election of a chairman for a one (1) year term.

(e) The board may hold meetings on the call of the chairman or the director.

(f) This section expires December 31, 2026.

SECTION 481. IC 22-10-1.5-3, AS AMENDED BY P.L.35-2007, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 3. (a) Except as provided in subsection (b), a member of the board is not entitled to the minimum salary per diem provided by IC 4-10-11-2.1(b). The member is, however, entitled to reimbursement for traveling expenses as provided under IC 4-13-1-4 and other expenses actually incurred in connection with the member's duties, as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.

(b) Effective July 1, 2007, a member of the board who is not a state employee is entitled to the minimum salary per diem provided by IC 4-10-11-2.1(b). The member also is entitled to reimbursement for traveling expenses as provided under IC 4-13-1-4 and other expenses

actually incurred in connection with the member's duties, as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.

(c) This section expires December 31, 2026.

SECTION 482. IC 22-10-1.5-4, AS AMENDED BY P.L.35-2007, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 4. The ~~board~~ **bureau of mines and mine safety** may adopt rules under IC 4-22-2 to implement this article. Notwithstanding any other law, the rules may include the setting of fees under:

(1) IC 22-10-3-10;

(2) IC 22-10-3-11; and

(3) IC 22-10-3-13.

SECTION 483. IC 22-10-1.5-5, AS AMENDED BY P.L.35-2007, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 5. ~~(a)~~ The ~~board~~ **bureau of mines and mine safety** shall:

(1) collect and distribute information concerning the nature, causes, and prevention of mine accidents and the improvements of methods, conditions, and equipment of mines with special reference to health and safety and the conservation of mineral resources and the economic conditions respecting mining and the mining industry;

(2) promote the technical efficiency of all persons working in and about the mines of this state and examine persons applying for certificates under IC 22-10-3-10;

(3) submit any bills embodying legislation that the board may agree upon to the general assembly;

(4) if appropriations from the general assembly are considered insufficient by the ~~board,~~ **bureau of mines and mine safety,** assess and collect from operators the amount necessary to purchase and maintain underground mine rescue equipment ~~for the bureau of mines and mine safety~~ created under IC 22-1-1-4 and deposit the assessment in the mine safety fund established under IC 22-10-12-16; and

(5) annually report to the commissioner of the department of labor concerning any need for additional mine inspectors.

~~(b) The board shall mail written notice to operators of a meeting of the board at which assessments described in subsection (a)(4) are discussed.~~

SECTION 484. IC 22-10-1.7-0.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: **Sec. 0.5. (a) On January 1, 2027, all powers, duties, agreements, and liabilities of the mining board are transferred to the bureau of mines and mine safety.**

(b) On January 1, 2027, all records and property of the mining board are transferred to the bureau of mines and mine safety, including appropriations and other funds under the control or supervision of the mining board, are transferred to the bureau of mines and mine safety.

(c) After December 31, 2026, any amounts owed to the mining board before December 31, 2026, are considered to be owed to the bureau of mines and mine safety as the successor agency.

(d) After December 31, 2026, a reference to the mining board in a statute, rule, or other document is considered a reference to the bureau of mines and mine safety.

(e) The rules adopted by the mining board before December 1, 2026, are considered, after January 1, 2027, rules of the bureau of mines and mine safety.

SECTION 485. IC 22-10-3-1 IS REPEALED [EFFECTIVE JANUARY 1, 2027]. ~~Sec. 1. As used in this article:~~

~~"Active workings" means all places in a mine that are ventilated and inspected regularly.~~

~~"Belt examiner" means an individual designated by the mine foreman to perform the functions as required by 30 CFR Part 75 in connection with examinations to ensure that the belt, belt drives, dump points, air movement, roof, and ribs of a mine are in safe condition.~~

~~"Board" refers to the mining board established under IC 22-10-1.5-2.~~

~~"Commercial mine" means any underground mine from which coal is produced for sale, exchange, or commercial use.~~

~~"Director" means the director of the bureau of mines and mine safety established under IC 22-1-1-4.~~

~~"Hoisting engineer" means an individual who is capable of transporting people and material in and out of a mine by means of a hoist.~~

~~"Interested persons" means the director, safety personnel designated by the operator, state and federal coal mine inspectors, and, to the extent required by law, any other person.~~

~~"Mine" means an underground commercial coal mine.~~

~~"Mine electrician" means a properly certified individual who can perform electrical work in:~~

~~(1) a surface coal mine;~~

~~(2) surface areas of underground coal mines; and~~

~~(3) underground coal mines.~~

~~"Mine examiner" means a properly certified person designated by the mine foreman to examine the mine for gas and other dangers. A mine examiner may temporarily act as a section foreman if designated to act as such by the mine foreman.~~

~~"Mine foreman" means the person charged with the responsibility of the general supervision of the underground working of a mine and the persons employed in the mine and for the health and safety of those employees.~~

~~"Mine inspector" means the person appointed to assist in administering this article.~~

~~"Mine Safety Administration" refers to the Mine Safety and Health Administration, United States Department of Labor.~~

~~"Mining laws" means:~~

~~(1) this article;~~

~~(2) IC 22-1-1-5(a);~~

~~(3) 30 CFR part 75; and~~

~~(4) 30 CFR part 77.~~

~~"Operator" means an individual, firm, association, partnership, limited liability company, or corporation operating an underground coal mine or any part of a mine.~~

~~"Shot-firer" means a properly certified person designated by the mine foreman to perform the functions as required in this article in connection with breaking down coal or rock.~~

SECTION 486. IC 22-10-3-1 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: **Sec. 1. As used in this article, the following terms have the following meanings:**

(a) "Active workings" means all places in a mine that are ventilated and inspected regularly.

(b) "Belt examiner" means an individual designated by the mine foreman to perform the functions as required by 30 CFR Part 75 in connection with examinations to ensure that the belt, belt drives, dump points, air movement, roof, and ribs of a mine are in safe condition.

(c) "Bureau" refers to the bureau of mines and mine safety

created under IC 22-1-1-4(1).

(d) "Commercial mine" means any underground mine from which coal is produced for sale, exchange, or commercial use.

(e) "Director" means the director of the bureau of mines and mine safety established under IC 22-1-1-4.

(f) "Hoisting engineer" means an individual who is capable of transporting people and material in and out of a mine by means of a hoist.

(g) "Interested persons" means the director, safety personnel designated by the operator, state and federal coal mine inspectors, and, to the extent required by law, any other person.

(h) "Mine" means an underground commercial coal mine.

(i) "Mine electrician" means a properly certified individual who can perform electrical work in:

(1) a surface coal mine;

(2) surface areas of underground coal mines; and

(3) underground coal mines.

(j) "Mine examiner" means a properly certified person designated by the mine foreman to examine the mine for gas and other dangers. A mine examiner may temporarily act as a section foreman if designated to act as such by the mine foreman.

(k) "Mine foreman" means the person charged with the responsibility of the general supervision of the underground working of a mine and the persons employed in the mine and for the health and safety of those employees.

(l) "Mine inspector" means the person appointed to assist in administering this article.

(m) "Mine Safety Administration" refers to the Mine Safety and Health Administration, United States Department of Labor.

(n) "Mining laws" means:

(1) this article;

(2) IC 22-1-1-5(a);

(3) 30 CFR part 75; and

(4) 30 CFR part 77.

(f) "Operator" means an individual, firm, association, partnership, limited liability company, or corporation operating an underground coal mine or any part of a mine.

(g) "Shot-firer" means a properly certified person designated by the mine foreman to perform the functions as required in this article in connection with breaking down coal or rock.

SECTION 487. IC 22-10-3-9, AS AMENDED BY THE TECHNICAL CORRECTIONS BILL OF THE 2026 GENERAL ASSEMBLY, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 9. (a) The ~~director~~ **bureau** shall ~~keep a record of the board's official actions concerning certificates issued under this chapter and file the record together with questions and answers pertaining to examinations established by the board, including the grade given for the answer to each question. The record shall be open for inspection by interested persons. If applications for certification are received, the board shall meet at least quarterly at such time and place as it shall consider advisable for the purpose of examining applicants for certificates. These quarterly meetings shall be held in January, April, July, and October. The date, time, and place of examination shall be published at all coal mines in this state and posted on the website maintained by the bureau of mines and mine safety at least thirty (30) days before the examination. By a majority vote, the board shall establish its rules of procedure and provide suitable certificates. The board shall adopt rules establishing standards for the competent practice of mine foreman, belt examiner, mine examiner, shot-firer, mine electrician, and hoisting engineer.~~

~~(b) A person desiring certification for mine foreman, belt examiner, mine examiner, shot-firer, mine electrician, or hoisting engineer must make written application to the board on forms supplied by the board not later than ten (10) days prior to the examination date.~~ **do the following:**

(1) Keep a record of official actions concerning certificates issued under this chapter.

(2) File the record together with questions and answers pertaining to examinations established by the bureau, including the grade given for the answer to each question.

(3) Ensure that the record is open for inspection by interested persons.

(4) Establish a criteria for the purpose of examining applicants for certificates

(5) Publish the date, time, and place of examination at all coal mines in this state and posted on the website maintained by the bureau at least thirty (30) days before the examination.

(6) Adopt rules establishing standards for the competent practice of mine foreman, belt examiner, mine examiner, shot-firer, mine electrician, and hoisting engineer.

(b) A person desiring certification for mine foreman, belt examiner, mine examiner, shot-firer, mine electrician, or hoisting engineer must make written application to the bureau on forms supplied by the bureau not later than ten (10) days prior to the examination date.

SECTION 488. IC 22-10-3-10, AS AMENDED BY P.L.10-2012, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 10. (a) It is the duty of the ~~board~~ **bureau** to examine any person applying for a certificate for mine foreman, shot-firer, mine examiner, hoisting engineer, mine electrician, or belt examiner and to issue certificates of competency to the applicants who, upon examination, prove themselves competent and qualified.

(b) A certificate is valid only when the examination for certification has been held in the presence of ~~a member of the board and signed by the chairman of the board.~~ **an employee of the bureau.** A certificate of competency may not be issued to any person whose grade is less than seventy-five percent (75%) for any certification other than that of a certificate for mine electrician, which requires a passing grade of not less than eighty percent (80%). The ~~board~~ **bureau** shall observe the requirements set forth in this section in conducting the examinations.

~~(b)~~ **(c)** An applicant for a mine foreman certificate must have at least four (4) years of experience underground in coal mines. However, a person who has graduated and holds a degree in engineering or an approved four (4) year program in coal mining technology from an accredited school, college, or university is required to have only two (2) years of practical underground mining experience to qualify for the examination. A person who has graduated and holds a two (2) year associate in applied science degree in coal mining technology from an accredited school, college, or university is required to have only three (3) years of practical underground mining experience to qualify for the examination. An applicant must prove to the ~~board~~ **bureau** by written and oral examination and by demonstration, where applicable, that the applicant has a thorough knowledge of:

(1) the theory and practice of coal mining;

(2) the nature and properties of poisonous, noxious, and explosive gases and methods for their detection and control;

(3) the requirements of the coal mining laws of this state; and

(4) the responsibilities and duties of a mine foreman under such laws;

and that the applicant is otherwise qualified by law.

~~(c)~~ **(d)** An applicant for a mine examiner certificate must have at least three (3) years of experience underground in coal mines. However, a person who has graduated and holds a degree in engineering or an associate in applied science degree in coal mining technology from an accredited school, college, or university is required to have only two (2) years of practical underground mining experience to qualify for the examination. An applicant must prove to the ~~board~~ **bureau** by written and oral examination and by demonstration, where applicable, that the applicant has a thorough knowledge of:

(1) the nature and properties of poisonous, noxious, and explosive gases and methods for their detection and control;

(2) the practical aspects of coal mining pertaining especially to ventilation and roof control; and

(3) the responsibilities of a mine examiner under coal mining laws of this state;

and that the applicant is otherwise qualified by law.

~~(d)~~ **(e)** An applicant for a shot-firer certificate must have at least one (1) year of underground experience and must have been properly trained in a course approved by the director in the safe use and handling of explosives. An applicant must prove to the ~~board~~ **bureau** by written and oral examination and by demonstration, where applicable, that the applicant has a working knowledge of:

(1) the proper handling and use of explosives and blasting devices and the danger connected therewith;

(2) the nature and properties of poisonous, noxious, and explosive gases and methods for their detection;

(3) the coal mining laws of the state pertaining to ventilation, roof control, and blasting; and

(4) the responsibilities of a shot-firer under applicable mining laws;

and that the applicant is otherwise qualified by law.

~~(e)~~ **(f)** An applicant for a hoisting engineer certificate must prove to the ~~board~~ **bureau** by written and oral examination and by demonstration, where applicable, that the applicant:

(1) is capable of operating a hoist;

(2) has a thorough knowledge of the coal mining laws of this state pertaining to hoisting operations;

(3) has at least one (1) year mining experience;

(4) has at least twenty (20) hours practical experience under the supervision of a certified hoisting engineer; and

(5) is otherwise qualified by law.

~~(f)~~ **(g)** An applicant for a belt examiner certificate must have at least one (1) year of experience in belt maintenance or installation work. The applicant must prove to the ~~board~~ **bureau** by written and oral examination and by demonstration, where applicable, that the applicant has a thorough knowledge of:

(1) the requirements of the coal mining laws of this state with particular emphasis upon those laws pertaining to the use of electrical or belt equipment and the transmission of electrical energy into coal mines; and

(2) the responsibilities of a belt examiner under those laws;

and that the applicant is otherwise qualified by law.

~~(g)~~ **(h)** An applicant for a mine electrician certificate must have sufficient (but not less than one (1) year of) experience in performing electrical work. The applicant must prove to the ~~board~~ **bureau** by written and oral examination and by demonstration, where applicable, that the applicant has a thorough knowledge of:

(1) the requirements of the coal mining laws of this state, with particular emphasis upon laws pertaining to electrical energy in coal mines;

(2) direct and alternating current theory and application;

(3) electric equipment and electrical circuits in coal mines;

(4) permissibility of electric equipment;

(5) 30 CFR 75 subparts F-K; and

(6) 30 CFR 77 subparts F-J and S.

~~(h)~~ **(i)** An applicant for an examination under this section must pay the bureau of mines and mine safety an examination fee of twenty-five dollars ($25). All fees collected under this subsection shall be deposited in the mine safety fund established by IC 22-10-12-16. The ~~board~~ **bureau** may set a different fee by rule under IC 22-10-1.5-4.

~~(i)~~ **(j)** A mine foreman, mine examiner, shot-firer, hoisting engineer, mine electrician, or belt examiner certificate issued before September 1, 1979, is valid under the mining laws of Indiana.

~~(j)~~ **(k)** A person who was issued a fire-boss certificate before July 1, 2007, shall be issued a replacement mine examiner certificate upon request to the director.

~~(k)~~ **(l)** A person designated as mine superintendent or assistant mine superintendent, or acting in either capacity, must hold a mine foreman certificate.

~~(l)~~ **(m)** A certificate may be granted to an applicant who presents to

the board satisfactory evidence that the applicant has not been convicted of:

(1) an act which would constitute a ground for disciplinary sanction under section 11.1(b) of this chapter; or

(2) a felony that has a direct bearing on the applicant's ability to act competently as a mine foreman, shot-firer, mine examiner, hoisting engineer, mine electrician, or belt examiner.

~~(m)~~ **(n)** For the purpose of safety, the board may refuse to examine an applicant who cannot:

(1) readily understand the written English language; or

(2) express himself or herself in the English language.

SECTION 489. IC 22-10-3-11, AS AMENDED BY P.L.10-2012, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 11. (a) In event of loss or destruction of any certificate issued under the mining laws of this state, the ~~board,~~ **bureau** upon satisfactory proof of such loss or destruction, shall issue a duplicate certificate upon receipt of five dollars ($5). The fee shall be deposited into the mine safety fund established by IC 22-10-12-16. The ~~board~~ **bureau** may set a different fee by rule under IC 22-10-1.5-4.

(b) The holder of a mine foreman, mine examiner, shot-firer, hoisting engineer, mine electrician, or belt examiner certificate must present the same or a photostatic copy to the official of the mine where the holder is employed, who shall file it in the office at such mine, and such file shall be available for inspection by interested persons.

SECTION 490. IC 22-10-3-11.1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 11.1. (a) As used in this section, "practitioner" means an individual who holds a certificate issued under this chapter.

(b) A practitioner shall conduct his duties as he is so certified in accordance with the standards established by the ~~board~~ **bureau** under ~~section 9(a)~~ **section 9** of this chapter and is subject to the exercise of the disciplinary sanctions under subsection (e), if after a hearing, the board finds:

(1) the practitioner has employed or knowingly cooperated in fraud or material deception in order to obtain a certificate, or has engaged in fraud or material deception in the course of professional services or activities, or has advertised services in a false or misleading manner;

(2) the practitioner has been convicted of a crime which has a direct bearing on the practitioner's ability to continue to practice

competently;

(3) a practitioner has knowingly violated section 12 of this chapter, or any rule adopted by the ~~board under section 9(A) under this chapter;~~ **bureau under section 9 of this chapter;**

(4) a practitioner has continued to practice as certified although he has become unfit to practice due to:

(A) professional incompetence;

(B) failure to keep abreast of current professional theory or practice;

(C) physical or mental disability; or

(D) addiction or severe dependency upon alcohol or other drugs which endangers the public by impairing a practitioner's ability to practice safely;

(5) a practitioner has engaged in a course of lewd or immoral conduct in connection with the delivery of services to clients; or

(6) a practitioner has allowed his name or certificate issued to him under this chapter to be used in connection with any individual who renders mining services beyond the scope of his training, experience or competence.

(c) The ~~board~~ **bureau** may order a practitioner to submit to a reasonable physical or mental examination if his physical or mental capacity to practice safely is at issue in a disciplinary proceeding.

(d) Failure to comply with a ~~board~~ **bureau** order to submit to a physical or mental examination shall render a practitioner liable to the summary revocation procedures under subsection (f).

(e) The ~~board~~ **bureau** may impose any of the following sanctions, singly or in combination, when it finds that a practitioner is guilty of any offense under subsection (b):

(1) permanently revoke a practitioner's certificate;

(2) suspend a practitioner's certificate;

(3) censure a practitioner;

(4) issue a letter of reprimand; or

(5) place a practitioner on probation status and require the practitioner to:

(A) report regularly to the ~~board~~ **bureau** upon the matters which are the basis of probation;

(B) limit practice to those areas prescribed by the ~~board;~~ **bureau;** or

(C) continue or renew professional education under a practitioner approved by the ~~board~~ **bureau** until satisfactory

degree of skill has been attained in those areas which are the basis of the probation.

The ~~board~~ **bureau** may withdraw the probation if it finds that the deficiency which required disciplinary action has been remedied.

(f) The ~~board~~ **bureau** may summarily suspend a practitioner's certificate for a period of ninety (90) days in advance of a final adjudication or during the appeals process if the ~~board~~ **bureau** finds that a practitioner represents a clear and immediate danger to the public health and safety if he is allowed to continue to practice. The summary suspension may be renewed upon a hearing before the ~~board,~~ **bureau,** and each renewal may be for a period of ninety (90) days or less.

(g) A certificate issued under this chapter is automatically suspended upon the conviction of the practitioner of a felony under 30 U.S.C. 820. A practitioner whose certificate is suspended under this subsection may apply for reinstatement under subsection (h) if at least five (5) years have elapsed from the practitioner's date of discharge from probation, imprisonment, or parole from the felony.

(h) The ~~board~~ **bureau** may reinstate a certificate which has been suspended under this chapter if, after a hearing, the ~~board~~ **bureau** is satisfied that the applicant is able to practice with reasonable skill and safety. As a condition for reinstatement, the ~~board~~ **bureau** may impose disciplinary or corrective measures authorized under this chapter.

(i) The ~~board~~ **bureau** shall seek to achieve consistency in the application of the sanctions authorized in this section, and significant departures from prior decisions involving similar conduct shall be explained in the board's findings or orders.

SECTION 491. IC 22-10-3-12, AS AMENDED BY P.L.10-2012, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 12. (a) It is unlawful for any person to serve in the capacity of mine foreman, mine examiner, shot-firer, hoisting engineer, mine electrician, or belt examiner at any time unless the person is properly certified. However, any person who meets the appropriate experience requirements of this chapter and who is properly certified in one (1) of these capacities or its equivalent in another state which recognizes the certification of Indiana may serve in such a capacity until the next examination by the ~~board,~~ **bureau,** when the person must apply to the ~~board~~ **bureau** for certification in the person's particular classification. A mine electrician who is properly certified:

(1) by the federal Mine Safety and Health Administration; or

(2) in another state that recognizes the mine electrician certification in Indiana;

may serve in the individual's certified capacity and be issued a mine electrician certificate by the director in Indiana without the requirement of applying to the ~~board~~ **bureau** for examination. However, the individual must obtain an Indiana miner's certificate of competency from the director.

(b) It is unlawful for an operator in this state to employ any person in the capacity of mine superintendent, assistant mine superintendent, mine foreman, mine examiner, shot-firer, hoisting engineer, mine electrician, or belt examiner at any time unless the person is properly certified.

(c) Before any person certified in another state may perform in the capacity of mine superintendent, assistant mine superintendent, mine foreman, mine examiner, shot-firer, hoisting engineer, mine electrician, or belt examiner in Indiana, the person must present personally to the director evidence of the out-of-state certificate or certificates.

(d) Every inexperienced miner is required to wear an orange hard hat until the miner receives a certificate of competency.

SECTION 492. IC 22-10-3-13, AS AMENDED BY P.L.35-2007, SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 13. (a) A person may not be employed underground in any coal mine in this state unless the person possesses a certificate of competency issued by the director, except that a person who does not possess a certificate may be employed to work under the supervision of a person who does possess a certificate for the purpose of becoming qualified to obtain a certificate. A person who intends to work underground in a coal mine to obtain a certificate must first obtain a permit from the director by stating the person's date of birth and residence address. The director shall grant a permit to an applicant who is of legal age and who has intelligence and character such that the person will not be a danger to life and property.

(b) A certificate of competency shall be granted to an applicant who has at least six (6) months experience underground in coal mines, subject to subsection (f).

(c) The director's record shall include the names of applicants for certificates and the names of persons to whom certificates are issued, correlated with the certificate numbers.

(d) An applicant for a certificate must pay the director at the time of application a fee of five dollars ($5). All money received under this

subsection shall be deposited in the mine safety fund established by IC 22-10-12-16. The ~~board~~ **bureau** may set a different fee by rule under IC 22-10-1.5-4.

(e) The ~~board~~ **director of the bureau** shall ~~report to the director the~~ **record the** names of all persons issued certificates, the amount of money received, the names of all persons refused certificates, and the reasons for the refusals, and such reports shall be open for inspection by interested persons.

(f) If a person has been convicted of a felony under 30 U.S.C. 820 and fewer than five (5) years have elapsed from the person's date of discharge from probation, imprisonment, or parole, the person may not:

(1) obtain a certificate of competency;

(2) be employed to work with a person who does possess a certificate; or

(3) obtain a permit to work toward a certificate of competency;

under subsection (a).

SECTION 493. IC 22-10-12-11, AS AMENDED BY P.L.35-2007, SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 11. (a) The bureau of mines and mine safety shall maintain either one (1) or two (2) mine rescue teams. Each team must consist of at least five (5) members and two (2) alternate members. At the discretion of the commissioner of labor, the requirement to maintain either one (1) or two (2) mine rescue teams may be met by using an operator to provide the team members, equipment, and supplies necessary for not more than one (1) team. The ~~board~~ **bureau** shall:

(1) require active underground mines to provide personnel for the mine rescue teams; and

(2) consult with operators to determine the number of personnel that each operator of an active underground mine is required to furnish for the mine rescue teams.

The ~~director, in consultation with the board,~~ **director** shall determine the training and retraining requirements for the mine rescue teams, consistent with Mine Safety Administration requirements.

(b) When practical, members of a mine rescue team shall be made up of supervisory and nonsupervisory employees.

(c) A member of a mine rescue team shall be fully compensated by the owner or operator for wages lost and expenses incurred while being trained under this section if the employee elects to be compensated.

(d) Compensation for damages arising from the injury or death of a

member of a mine rescue team while performing rescue operations shall be limited to the rights and remedies provided by the injured person's employer. However, the employer of the injured or fatally injured mine rescue team member is entitled to reimbursement from the operator whose mine is the subject of the rescue attempt for the actual cost to the employer that is attributable to the injury or death.

(e) The operator of the mine that is the subject of the rescue attempt shall reimburse the bureau for the actual cost of a mine rescue operation, including compensation for all mine rescue team members.

SECTION 494. IC 22-10-12-16, AS AMENDED BY P.L.10-2012, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 16. (a) The mine safety fund is established to provide funding for the purchase and maintenance of underground mine rescue equipment.

(b) The department of labor shall administer the fund.

(c) The fund consists of:

(1) assessments collected by the ~~mining board~~ **bureau** under IC 22-10-1.5-5(a)(4) and deposited into the fund;

(2) fees:

(A) from examinations under ~~IC 22-10-3-10(h);~~ **IC 22-10-3-10(i);**

(B) for duplicate certificates under IC 22-10-3-11(a); and

(C) from applicants for a certificate under IC 22-10-3-13(d); and

(3) interest from investments as accrued and deposited under subsection (d).

(d) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public money may be invested. Interest that accumulates from these investments shall be deposited into the fund.

(e) Money in the fund at the end of a state fiscal year does not revert to the state general fund.

SECTION 495. IC 22-11-14-2, AS AMENDED BY P.L.187-2021, SECTION 63, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2. (a) The ~~fire prevention and building safety commission~~ **department of homeland security** shall:

(1) adopt rules under IC 4-22-2 for the granting of permits for supervised public displays of fireworks by municipalities, fair associations, amusement parks, and other organizations or groups of individuals; and

(2) establish by rule the fee for the permit, which shall be paid into the fire and building services fund created under IC 22-12-6-1.

(b) The application for a permit required under subsection (a) must:

(1) name a competent operator who is to officiate at the display;

(2) set forth a brief resume of the operator's experience;

(3) be made in writing or an electronic format; and

(4) be received with the applicable fee by the department of homeland security at least five (5) business days before the display.

No operator who has a prior conviction for violating this chapter may operate any display for one (1) year after the conviction.

(c) Every display shall be handled by a qualified operator approved by the chief of the fire department of the municipality in which the display is to be held. A display shall be located, discharged, or fired as, in the opinion of:

(1) the chief of the fire department of the city or town in which the display is to be held; or

(2) the township fire chief or the fire chief of the municipality nearest the site proposed, in the case of a display to be held outside of the corporate limits of any city or town;

after proper inspection, is not hazardous to property or person.

(d) A permit granted under this section is not transferable.

(e) A denial of a permit by a municipality shall be issued in writing before the date of the display.

(f) A person may not possess, transport, or deliver special fireworks, except as authorized under this section.

SECTION 496. IC 22-11-14-3.5, AS ADDED BY P.L.187-2006, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 3.5. The ~~fire prevention and building safety commission~~ **department of homeland security** may adopt rules under IC 4-22-2 that specify the conditions under which the chief of a municipal or township fire department may grant a permit to a person to sponsor a special discharge location in the municipality or township.

SECTION 497. IC 22-11-14-4.5, AS AMENDED BY P.L.187-2021, SECTION 64, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 4.5. (a) A retailer may sell consumer fireworks and items referenced in section 8(a) of this chapter from a tent under the following conditions:

(1) The tent may not be larger than one thousand five hundred

(1,500) square feet.

(2) There may be only one (1) tent for each registration granted under section 11(a) of this chapter.

(3) The tent may not be located closer than one hundred (100) feet from a permanent structure.

(4) A vehicle may not be parked closer than twenty (20) feet from the edge of the tent.

(5) The tent must be fire retardant.

(6) The sales site must comply with all applicable local zoning and land use rules.

(7) Sales of fireworks may be made from the tent for not more than forty-five (45) days in a year.

(8) The weight of consumer fireworks in a tent may not exceed three thousand (3,000) gross pounds of consumer fireworks.

(9) A retailer that legally operated a tent with a registration in 2005 may continue operation in a tent in 2006 and the following years. A registration under section 11(a) of this chapter is required for operation in 2006 and following years. For purposes of this subdivision, a retailer includes a resident wholesaler who supplied consumer fireworks to an applicant for a tent registration in 2005.

(10) The retailer holds a valid registration under section 11(a) of this chapter.

(b) A retailer may sell consumer fireworks and items referenced in section 8(a) of this chapter from a Class 1 structure (as defined in IC 22-12-1-4) if the Class 1 structure meets the requirements of any of the following subdivisions:

(1) The structure complied with the rules for a B-2 or M building occupancy classification before July 4, 2003, under the Indiana building code adopted by the fire prevention and building safety commission established under IC 22-12-2-1 **(before its repeal):**

(A) in which consumer fireworks were sold or stored on or before July 4, 2003; and

(B) in which no subsequent intervening nonfireworks sales or storage use has occurred.

(2) The structure complied with the rules for a B-2 or M building occupancy classification before July 4, 2003, under the Indiana building code adopted by the fire prevention and building safety commission established under IC 22-12-2-1 **(before its repeal):**

(A) in which consumer fireworks were sold or stored on or

before July 4, 2003;

(B) in a location at which the retailer was registered as a resident wholesaler in 2005; and

(C) in which the retailer's primary business is not the sale of consumer fireworks.

(3) The structure complies with the rules for an H-3 building occupancy classification under the Indiana building code adopted by the ~~fire prevention and building safety commission established under IC 22-12-2-1, or the equivalent occupancy classification adopted by subsequent rules of the fire prevention and building safety commission.~~ **department of homeland security.**

(4) The structure complies with the rules adopted after July 3, 2003, by the ~~fire prevention and building safety commission established under IC 22-12-2-1~~ **department of homeland security** for an M building occupancy classification under the Indiana building code.

A registration under section 11(a) of this chapter is required for operation in 2006 and following years.

(c) This subsection does not apply to a structure identified in subsection (b)(1), (b)(2), (b)(3), or (b)(4). A retailer may sell consumer fireworks and items referenced in section 8(a) of this chapter from a structure under the following conditions:

(1) The structure must be a Class 1 structure in which consumer fireworks are sold and stored.

(2) The sales site must comply with all applicable local zoning and land use rules.

(3) The weight of consumer fireworks in the structure may not exceed three thousand (3,000) gross pounds of consumer fireworks.

(4) The retailer holds a valid registration under section 11(a) of this chapter.

(5) A retailer that sold consumer fireworks and operated from a structure with a registration in 2005 may continue in operation in the structure in 2006 and the following years. A registration under section 11(a) of this chapter is required for operation in 2006 and following years.

(d) The state fire marshal or a member of the department of homeland security staff shall, under section 9 of this chapter, inspect tents and structures in which fireworks are sold. The state fire marshal may delegate this responsibility to a responding fire department with

jurisdiction over the tent or structure, subject to the policies and procedures of the state fire marshal.

(e) A retailer shall file an application for each retail location on a form to be provided by the state fire marshal.

(f) This chapter does not limit the quantity of items referenced in section 8(a) of this chapter that may be sold from any Class 1 structure that complied with the rules of the fire prevention and building safety commission **(before its repeal)** in effect before May 21, 2003.

SECTION 498. IC 22-11-14-8, AS AMENDED BY P.L.187-2006, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 8. (a) A person shall not sell at retail, offer for sale at retail, or deliver the following items to a person less than eighteen (18) years of age:

(1) Dipped sticks or wire sparklers. However, total pyrotechnic composition may not exceed one hundred (100) grams per item. Devices containing chlorate or perchlorate salts may not exceed five (5) grams in total composition per item.

(2) Cylindrical fountains.

(3) Cone fountains.

(4) Illuminating torches.

(5) Wheels.

(6) Ground spinners.

(7) Flitter sparklers.

(8) Snakes or glow worms.

(9) Smoke devices.

(10) Trick noisemakers, which include:

(A) Party poppers.

(B) Booby traps.

(C) Snappers.

(D) Trick matches.

(E) Cigarette loads.

(F) Auto burglar alarms.

(b) A retailer or wholesaler of consumer fireworks may sell consumer fireworks to a person at least eighteen (18) years of age.

(c) An individual who sells consumer fireworks must be at least eighteen (18) years of age.

(d) An individual who sells an item set forth in subsection (a) must be at least sixteen (16) years of age.

(e) The ~~fire prevention and building safety commission~~ **department of homeland security** may adopt rules under IC 4-22-2 establishing

procedures to ensure compliance with the age limitations set forth in this section.

SECTION 499. IC 22-11-14-15, AS ADDED BY P.L.187-2006, SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 15. The ~~fire prevention and building safety commission~~ **department of homeland security** and the department of state revenue shall adopt rules under IC 4-22-2 to carry out this chapter.

SECTION 500. IC 22-11-14.5-3, AS AMENDED BY P.L.101-2006, SECTION 30, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 3. The ~~fire prevention and building safety commission~~ **department of homeland security** shall adopt rules under IC 4-22-2 to implement a statewide code concerning displays of indoor pyrotechnics. The rules:

(1) must require that a certificate of insurance be issued that provides general liability coverage of at least five hundred thousand dollars ($500,000) for the injury or death of any number of persons in any one (1) occurrence and five hundred thousand dollars ($500,000) for property damage in any one (1) occurrence by an intended display of indoor pyrotechnics arising from any acts of the operator of the display or the operator's agents, employees, or subcontractors;

(2) must require the person intending to present the display to give, at least twenty four (24) hours before the time of the display, written notice of the intended display to the chief of the responding fire department of the location proposed for the display of the indoor pyrotechnics and to include with the written notice a certification from the person intending to display the indoor pyrotechnics that the display will be made in accordance with:

(A) the rules adopted under this section; and

(B) any ordinance or resolution adopted under section 4 of this chapter;

(3) must include and adopt NFPA 1126, Standard for the Use of Pyrotechnics before a Proximate Audience, 2001 Edition, published by the National Fire Protection Association, 1 Batterymarch Park, Quincy, Massachusetts 02169;

(4) must be amended to adopt any subsequent edition of NFPA Standard 1126, including addenda, within eighteen (18) months after the effective date of the subsequent edition; and

(5) may provide for amendments to NFPA Standard 1126 as a condition of the adoption under subdivisions (3) and (4).

SECTION 501. IC 22-11-16-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2. (a) The ~~fire prevention and building safety commission~~ **department of homeland security** shall adopt rules under IC 4-22-2 governing fire safety in certain buildings as specified in subsection (b).

(b) Except as provided in subsection (c) and subsection (d), this chapter and the rules adopted under it apply to:

(1) all hotels, motels, apartments (in buildings containing three (3) or more apartments), and buildings containing three (3) or more sleeping rooms that rent for a fee; and

(2) all buildings occupied after September 14, 1982, as hotels, motels, apartments (in buildings containing three (3) or more apartments), and buildings containing three (3) or more sleeping rooms that rent for a fee.

(c) This chapter does not apply to hotels and motels that have no interior corridors and whose individual rooms have only exterior exits.

(d) This chapter does not apply to an apartment in an apartment building from which apartment there is immediate ground level access to the outside.

(e) Compliance with this chapter and the rules adopted under it does not relieve the owner of a building covered by this chapter from the requirements of any other applicable law, rule, regulation, or ordinance.

SECTION 502. IC 22-11-17-1, AS AMENDED BY P.L.187-2021, SECTION 65, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1. As used in this chapter:

(1) ~~"Commission" refers to the Indiana fire prevention and building safety commission.~~ **"Department" refers to the department of homeland security.**

(2) "Exit" means a continuous and unobstructed means of egress to a public way designated as an exit pursuant to the rules of the ~~commission.~~ **department.** The term includes doorways, corridors, exterior exit balconies, ramps, stairways, smokeproof enclosures, horizontal exits, exit passageways, exit courts, and yards.

(3) "Owner" means a person having control or custody of any building covered by this chapter.

(4) "Public building" means any structure used in whole or in part as a place of resort, assemblage, lodging, trade, traffic, occupancy, or use by the public, or by three (3) or more tenants.

It also means all educational buildings, day care centers, hospitals, institutions, health facilities, residential-custodial care facilities, mercantile occupancies, and office occupancies.

(5) "Special egress control device" means an electronically controlled exit locking system that:

(A) allows a delay in exiting through an exit in a nonemergency situation; and

(B) complies with rules adopted by the ~~commission.~~ **department.**

SECTION 503. IC 22-11-17-2, AS AMENDED BY P.L.187-2021, SECTION 66, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2. (a) Except as provided in subsections (b) and (d) and section 2.5 of this chapter, an owner of a public building shall not permit an exit to be locked or obstructed in any manner that denies the public a continuous and unobstructed means of egress while lawfully occupied by anyone who is not an officer or an employee.

(b) The ~~commission~~ **department** may adopt rules under IC 4-22-2 that:

(1) allow the owner of a public building to equip an exit with a special egress control device;

(2) limit the circumstances under which a special egress control device may be used; and

(3) allow an exit that was in compliance with the rules of the ~~commission~~ **department** when the exit was constructed to be equipped with a special egress control device.

(c) An owner of a public building shall not permit a fire alarm to be disconnected or otherwise rendered inoperative, except in cases of routine maintenance or for repair.

(d) A school that has one (1) or more employees shall develop a plan to address unplanned fire alarm activation as part of its emergency operations plan.

(e) A school's emergency operations plan for unplanned fire alarm activation shall include procedures for the following:

(1) Evacuation of the building when the fire alarm is heard. A school with a fire alarm panel that allows for a positive fire alarm sequence may:

(A) develop a plan to investigate an unplanned fire alarm activation before activating the audible and visual alarms requiring evacuation;

(B) designate school officials to acknowledge that an alarm has

been activated and initiate an investigation within fifteen (15) seconds;

(C) secure-in-place for up to three (3) minutes in order for a designated school official to determine, by investigation, if an active shooter is on the property; and

(D) following the three (3) minute period under clause (C), the school must evacuate, unless an active shooter has been verified to be on the school's property.

(2) Compliance with all provisions of 675 IAC 28-1-28.

SECTION 504. IC 22-12-1-4, AS AMENDED BY P.L.142-2013, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 4. (a) "Class 1 structure" means any part of the following:

(1) A building or structure that is intended to be or is occupied or otherwise used in any part by any of the following:

(A) The public.

(B) Three (3) or more tenants.

(C) One (1) or more persons who act as the employees of another.

(2) A site improvement affecting access by persons with physical disabilities to a building or structure described in subdivision (1).

(3) Outdoor event equipment.

(4) Any class of buildings or structures that the ~~commission~~ **department** determines by rules to affect a building or structure described in subdivision (1), except buildings or structures described in subsections (c) through (f).

(b) Subsection (a)(1) includes a structure that contains three (3) or more condominium units (as defined in IC 32-25-2-9) or other units that:

(1) are intended to be or are used or leased by the owner of the unit; and

(2) are not completely separated from each other by an unimproved space.

(c) Subsection (a)(1) does not include a building or structure that:

(1) is intended to be or is used only for an agricultural purpose on the land where it is located; and

(2) is not used for retail trade or is a stand used for retail sales of farm produce for eight (8) or less consecutive months in a calendar year.

(d) Subsection (a)(1) does not include a Class 2 structure.

(e) Subsection (a)(1) does not include a vehicular bridge.

(f) Subsection (a)(1) does not include a structure that is intended to be or is occupied solely to provide periodic maintenance or repair of:

(1) the structure; or

(2) mechanical or electrical equipment located within and affixed to the structure.

SECTION 505. IC 22-12-1-6 IS REPEALED [EFFECTIVE JULY 1, 2026]. ~~Sec. 6. "Commission" refers to the fire prevention and building safety commission.~~

SECTION 506. IC 22-12-1-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 8. **(a)** "Control" means authority to create, change, or eliminate a condition or to initiate, regulate, or terminate conduct that is based on any of the following:

(1) An agency, employment, or contractual relationship.

(2) A possessory or nonpossessory ownership or leasehold interest in property.

(3) A contractual right to possess or use property.

(b) The term does not apply to IC 22-12-2.1-1.

SECTION 507. IC 22-12-1-10 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 10. **(a)** "Education board" refers to the board of firefighting personnel standards and education.

(b) This section expires December 31, 2026.

SECTION 508. IC 22-12-1-10.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: **Sec. 10.5. "Education commission" refers to the Indiana fire and EMS standards and education commission established by IC 16-31-2-1.5.**

SECTION 509. IC 22-12-2 IS REPEALED [EFFECTIVE JULY 1, 2026]. (Fire Prevention and Building Safety Commission).

SECTION 510. IC 22-12-2.1 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]:

Chapter 2.1. Transition of Responsibilities for Fire Prevention and Building Safety

Sec. 1. (a) On July 1, 2026, all powers, duties, agreements, and liabilities of the fire prevention and building safety commission are transferred to the department.

(b) On July 1, 2026, all records and property of the fire prevention and building safety commission, including

appropriations and other funds under the control or supervision of the fire prevention and building safety commission, are transferred to the department.

(c) After June 30, 2026, any amounts owed to the fire prevention and building safety commission before July 1, 2026, are considered to be owed to the department as the successor agency.

(d) After June 30, 2026, a reference to the fire prevention and building safety commission in a statute, rule, or other document is considered a reference to the department.

(e) Proceedings pending before the fire prevention and building safety commission on July 1, 2026, shall be transferred from the fire prevention and building safety commission to the department and treated as if initiated by the department.

(f) A license or permit issued by the fire prevention and building safety commission before July 1, 2026, shall be treated after June 30, 2026, as a certification issued by the department.

(g) The rules adopted by the fire prevention and building safety commission before July 1, 2026:

(1) are considered, after June 30, 2026, rules of the department; and

(2) remain in place without expiration until the rules are superseded by a rule of the department or codified by the general assembly.

(h) Not later than July 1, 2027, and each year thereafter, the department shall submit a report to the legislative council in an electronic format under IC 5-14-6 making recommendations for codification and amendment of the rules of the fire prevention and building safety commission.

SECTION 511. IC 22-12-2.5 IS REPEALED [EFFECTIVE JULY 1, 2026]. (Building Codes and Standards; Review and Implementation of Rules; Taking Effect of Rules).

SECTION 512. IC 22-12-3-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1. **(a)** The board of firefighting personnel standards and education is established.

(b) This section expires December 31, 2026.

SECTION 513. IC 22-12-3-2, AS AMENDED BY P.L.187-2021, SECTION 67, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2. (a) The education board consists of thirteen (13) voting members as follows:

(1) The state fire marshal or the state fire marshal's designee.

(2) The executive director of the department of homeland security appointed under IC 10-19-3-1 or the executive director's designee.

(3) Eleven (11) members appointed by the governor, each serving a four (4) year term.

(b) Each appointed member of the education board must be qualified by experience or education in the field of fire protection and related fields.

(c) Each appointed member of the education board must be a resident of Indiana.

(d) The education board must include the following appointed members:

(1) Seven (7) individuals who are members of fire departments. Appointments under this subdivision must include the following:

(A) At least one (1) individual who is a full-time firefighter (as defined in IC 36-8-10.5-3).

(B) At least one (1) individual who is a volunteer firefighter (as defined in IC 36-8-12-2).

(C) At least one (1) individual who is a fire department officer.

(2) Two (2) citizens who are not members of a fire department.

(3) One (1) emergency management director.

(4) One (1) paramedic licensed under IC 16-31-3.

(e) This section expires December 31, 2026.

SECTION 514. IC 22-12-3-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 3. **(a)** The governor may remove a member of the education board for inefficiency or neglect of duty.

(b) This section expires December 31, 2026.

SECTION 515. IC 22-12-3-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 4. **(a)** If a vacancy occurs on the education board, the governor shall appoint an individual to serve the unexpired term of the vacating member.

(b) This section expires December 31, 2026.

SECTION 516. IC 22-12-3-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 5. **(a)** The education board shall annually elect a chairperson, a vice chairperson, and a secretary from among its members.

(b) This section expires December 31, 2026.

SECTION 517. IC 22-12-3-6, AS AMENDED BY P.L.40-2015, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 6. (a) The education board shall meet as it

determines necessary.

(b) Meetings of the education board shall be called upon the request of its chairperson or the written request of seven (7) of its members.

(c) Meetings of the education board must be held in Indiana.

(d) A quorum of the education board consists of seven (7) voting members. IC 4-21.5-3-3 applies to an education board action governed by IC 4-21.5. The education board may take other actions by an affirmative vote of:

(1) seven (7) members, if less than twelve (12) members are present and voting on the action; or

(2) eight (8) members, if at least twelve (12) members are present and voting on the action.

(e) This section expires December 31, 2026.

SECTION 518. IC 22-12-3-7, AS AMENDED BY P.L.187-2021, SECTION 68, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 7. **(a)** The department of homeland security shall provide facilities and staff to carry out the responsibilities of the education board.

(b) This section expires December 31, 2026.

SECTION 519. IC 22-12-3-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 8. (a) Each member of the education board who is not a state employee is entitled to the minimum salary per diem provided by IC 4-10-11-2.1(b) for attendance at meetings of the education board where at least a quorum of its members are present, unless the member is a state employee. Such a member of the education board is also entitled to reimbursement for travel expenses and other expenses actually incurred in connection with attending a meeting of the education board where at least a quorum of its members are present, as provided in the state travel policies and procedures established by the department of administration and approved by the state budget agency.

(b) Each member of the education board who is a state employee is entitled to reimbursement for travel expenses and other expenses actually incurred in connection with the member's duties, as provided in the state travel policies and procedures established by the department of administration and approved by the state budget agency.

(c) This section expires December 31, 2026.

SECTION 520. IC 22-12-3-9, AS ADDED BY P.L.220-2011, SECTION 375, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 9. **(a)** A variance from a rule

adopted by the board of firefighting personnel standards and education that was granted by the board before July 1, 1996, is valid.

(b) The expiration of the board of firefighting personnel standards and education on December 31, 2026, does not affect the validity of a variance described in subsection (a).

SECTION 521. IC 22-12-6-1, AS AMENDED BY P.L.187-2021, SECTION 69, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1. (a) The fire and building services fund is established for the purpose of defraying the personal services, other operating expense, and capital outlay of the following:

(1) The department.

(2) The education ~~board.~~ **commission.**

~~(3) The commission.~~

(b) The fund shall be administered by the department. Money collected for deposit in the fund shall be deposited at least monthly with the treasurer of state.

(c) The treasurer of state shall deposit the following collected amounts in the fund:

(1) Fire insurance policy premium taxes assessed under section 5 of this chapter.

(2) Except as provided in section 6(d) of this chapter, all fees collected under this chapter.

(3) Any money not otherwise described in this subsection but collected by the department ~~commission,~~ or education board and designated for distribution to the fund by statute or the executive director of the department.

(4) A fee collected by the education board for the issuance of a certification under IC 22-14-2-7.

(d) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public funds may be invested.

(e) Money in the fund at the end of a fiscal year does not revert to the state general fund.

SECTION 522. IC 22-12-6-3, AS AMENDED BY P.L.187-2021, SECTION 70, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 3. (a) The statewide fire and building safety education fund is established to provide money to:

(1) local fire and building inspection departments for enrollment in education and training programs approved by the department; and

(2) the department for:

(A) enrollment in education and training programs approved by the department; and

(B) the sponsoring of training conferences.

(b) The department shall administer the fund. The department shall distribute money from the fund in accordance with the rules adopted under IC 4-22-2 by the ~~commission.~~ **department.**

(c) The fund consists of:

(1) money allocated under section 6(d) of this chapter; and

(2) fees collected under subsection (e).

(d) Money in the fund at the end of a fiscal year does not revert to the state general fund.

(e) The department may charge a fee for a person's participation in a training conference. The department shall deposit the fees collected under this subsection in the fund. The department shall pay all expenses associated with training conferences out of the fund.

SECTION 523. IC 22-12-6-6, AS AMENDED BY P.L.230-2019, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 6. (a) The ~~commission~~ **department** may adopt rules under IC 4-22-2 setting a fee schedule for the following:

(1) Fireworks display permits issued under IC 22-11-14-2.

(2) Explosives magazine permits issued under IC 35-47.5-4.

(3) Design releases issued under IC 22-15-3 and IC 22-15-3.2.

(4) Certification of industrialized building systems and mobile structures under IC 22-15-4.

(5) Inspection of regulated amusement devices under IC 22-15-7.

(6) Application fees for variance requests under IC 22-13-2-11 and inspection fees for exemptions under IC 22-13-4-5.

(7) Except as provided in section 6.5 of this chapter, permitting and inspection of regulated lifting devices under IC 22-15-5.

(8) Permitting and inspection of regulated boiler and pressure vessels under IC 22-15-6.

(9) Licensing of boiler and pressure vessel inspectors under IC 22-15-6-5.

(10) Licensing of elevator contractors, elevator inspectors, and elevator mechanics under IC 22-15-5-6 through IC 22-15-5-16.

(b) Fee schedules set under this section must be sufficient to pay all of the costs, direct and indirect, that are payable from the fund into which the fee must be deposited, after deducting other money deposited in the fund. In setting these fee schedules, the ~~commission~~ **department**

may consider differences in the degree or complexity of the activity being performed for each fee.

(c) The fee schedule set for design releases issued under subsection (a)(3) may not be changed more than one (1) time each year. The ~~commission~~ **department** may include in this fee schedule a fee for the review of plans and specifications and, if a political subdivision does not have a program to periodically inspect the construction covered by the design release, a fee for inspecting the construction.

(d) The fee schedule set under subsection (a) for design releases may provide that a portion of the fees collected shall be deposited in the statewide fire and building safety education fund established under section 3 of this chapter.

SECTION 524. IC 22-12-6-6.5, AS ADDED BY P.L.230-2019, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 6.5. (a) The ~~commission~~ **department** may adopt rules under IC 4-22-2 to set fees for a permit issued under IC 22-15-5-4(c) if the acceptance inspection of the regulated lifting device required by IC 22-15-5-4(c)(1)(A) is conducted by an inspector who is not employed by the department.

(b) A fee under subsection (a) must be a lesser fee than that set under section 6(a)(7) of this chapter.

(c) When determining a fee under subsection (a), the ~~commission~~ **department** shall consider any savings the department will experience as a result of a permit applicant using an inspector who is not employed by the department, including savings related to department inspector salaries, travel, and administrative costs.

SECTION 525. IC 22-12-6-7, AS AMENDED BY P.L.187-2021, SECTION 71, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 7. (a) This section does not apply to a nonpublic school (as defined in IC 20-18-2-12) or a school operated by a school corporation (as defined in IC 20-18-2-16).

(b) The department shall charge an application fee set by rules adopted by the ~~commission~~ **department** under IC 4-22-2 for amusement and entertainment permits issued under IC 22-14-3.

(c) The department shall collect an inspection fee set by rules adopted by the ~~commission~~ **department** under IC 4-22-2 whenever the department conducts an inspection for a special event endorsement under IC 22-14-3.

(d) Halls, gymnasiums, or places of assembly in which contests, drills, exhibitions, plays, displays, dances, concerts, or other types of

amusement are held by colleges, universities, social or fraternal organizations, lodges, farmers organizations, societies, labor unions, trade associations, or churches are exempt from the fees charged or collected under subsections (b) and (c), unless rental fees are charged or collected.

(e) The fees set for applications or inspections under this section must be sufficient to pay all the direct and indirect costs of processing an application or performing an inspection for which the fee is set. In setting the fees, the ~~commission~~ **department** may consider differences in the degree or complexity of the activity being performed for each fee.

SECTION 526. IC 22-12-6-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 8. (a) The application fee for a fireworks manufacturer, distributor, wholesaler, or importer permit issued under IC 22-11-14-5 shall be set by rules adopted by the ~~commission~~ **department** under IC 4-22-2.

(b) The application fee for a fireworks retail stand permit issued under IC 22-11-14-7 shall be set by rules adopted by the ~~commission~~ **department** under IC 4-22-2. The rules must exempt a nonprofit corporation incorporated under IC 23-7-1.1 (before its repeal on August 1, 1991) or IC 23-17 from the fee.

(c) The fees set for applications under this section must be sufficient to pay all the direct and indirect costs of processing an application for which the fee is set. In setting the fees, the ~~commission~~ **department** may consider differences in the degree or complexity of the activity being performed for each fee.

SECTION 527. IC 22-12-6-15, AS AMENDED BY P.L.1-2025, SECTION 205, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 15. (a) As used in this section, "credit card" means a bank card, debit card, charge card, prepaid card, or other similar device used for payment.

(b) In addition to other methods of payment allowed by law, the department may accept payment by credit card for certifications, licenses, and fees, and other amounts payable to the following:

(1) The department.

(2) The fire prevention and building safety commission **(before its repeal).**

(3) The Indiana homeland security foundation (before its repeal).

(c) The department may enter into appropriate agreements with banks or other organizations authorized to do business in Indiana to

enable the department to accept payment by credit card.

(d) The department may recognize net amounts remitted by the bank or other organization as payment in full of amounts due the department.

(e) The department may pay any applicable credit card service charge or fee.

SECTION 528. IC 22-12-7-1, AS AMENDED BY P.L.238-2025, SECTION 64, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1. This chapter applies to ~~the commission,~~ the education ~~board~~ **commission,** and every officer, employee, and agent of an office or division within the department whenever the person has authority to administer or enforce a law under IC 22-11 through IC 22-15, IC 35-47.5, or IC 36-8-10.5.

SECTION 529. IC 22-12-7-12, AS AMENDED BY P.L.238-2025, SECTION 66, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 12. (a) This section applies to an order issued by an officer, employee, or agent of an office or division within the department.

(b) The office or division issuing an order shall give a person who:

(1) is aggrieved by the order; and

(2) requests review of the order in verbal or written form;

an opportunity to informally discuss the order with the office or division. Review under this subsection does not suspend the running of the time period in which a person must petition under IC 4-21.5-3-7 to appeal the order.

(c) The office or division issuing the order may, on its own initiative or at the request of any person, modify its order or reverse the order.

(d) An order issued by an office or a division may be appealed to the ~~commission~~ **department** under IC 4-21.5-3-7. A decision to deny a request to modify or reverse an order under subsection (c) is not appealable. However, orders issued under IC 22-14-2-7, IC 22-14-2-7.5, or IC 36-8-10.5 are appealed to the education ~~board.~~ **commission.**

(e) If an order is appealed, the agency that is responsible for reviewing the order under subsection (d) or its designee shall conduct all administrative proceedings under IC 4-21.5. In its proceedings, the agency conducting the proceeding may modify the order to impose any requirement authorized under this article or reverse the order.

SECTION 530. IC 22-12-7-15, AS ADDED BY P.L.160-2025, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 15. (a) Except as provided by subsection (c), if a

property is inspected by the department or plans were reviewed by the department, neither the department nor a political subdivision may require compliance with a new or different set of building, fire safety, or equipment laws than were originally enforced by the department:

(1) before July 1, 2025; or

(2) two (2) years after the earlier of the date of the:

(A) initial inspection; or

(B) plan review.

(b) A child care home (as defined in IC 12-7-2-28.6) that was licensed to operate in a Class 2 structure by the office of the secretary of family and social services before July 1, 2025, may continue to operate in the structure notwithstanding the provisions of this article and 675 IAC 13.

(c) Subsection (a) does not apply to any of the following:

(1) Any:

(A) fraud;

(B) material misrepresentation; or

(C) other act of bad faith;

that results in misapplication of the appropriate requirements.

(2) A change of use or occupancy of the structure or equipment.

(3) A condition imposed in a variance issued by the:

(A) department; or

(B) ~~commission.~~ **state building commissioner.**

(4) Any new construction, addition, or alteration of the structure or equipment.

(5) A violation that would qualify for an emergency order under section 6(a)(1) of this chapter.

(6) Any maintenance requirements.

SECTION 531. IC 22-13-1-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2. "Building rule" means a rule that:

(1) is adopted by the ~~commission;~~ **department;** and

(2) qualifies as a building law under IC 22-12-1-3.

SECTION 532. IC 22-13-1-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 3. "Fire safety rule" means a rule that:

(1) is adopted by the ~~commission;~~ **department;** and

(2) qualifies as a fire safety law under IC 22-12-1-13.

SECTION 533. IC 22-13-2-2, AS AMENDED BY P.L.230-2019, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

JULY 1, 2026]: Sec. 2. (a) Except as provided in section 3.5 of this chapter, the ~~commission~~ **department** shall adopt rules under IC 4-22-2 to adopt a statewide code of fire safety laws and building laws.

(b) ~~The commission~~ **Subject to IC 22-12-2.6, the department** shall adopt the following national codes or their equivalent by rules under IC 4-22-2 and IC 22-13-2.5 (before its repeal):

(1) ANSI A10.4 (Safety Requirements for Personnel Hoists).

(2) ASME A17.1 (Safety Code for Elevators and Escalators, an American National Standard).

(3) ASME A18.1 (Safety Standard for Platform Lifts and Stairway Chairlifts, American National Standard).

(4) ASME QEI-1 (Standard for the Qualification of Elevator Inspectors, an American National Standard).

(5) The American Society of Civil Engineers (ASCE) Automated People Mover Standard 21.

(6) ANSI A90.1 Safety Code for Manlifts.

(7) ASME A17.3 (Safety Code for Existing Elevators and Escalators, an American National Standard).

(8) ASME A17.6 (Standard for Elevator Suspension, Compensation, and Governor Systems).

~~(c) The commission shall review the subsequent edition of each code adopted under subsection (b) within twenty-four (24) months after the effective date of the subsequent edition.~~

~~(d) Except as provided in subsection (e), the commission may amend the national codes as a condition of the adoption under subsections (b) and (c).~~

~~(e) An amendment to the national code under subsection (d) may not unreasonably impair public safety.~~

SECTION 534. IC 22-13-2-2.5 IS REPEALED [EFFECTIVE JULY 1, 2026]. ~~Sec. 2.5. (a) Before January 1, 2020, the commission shall adopt rules under IC 4-22-2 to replace the statewide residential code for Class 2 structures that is included within the statewide code of fire safety laws and building laws adopted under section 2 of this chapter.~~

~~(b) If the commission uses a national code as part of the adoption of a replacement statewide residential code under subsection (a), the commission shall amend the national code as a condition of the adoption under subsection (a).~~

~~(c) The commission shall submit a report to the general assembly not later than January 1, 2019, regarding the commission's work during the previous year related to adoption of a replacement statewide~~

~~residential code under subsection (a). The report to the general assembly must be submitted in an electronic format under IC 5-14-6.~~

SECTION 535. IC 22-13-2-2.6 IS REPEALED [EFFECTIVE JULY 1, 2026]. ~~Sec. 2.6. Before January 1, 2021, the commission may adopt rules under IC 4-22-2 to exempt a bunkhouse from being required to be equipped with an automatic fire sprinkler system.~~

SECTION 536. IC 22-13-2-3, AS AMENDED BY P.L.155-2023, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 3. (a) The rules adopted under section 2 of this chapter take precedence over:

(1) any rule adopted by a state agency that conflicts with the ~~commission's~~ **department's** fire safety rules or building rules; and

(2) any ordinance or other regulation adopted by a political subdivision that covers the same subject matter as the ~~commission's~~ **department's** fire safety rules or building rules.

(b) State agencies and political subdivisions may incorporate the rules adopted by the ~~commission~~ **department** by reference into a rule, ordinance, or other regulation. Notwithstanding IC 4-22-9-6, a reference to the rules adopted by the ~~commission,~~ **department,** by citation to the Indiana Administrative Code (IAC), shall be construed to include all amendments as of the date that the reference is written and any later amendments to that provision, unless accompanied by a reference to a specific edition or supplement to the Indiana Administrative Code.

(c) A city, town, or county may not adopt an ordinance that conflicts with or includes more stringent or detailed requirements than the ~~commission's~~ **department's** rules.

SECTION 537. IC 22-13-2-3.5, AS ADDED BY P.L.104-2018, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 3.5. (a) The following may not adopt rules requiring the installation of an automatic fire sprinkler system in a Class 2 structure:

(1) The ~~commission.~~ **department.**

(2) Another state agency.

(b) A political subdivision may not adopt an ordinance or other regulation requiring the installation of an automatic fire sprinkler system in a Class 2 structure.

SECTION 538. IC 22-13-2-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 4. If the ~~commission~~ **department** finds duplication, conflict, or overlapping of responsibility

between:

(1) this article, IC 22-12, IC 22-14, IC 22-15, a fire safety rule, or a building rule; and

(2) the rules adopted by another state agency;

the ~~commission~~ **department** shall notify the state agency, and the state agency shall revise its rules to eliminate the duplication, conflict, or overlap.

SECTION 539. IC 22-13-2-4.1, AS AMENDED BY P.L.187-2021, SECTION 74, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 4.1. (a) This section applies only to a plan review for a design release performed:

(1) before construction of a Class 1 structure; and

(2) to determine compliance with the rules of the ~~commission.~~ **department.**

(b) This section does not apply to a plan review for the issuance of a building permit, an improvement permit, a fire protection system permit, or any other permit issued by a state agency or a city, town, or county.

(c) A plan review for a design release must be:

(1) authorized under IC 22-15-3; and

(2) performed in compliance with the rules and objective criteria adopted by the ~~commission~~ **department** under IC 22-15-3-1.

(d) If the ~~commission~~ **department** has certified that a city, town, or county is qualified to perform a plan review for a design release under IC 22-15-3, both of the following may perform the plan review for a design release:

(1) The department.

(2) The city, town, or county.

However, only the entity described in subdivision (1) or (2) that performs the initial plan review for a design release may charge a fee for the plan review for a design release. The other entity shall not charge a fee for the plan review for a design release.

SECTION 540. IC 22-13-2-5.6, AS ADDED BY P.L.155-2023, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 5.6. (a) As used in this section, "building code" means a building code and includes the standards related to a building code.

(b) As used in this section, "unit" means a county, city, or town.

(c) ~~Beginning January 1, 2024,~~ A unit may submit a proposal to the ~~commission~~ **department** to amend any building code. ~~that the~~

~~commission adopts or updates after December 31, 2023.~~ A unit may submit the proposal in hard copy or in an electronic form that is acceptable to the ~~commission.~~ **department.** A proposal must include the following:

(1) A resolution adopted by the unit to request an amendment to the building code that:

(A) specifies the building code language to be amended; and

(B) states the safety issue that is the basis for the proposed amendment.

(2) A fiscal analysis of the estimated cost or savings resulting from the proposed building code amendment.

(d) The ~~commission~~ **department** shall ~~hold one (1) meeting each year to~~ review and consider all proposals submitted by units **at least annually.** ~~A unit may submit a proposal at any time. However, the commission shall review and consider only complete proposal submissions that are received not later than sixty (60) days before the date of a meeting in which proposals are considered.~~

~~(e) The commission shall:~~

~~(1) place a proposal on the meeting agenda not later than thirty (30) days before the date of the meeting in which the proposal is considered; and~~

~~(2) take public testimony at the meeting.~~

~~(f) The commission may only adopt a proposed amendment upon an affirmative vote of not less than two-thirds (2/3) of the members of the commission present and voting as provided in IC 22-12-2-6.~~

~~(g) A building code amendment adopted by the commission under this section is subject to IC 22-12-2.5-2.~~

SECTION 541. IC 22-13-2-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 7. (a) The ~~commission~~ **department** may review and modify or reverse any variance or other order that:

(1) is issued by a state agency or political subdivision; and

(2) covers a subject governed by this article, IC 22-12, IC 22-14, IC 22-15, a fire safety rule, or a building rule.

(b) The ~~commission~~ **department** shall review variances granted by a political subdivision to the fire safety laws and building laws adopted in its ordinances. The variance is not effective until it is approved by the ~~commission.~~ **department.**

(c) The ~~commission~~ **department** shall review orders under this section that:

(1) are issued by a political subdivision; and

(2) concern a Class 2 structure;

if a person aggrieved by the order petitions for review under IC 4-21.5-3-7 within thirty (30) days after the political subdivision has issued the order.

(d) A copy of the petition under subsection (c) shall be delivered to the political subdivision issuing the order.

(e) Review of an order under this section does not suspend the running of the time period under any statute in which a person must petition a court for judicial review of the order.

SECTION 542. IC 22-13-2-8, AS AMENDED BY P.L.93-2024, SECTION 161, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 8. (a) The ~~commission~~ **department** shall adopt rules under IC 4-22-2 to create equipment laws applicable to regulated lifting devices.

(b) The ~~commission~~ **department** shall adopt rules under IC 4-22-2 to create equipment laws applicable to regulated boilers and pressure vessels.

(c) The ~~commission~~ **department** may adopt rules under IC 4-22-2 to adopt by reference all or part of the following national boiler and pressure vessel codes:

(1) The American Society of Mechanical Engineers Boiler and Pressure Vessel Code.

(2) The National Board of Boiler and Pressure Vessel Inspectors Inspection Code.

(3) The American Petroleum Institute 510 Pressure Vessel Inspection Code.

(4) Any subsequent editions of the codes listed in subdivisions (1) through (3).

(d) The ~~commission~~ **department** shall adopt rules under IC 4-22-2 to create equipment laws applicable to regulated amusement devices.

SECTION 543. IC 22-13-2-8.5, AS AMENDED BY P.L.93-2024, SECTION 162, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 8.5. (a) The ~~commission~~ **department** shall adopt rules under IC 4-22-2 for outdoor event equipment at outdoor performances to protect the safety of persons at the outdoor performances. The ~~commission~~ **department** may:

(1) exempt small assemblies of outdoor event equipment, as defined by the ~~commission,~~ **department,** from some or all fees or other requirements that otherwise would apply to outdoor event

equipment under a rule adopted under this section or another building law; or

(2) establish alternative procedures, fees, or other requirements, or any combination, for small assemblies of outdoor event equipment, as defined by the ~~commission.~~ **department.**

(b) Subject to this section, a city, town, or county that regulated outdoor event equipment before March 15, 2012, under an ordinance adopted before March 15, 2012, may, if the ordinance is in effect on March 15, 2012, continue to regulate outdoor event equipment under the ordinance after March 14, 2012, in the same manner that the city, town, or county applied the ordinance before March 15, 2012. However, a statewide code of fire safety laws or building laws governing outdoor event equipment that is adopted by the ~~commission~~ **department** under this section after March 14, 2012, takes precedence over any part of a city, town, or county ordinance that is in conflict with the ~~commission's~~ **department's** adopted code. The ordinances to which this section applies include Chapter 536 of the Revised Code of the Consolidated City and County Indianapolis/Marion, Indiana Codified through Ordinance No. 36, 2011, passed August 15, 2011. (Supp. No. 27). A city, town, or county to which this subsection applies need not be certified or approved under IC 22-15-3-1 or another law to continue to regulate outdoor event equipment after March 14, 2012.

(c) This subsection applies to cities, towns, and counties described in subsection (b) and any other city, town, or county that, after March 14, 2012, adopts an ordinance governing outdoor event equipment that is approved by the ~~commission~~ **department** or the state building commissioner. The city, town, or county shall require compliance with:

(1) the rules adopted under this section;

(2) orders issued under IC 22-13-2-11 that grant a variance to the rules adopted under this section;

(3) orders issued under IC 22-12-7 that apply the rules adopted under this section; and

(4) a written interpretation of the rules adopted under this section binding on the unit under IC 22-13-5-3 or IC 22-13-5-4;

on both private and public property located within the boundaries of the city, town, or county, including, in the case of a consolidated city, the state fairgrounds. This subsection does not limit the authority of a unit (as defined in IC 36-1-2-23) under IC 36-7-2-9 to enforce building laws and orders and written interpretations related to building laws.

SECTION 544. IC 22-13-2-10, AS AMENDED BY P.L.187-2021,

SECTION 75, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 10. (a) A county, city, or town may regulate regulated lifting devices if the unit's regulatory program is approved by the ~~commission.~~ **department.**

(b) A unit must submit its ordinances and other regulations that regulate lifting devices to the ~~commission~~ **department** for approval. The ordinance or other regulation is not effective until it is approved by the ~~commission.~~ **department.** If any of these ordinances or regulations conflict with the ~~commission's~~ **department's** rules, the ~~commission's~~ **department's** rules supersede the local ordinance or other regulation.

(c) A unit may issue permits only to applicants who qualify under IC 22-15-5. However, the unit may specify a lesser fee than that set under IC 22-12-6-6(a)(7).

(d) A unit must inspect regulated lifting devices with inspectors who possess the qualifications necessary to be employed by the department of homeland security as a regulated lifting device inspector.

SECTION 545. IC 22-13-2-11, AS AMENDED BY P.L.93-2024, SECTION 163, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 11. (a) The department ~~or the commission~~ may grant a variance to any rule adopted by the ~~commission.~~ **department.** ~~However, the commission may grant a variance under this section only if the department places the application for the variance on the commission's agenda.~~

(b) To qualify for a variance, an applicant must pay the fee set under IC 22-12-6-6 and file an application, on a form approved by the department, that contains facts demonstrating that:

(1) compliance with the rule will impose an undue hardship upon the applicant or prevent the preservation of an architecturally significant or historically significant part of a building or other structure; and

(2) either:

(A) noncompliance with the rule; or

(B) compliance with an alternative requirement approved by the body considering the variance application;

will not be adverse to the public health, safety, or welfare.

(c) A variance granted under this section is conditioned upon compliance with an alternative standard approved under subsection (b)(2)(B).

(d) A variance granted under this section takes precedence over conflicting rules adopted by a state agency and conflicting ordinances

and other regulations adopted by a political subdivision.

(e) Variances granted by the boiler and pressure vessel rules board and the regulated amusement device safety board prior to July 1, 2019, are valid and remain in full force and effect.

(f) The department shall make all variance applications available for review on a public portal.

(g) Local fire and building officials shall receive notice of variance applications filed under this section within their respective jurisdictions.

(h) A local fire official, local building official, or other interested party may submit documentation regarding a variance application to the department ~~or commission~~ for review and consideration prior to an initial determination being made on the application by the department. ~~or the commission.~~

(i) The department ~~or commission~~ shall wait at least five (5) business days after a variance application is filed before making an initial determination on the application.

(j) The ~~commission~~ **department** may adopt rules under IC 4-22-2 to implement this section.

SECTION 546. IC 22-13-2-11.5, AS AMENDED BY P.L.93-2024, SECTION 164, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 11.5. (a) As used in this section, "NFPA 72" refers to NFPA 72, National Fire Alarm and Signaling Code, 2010 Edition, published by the National Fire Protection Association, 1 Batterymarch Park, Quincy, Massachusetts 02169-7471.

(b) It is the intent of the general assembly that NFPA 72, as may be amended by the ~~commission~~ **department** under subsection (c), be incorporated into the Indiana Administrative Code. Not later than July 1, 2014, the ~~commission~~ **department** shall adopt rules under IC 4-22-2 to amend 675 IAC 28-1-28 to incorporate NFPA 72 into the Indiana Administrative Code, subject to subsection (c)(1) and (c)(2).

(c) In adopting rules to incorporate NFPA 72 into the Indiana Administrative Code, as required by subsection (b), the ~~commission~~ **department** may amend NFPA 72 as the ~~commission~~ **department** considers appropriate. However, the rules finally adopted by the ~~commission~~ **department** to comply with this section must do the following:

(1) Incorporate the definition of, and associated requirements for:

(A) a managed facilities-based voice network (MFVN); and

(B) a public switched telephone network (PSTN);

as set forth in NFPA 72.

(2) Allow digital alarm communicator systems that make use of a managed facilities-based voice network (MFVN) to transmit signals from a fire alarm system to an offsite monitoring facility, subject to the requirements for those systems set forth in NFPA 72.

(d) If the ~~commission~~ **department** does not comply with subsection (b), the following apply: ~~on July 1, 2014:~~

(1) The definition of, and associated requirements for:

(A) a managed facilities-based voice network (MFVN); and

(B) a public switched telephone network (PSTN);

as set forth in NFPA 72, are considered incorporated into the Indiana Administrative Code. Any provisions of 675 IAC 28-1-28 (or any rules adopted by a state agency, or any ordinances or other regulations adopted by a political subdivision) that conflict with the definitions and requirements described in this subdivision are superseded by the definitions and requirements described in this subdivision. This subdivision continues to apply until the ~~commission~~ **department** adopts rules that amend 675 IAC 28-1-28 to incorporate NFPA 72 into the Indiana Administrative Code and that comply with subsection (c)(1) and (c)(2).

(2) A person that after June 30, 2014, installs or uses a digital alarm communicator system that:

(A) makes use of a managed facilities-based voice network (MFVN) to transmit signals from a fire alarm system to an offsite monitoring facility; and

(B) meets the requirements for such a system set forth in NFPA 72;

is not required to obtain a variance under section 11 of this chapter for the installation or use.

SECTION 547. IC 22-13-2-12 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 12. (a) This section applies if the ~~commission~~ **department** is authorized by statute to enter into agreements with the federal government, another state, or foreign country.

(b) An agreement under this section must be submitted to the attorney general for approval. The attorney general shall approve the agreement unless the attorney general finds that it does not comply with the statutes. If the attorney general disapproves the agreement, the

attorney general shall give the ~~commission~~ **department** a detailed statement indicating the basis for the disapproval. If the attorney general fails to approve or disapprove the agreement within sixty (60) days after it is submitted, it is considered approved.

SECTION 548. IC 22-13-2-13, AS AMENDED BY P.L.187-2021, SECTION 76, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 13. (a) The ~~commission~~ **department** may adopt rules under IC 4-22-2 to implement this article, IC 22-12, IC 22-14, and IC 22-15.

(b) Any power of the state fire marshal or the department to adopt rules to implement this article, IC 22-12, IC 22-14, and IC 22-15 shall be exercised by the ~~commission.~~ **department.**

SECTION 549. IC 22-13-2-14, AS AMENDED BY P.L.249-2019, SECTION 26, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 14. The ~~commission or~~ department may engage in studies and consult with any person to implement this article, IC 22-12, IC 22-14, and IC 22-15.

SECTION 550. IC 22-13-2-14.1, AS AMENDED BY P.L.187-2021, SECTION 77, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 14.1. (a) The ~~commission or~~ department shall consult with an industry expert to discuss a variance application or an update to a rule or safety standard concerning:

(1) a boiler or pressure vessel; or

(2) a regulated amusement device.

(b) An industry expert for the purposes of consulting under subsection (a)(1) must be:

(1) a professional engineer registered under ~~IC 25-31;~~ **IC 25-4-3;** and

(2) knowledgeable in and have experience with boiler and pressure vessels.

SECTION 551. IC 22-13-3-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1. The ~~commission~~ **department** shall adopt fire safety rules that prohibit the following:

(1) The storage of regulated explosives (as defined in IC 35-47.5-2-13) in quantities exceeding the maximum quantity specified by the ~~commission.~~ **department.**

(2) The storage of regulated explosives (as defined in IC 35-47.5-2-13) at a site that is located less than the minimum distance specified by the ~~commission~~ **department** from a railroad, highway, or other place of habitation or assembly.

(3) The use of a receptacle, burning fixture or equipment, heating fixture or equipment, or structure for an explosive, flammable, or other combustible matter that does not meet the design and composition standards specified by the ~~commission.~~ **department.**

(4) The keeping, storage, use, manufacture, sale, handling, transportation, or disposition of an explosive, flammable, or other combustible matter in violation of any other requirements specified by the ~~commission.~~ **department.**

SECTION 552. IC 22-13-3-2, AS AMENDED BY P.L.187-2021, SECTION 78, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2. (a) This section applies to the following laboratories:

(1) Analytical laboratories approved by the department under the alternative criteria established by the ~~commission~~ **department** in its rules.

(2) Laboratories that are:

(A) operated by a college, university, school, or other educational entity for the purpose of instruction or research; and

(B) approved by the department under the alternative criteria established by the ~~commission~~ **department** in the rules.

(b) The ~~commission~~ **department** may:

(1) apply different rules to the manufacture of regulated explosives (as defined in IC 35-47.5-2-13) in a laboratory described in subsection (a) than apply to other places where regulated explosives (as defined in IC 35-47.5-2-13) are manufactured; and

(2) adopt rules under IC 4-22-2 to exempt laboratories described in subsection (a) from the regulated explosive magazines permit requirement under IC 35-47.5-4.

SECTION 553. IC 22-13-3-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 3. The ~~commission~~ **department** shall adopt fire safety rules that prohibit the occupancy or use of Class 1 structures that do not comply with the ~~commission's~~ **department's** rules governing the number, type, location, identification, repair, and maintenance of emergency exits, smoke detection devices, and other emergency communication devices.

SECTION 554. IC 22-13-4 IS REPEALED [EFFECTIVE JULY 1, 2026]. (Standards for Building Rules; Exemption From Design Release Requirement).

SECTION 555. IC 22-13-5-2, AS AMENDED BY P.L.187-2021, SECTION 79, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2. (a) Except as provided under subsection (c), upon the written request of an interested person, the state building commissioner of the department shall issue a written interpretation of a building law or a fire safety law not later than ten (10) business days after the date of receiving a request. An interpretation issued by the state building commissioner must be consistent with building laws and fire safety laws enacted by the general assembly or adopted by the ~~commission.~~ **department.**

(b) The state building commissioner shall issue a written interpretation of a building law or fire safety law under subsection (a) whether or not the county or municipality has taken any action to enforce the building law or fire safety law.

(c) If:

(1) an interested person submits a written or electronic request to the building commissioner for a written interpretation of a building law or fire safety law applicable to a Class 2 structure; and

(2) the building commissioner is absent and unable to issue a written interpretation within the time specified under subsection (a);

the ~~chair of the commission, or, if the chair is absent, the vice chair of the commission,~~ **department** shall issue the written interpretation not later than ten (10) business days after the date of receiving the request.

SECTION 556. IC 22-13-5-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 3. (a) A written interpretation issued under section 2 of this chapter binds the interested person and the county or municipality with whom the interested person has the dispute until the written interpretation is overruled in a proceeding under IC 4-21.5.

(b) For purposes of IC 4-21.5, the ~~commission~~ **department** is the ultimate authority regarding a written interpretation issued under section 2 of this chapter.

SECTION 557. IC 22-13-5-4, AS AMENDED BY THE TECHNICAL CORRECTIONS BILL OF THE 2026 GENERAL ASSEMBLY, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 4. (a) A written interpretation of a building law or fire safety law binds all counties and municipalities if the state building commissioner publishes the written interpretation of the building law

or fire safety law in the Indiana Register under IC 4-22-7-7(b). For purposes of IC 4-22-7-7, a written interpretation of a building law or fire safety law published by the state building commissioner is considered adopted by an agency.

(b) A written interpretation of a building law or fire safety law published under subsection (a) binds all counties and municipalities until the earlier of the following:

(1) The general assembly enacts a statute that substantively changes the building law or fire safety law interpreted or voids the written interpretation.

(2) The ~~commission~~ **department** adopts a rule under IC 4-22-2 to state a different interpretation of the building law or fire safety law.

(3) The written interpretation is found to be an erroneous interpretation of the building law or fire safety law in a judicial proceeding.

(4) The state building commissioner publishes a different written interpretation of the building law or fire safety law.

(c) The department or the state building commissioner shall create an electronic data base for the purpose of cataloging all available variance rulings by ~~the commission or~~ the department for the purpose of making the information available to the public on the ~~Internet web site~~ **website** of the department or the state building commissioner.

SECTION 558. IC 22-14-2-5, AS AMENDED BY P.L.187-2021, SECTION 83, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 5. (a) The department shall carry out a program to provide public information concerning fire prevention and maintain data and statistics concerning fires and fire prevention activities.

(b) The department shall provide a copy of the fire safety rules adopted by the ~~commission~~ **department** to the chief of each fire department. The department may exclude, from the rules distributed under this subsection, any text that is incorporated by reference into the rules published in the Indiana Administrative Code.

SECTION 559. IC 22-14-2-6, AS AMENDED BY P.L.187-2021, SECTION 84, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 6. (a) The department may establish the fire and public safety academy training system to create and conduct programs to train public safety personnel.

(b) The department may develop programs to train:

(1) fire department personnel and volunteers;

(2) emergency medical services personnel;

(3) telecommunicators;

(4) emergency management personnel; and

(5) chemical, biological, radiological, nuclear, and explosives personnel.

(c) The department may develop training programs in cooperation with:

(1) any accredited educational institution;

(2) any fire fighting association;

(3) the Indiana emergency response commission established by IC 13-25-1-1;

(4) the Indiana ~~emergency medical services~~ **fire and EMS standards and education** commission established by ~~IC 16-31-2-1;~~ **IC 16-31-2-1.5; or**

~~(5) the board of firefighting personnel standards and education established by IC 22-12-3-1; or~~

~~(6)~~ **(5)** any other public safety agency of the state or political subdivision of the state, or public safety organization or association.

The academy or the accredited educational institution under subdivision (1) may conduct the programs.

(d) The programs developed under this section must cover the areas of:

(1) fire prevention;

(2) enforcement of fire safety laws;

(3) firefighting;

(4) emergency medical services; and

(5) other areas of public safety.

(e) The department shall establish inspection training requirements for members of volunteer fire companies and certify individuals who meet these requirements.

(f) If the department establishes a training program under subsection (a), the academy shall collaborate with public safety boards and commissions of the state to establish criteria for certification and credentialing of public safety personnel.

(g) The academy may provide programs for research, professional development, and accreditation.

(h) The department shall provide staff and meeting facilities to the education board to carry out section 7 of this chapter.

SECTION 560. IC 22-14-2-7, AS AMENDED BY P.L.238-2025,

SECTION 68, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 7. (a) This section does not limit the powers, rights, duties, and other responsibilities of municipal or county governments or impose requirements affecting pension laws or any other laws.

(b) This section does not require a member of a fire department to be certified. However, under the authority provided in subsection (c), the education board may, by rule, establish a program requiring certification of fire service personnel or nonfire service personnel.

(c) The education ~~board~~ **commission** may establish a program to be administered by the department to:

(1) certify firefighting training and education programs that meet the standards set by the education ~~board;~~ **commission;**

(2) certify fire department instructors who meet the qualifications set by the education ~~board;~~ **commission;**

(3) direct research in the field of firefighting and fire prevention and accept gifts and grants to direct this research;

(4) recommend curricula for advanced training courses and seminars in fire science or fire engineering training to public and private postsecondary educational institutions;

(5) certify fire service personnel and nonfire service personnel who meet the qualifications set by the education ~~board;~~ **commission;**

(6) require fire service personnel certified at any level to fulfill continuing education requirements in order to maintain certification; or

(7) contract or cooperate with any person and adopt rules under IC 4-22-2, and as authorized under IC 36-8-10.5-7, to carry out its responsibilities under this section.

(d) The education ~~board~~ **commission** may impose a reasonable fee for the issuance of a certification described in subsection (c). The department shall deposit the fee in the fire and building services fund established by IC 22-12-6-1.

(e) The education ~~board~~ **commission** is the ultimate authority for orders issued by the department under this section.

SECTION 561. IC 22-14-2-7.5, AS ADDED BY P.L.249-2019, SECTION 31, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 7.5. (a) The department may grant a variance to a rule the education ~~board~~ **commission** has adopted.

(b) The education ~~board~~ **commission** is the ultimate authority for

orders issued under this section.

SECTION 562. IC 22-14-3-4, AS AMENDED BY P.L.187-2021, SECTION 93, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 4. (a) The department may modify an amusement and entertainment permit with a special event endorsement that covers one (1) or more events not specified in the initial permit.

(b) To qualify for a special event endorsement, an applicant must:

(1) provide the information required by the ~~commission;~~ **department;**

(2) demonstrate through an inspection that the special events covered by the application will be conducted in compliance with applicable fire safety laws; and

(3) pay the inspection fee set under IC 22-12-6-7.

SECTION 563. IC 22-14-7-17, AS ADDED BY P.L.82-2008, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 17. The ~~commission~~ **department** may adopt a subsequent ASTM Standard Test Method for Measuring the Ignition Strength of Cigarettes upon a finding that the subsequent method does not result in a change in the percentage of full length burns exhibited by any tested cigarette when compared to the percentage of full length burns the same cigarette would exhibit when tested in accordance with ASTM Standard E2187-04 and the performance standard in section 13(c) of this chapter.

SECTION 564. IC 22-14-7-21, AS ADDED BY P.L.82-2008, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 21. (a) Except as provided in subsection (d), each manufacturer shall submit to the state fire marshal a written certification attesting that:

(1) each cigarette listed in the certification has been tested as required under section 13 or 15 of this chapter; and

(2) each cigarette listed in the certification meets the performance standard in section 13(c) or 15 of this chapter.

(b) Each cigarette listed in the certification must include the following information:

(1) Brand, or trade name on the package.

(2) Style, such as light or ultra light.

(3) Length in millimeters.

(4) Circumference in millimeters.

(5) Flavor, such as menthol, if applicable.

(6) Filter or nonfilter.

(7) Package description, such as soft pack or box.

(8) Marking under section 23 of this chapter.

(9) The name, address, and telephone number of the laboratory, if different than the manufacturer that conducted the test.

(10) The date that the testing occurred.

(c) The certifications must be made available to the attorney general for purposes consistent with this chapter and the department of state revenue and the alcohol and tobacco commission for the purposes of ensuring compliance with this section.

(d) Notwithstanding subsection (a), the state fire marshal may accept as evidence of compliance with this chapter a certification issued to:

(1) the New York State Department of State's Office of Fire Prevention and Control; or

(2) the responsible entity of another state that has:

(A) substantially equivalent certification requirements relating to reduced ignition propensity cigarettes; and

(B) the same test method and performance standard requirements as provided in sections 13 and 15 of this chapter.

(e) Each cigarette listed in a certification submitted under this section must be recertified every three (3) years.

(f) For each brand family listed in a certification submitted under subsection (a) or (d), a manufacturer shall pay a fee to the state fire marshal of eight hundred dollars ($800). The state fire marshal may adjust the fee every three (3) years to ensure that the fee defrays the actual costs of the processing, testing, enforcement, and oversight activities required by this chapter under rules adopted by the ~~fire prevention and building safety commission.~~ **department.** However, the fee for each brand family may not exceed one thousand dollars ($1,000).

(g) If a manufacturer has certified a cigarette under this section, and after submitting the certification, makes a change to the cigarette that is likely to alter the cigarette's compliance with the reduced cigarette ignition propensity standards required by this chapter, that cigarette may not be sold or offered for sale in Indiana until the manufacturer retests the cigarette under the testing standards in section 13 or 15 of this chapter and maintains records of that retesting as required by section 16 of this chapter. An altered cigarette that does not meet the performance standard in section 13 or 15 of this chapter may not be sold in Indiana.

SECTION 565. IC 22-14-7-29, AS ADDED BY P.L.82-2008, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 29. The ~~commission~~ **department** may adopt rules under IC 4-22-2 to implement this chapter.

SECTION 566. IC 22-14-8-2, AS ADDED BY P.L.217-2023, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2. As used in this chapter, "NFPA 855" refers to:

(1) the 2023 edition of NFPA 855, Standard for the Installation of Stationary Energy Storage Systems, as adopted by the National Fire Protection Association; or

(2) if the ~~commission~~ **department** adopts a rule under IC 4-22-2 to amend:

(A) the 2023 edition; or

(B) any subsequent edition;

of NFPA 855, the version of NFPA 855 as amended by the ~~commission.~~ **department.**

SECTION 567. IC 22-14-8-7, AS ADDED BY P.L.217-2023, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 7. The total capacity of the batteries contained within a single enclosure in:

(1) a utility scale battery energy storage system installation of which is subject to department approval under section 4(a)(1) of this chapter; or

(2) an installation added to an existing utility scale battery energy storage system in an expansion for which department approval is required under section 4(a)(2) of this chapter;

may not exceed ten (10) megawatt hours unless authorized under rules adopted by the ~~commission~~ **department** under this chapter.

SECTION 568. IC 22-14-8-10, AS AMENDED BY P.L.93-2024, SECTION 166, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 10. (a) The ~~commission~~ **department** may adopt rules under IC 4-22-2 to implement this chapter and to specify standards for the installation and operation of utility scale battery energy storage systems consistent with:

(1) this chapter; and

(2) NFPA 855.

(b) Rules adopted by the ~~commission~~ **department** under subsection (a) must include standards for:

(1) chemical spill prevention and control; and

(2) appropriate setbacks from surface water resources;

for the installation and expansion of utility scale battery energy storage systems, as necessary to protect soil and surface water resources from chemicals contained in or produced by utility scale battery energy storage systems. In establishing the standards described in this subsection, the ~~commission~~ **department** shall consult with the department of environmental management or the department of natural resources, as appropriate.

SECTION 569. IC 22-15-2-5.5, AS AMENDED BY P.L.187-2021, SECTION 96, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 5.5. (a) The governor shall appoint a state building commissioner. The state building commissioner shall serve:

(1) at the pleasure of the governor; and

(2) as a full-time employee of the department of homeland security established by IC 10-19-2-1.

(b) The state building commissioner must be a registered or licensed design professional under IC 25-4 or ~~IC 25-31,~~ **IC 25-4-3,** as appropriate, with at least ten (10) years of experience in the building trades industry.

SECTION 570. IC 22-15-2-6, AS AMENDED BY P.L.187-2021, SECTION 97, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 6. (a) To carry out the department's responsibilities, the department or an employee or another agent of the department may:

(1) exercise any program of supervision that is approved by the ~~commission,~~ **department,** if the responsibility involves the administration or enforcement of a building law;

(2) enter and inspect any property, at a reasonable hour;

(3) issue and enforce administrative orders under IC 22-12-7 and apply for judicial orders under IC 22-12-7-13; and

(4) cooperate with law enforcement officers and political subdivisions that have jurisdiction over a matter.

(b) To carry out the state building commissioner's responsibilities, the state building commissioner shall issue a written interpretation of any building law under IC 22-13-5.

SECTION 571. IC 22-15-3-1, AS AMENDED BY P.L.187-2021, SECTION 99, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1. (a) The state building commissioner or a city, town, or county certified under subsection (d) shall issue a design release for the construction of a Class 1 structure to an applicant who qualifies under section 2 or 3 of this chapter.

(b) The state building commissioner shall issue a design release for the fabrication of an industrial building system or mobile structure under section 4 of this chapter.

(c) A design release issued under this chapter expires on the date specified in the rules adopted by the ~~commission.~~ **department.**

(d) The ~~commission~~ **department** may certify a city, town, or county as qualified to issue design releases, if the city, town, or county:

(1) is competent under the ~~commission's~~ **department's** objective criteria; and

(2) has adopted the rules of the ~~commission~~ **department** under IC 22-13-2-3.

(e) A city, town, or county that is certified by the ~~commission~~ **department** under subsection (d) may issue design releases. A design release issued by a certified city, town, or county must be:

(1) in accordance with the ~~commission's~~ **department's** objective criteria; and

(2) for a construction type for which the city, town, or county is certified.

All records held by a certified city, town, or county that pertain to the design release must be submitted to the department to be held in a central repository.

SECTION 572. IC 22-15-3-2, AS AMENDED BY P.L.187-2021, SECTION 100, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2. To qualify for a design release under this section, an applicant must:

(1) demonstrate, through the submission of plans and specifications for the construction covered by the application, that the construction will comply with all applicable building laws and fire safety laws;

(2) pay the fees set under IC 22-12-6-6;

(3) have the plans and specifications:

(A) prepared by a registered architect or professional engineer who is:

(i) competent to design the construction covered by the application as determined by the department; and

(ii) registered under ~~IC 25-4 or IC 25-31;~~ **IC 25-4-1 or IC 25-4-3;**

(B) include on each page of all drawings and the title page of all specifications the seal of the registered architect or professional engineer described by clause (A) or the person's technical or

professional staff; and

(C) filed by the registered architect or professional engineer described by clause (A) or the person's technical or professional staff; and

(4) submit a certificate prepared on a form provided by the department and sworn or affirmed under penalty of perjury by the registered architect or professional engineer described in subdivision (3)(A):

(A) providing an estimate of the cost of the construction covered by the application, its square footage, and any other information required under the rules of the ~~commission;~~ **department;**

(B) stating that the plans and specifications submitted for the application were prepared either by or under the immediate supervision of the person making the statement;

(C) stating that the plans and specifications submitted for the application provide for construction that will meet all building laws; and

(D) stating that the construction covered by the application will be subject to inspection at intervals appropriate to the stage of the construction by a registered architect or professional engineer identified in the statement for the purpose of determining in general if work is proceeding in accordance with the released plans and specifications.

SECTION 573. IC 22-15-3-3, AS AMENDED BY P.L.87-2020, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 3. (a) This section applies only to an application for a design release to construct:

(1) a Class 1 structure with thirty thousand (30,000) or fewer cubic feet of space;

(2) an addition to a Class 1 structure, if the addition adds thirty thousand (30,000) or fewer cubic feet of space;

(3) an alteration to a Class 1 structure, if the alteration does not involve changes affecting the structural safety of the Class 1 structure; or

(4) an installation or alteration of an automatic fire sprinkler system in a Class 1 structure by persons qualified pursuant to rules set forth by the ~~fire prevention and building safety commission.~~ **department.**

(b) The design release requirements under subsection (c) do not

apply for any construction that is otherwise exempted under 675 IAC 12-6-4(b), even if the construction is:

(1) a part of;

(2) supplemental to; or

(3) an accessory of;

any other construction that would otherwise require a design release.

(c) To qualify for a design release under this section, an applicant must do the following:

(1) Demonstrate, through the submission of plans and specifications for the construction covered by the application, that the construction will comply with all applicable building laws and fire safety laws.

(2) Pay the fees set under IC 22-12-6-6.

SECTION 574. IC 22-15-3-4, AS AMENDED BY P.L.22-2005, SECTION 47, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 4. (a) This section applies to a design release for the fabrication of a model or other series of similar industrialized building systems or mobile structures.

(b) To qualify for a design release under this section, an applicant must:

(1) demonstrate, through the submission of plans and specifications for the construction covered by the application, that the construction will comply with all applicable building laws and fire safety laws;

(2) have the submitted plans and specifications prepared by an architect registered under IC 25-4 or a professional engineer registered under ~~IC 25-31,~~ **IC 25-4-3,** if required under the rules adopted by the ~~commission;~~ **department;** and

(3) pay the fees set under IC 22-12-6-6.

SECTION 575. IC 22-15-3-5, AS AMENDED BY P.L.187-2021, SECTION 101, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 5. (a) This section does not authorize a variance from any rule adopted by the ~~commission.~~ **department.**

(b) The rules adopted by the ~~commission~~ **department** do not prevent the use of:

(1) materials;

(2) methods of construction; or

(3) design procedures;

if they are not specifically prohibited in the rules and if they are

approved under subsection (c).

(c) The state fire marshal and the department may, in the review of an application for a design release, consider as evidence of compliance with the rules adopted by the ~~commission~~ **department** any evaluation report that:

(1) contains limitations, conditions, or standards for alternative materials, methods of construction, or design procedures; and

(2) is published by an independent, nationally recognized testing laboratory or other organization that is approved under the rules adopted by the ~~commission.~~ **department.**

SECTION 576. IC 22-15-3-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 7. (a) This section does not apply to construction that is exempted from this section in the rules adopted by the ~~commission under IC 22-13-4.~~ **department.**

(b) This section applies to the following:

(1) Each person who engages in the construction.

(2) Each person who has control over the construction.

(3) Each person who has control over the Class 1 structure industrialized building system or mobile home that is constructed.

(c) A person described in subsection (b) commits a Class C infraction if:

(1) a Class 1 structure is constructed, or construction is begun, at the site where it is to be used; and

(2) no design release issued under section 2 or 3 of this chapter covers the construction.

(d) A person described in subsection (b) commits a Class C infraction if:

(1) an industrialized building system or a mobile structure is fabricated; and

(2) no design release issued under section 4 of this chapter covers the fabrication.

SECTION 577. IC 22-15-3.2-3, AS ADDED BY P.L.218-2014, SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 3. As used in this chapter, "design professional" means:

(1) an architect registered under IC 25-4-1; or

(2) a professional engineer registered under ~~IC 25-31.~~ **IC 25-4-3.**

SECTION 578. IC 22-15-3.2-11, AS AMENDED BY P.L.187-2021, SECTION 109, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 11. (a) This section applies if the

results of a plan review reveal that a design professional knowingly or recklessly submitted plans or specifications containing one (1) or more violations of the rules of the ~~commission~~ **department** that are determined by the department ~~and the commission~~ to pose a wanton and willful disregard for the public health, safety, or welfare.

(b) The provisions regarding the time limitations for review and notice under this chapter do not apply, and the department is not required to issue a design release and confirmation number for providing notice. The department shall send written notice of its determination to:

(1) the design professional's licensing or registration authority under IC 25-4-1 or ~~IC 25-31,~~ **IC 25-4-3,** as appropriate, for the purpose of conducting a hearing under IC 4-21.5 to determine if action under IC 4-21.5-3-8 is appropriate;

(2) the design professional; and

(3) the project owner or general contractor on whose behalf the application was submitted.

(c) An applicant that receives notice under subsection (b) may withdraw the application and submit a new application and plans to the department that are prepared by a different design professional. Withdrawal of an application does not affect any disciplinary action against the professional of record that prepared the plans described in subsection (a).

SECTION 579. IC 22-15-4-1, AS AMENDED BY P.L.187-2021, SECTION 112, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1. (a) The department shall certify an industrialized building system for use in Indiana to an applicant who qualifies under this section. If an applicant qualifies for certification under this section, the department shall provide the applicant with a seal for the certified industrial building system.

(b) To qualify for a certification under this section, an applicant must:

(1) submit proof that the department has issued a design release under IC 22-15-3 for the model or series of industrialized building systems being constructed;

(2) demonstrate, in an in-plant inspection, that the industrialized building system covered by the application has been constructed in conformity with all applicable building laws and fire safety laws; and

(3) pay the fee set by the ~~commission~~ **department** under

IC 22-12-6-6.

(c) The exemption under IC 22-13-4-2 applies to an industrialized building system certified under this section.

SECTION 580. IC 22-15-4-2, AS AMENDED BY P.L.187-2021, SECTION 113, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2. (a) The department shall certify a mobile structure for sale and use in Indiana for an applicant who qualifies under this section. If an applicant qualifies for certification under this section, the department shall provide the applicant with a seal for the certified mobile structure.

(b) To qualify for certification under this section, an applicant must:

(1) submit proof that the department has issued a design release under IC 22-15-3 for the model or series of mobile structures being constructed;

(2) demonstrate, in an in-plant inspection, that the mobile structure covered by the application has been constructed in conformity with all applicable building laws and fire safety laws;

(3) certify in an affidavit that a seal provided by the department will not be attached to a mobile structure that does not conform to the requirements adopted by the ~~commission~~ **department** in its rules; and

(4) pay the fee set by the ~~commission~~ **department** under IC 22-12-6-6.

(c) The exemption under IC 22-13-4-2 applies to a mobile structure certified under this chapter.

SECTION 581. IC 22-15-4-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 3. The ~~commission~~ **department** may authorize any qualified person to conduct inspections and issue certifications under this chapter.

SECTION 582. IC 22-15-4-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 5. A person who offers to sell or sells for money or other consideration a mobile structure that:

(1) is manufactured after:

(A) January 1, 1972, if the mobile structure is designed to be a dwelling; or

(B) June 30, 1987, if the mobile structure is not designed to be a dwelling; and

(2) is kept or transported without:

(A) a seal issued under IC 9-8-1.5 (before its repeal on July 1, 1987) or section 2 or 4 of this chapter; and

(B) an affidavit from the manufacturer (if the mobile structure was manufactured in Indiana or the mobile structure was manufactured outside Indiana and has not been used by its owner) or a dealer who has sold at least three (3) mobile structures in the previous twelve (12) month period (if the mobile structure was manufactured outside Indiana and the mobile structure has been used by its owner) that states that the mobile structure meets or exceeds the applicable requirements adopted by the ~~commission~~ **department** in its rules or an agreement under IC 22-13-2-12;

commits a Class C infraction.

SECTION 583. IC 22-15-4-6, AS AMENDED BY P.L.187-2021, SECTION 114, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 6. A person who offers to sell or sells a mobile structure that:

(1) was certified under IC 9-8-1.5 (before its repeal on July 1, 1987) or certified by the department under section 2 or 4 of this chapter; and

(2) has been altered or converted in violation of a rule adopted by the ~~commission;~~ **department;**

commits a Class C infraction.

SECTION 584. IC 22-15-5-1, AS AMENDED BY P.L.187-2021, SECTION 115, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1. (a) The department shall issue a regulated lifting device installation or alteration permit to an applicant who qualifies under this section.

(b) To qualify for a permit under this section, an applicant must meet the following requirements:

(1) Demonstrate through the submission of complete plans, including:

(A) copies of specifications and accurately scaled and fully dimensioned plans showing the location of the installation in relation to the plans and elevation of the building;

(B) plans showing the location of the machine room and the equipment to be installed, relocated, or altered;

(C) plans showing the structural supporting members, including foundations; and

(D) a specification of all materials employed and loads to be supported or conveyed;

that the installation or alteration covered by the application will

comply with all applicable equipment laws. All plans and specifications must be sufficiently complete to illustrate all details of construction and design.

(2) Pay the fee set under IC 22-12-6-6(a)(7).

(3) Be the holder of a current elevator contractor license, if applicable, as set forth under IC 22-15-5-7.

(c) A copy of the permit shall be kept at the construction site at all times while the work is in progress.

(d) The regulated lifting device must be installed or altered in compliance with:

(1) applicable codes; and

(2) the details of the application, plans, specifications, and conditions of the permit.

(e) The regulated lifting device must be installed or altered under the direction and control of a licensed contractor. The elevator contractor does not have to be present at the site.

(f) The responsibilities of the department under this section may be carried out by a political subdivision that is approved by the ~~commission~~ **department** under IC 22-13-2-10.

SECTION 585. IC 22-15-5-3, AS AMENDED BY P.L.187-2021, SECTION 116, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 3. (a) All regulated lifting devices shall be registered under this section.

(b) The department shall issue a registration for a regulated lifting device to an applicant who qualifies under this section.

(c) To register a regulated lifting device under this section, an applicant must submit, on a form approved by the department, the following information:

(1) Type, rated load and speed, name of manufacturer, location, and the nature of the use of the regulated lifting device.

(2) Any information required under the rules adopted by the ~~commission.~~ **department.**

SECTION 586. IC 22-15-5-4, AS AMENDED BY P.L.187-2021, SECTION 117, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 4. (a) The department shall carry out a program for the periodic inspection of regulated lifting devices being operated in Indiana. A regulated lifting device may not be operated without an operating certificate that covers the operation of the regulated lifting device.

(b) A permit issued under this section expires on the earlier of:

(1) one (1) year after issuance; or

(2) when the regulated lifting device is altered.

(c) After a regulated lifting device has been installed or altered, an applicant shall apply for an initial operating certificate. The department shall issue an initial operating certificate for a regulated lifting device if:

(1) the applicant demonstrates:

(A) through an acceptance inspection made by an elevator inspector licensed under section 11 of this chapter that the regulated lifting device covered by the application complies with the laws governing its construction, repair, maintenance, and operation; and

(B) that the applicant has paid the fee set under IC 22-12-6-6(a)(7); and

(2) the department verifies, through an inspection, that the regulated lifting device complies with the laws governing the construction, repair, maintenance, and operation of the regulated lifting device.

(d) The department shall issue a renewal operating certificate if the applicant:

(1) demonstrates through the completion of applicable safety tests that the regulated lifting device complies with the laws governing the construction, repair, maintenance, and operation of the regulated lifting device;

(2) submits results of all applicable safety tests, including failed safety tests for the regulated lifting device; and

(3) has paid the fee set under IC 22-12-6-6(a)(7).

(e) The department may issue a temporary operating permit to an applicant under this section who does not comply with subsection (c)(1)(A) for a new or altered regulated lifting device or subsection (d)(1) for an existing unaltered regulated lifting device. The applicant must pay the fee set under IC 22-12-6-6(a)(7) to qualify for the temporary operating permit. Except as provided in subsection (f), the permit, including all renewal periods, is limited to sixty (60) days.

(f) The department may renew a temporary operating permit issued under subsection (e) for thirty (30) day periods during the construction of a building if the regulated lifting device is used for the transportation of construction personnel, tools, and materials.

(g) The responsibilities of the department under this section may be carried out by a political subdivision that is approved by the

~~commission~~ **department** under IC 22-13-2-10.

(h) A copy of the operating certificate shall be displayed in or on each regulated lifting device or in an associated machine room. In addition to the requirements of this subsection, the two-dimensional bar code assigned to an elevator shall be displayed in or on each elevator in a location that is easily viewed and scanned by a person riding on the elevator.

(i) A licensed elevator mechanic shall perform the maintenance on a regulated lifting device.

SECTION 587. IC 22-15-5-6, AS AMENDED BY P.L.2-2007, SECTION 309, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 6. (a) The following definitions apply to sections 7 through 16 of this chapter:

(1) "Competency examination" means an examination that thoroughly tests the scope of the knowledge and skill of the applicant for the license.

(2) "Elevator apprentice" means an individual who works under the direct supervision of a licensed elevator mechanic. The term includes an individual commonly known as an elevator helper while working under the direct supervision of a licensed elevator mechanic.

(3) "Elevator contractor" means a person who alone or with other persons, constructs, repairs, alters, remodels, adds to, subtracts from, or improves a regulated lifting device and who is responsible for substantially all the regulated lifting devices within the entire project, or who fabricates elevator lifting devices substantially completed and ready for installation.

(4) "Elevator inspector" means an individual who conducts the acceptance inspection of a regulated lifting device required by section 4(c)(1)(A) of this chapter.

(5) "Elevator mechanic" means an individual who engages in the construction, reconstruction, alteration, maintenance, mechanical, or electrical work or adjustments of a regulated lifting device.

(6) "License" means a certificate issued by the department that confers upon the holder the privilege to act as an elevator contractor, elevator inspector, or elevator mechanic.

(7) "Licensing program" means the program for licensing elevator contractors, elevator inspectors, and elevator mechanics established under this section and sections 7 through 16 of this chapter.

(8) "Municipality" has the meaning set forth in IC 36-1-2-11.

(9) "Person" means:

(A) a natural person;

(B) the partners or members of a partnership or a limited partnership;

(C) a state educational institution; or

(D) a corporation or the officers, directors, and employees of the corporation.

(10) "Practitioner" means a person that holds:

(A) an unlimited license;

(B) a limited or probationary license;

(C) a temporary license;

(D) an emergency license; or

(E) an inactive license.

(b) The ~~commission and the~~ department shall establish a program to license elevator contractors, elevator mechanics, and elevator inspectors.

(c) The department shall issue a license as an elevator contractor, an elevator mechanic, or an elevator inspector to a person who qualifies and complies with the provisions of the licensing program. A person who receives a license under this chapter is subject to the supervision and control of the department.

(d) The department may contract with public and private institutions, agencies, businesses, and organizations to implement all or part of its duties established under this chapter.

(e) The ~~commission~~ **department** may adopt rules under IC 4-22-2 to implement the licensing program.

SECTION 588. IC 22-15-5-7, AS AMENDED BY P.L.230-2019, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 7. (a) An individual may not act as an elevator contractor unless the individual:

(1) holds an elevator contractor license issued under this chapter; or

(2) is an employee of a partnership, a limited partnership, a corporation, or a state educational institution that holds an elevator contractor license issued under this chapter.

(b) A partnership, a limited partnership, a corporation, or a state educational institution may not act as an elevator contractor unless it holds an elevator contractor license issued under this chapter.

(c) An individual who is an applicant for an elevator contractor

license shall:

(1) hold a valid elevator contractor license issued by another state that has a licensing program that, as determined by the department, ~~or the commission,~~ is equivalent to the elevator contractor licensing program established under this chapter; or

(2) except as otherwise provided, satisfy both of the following requirements:

(A) Have at least five (5) years of documented work experience in the elevator industry in construction, maintenance, and service or repair in Indiana.

(B) Successfully complete a written competency examination approved by the ~~commission.~~ **department.**

(d) A corporation or a state educational institution that is an applicant for an elevator contractor license must have at least one (1) officer or employee of the corporation or a state educational institution that holds a valid elevator contractor license issued under this chapter. A license granted to a corporation or a state educational institution to act as an elevator contractor under this chapter becomes invalid when an officer or employee of the corporation or state educational institution no longer holds a valid elevator contractor license issued under this chapter.

(e) A partnership or limited partnership that is an applicant for an elevator contractor license must have at least one (1) partner or general partner that holds a valid elevator contractor license issued under this chapter. A license granted to a partnership or limited partnership to act as an elevator contractor under this chapter becomes invalid when the partner of a partnership or general partner of a limited partnership named in the application no longer holds a valid elevator contractor license as provided by this chapter.

SECTION 589. IC 22-15-5-11, AS AMENDED BY P.L.230-2019, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 11. (a) An individual may not act as an elevator inspector unless the individual holds an elevator inspector license issued under this chapter.

(b) An individual who is an applicant for an elevator inspector license shall meet the standards set forth in American Society of Mechanical Engineers (ASME) American National Standard QEI-1 (Standard for the Qualification of Elevator Inspectors) or other nationally accepted standard qualifying authority that the ~~commission~~ **department** has determined has equivalent requirements as ASME

QEI-1 for obtaining and retaining certification.

(c) An applicant for an initial elevator inspector license must do the following:

(1) Submit to the department an application provided by the department that contains the following information:

(A) The name, address, telephone number, and electronic mail address of the applicant.

(B) Any other information the department requires.

(2) Submit to the department any proof of eligibility the department requires.

(3) Demonstrate proof of insurance as required by section 14 of this chapter.

(4) Pay the license fee established under IC 22-12-6-6. The license fee is nonrefundable and must be paid each time an applicant submits an application.

(5) Affirm under penalty of perjury that all information provided to the department is true to the best of the applicant's knowledge and belief.

(d) An applicant for a renewal elevator inspector license shall:

(1) Submit to the department an application provided by the department that contains the following information:

(A) The name, address, telephone number, and electronic mail address of the applicant.

(B) Any other information the department requires.

(2) Submit proof of completion of the continuing education required by section 15 of this chapter.

(3) Demonstrate proof of insurance as required by section 14 of this chapter.

(4) Pay the license fee established under IC 22-12-6-6. The license fee is nonrefundable and must be paid each time an applicant submits an application.

(5) Affirm under penalty of perjury that all information provided to the department is true to the best of the applicant's knowledge and belief.

(e) An initial elevator inspector license issued under this chapter expires on December 31 of the second year after the license was issued.

(f) A renewal of an elevator inspector license is valid for two (2) years.

(g) An individual who engages in the business of an elevator inspector shall carry the individual's license and present the license for

inspection by a representative of the department upon request.

(h) If the QEI-1 certification or other certification standard approved by the ~~commission~~ **department** that made the individual eligible for an inspector license under subsection (b):

(1) is terminated;

(2) expires; or

(3) becomes invalid for any other reason;

the elevator inspector's license immediately becomes invalid.

SECTION 590. IC 22-15-5-12, AS AMENDED BY P.L.230-2019, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 12. (a) An individual may not act as an elevator mechanic unless the individual holds an elevator mechanic license issued under this chapter. A license is not required for an elevator apprentice.

(b) An individual who is an applicant for an elevator mechanic license must meet one (1) of the following eligibility criteria:

(1) Hold an active elevator mechanic license issued by a state that the ~~commission~~ **department** has determined has a licensing program that is at least equivalent to the elevator mechanic licensing program established under this chapter.

(2) Satisfy both of the following:

(A) Have at least one (1) of the following types of work experience or training:

(i) Have at least three (3) years of documented work experience in the elevator industry in construction, maintenance, and service or repair.

(ii) Have at least eighteen (18) months experience in the elevator industry in construction, maintenance, and service or repair and have at least three (3) years experience in a related field that is certified by a licensed elevator contractor.

(iii) Complete an apprenticeship program that is registered with the Bureau of Apprenticeship and Training of the United States Department of Labor or a state apprenticeship program and that the ~~commission~~ **department** determines is at least equivalent to three (3) years of work experience in the elevator industry in construction, maintenance, and service or repair.

(B) Successfully complete a written competency examination approved by the ~~commission.~~ **department.**

(3) Successfully complete an elevator mechanic's program that

consists of a combination of extensive training and a comprehensive examination that the ~~commission~~ **department** has determined is at least equivalent to both the work experience required under subdivision (2)(A)(i) and the competency examination established under subdivision (2)(B).

(c) An applicant for an initial elevator mechanic license must do the following:

(1) Submit to the department an application provided by the department that contains the following information:

(A) The name, business address, telephone number, and electronic mail address of the applicant.

(B) Any other information the department requires.

(2) Submit to the department any proof of eligibility the department requires.

(3) Pay the nonrefundable and nontransferable license fee established under IC 22-12-6-6.

(4) Affirm under penalty of perjury that all information provided to the department is true to the best of the applicant's knowledge and belief.

(d) An applicant for a renewal elevator mechanic license must do the following:

(1) Submit to the department an application provided by the department that contains the following information:

(A) The name, business address, telephone number, and electronic mail address of the applicant.

(B) Any other information the department requires.

(2) Submit proof of completion of the continuing education required by section 15 of this chapter.

(3) Pay the nonrefundable and nontransferable license fee established under IC 22-12-6-6.

(4) Affirm under penalty of perjury that all information provided to the department is true to the best of the applicant's knowledge and belief.

(e) An initial elevator mechanic license issued under this chapter expires on December 31 of the second year after the license was issued.

(f) A renewal of an elevator mechanic license is valid for two (2) years.

(g) An individual engaged in the business of an elevator mechanic shall carry the individual's license and present the license for inspection by a representative of the department upon request.

SECTION 591. IC 22-15-5-15 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 15. (a) This section does not apply to a licensed elevator contractor that is not an individual.

(b) To renew a license issued under this licensing program, the license holder must satisfy the continuing education requirement and submit a proof of completion of training to the department.

(c) The continuing education requirement is at least eight (8) hours of instruction that must be attended and completed within one (1) year before a license renewal.

(d) The continuing education courses designed to ensure the continuing education of an individual holding a license regarding new and existing provisions of the rules of the ~~commission~~ **department** may include:

(1) programs sponsored by the ~~commission;~~ **department;**

(2) trade association seminars;

(3) labor training programs; or

(4) joint labor management apprenticeship and journeyman upgrade training programs.

For an individual's completion of a continuing education course to satisfy the individual's continuing education requirement under this chapter, the continuing education provider, instructor and the curriculum must have been approved by the department.

(e) All instructors of continuing education courses must be approved by the department. If an instructor is approved by the department, has worked as an instructor teaching a curriculum approved by the department at any time within the year preceding the expiration date of the license, and submits proof of this work to the department, the instructor is exempt from the requirements of subsection (c).

(f) Continuing education providers shall keep uniform records of attendance at approved continuing education courses for at least ten (10) years on forms designed and distributed by the department.

(g) A license holder who is unable to complete the continuing education required under this chapter before the expiration of the individual's license due to temporary physical or mental disability may apply for a waiver from the department in accordance with the following:

(1) A waiver application must be submitted to the department on a form established by the department.

(2) A waiver application must be signed and accompanied by an

affidavit signed by the physician of the applicant attesting to the applicant's temporary disability.

(h) After the cessation of the temporary disability, the applicant must submit to the department a certification from the same physician, if the physician is still the treating physician of the applicant, or from a subsequent treating physician attesting to the termination of the temporary disability.

(i) Upon the submission of the certification under subsection (h), the department shall issue a temporary waiver of the continuing education requirement. A temporary waiver is valid for ninety (90) days after the date of issue and allows the individual to work as an elevator contractor, elevator inspector, or elevator mechanic without the completion of the continuing education requirement for ninety (90) days.

(j) A temporary waiver of the continuing education requirement may not be renewed.

SECTION 592. IC 22-15-5-16, AS AMENDED BY P.L.186-2025, SECTION 123, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 16. (a) A practitioner shall comply with the standards established under this licensing program. A practitioner is subject to the exercise of the disciplinary sanctions under IC 22-12-7-7 if the department finds that a practitioner has:

(1) engaged in or knowingly cooperated in fraud or material deception in order to obtain a license to practice, including cheating on a licensing examination;

(2) engaged in fraud or material deception in the course of professional services or activities;

(3) advertised services or goods in a false or misleading manner;

(4) falsified or knowingly allowed another person to falsify attendance records or certificates of completion of continuing education courses provided under this chapter;

(5) been convicted of a crime that has a direct bearing on the practitioner's ability to continue to practice competently;

(6) knowingly violated a state statute or rule or federal statute or regulation regulating the profession for which the practitioner is licensed;

(7) continued to practice although the practitioner has become unfit to practice due to:

(A) professional incompetence;

(B) failure to keep abreast of current professional theory or

practice;

(C) physical or mental disability; or

(D) addiction to, abuse of, or severe dependency on alcohol or other drugs that endanger the public by impairing a practitioner's ability to practice safely;

(8) engaged in a course of lewd or immoral conduct in connection with the delivery of services to the public;

(9) allowed the practitioner's name or a license issued under this chapter to be used in connection with an individual or business who renders services beyond the scope of that individual's or business's training, experience, or competence;

(10) had disciplinary action taken against the practitioner or the practitioner's license to practice in another state or jurisdiction on grounds similar to those under this chapter;

(11) assisted another person in committing an act that would constitute a ground for disciplinary sanction under this chapter; or

(12) allowed a license issued by the department to be:

(A) used by another person; or

(B) displayed to the public when the license has expired, is inactive, is invalid, or has been revoked or suspended.

For purposes of subdivision (10), a certified copy of a record of disciplinary action constitutes prima facie evidence of a disciplinary action in another jurisdiction.

(b) If an applicant or a practitioner has engaged in or knowingly cooperated in fraud or material deception to obtain a license to practice, including cheating on the licensing examination, the department may rescind the license if it has been granted, void the examination or other fraudulent or deceptive material, and prohibit the applicant from reapplying for the license for a length of time established by the department.

(c) The department may deny licensure to an applicant who has had disciplinary action taken against the applicant or the applicant's license to practice in another state or jurisdiction or who has practiced without a license in violation of the law. A certified copy of the record of disciplinary action is conclusive evidence of the other jurisdiction's disciplinary action.

(d) The department may order a practitioner to submit to a reasonable physical or mental examination if the practitioner's physical or mental capacity to practice safely and competently is at issue in a

disciplinary proceeding. Failure to comply with a department order to submit to a physical or mental examination makes a practitioner liable to temporary suspension under subsection (h).

(e) Except as provided under subsection (f) or (g), a license may not be denied, revoked, or suspended because the applicant or holder has been convicted of an offense. The acts from which the applicant's or holder's conviction resulted may, however, be considered as to whether the applicant or holder should be entrusted to serve the public in a specific capacity.

(f) The department may deny, suspend, or revoke a license issued under this chapter if the individual who holds the license is convicted of any of the following:

(1) Possession of cocaine or a narcotic drug under IC 35-48-4-6.

(2) Possession of methamphetamine under IC 35-48-4-6.1.

(3) Possession of a controlled substance under IC 35-48-4-7(a).

(4) Fraudulently obtaining a controlled substance under IC 35-48-4-7(b) (for a crime committed before July 1, 2014) or IC 35-48-4-7(c) (for a crime committed after June 30, 2014).

(5) Manufacture of paraphernalia as a Class D felony (for a crime committed before July 1, 2014) or a Level 6 felony (for a crime committed after June 30, 2014) under IC 35-48-4-8.1(c).

(6) Dealing in paraphernalia as a Class D felony (for a crime committed before July 1, 2014) or a Level 6 felony (for a crime committed after June 30, 2014) under IC 35-48-4-8.5(b).

(7) Possession of paraphernalia as a Class D felony (for a crime committed before July 1, 2014) or a Level 6 felony (for a crime committed after June 30, 2014) under IC 35-48-4-8.3(b) (before its amendment on July 1, 2015).

(8) Possession of marijuana, hash oil, hashish, or salvia as a Class D felony (for a crime committed before July 1, 2014) or a Level 6 felony (for a crime committed after June 30, 2014) under IC 35-48-4-11.

(9) A felony offense under IC 35-48-4 involving possession of a synthetic drug (as defined in IC 35-31.5-2-321), possession of a controlled substance analog (as defined in IC 35-48-1.1-8), or possession of a synthetic drug lookalike substance (as defined in IC 35-31.5-2-321.5 (before its repeal on July 1, 2019)) as a:

(A) Class D felony for a crime committed before July 1, 2014; or

(B) Level 6 felony for a crime committed after June 30, 2014;

under IC 35-48-4-11.5 (before its repeal on July 1, 2019).

(10) Maintaining a common nuisance under IC 35-48-4-13 (repealed) or IC 35-45-1-5, if the common nuisance involves a controlled substance.

(11) An offense relating to registration, labeling, and prescription forms under IC 35-48-4-14.

(g) The department shall deny, revoke, or suspend a license issued under this chapter if the individual who holds the license is convicted of any of the following:

(1) Dealing in a controlled substance resulting in death under IC 35-42-1-1.5.

(2) Dealing in cocaine or a narcotic drug under IC 35-48-4-1.

(3) Dealing in methamphetamine under IC 35-48-4-1.1.

(4) Manufacturing methamphetamine under IC 35-48-4-1.2.

(5) Dealing in a schedule I, II, or III controlled substance under IC 35-48-4-2.

(6) Dealing in a schedule IV controlled substance under IC 35-48-4-3.

(7) Dealing in a schedule V controlled substance under IC 35-48-4-4.

(8) Dealing in a substance represented to be a controlled substance under IC 35-48-4-4.5 (repealed).

(9) Knowingly or intentionally manufacturing, advertising, distributing, or possessing with intent to manufacture, advertise, or distribute a substance represented to be a controlled substance under IC 35-48-4-4.6.

(10) Dealing in a counterfeit substance under IC 35-48-4-5.

(11) Dealing in marijuana, hash oil, hashish, or salvia as a felony under IC 35-48-4-10.

(12) An offense under IC 35-48-4 involving the manufacture or sale of a synthetic drug (as defined in IC 35-31.5-2-321), a synthetic drug lookalike substance (as defined in IC 35-31.5-2-321.5 (before its repeal on July 1, 2019)) under IC 35-48-4-10.5 (before its repeal on July 1, 2019), a controlled substance analog (as defined in IC 35-48-1.1-8), or a substance represented to be a controlled substance (as described in IC 35-48-4-4.6).

(13) A violation of any federal or state drug law or rule related to wholesale legend drug distributors licensed under IC 25-26-14.

(h) The department may temporarily suspend a practitioner's license

under IC 4-21.5-4 before a final adjudication or during the appeals process if the department finds that a practitioner represents a clear and immediate danger to the public's health, safety, or property if the practitioner is allowed to continue to practice.

(i) On receipt of a complaint or an information alleging that a person licensed under this chapter has engaged in or is engaging in a practice that jeopardizes the public health, safety, or welfare, the department shall initiate an investigation against the person.

(j) Any complaint filed with the office of the attorney general alleging a violation of this licensing program shall be referred to the department for summary review and for its general information and any authorized action at the time of the filing.

(k) The department shall conduct a fact finding investigation as the department considers proper in relation to the complaint.

(l) A practitioner may petition the department to accept the surrender of the practitioner's license. The practitioner may not surrender the practitioner's license without the written approval of the department, and the department may impose any conditions appropriate to the surrender or reinstatement of a surrendered license.

(m) A practitioner who has been subjected to disciplinary sanctions may be required by the ~~commission~~ **department** to pay the costs of the proceeding. The practitioner's ability to pay shall be considered when costs are assessed. If the practitioner fails to pay the costs, a suspension may not be imposed solely upon the practitioner's inability to pay the amount assessed. The costs are limited to costs for the following:

(1) Court reporters.

(2) Transcripts.

(3) Certification of documents.

(4) Photo duplication.

(5) Witness attendance and mileage fees.

(6) Postage.

(7) Expert witnesses.

(8) Depositions.

(9) Notarizations.

SECTION 593. IC 22-15-6-0.5, AS AMENDED BY P.L.249-2019, SECTION 32, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 0.5. This chapter applies to a regulated boiler and pressure vessel as set forth in rules adopted by the ~~commission~~ **department** under IC 4-22-2.

SECTION 594. IC 22-15-6-1, AS AMENDED BY P.L.249-2019,

SECTION 33, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1. Sections 2 through 3 of this chapter do not apply to any regulated boiler or pressure vessel exempted by a rule adopted by the ~~commission~~ **department** under IC 4-22-2.

SECTION 595. IC 22-15-6-2, AS AMENDED BY P.L.93-2024, SECTION 167, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2. (a) The department may conduct a program of inspections of regulated boilers and pressure vessels.

(b) The department shall do the following:

(1) Issue a regulated boiler and pressure vessel operating permit to an applicant who qualifies under this section.

(2) Perform an operating permit inspection of a boiler or pressure vessel owned by the state.

(3) Conduct a program to audit boiler and pressure vessel inspectors licensed under section 5 of this chapter.

(4) Conduct a program to audit inspections completed by a boiler and pressure vessel inspector licensed under section 5 of this chapter.

(c) Except as provided in subsection (e), an operating permit issued under this section expires one (1) year after it is issued.

(d) To qualify for an operating permit or to renew an operating permit under this section, an applicant must do the following:

(1) Apply for an operating permit on a form approved by the department.

(2) Demonstrate through an inspection, performed by an inspector licensed under section 5 of this chapter, that the regulated boiler or pressure vessel covered by the application complies with the rules adopted by the ~~commission.~~ **department.**

(3) Submit a report of the inspection conducted under subdivision (2) to the department.

(4) Pay the fee set under IC 22-12-6-6(a)(8).

(e) The ~~commission~~ **department** may, by rule adopted under IC 4-22-2, specify:

(1) a period between inspections of more than one (1) year; and

(2) an expiration date for an operating permit longer than one (1) year from the date of issuance.

However, the ~~commission~~ **department** may not set an inspection period of greater than five (5) years or issue an operating permit valid for a period of more than five (5) years for regulated pressure vessels or steam generating equipment that is an integral part of a continuous

processing unit.

(f) For any inspection conducted by the department under this section, the department may designate an inspector licensed under section 5 of this chapter to act as the department's agent for purposes of the inspection.

(g) The ~~commission~~ **department** may adopt rules under IC 4-22-2 to implement this chapter.

SECTION 596. IC 22-15-6-5, AS AMENDED BY P.L.187-2021, SECTION 120, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 5. (a) The department shall issue a boiler and pressure vessel inspector license to an applicant who qualifies under this section.

(b) To qualify for a license under this section an applicant must:

(1) meet the qualifications set by the ~~commission~~ **department** in its rules;

(2) pass an examination approved by the ~~commission~~ **department** and conducted, supervised, and graded as prescribed by the ~~commission;~~ **department;** and

(3) pay the fee set under IC 22-12-6-6(a)(9).

(c) The ~~commission~~ **department** may exempt an applicant from any part of the examination required by subsection (b) if the applicant has:

(1) a boiler and pressure vessel inspector's license issued by another state with qualifications substantially equal to the qualifications for a license under this section; or

(2) a commission as a boiler and pressure vessel inspector issued by the National Board of Boiler and Pressure Vessel Inspectors.

(d) The ~~commission~~ **department** may sanction a boiler and pressure vessel inspector under IC 22-12-7 if the boiler and pressure vessel inspector violates this chapter or rules adopted by the ~~commission.~~ **department.**

SECTION 597. IC 22-15-7-0.6, AS ADDED BY P.L.80-2024, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 0.6. (a) Except as provided in subsection (c), the department shall not inspect, and operating permits are not required for, the following regulated amusement devices:

(1) A barrel train pulled by a garden tractor or a rubber tired farm tractor propelled by a motor of not more than forty (40) horsepower.

(2) A regulated amusement device exempt from the operating permit and inspection requirements by a rule of the ~~commission.~~

department.

(b) A regulated amusement device covered by this section shall comply with all other requirements applicable to regulated amusement devices under this chapter.

(c) The department may perform an inspection of a regulated amusement device covered by this section only if a valid complaint or incident is reported to the department concerning the regulated amusement device.

SECTION 598. IC 22-15-7-2, AS AMENDED BY P.L.187-2021, SECTION 122, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2. (a) The department shall issue a regulated amusement device operating permit to an applicant who qualifies under this section. If an applicant qualifies for a permit under this section, an inspector shall place an inspection seal on the device that is covered by the permit.

(b) A permit issued under this section:

(1) expires one (1) year from the date the permit was issued; and

(2) may be renewed if the applicant continues to qualify for a permit under this section.

(c) To qualify for a permit under this section, an applicant or an authorized officer of the applicant shall pay the inspection fee set under IC 22-12-6-6 and execute an application form affirming under penalties for perjury the following:

(1) That all information provided in the application is true to the best of the applicant's or officer's knowledge and belief after reasonable investigation.

(2) That all personnel employed by the applicant having maintenance responsibility for the amusement devices have or will have sufficient background, knowledge, skills, and training to adequately maintain the amusement devices under the rules of the ~~commission.~~ **department.**

(3) That all persons employed by the applicant having operational responsibility for the amusement devices have or will have sufficient background, knowledge, skills, and training to adequately operate the amusement devices under the rules of the ~~commission.~~ **department.**

(4) That adequate training will be provided or otherwise made available on an ongoing basis to maintenance and operational personnel to ensure the continuous compliance of the personnel with the standards set forth in subdivisions (2) and (3).

(5) That all maintenance and operational personnel will be trained to recognize and report any condition that would prohibit the safe operation of the amusement device.

(6) That, upon discovering a condition that would prohibit the safe operation of an amusement device, both operational and maintenance personnel must possess the requisite authority to immediately shut down the amusement device and report the condition of the amusement device to supervisory personnel. An amusement device that is shut down under this subdivision may not be returned to operation until the amusement device complies with ASTM standards for operation.

(7) That the applicant assumes full financial responsibility for:

(A) any condition or circumstance occasioned by, caused by, or resulting from noncompliance with the maintenance and operational standards set forth in subdivisions (2) through (6); and

(B) any death, injury, or other loss occasioned by, caused by, or resulting from noncompliance with the maintenance and operational standards set forth in subdivisions (2) through (6).

(d) The execution of an application under subsection (c) by an officer of an applicant corporation does not create individual financial liability for the officer.

(e) The applicant must satisfy an inspector for the department that the regulated amusement device meets the safety requirements set by the ~~commission.~~ **department.**

SECTION 599. IC 22-15-7-4, AS AMENDED BY P.L.187-2021, SECTION 124, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 4. (a) The ~~commission~~ **department** shall adopt rules under IC 4-22-2 to define appropriate training for a person who inspects regulated amusement devices.

(b) The rules required under this section must, at a minimum, provide the following:

(1) The adoption by reference of:

(A) ASTM F 698 (1994 edition) ("Specification for Physical Information to be Provided to Amusement Rides and Devices");

(B) ASTM F 770 (1993 edition) ("Practice for Operation Procedures for Amusement Rides and Devices");

(C) ASTM F 846 (1992 edition) ("Guide for Testing Performance of Amusement Rides and Devices");

(D) ASTM F 853 (1993 edition) ("Practice for Maintenance

Procedures for Amusement Rides and Devices");

(E) ASTM F 893 (1987 edition) ("Guide for Inspection of Amusement Rides and Devices");

(F) ASTM F 1305 (1994 edition) ("Standard Guides for the Classification of Amusement Ride and Device Related Injuries and Illnesses"); or

(G) any subsequent published editions of the ASTM standards described in clauses (A) through (F).

(2) A requirement that inspectors employed or contracted by the department:

(A) have and maintain at least:

(i) a Level 1 certification from the National Association of Amusement Ride Safety Officials or an equivalent organization approved by the ~~commission,~~ **department;** or

(ii) an equivalent certification under a process or system approved by the ~~commission;~~ **department;** and

(B) conduct inspections that conform to the rules of the ~~commission.~~ **department.**

(3) A requirement that regulated amusement devices be operated and maintained in accordance with the rules of the ~~commission.~~ **department.**

(4) The ~~commission's~~ **department's** chief inspector or supervisor of regulated amusement device inspectors must have and maintain a Level I certification.

SECTION 600. IC 22-15-7-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 7. In addition to a regularly scheduled inspection of a regulated amusement device, the ~~commission~~ **department** may, upon demand by the ~~commission,~~ **department,** inspect a regulated amusement device at any time following:

(1) the report of an accident involving the regulated amusement device; or

(2) a complaint concerning the regulated amusement device.

SECTION 601. IC 23-1.5-1-3, AS AMENDED BY P.L.57-2013, SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 3. "Architectural or engineering professional" means an individual who is registered as:

(1) an architect under IC 25-4-1;

(2) a landscape architect under IC 25-4-2;

(3) a professional engineer under ~~IC 25-31-1;~~ **IC 25-4-3;** or

(4) a professional surveyor under IC 25-21.5.

SECTION 602. IC 23-1.5-1-9, AS AMENDED BY P.L.48-2022, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 9. "Licensing authority" means the following:

(1) In the case of an accounting professional, the Indiana state board of public accountancy.

(2) In the case of an architectural professional, the ~~board of registration for architects and landscape architects.~~ **Indiana board of registration for design professionals.**

(3) In the case of an engineering professional, the state board of registration for professional engineers.

(4) In the case of an attorney, the Indiana supreme court.

(5) In the case of a health care professional, the board (as defined in IC 25-1-9-1) that issues the individual's license, certification, or registration.

(6) In the case of a veterinarian, the Indiana board of veterinary medicine.

(7) In the case of a professional surveyor, the state board of registration for professional surveyors.

(8) In the case of a real estate professional, the Indiana real estate commission.

SECTION 603. IC 24-5-0.5-12, AS AMENDED BY P.L.48-2022, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 12. (a) It is an incurable deceptive act for an individual, while soliciting or performing a consumer transaction, to claim, either orally or in writing, to possess a doctorate degree or use a title, a word, letters, an insignia, or an abbreviation associated with a doctorate degree, unless the individual:

(1) has been awarded a doctorate degree from an institution that is:

(A) accredited by a regional or professional accrediting agency recognized by the United States Department of Education or the Council on Postsecondary Accreditation;

(B) a religious seminary, institute, college, or university whose certificates, diplomas, or degrees clearly identify the religious character of the educational program; or

(C) operated and supported by a governmental agency; or

(2) meets the requirements approved by one (1) of the following boards:

(A) Medical licensing board of Indiana.

(B) State board of dental examiners.

(C) Indiana optometry board.

~~(D) Board of podiatric medicine.~~

~~(E)~~ **(D)** State psychology board.

~~(F)~~ **(E)** Board of chiropractic examiners.

~~(G)~~ **(F)** Indiana board of veterinary medicine.

~~(H)~~ **(G)** Indiana board of pharmacy.

~~(I)~~ **(H)** Indiana state board of nursing.

(b) It is an incurable deceptive act for an individual, while soliciting or performing a consumer transaction, to claim to be a:

(1) physician unless the individual holds an unlimited license to practice medicine under IC 25-22.5;

(2) chiropractic physician unless the individual holds a license as a chiropractor under IC 25-10-1; or

(3) podiatric physician unless the individual holds a license as a podiatrist under IC 25-29.

(c) The attorney general shall enforce this section in the same manner as any other incurable deceptive act under this chapter.

SECTION 604. IC 25-0.5-1-2.5, AS ADDED BY P.L.139-2014, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 2.5. IC 25-1-1.1-4 applies to an individual licensed or certified under ~~IC 25-5.1~~ **IC 25-27-3** (athletic trainers).

SECTION 605. IC 25-0.5-1-13, AS ADDED BY P.L.3-2014, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 13. IC 25-1-1.1-4 applies to an individual licensed or certified under ~~IC 25-23.5~~ **IC 25-27-4** (occupational therapists).

SECTION 606. IC 25-0.5-3-5, AS ADDED BY P.L.3-2014, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 5. IC 25-1-2-6(b) applies to the ~~board of registration for architects and landscape architects.~~ **Indiana board of registration for design professionals.**

SECTION 607. IC 25-0.5-3-18 IS REPEALED [EFFECTIVE JANUARY 1, 2027]. ~~Sec. 18. IC 25-1-2-6(b) applies to the board of podiatric medicine.~~

SECTION 608. IC 25-0.5-3-20 IS REPEALED [EFFECTIVE JANUARY 1, 2027]. ~~Sec. 20. IC 25-1-2-6(b) applies to the state board of registration for professional engineers.~~

SECTION 609. IC 25-0.5-3-26, AS ADDED BY P.L.3-2014,

SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 26. IC 25-1-2-6(b) applies to the ~~mining board.~~ **bureau of mines and mine safety.**

SECTION 610. IC 25-0.5-3-41 IS REPEALED [EFFECTIVE JANUARY 1, 2027]. ~~Sec. 41. IC 25-1-2-6(b) applies to the midwifery committee.~~

SECTION 611. IC 25-0.5-4-3, AS ADDED BY P.L.3-2014, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 3. The ~~board of registration for architects and landscape architects~~ **Indiana board of registration for design professionals** (IC 25-4-1-2) is a board under IC 25-1-4.

SECTION 612. IC 25-0.5-4-10 IS REPEALED [EFFECTIVE JANUARY 1, 2027]. ~~Sec. 10. The state board of registration for professional engineers (IC 25-31-1-3) is a board under IC 25-1-4.~~

SECTION 613. IC 25-0.5-4-19 IS REPEALED [EFFECTIVE JANUARY 1, 2027]. ~~Sec. 19. The occupational therapy committee (IC 25-23.5) is a board under IC 25-1-4.~~

SECTION 614. IC 25-0.5-4-25 IS REPEALED [EFFECTIVE JANUARY 1, 2027]. ~~Sec. 25. The board of podiatric medicine (IC 25-29-2-1) is a board under IC 25-1-4.~~

SECTION 615. IC 25-0.5-5-9, AS ADDED BY P.L.3-2014, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 9. The Indiana professional licensing agency shall perform administrative functions, duties, and responsibilities ~~for the board of podiatric medicine (IC 25-29-2-1)~~ under IC 25-1-5-3(a) **for the medical licensing board of Indiana in the performance of its duties under IC 25-29.**

SECTION 616. IC 25-0.5-5-16 IS REPEALED [EFFECTIVE JANUARY 1, 2027]. ~~Sec. 16. The Indiana professional licensing agency shall perform administrative functions, duties, and responsibilities for the occupational therapy committee (IC 25-23.5) under IC 25-1-5-3(a).~~

SECTION 617. IC 25-0.5-5-21 IS REPEALED [EFFECTIVE JANUARY 1, 2027]. ~~Sec. 21. The Indiana professional licensing agency shall perform administrative functions, duties, and responsibilities for the midwifery committee (IC 25-23.4-2-1) under IC 25-1-5-3(a).~~

SECTION 618. IC 25-0.5-6-9, AS ADDED BY P.L.3-2014, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 9. An individual licensed, certified,

registered, or permitted by the ~~board of podiatric medicine (IC 25-29-2-1)~~ **medical licensing board of Indiana under IC 25-29** is a provider under IC 25-1-5-10.

SECTION 619. IC 25-0.5-6-15, AS ADDED BY P.L.3-2014, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 15. An individual licensed, certified, registered, or permitted by the ~~occupational therapy committee (IC 25-23.5)~~ **Indiana rehabilitation professions board under IC 25-27-4** is a provider under IC 25-1-5-10.

SECTION 620. IC 25-0.5-6-20, AS ADDED BY P.L.3-2014, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 20. An individual licensed, certified, registered, or permitted ~~by the midwifery committee (IC 25-23.4-2-1)~~ **under IC 25-23.4** is a provider under IC 25-1-5-10.

SECTION 621. IC 25-0.5-7-3, AS ADDED BY P.L.3-2014, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 3. The Indiana professional licensing agency shall perform administrative functions, duties, and responsibilities for the ~~board of registration for architects and landscape architects~~ **Indiana board of registration for design professionals** (IC 25-4-1-2) under IC 25-1-6-3(a).

SECTION 622. IC 25-0.5-7-7 IS REPEALED [EFFECTIVE JANUARY 1, 2027]. ~~Sec. 7. The Indiana professional licensing agency shall perform administrative functions, duties, and responsibilities for the state board of registration for professional engineers (IC 25-31-1-3) under IC 25-1-6-3(a).~~

SECTION 623. IC 25-0.5-8-3, AS ADDED BY P.L.3-2014, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 3. An occupation for which a person is licensed, certified, or registered by the ~~board of registration for architects and landscape architects~~ **Indiana board of registration for design professionals** (IC 25-4-1-2) is a regulated occupation under IC 25-1-7.

SECTION 624. IC 25-0.5-8-9 IS REPEALED [EFFECTIVE JANUARY 1, 2027]. ~~Sec. 9. An occupation for which a person is licensed, certified, or registered by the state board of registration for professional engineers (IC 25-31-1-3) is a regulated occupation under IC 25-1-7.~~

SECTION 625. IC 25-0.5-8-16, AS ADDED BY P.L.3-2014, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

JANUARY 1, 2027]: Sec. 16. An occupation for which a person is licensed, certified, or registered by the ~~board of podiatric medicine (IC 25-29-2-1)~~ **medical licensing board of Indiana under IC 25-29** is a regulated occupation under IC 25-1-7.

SECTION 626. IC 25-0.5-8-24, AS ADDED BY P.L.3-2014, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 24. An occupation for which a person is licensed, certified, or registered by the ~~occupational therapy committee (IC 25-23.5)~~ **Indiana rehabilitation professions board under IC 25-27-4** is a regulated occupation under IC 25-1-7.

SECTION 627. IC 25-0.5-8-36, AS ADDED BY P.L.3-2014, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 36. An occupation for which a person is licensed, certified, or registered ~~by the midwifery committee (IC 25-23.4-2-1)~~ **under IC 25-23.4** is a regulated occupation under IC 25-1-7.

SECTION 628. IC 25-0.5-9-3, AS ADDED BY P.L.3-2014, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 3. The ~~board of registration for architects and landscape architects~~ **Indiana board of registration for design professionals** (IC 25-4-1-2) is a board under IC 25-1-8.

SECTION 629. IC 25-0.5-9-9 IS REPEALED [EFFECTIVE JANUARY 1, 2027]. ~~Sec. 9. The state board of registration for professional engineers (IC 25-31-1-3) is a board under IC 25-1-8.~~

SECTION 630. IC 25-0.5-9-12 IS REPEALED [EFFECTIVE JANUARY 1, 2027]. ~~Sec. 12. The mining board (IC 22-10-1.5-2) is a board under IC 25-1-8.~~

SECTION 631. IC 25-0.5-9-31 IS REPEALED [EFFECTIVE JANUARY 1, 2027]. ~~Sec. 31. The board of podiatric medicine (IC 25-29-2-1) is a board under IC 25-1-8.~~

SECTION 632. IC 25-0.5-10-3, AS ADDED BY P.L.3-2014, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 3. The ~~board of registration for architects and landscape architects~~ **Indiana board of registration for design professionals** (IC 25-4-1-2) is a board under IC 25-1-8-6.

SECTION 633. IC 25-0.5-10-10 IS REPEALED [EFFECTIVE JANUARY 1, 2027]. ~~Sec. 10. The state board of registration for professional engineers (IC 25-31-1-3) is a board under IC 25-1-8-6.~~

SECTION 634. IC 25-0.5-10-19 IS REPEALED [EFFECTIVE JANUARY 1, 2027]. ~~Sec. 19. The occupational therapy committee (IC~~

~~25-23.5)~~ ~~is a board under IC 25-1-8-6.~~

SECTION 635. IC 25-0.5-10-25 IS REPEALED [EFFECTIVE JANUARY 1, 2027]. ~~Sec. 25. The board of podiatric medicine (IC 25-29-2-1) is a board under IC 25-1-8-6.~~

SECTION 636. IC 25-0.5-11-9 IS REPEALED [EFFECTIVE JANUARY 1, 2027]. ~~Sec. 9. The board of podiatric medicine (IC 25-29-2-1) is a board under IC 25-1-9.~~

SECTION 637. IC 25-0.5-11-15 IS REPEALED [EFFECTIVE JANUARY 1, 2027]. ~~Sec. 15. The occupational therapy committee (IC 25-23.5) is a board under IC 25-1-9.~~

SECTION 638. IC 25-0.5-12-3, AS ADDED BY P.L.3-2014, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 3. The ~~board of registration for architects and landscape architects~~ **Indiana board of registration for design professionals** (IC 25-4-1-2) is a board under IC 25-1-11.

SECTION 639. IC 25-0.5-12-8 IS REPEALED [EFFECTIVE JANUARY 1, 2027]. ~~Sec. 8. The state board of registration for professional engineers (IC 25-31-1-3) is a board under IC 25-1-11.~~

SECTION 640. IC 25-1-2-7 IS REPEALED [EFFECTIVE JANUARY 1, 2027]. ~~Sec. 7. Section 6 of this chapter applies to the mining board (IC 22-10-1.5-2).~~

SECTION 641. IC 25-1-2-10, AS AMENDED BY P.L.148-2023, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 10. (a) As used in this section, "board" means any of the following boards or commissions:

(1) The medical licensing board of Indiana.

(2) The Indiana state board of nursing.

(3) The state board of dentistry.

(4) The behavioral health and human services licensing board.

(5) The state psychology board.

(6) The Indiana board of pharmacy.

(7) The Indiana ~~board of physical therapy.~~ **rehabilitation professions board.**

(8) The Indiana department of health's consumer services and health care regulation commission.

(b) As used in this section, "license" means:

(1) an unlimited license, certificate, or registration;

(2) a limited or probationary license, certificate, or registration;

(3) a temporary license, certificate, registration, or permit;

(4) an intern permit;

(5) a provisional license; or

(6) a registration;

issued by the board regulating the profession in question.

(c) As used in this section, "practitioner" means an individual who holds a license, certificate, or registration under any of the following:

(1) IC 16-27-1-7.

(2) IC 16-28-1-11.

(3) IC 25-3.7.

(4) IC 25-8.5.

(5) IC 25-13.

(6) IC 25-14-1.

(7) IC 25-22.5-5.

(8) IC 25-23.

~~(9) IC 25-23.5.~~

~~(10)~~ **(9)** IC 25-23.6.

~~(11)~~ **(10)** IC 25-26.

~~(12)~~ **(11)** ~~IC 25-27.~~ **IC 25-27-1.**

(12) IC 25-27-4.

(13) IC 25-27.5.

(14) IC 25-33.

(15) IC 25-34.5.

(d) To allow for programmatic and policy recommendations to improve workforce performance, address identified workforce shortages, and retain practitioners, beginning January 1, 2019, every practitioner who is renewing online a license issued by a board must include the following information related to the practitioner's work in Indiana under the practitioner's license during the previous two (2) years:

(1) The practitioner's specialty or field of practice.

(2) The following concerning the practitioner's current practice:

(A) The location or address.

(B) The setting type.

(C) The average hours worked weekly.

(D) The health care services provided.

(3) The practitioner's education background and training.

(4) For a practitioner (as defined in IC 25-1-9.5-3.5), whether the practitioner delivers health care services through telehealth (as defined in IC 25-1-9.5-6).

(e) The Indiana professional licensing agency shall do the following:

(1) Include notification with a practitioner's license renewal notice

that the practitioner must submit the information required under subsection (d) if the practitioner renews the license online.

(2) Compile the information collected under this section into an annual report. The report may not contain any personal identifying information and the report must be compliant with the federal Health Insurance Portability and Accountability Act (HIPAA).

(3) Post the annual report compiled under this subsection on the agency's website.

(4) Submit the annual report compiled under this subsection to the following:

(A) The office of Medicaid policy and planning.

(B) The department of workforce development.

(C) The commission on improving the status of children in Indiana (IC 2-5-36).

(D) The legislative council in an electronic format under IC 5-14-6.

(E) The office of the attorney general.

(F) The Indiana department of health.

SECTION 642. IC 25-1-5-4, AS AMENDED BY P.L.249-2023, SECTION 79, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 4. (a) The agency shall employ necessary staff, including specialists and professionals, to carry out the administrative duties and functions of the boards, including but not limited to:

(1) notice of board meetings and other communication services;

(2) recordkeeping of board meetings, proceedings, and actions;

(3) recordkeeping of all persons licensed, regulated, or certified by a board;

(4) administration of examinations; and

(5) administration of license or certificate issuance or renewal.

(b) In addition, the agency:

(1) shall prepare a consolidated statement of the budget requests of all the boards described in IC 25-0.5-5;

(2) may coordinate licensing or certification renewal cycles, examination schedules, or other routine activities to efficiently utilize agency staff, facilities, and transportation resources, and to improve accessibility of board functions to the public;

(3) may consolidate, where feasible, office space, recordkeeping, and data processing services;

(4) shall operate and maintain the electronic registry of

professions established under IC 25-1-5.5;

(5) shall post each board's public meeting agenda on the applicable board's website not less than seventy-two (72) hours before a board's public meeting;

(6) shall post each board's public meeting minutes on the applicable board's website not more than fourteen (14) calendar days after adoption of the minutes by the board;

(7) shall post any vacancy on a board on the applicable board's website within fourteen (14) calendar days of the vacancy;

(8) notwithstanding any other law:

(A) shall prescribe the application form and manner for each board; and

(B) shall make any new application form publicly available on the applicable board's website for sixty (60) calendar days before being adopted by the agency; ~~and~~

(9) shall send notification of incomplete items in an application to the applicant every fourteen (14) calendar days after the applicant initiates the application until the earlier of the following:

(A) The date the application is completed.

(B) One (1) calendar year after the applicant initiates the application; **and**

(10) may adopt and enforce procedural rules under IC 25-1-6-3.

(c) In administering the renewal of licenses or certificates under this chapter, the agency shall send a notice of the upcoming expiration of a license or certificate to each holder of a license or certificate at least ninety (90) days before the expiration of the license or certificate. The notice must inform the holder of the license or certificate of the need to renew and the requirement of payment of the renewal fee. If this notice of expiration is not sent by the agency, the holder of the license or certificate is not subject to a sanction for failure to renew if, once notice is received from the agency, the license or certificate is renewed within forty-five (45) days after receipt of the notice.

(d) In administering an examination for licensure or certification, the agency shall make the appropriate application forms available at least thirty (30) days before the deadline for submitting an application to all persons wishing to take the examination.

(e) The agency may require an applicant for license renewal to submit evidence proving that:

(1) the applicant continues to meet the minimum requirements for licensure; and

(2) the applicant is not in violation of:

(A) the statute regulating the applicant's profession; or

(B) rules adopted by the board regulating the applicant's profession.

(f) The agency shall process an application for renewal of a license or certificate:

(1) not later than ten (10) days after the agency receives all required forms and evidence; or

(2) within twenty-four (24) hours after the time that an applicant for renewal appears in person at the agency with all required forms and evidence.

This subsection does not require the agency to issue a renewal license or certificate to an applicant if subsection (g) applies.

(g) The agency may delay issuing a license renewal for up to one hundred twenty (120) days after the renewal date for the purpose of permitting the board to investigate information received by the agency that the applicant for renewal may have committed an act for which the applicant may be disciplined. If the agency delays issuing a license renewal, the agency shall notify the applicant that the applicant is being investigated. Except as provided in subsection (h), before the end of the one hundred twenty (120) day period, the board shall do one (1) of the following:

(1) Deny the license renewal following a personal appearance by the applicant before the board.

(2) Issue the license renewal upon satisfaction of all other conditions for renewal.

(3) Issue the license renewal and file a complaint under IC 25-1-7.

(4) Upon agreement of the applicant and the board and following a personal appearance by the applicant before the board, renew the license and place the applicant on probation status under IC 25-1-9-9.

(h) If an individual fails to appear before the board under subsection (g), the board may take action on the applicant's license allowed under subsection (g)(1), (g)(2), or (g)(3).

(i) The applicant's license remains valid until the final determination of the board is rendered unless the renewal is denied or the license is summarily suspended under IC 25-1-9-10.

(j) The license of the applicant for a license renewal remains valid

during the one hundred twenty (120) day period unless the license renewal is denied following a personal appearance by the applicant before the board before the end of the one hundred twenty (120) day period. If the one hundred twenty (120) day period expires without action by the board, the license shall be automatically renewed at the end of the one hundred twenty (120) day period.

(k) The board's renewal of a license does not preclude the board from imposing sanctions on the licensee as a result of a complaint filed by the attorney general after renewal of the license.

(l) Notwithstanding any other statute, the agency may stagger license or certificate renewal cycles. However, if a renewal cycle for a specific board or committee is changed, the agency must obtain the approval of the affected board or committee.

(m) An application for a license, certificate, registration, or permit is abandoned without an action of the board, if the applicant does not complete the requirements to complete the application within one (1) year after the date on which the application was filed. However, the board may, for good cause shown, extend the validity of the application for additional thirty (30) day periods. An application submitted after the abandonment of an application is considered a new application.

SECTION 643. IC 25-1-6-3, AS AMENDED BY P.L.3-2014, SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 3. (a) The licensing agency shall perform all administrative functions, duties, and responsibilities assigned by law or rule to the executive director, secretary, or other statutory administrator of the entities described in IC 25-0.5-7.

(b) Nothing in this chapter may be construed to give the licensing agency policy making authority **for any professional standard of practice,** which remains with each board. **The licensing agency may adopt and enforce procedural rules in accordance with IC 4-22-2 for the administration of a board if the rule:**

(1) will affect multiple boards; and

(2) is not inconsistent with any rule adopted by the affected board.

SECTION 644. IC 25-1-9.5-3.5, AS AMENDED BY P.L.186-2025, SECTION 268, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 3.5. (a) As used in this chapter, "practitioner" means an individual who holds an unlimited license to practice as any of the following in Indiana:

(1) An athletic trainer licensed under ~~IC 25-5.1-~~ **IC 25-27-3.**

(2) A chiropractor licensed under IC 25-10.

(3) A dental hygienist licensed under IC 25-13.

(4) The following:

(A) A dentist licensed under IC 25-14.

(B) An individual who holds a dental residency permit issued under IC 25-14-1-5.

(C) An individual who holds a dental faculty license under IC 25-14-1-5.5.

(5) A diabetes educator licensed under IC 25-14.3.

(6) A dietitian licensed under IC 25-14.5.

(7) A genetic counselor licensed under IC 25-17.3.

(8) The following:

(A) A physician licensed under IC 25-22.5.

(B) An individual who holds a temporary permit under IC 25-22.5-5-4.

(9) A nurse licensed under IC 25-23.

(10) The following:

(A) An occupational therapist licensed under ~~IC 25-23.5.~~ **IC 25-27-4.**

(B) An occupational therapy assistant licensed under ~~IC 25-23.5.~~ **IC 25-27-4.**

(11) Any behavioral health and human services professional licensed under IC 25-23.6.

(12) An optometrist licensed under IC 25-24.

(13) A pharmacist licensed under IC 25-26.

(14) A physical therapist licensed under IC 25-27.

(15) A physician assistant licensed under IC 25-27.5.

(16) A podiatrist licensed under IC 25-29.

(17) A psychologist licensed under IC 25-33.

(18) A respiratory care practitioner licensed under IC 25-34.5.

(19) A speech-language pathologist or audiologist licensed under IC 25-35.6.

(20) A veterinarian licensed under IC 25-38.1.

(21) A behavior analyst licensed under IC 25-8.5.

(22) A school psychologist licensed by the department of education.

(b) The term includes the following:

(1) A developmental therapist enrolled by the bureau of child development services to provide special instruction, as defined in 34 CFR 303.13(b)(14), to infants and toddlers receiving early

intervention services.

(2) A peer as defined in IC 12-21-8-5 and certified by the division of mental health and addiction.

(3) A speech-language pathology assistant (IC 25-35.6-1-2(g)(3)).

(4) A clinical fellow in speech language pathology.

(5) A student who:

(A) is pursuing a course of study in, or is a graduate from, a program in a profession specified in subsection (a)(1) through (a)(22); and

(B) is providing services directed by an individual who holds a license in Indiana for that profession.

(6) The following providers within a community mental health center:

(A) A qualified behavioral health professional.

(B) Other behavioral health professional.

(7) A physical therapist assistant certified under IC 25-27-1-6.3.

(c) The term includes a behavior analyst during the time in which the professional licensing agency is preparing to implement licensure of behavioral analysts under IC 25-8.5. This subsection expires June 30, 2026.

SECTION 645. IC 25-1-11-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 6. A practitioner registered as an architect or a landscape architect is subject to the disciplinary sanctions under section 12 of this chapter if, after a hearing, the board finds that the practitioner has:

(1) permitted the practitioner's seal to be affixed to plans, specifications, or drawings that were not prepared by the practitioner or under the practitioner's personal supervision by the practitioner's regularly employed subordinates; or

(2) used the title "engineer" or advertised to practice engineering and is not registered under ~~IC 25-31-1.~~ **IC 25-4-3.**

SECTION 646. IC 25-4-0.5 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]:

Chapter 0.5. Definitions

Sec. 1. The definitions in this chapter apply throughout this article.

Sec. 2. "Approved engineering curriculum" means an engineering curriculum of four (4) years or more that has been approved by the board. In approving the engineering curriculum,

the board may take into consideration the standards of accreditation adopted by the Engineering Accreditation Commission of the Accreditation Board for Engineering and Technology.

Sec. 3. "Board" refers to the Indiana board of registration for design professionals established by IC 25-4-1-2.

Sec. 4. "Engineering intern" means an individual who:

(1) is a graduate from an approved engineering curriculum of four (4) years or more or who has acquired, through engineering education and experience in engineering work, knowledge and skill approximating that obtained by graduation in an approved engineering curriculum of four (4) years or more;

(2) has successfully passed an examination as prescribed in IC 25-4-3-5; and

(3) has been issued by the board an appropriate certificate of enrollment as an engineering intern.

Sec. 5. "Landscape architecture" means the practice of professional services such as consultation, investigation, reconnaissance, research, planning, design, or responsible supervision to develop land areas for the dominant purpose of preserving, enhancing, or determining:

(1) proper land uses;

(2) natural land features;

(3) ground cover and planting;

(4) naturalistic and aesthetic values;

(5) the settings and approaches to structures or other improvements;

(6) the natural environment of a facility, an individual building, or other structure;

(7) site specific natural surface and subsoil drainage systems;

(8) landscape grading, swales, curbs, and walkways; and

(9) any inherent problems of the land relating to erosion, overuse, blight, or other hazards.

The term includes the location and arrangement of the proposed tangible objects and features that are incidental and necessary to accomplish the purposes of landscape architecture.

Sec. 6. "Licensing agency" means the Indiana professional licensing agency established by IC 25-1-5-3.

Sec. 7. "Practice of engineering" means any service or creative

work that the adequate performance of requires engineering education, training, and experience in the application of special knowledge of the mathematical, physical, and engineering sciences to services or creative work that includes the following:

(1) Consultation.

(2) Investigation.

(3) Evaluation.

(4) Planning, including planning the use of land and water.

(5) The design of or the supervision of the design of engineering works and systems.

(6) Engineering surveys and studies or the supervision of engineering surveys and studies, including all surveying activities required to support the sound conception, planning, design, construction, maintenance, and operation of engineered projects, but not including the surveying of real property for the establishment of land boundaries, subdivisions, rights-of-way, easements, and the dependent or independent surveys or resurveys of the public land survey system.

(7) Evaluation of construction for the purpose of assuring compliance with specifications, plans, and designs, in connection with any public or private utilities, structures, buildings, machines, equipment, processes, work systems, or projects.

The term "practice of engineering" does not include the work ordinarily performed by persons who operate or maintain machinery or equipment.

Sec. 8. "Practice or offer to practice engineering" means the act of an individual or a business who by verbal claim, sign, advertisement, letterhead, card, telephone listing, or in any other way represents the individual or the business to be a professional engineer or who performs, or offers to perform, any acts or work involving the practice of engineering.

Sec. 9. "Practitioner" means an individual registered as a landscape architect under this article.

Sec. 10. "Professional engineer" means an individual who, by reason of that individual's special knowledge of the mathematical and physical sciences and the principles and methods of engineering analysis and design which are acquired by education and practical experience, is qualified to engage in the practice of

engineering as attested by that individual's registration as a professional engineer.

SECTION 647. IC 25-4-1-2, AS AMENDED BY P.L.249-2019, SECTION 50, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 2. (a) ~~There is hereby created and established a board of registration for architects and landscape architects, which shall consist of five (5) members, who shall be appointed by the governor.~~ **The Indiana board of registration for design professionals is established.**

(b) ~~All appointments:~~

~~(1) before July 1, 2019, shall be made for terms of three (3) years, ending on December 31, serving the term for which the member shall have been appointed and until the member's successor shall have been appointed and shall have qualified; and~~

~~(2) after June 30, 2019, shall be made according to IC 25-1-6.5.~~

The board consists of nine (9) members, appointed by the governor as follows:

(1) Four (4) registered professional engineers.

(2) Three (3) registered architects under this article.

(3) One (1) registered landscape architect under this article.

(4) One (1) member of the public who:

(A) is a resident of Indiana; and

(B) has never been associated with the engineering, architecture, or landscape architecture professions in any way other than as a consumer.

(c) ~~A member of the board may be removed under IC 25-1-6.5-4.~~ **All appointments, terms, and removals are governed by IC 25-1-6.5.**

(d) Each member of the board shall be entitled to receive as compensation for the member's services a salary per diem for each and every day the member may be engaged in attending the meetings or transacting the business of the board; in addition thereto each member shall be entitled to receive as reimbursement all traveling and other necessary expenses incurred in the performance of the member's duties as a member of the board in accordance with travel policies and procedures established by the department of administration and the state budget agency.

(e) ~~Subject to 25-1-6.5-3,~~ Each member of the board **described in subsection (a)(1) through (a)(2)** shall:

(1) be a citizen of the United States of America;

(2) ~~and~~ **have been** a resident of the state of Indiana **for at least five (5) years immediately before appointment;**

(3) hold an active registration in the member's respective profession; and

(4) have at least ten (10) years of active professional practice, including at least five (5) years in charge of professional work or professional teaching.

(f) ~~Three (3) of the members must be registered architects under this chapter. Preferably these members would have at least ten (10) years of active architectural practice preceding the member's appointment.~~ **To the extent possible, the governor shall appoint members who serve or have served in diverse areas of professional practice.**

(g) ~~One (1) member of the board must be registered as a landscape architect under this chapter. Preferably this member would have at least ten (10) years of active landscape architectural practice preceding the member's appointment.~~ **Each member shall receive a certificate of appointment from the governor and, before beginning the member's term, shall file with the board secretary a written oath or affirmation for the faithful discharge of official duties.**

~~(h) One (1) member of the board, to represent the general public, shall be a resident of this state who has never been associated with the architecture or landscape architecture profession in any way other than as a consumer.~~

SECTION 648. IC 25-4-1-3.3, AS ADDED BY P.L.220-2011, SECTION 406, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 3.3. The rules adopted by the board of registration for architects before July 1, 2000, are considered, after June 30, 2000, to be rules of the board. ~~of registration for architects and landscape architects.~~

SECTION 649. IC 25-4-1-11 IS AMENDED TO READ AS FOLLOWS: Sec. 11. Any person licensed to practice architecture in this state, or registered as an architect under this chapter, shall be exempt from the provisions of any and all statutes in force in this state regulating the practice of engineering: provided further, that no provision of this chapter shall apply to or affect any individual, firm, limited liability company, or corporation registered as a professional engineer under provisions of ~~IC 25-31-1.~~ **IC 25-4-3.** An engineer, however, who is registered under the laws of this state, and exempted from the provisions of this chapter, shall not use the designation "architect" in any form or manner unless and until he shall be

registered under the provisions of this chapter.

SECTION 650. IC 25-4-1-18 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 18. Nothing contained in this chapter shall prevent the draftsmen, students, clerks of works, superintendents, and other employees of those lawfully practicing as registered architects, under the provisions of this chapter, from acting under the instruction, control, or supervision of their employers, or to prevent the employment of superintendents of the construction, enlargement, or alteration of buildings, or any parts thereof, or prevent such superintendents from acting under the immediate personal supervision of the registered architect by whom the plans and specifications of any building, enlargement, or alteration were prepared. Nor shall anything contained in this chapter apply to the making of plans or specifications or the supervision of construction, enlargement or alteration of buildings or any parts thereof specifically exempted from the rules of the ~~fire prevention and building safety commission~~ **department of homeland security** or specifically exempted from the ~~fire prevention and building safety commission~~ **department of homeland security** requirements for preparation of such plans and specifications by registered architects or registered engineers.

SECTION 651. IC 25-4-1-22 IS REPEALED [EFFECTIVE JANUARY 1, 2027]. ~~Sec. 22. Except where the context clearly indicates a different meaning, the following terms, as used in this chapter, shall be construed to have the meaning hereinafter indicated:~~

~~The term "board" shall be construed to mean the board of registration for architects and landscape architects.~~

SECTION 652. IC 25-4-1-28 IS REPEALED [EFFECTIVE JANUARY 1, 2027]. ~~Sec. 28. This chapter shall be known and cited as "The Indiana Architectural and Landscape Architectural Act".~~

SECTION 653. IC 25-4-1-29 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 29. (a) Except as hereinafter otherwise provided, the state of Indiana, nor any board, department or agency thereof, nor any county, city, town, township, school corporations, or other political subdivision of this state shall engage in the construction, alteration, or maintenance of any public building or public work involving the practice of architecture for which plans, specifications and estimates have not been prepared, certified, and sealed by, and the construction, alteration, or maintenance executed under the direct supervision of an architect, which architect

shall be the holder in good standing of a certificate of registration from the ~~board of registration for architects and landscape architects~~ **Indiana board of registration for design professionals** entitling him to practice architecture in this state.

(b) No official of this state, nor of any city, town, county, township, or school corporation thereof, charged with the enforcement of any law, ordinance, or rule relating to the construction or alteration of buildings or structures, shall use or accept or approve any plans or specifications that have not been prepared by, or under the supervision of, and certified by a registered architect. This subsection shall not apply if such plans or specifications have been prepared by, or under the supervision of and certified by a professional engineer who is registered under the laws of the state of Indiana. This subsection shall not apply to the construction or alteration of any building or structures specifically exempted from the rules of the ~~fire prevention and building safety commission~~ **department of homeland security** or specifically exempted from the ~~fire prevention and building safety commission~~ **department of homeland security** requirements for preparation of such plans and specifications by registered architects or registered engineers. This section shall not be construed as to abridge, or otherwise affect, the powers of the ~~fire prevention and building safety commission,~~ **department of homeland security,** or any other state board or department, to issue rules governing the safety of buildings or structures.

SECTION 654. IC 25-4-1-30 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 30. The board ~~of registration of architects~~ must grant an extension for a total time of not less than eight (8) years for an applicant to complete any section or division of a reexamination given under section 9 of this chapter if the applicant was unable to meet the original final date established by the board to take reexaminations due to a disability or medical condition that substantially interferes with the applicant's ability to take the examination.

SECTION 655. IC 25-4-2-1, AS AMENDED BY P.L.57-2013, SECTION 31, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 1. ~~(a) As used in this chapter, "board" means the board of registration for architects and landscape architects as established under IC 25-4-1-2.~~

~~(b) As used in this chapter, "landscape architecture" means the practice of professional services such as consultation, investigation,~~

~~reconnaissance, research, planning, design, or responsible supervision to develop land areas for the dominant purpose of preserving, enhancing, or determining:~~

~~(1) proper land uses;~~

~~(2) natural land features;~~

~~(3) ground cover and planting;~~

~~(4) naturalistic and aesthetic values;~~

~~(5) the settings and approaches to structures or other improvements;~~

~~(6) the natural environment of a facility, an individual building, or other structure;~~

~~(7) site specific natural surface and subsoil drainage systems;~~

~~(8) landscape grading, swales, curbs, and walkways; and~~

~~(9) any inherent problems of the land relating to erosion, overuse, blight, or other hazards.~~

~~The term includes the location and arrangement of the proposed tangible objects and features that are incidental and necessary to accomplish the purposes of landscape architecture.~~

~~(c) As used in this chapter, "practitioner" means an individual registered as a landscape architect under this chapter.~~

~~(d)~~ **(a)** Except as provided in ~~subsection (b),~~ **IC 25-4-0.5-5,** this chapter does not authorize a practitioner to:

(1) engage in the design of mechanical lift stations, sewage treatment facilities, sanitary and combined sewers, storm water management projects, public, semi-public, and private utilities, or other structures or facilities with separate and self-contained purposes, if the design work is ordinarily included in the practice of architecture or engineering;

(2) engage in the design of highways or traffic control devices;

(3) engage in the scientific analysis of hazardous material contamination;

(4) engage in topographic mapping or the certification of land surveys or final land plats for official approval or recording;

(5) otherwise engage in the practice of architecture (as defined in IC 25-4-1);

(6) otherwise engage in the practice of ~~professional~~ engineering (as defined in ~~IC 25-31);~~ **IC 25-4-0.5-7);**

(7) engage in the practice of surveying (as defined in IC 25-21.5); or

(8) engage in the practice of professional geology (as defined in

IC 25-17.6).

~~(c)~~ **(b)** This chapter, except section 10(a)(1) and 10(a)(2) of this chapter, does not apply to:

(1) the practice of landscape architecture by any person who acts under the supervision of a practitioner or by an employee of a person lawfully engaged in the practice of landscape architecture and who, in either event, does not assume responsible charge of design or supervision;

(2) the practice of architecture or land planning and proper land usage by a duly registered professional architect or the doing of landscape architectural work by a registered architect or by an employee under the supervision of a registered architect;

(3) the practice of engineering or land planning and proper land usage by a duly registered professional engineer and the doing of landscape architectural work by a registered professional engineer or by an employee under supervision of a registered professional engineer;

(4) the practice of surveying or land planning and proper land usage by a professional surveyor and the doing of landscape architectural work by a professional surveyor or by an employee under supervision of a professional surveyor;

(5) the practice of landscape architecture by employees of the United States government while engaged within this state in the practice of landscape architecture for the United States government;

(6) the practice of planning as is customarily done by regional, park, or urban planners;

(7) the practice of arborists, foresters, gardeners, turf managers, home builders, horticulturists, farmers, and other similar persons;

(8) the practice of any nurseryman or general or landscape contractor, including design, planning, location, planting and arrangements of plantings or other ornamental features; or

(9) the practice of natural resource professionals, including biologists, geologists, or soil scientists.

SECTION 656. IC 25-4-3 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]:

Chapter 3. Regulation of Engineers

Sec. 1. The board shall enforce and administer the provisions of this chapter, and adopt rules, not inconsistent with the Constitution

and laws of this state, as may be reasonably necessary for the proper performance of its duties and the regulations of the proceedings before it. The board shall adopt rules establishing standards for the competent practice of engineering and for the administration of the registered professional engineers and registered engineering interns investigative fund established by section 20 of this chapter. Any rulemaking by the board shall be in accordance with IC 4-22-2.

Sec. 2. (a) Except as provided in IC 25-31-1-35 and subsection (b), the licensing agency shall receive and account for all money collected under the provisions of this chapter and shall deposit the money with the treasurer of state to be deposited by the treasurer of state in the general fund of the state.

(b) In addition to the registration fee established under section 13(c) of this chapter, the board shall establish a fee of not more than twenty dollars ($20) for registered professional engineers and registered engineering interns to be paid at the time of:

(1) issuance of a certificate of registration; and

(2) renewal of a certificate of registration;

under this chapter to provide funds for administering and enforcing this chapter, including investigating and taking action against persons violating this chapter. All funds collected under this subsection shall be deposited into the registered professional engineers and registered engineering interns investigative fund established by section 20 of this chapter.

Sec. 3. (a) The following under either subdivision (1) or (2) shall be considered as minimum evidence that the applicant is qualified for registration as a professional engineer:

(1) All of the following:

(A) Graduation in an approved engineering curriculum of four (4) years or more.

(B) A specific record of four (4) years or more of progressive experience on engineering projects of sufficient quality acquired subsequent to graduation, which experience indicates that the applicant is qualified to be placed in responsible charge of engineering work requiring the exercise of judgment in the application of engineering sciences to the sound solution of engineering problems.

(C) The successful passing of an examination as provided for in section 5 of this chapter.

(2) All of the following:

(A) A specific record of eight (8) years or more of engineering education and experience in engineering work, which indicates that the applicant has acquired knowledge and skill and practical experience in engineering work approximating that required for registration as a professional engineer under subdivision (1).

(B) The successful passing of an examination as provided for in section 5 of this chapter.

(b) The following under either subdivision (1) or (2) shall be considered as minimum evidence that the applicant is qualified for certification as an engineering intern:

(1) All of the following:

(A) Graduation in an approved engineering curriculum of four (4) years or more.

(B) The successful passing of an engineering intern examination as provided in section 5 of this chapter.

(2) All of the following:

(A) A specific record of four (4) years or more of engineering education and experience in engineering work indicating that the applicant has acquired knowledge and skill approximating that acquired through graduation in an approved engineering curriculum of four (4) years or more.

(B) The successful passing of an engineering intern examination as provided in section 5 of this chapter.

(c) The board may waive the examination under section 5 of this chapter to any applicant who has been granted a certificate of registration under section 13 of this chapter.

(d) An individual is not eligible for registration as a professional engineer or certification as an engineering intern if the individual has been convicted of:

(1) an act which would constitute grounds for disciplinary sanction under IC 25-1-11; or

(2) a felony that has a direct bearing on the individual's ability to practice competently.

(e) In considering the qualifications of applicants, responsible charge of engineering teaching shall be construed as responsible charge of engineering work. An applicant who holds a degree of master of science of engineering or the equivalent thereof from a curriculum in engineering approved by the board may be given a

maximum credit of one (1) year of experience in addition to the credit of four (4) years of education. An applicant who holds a degree of doctor of philosophy or the equivalent thereof from a curriculum in engineering approved by the board may be given a maximum of credit of two (2) years of experience in addition to a credit of four (4) years of education. Graduation in a course other than engineering from a college or university acceptable to the board may be considered as equivalent to two (2) years engineering experience and education. The mere execution, as a contractor of work designed by a professional engineer, or the supervision of the construction of such work as a foreman or superintendent shall not be deemed to be engineering experience.

(f) Any person having the necessary qualifications to be registered under this chapter is eligible for registration although the individual may not be engaged in the practice of engineering at the time the application is made.

Sec. 4. (a) An individual applying for registration as a professional engineer or for certification as an engineering intern shall apply for registration or certification on a form prescribed and provided by the board. Each application for registration shall contain statements showing the education and qualifications of the applicant and a detailed summary of the technical work performed by the applicant. An application for registration as a professional engineer shall be accompanied by the names of five (5) persons to be used as references, at least three (3) of whom are professional engineers who have a personal knowledge of the experience of the applicant. Each application for a certification as an engineering intern must contain statements showing the education of the applicant, and except for an application for an examination to be given during the applicant's senior year, the application shall be accompanied by the names of three (3) persons to be used as references. All applications shall be certified to by the applicant as to the correctness of the statements contained in the application.

(b) A person who knowingly makes a false statement in the application commits a Class A misdemeanor.

(c) The amount of registration fees for a professional engineer and for an engineering intern shall be fixed and determined by the board under IC 25-1-8-2. The board shall also in its rules prescribe the manner and the time for the paying of registration fees.

(d) In the event the board refuses to issue a certificate of

registration to any person who has made proper application for registration as a professional engineer, any initial fee prescribed by the board and deposited with the board by an applicant shall be retained by the board as an application fee.

(e) In the event the board refuses to issue a certificate to any person who has made proper application for certification as an engineering intern, the fee prescribed by the board and deposited by the applicant with the board shall be retained as an application fee.

Sec. 5. (a) The examination required of all applicants for registration as a professional engineer shall be a written or computer based examination which shall be divided into the following two (2) parts:

(1) Engineering fundamentals.

(2) Principles and practice of engineering.

The board may adopt rules under IC 4-22-2 establishing additional examination requirements.

(b) The engineering fundamentals portion of the examination shall be designed to test the applicant's knowledge of mathematics and the physical and engineering sciences. The standards of proficiency required shall approximate that attained by graduation in an approved four (4) year engineering curriculum.

(c) The principles and practice of the engineering portion of the examination shall be designed primarily to test the applicant's understanding of, and judgment and ability to apply correctly, the principles of:

(1) mathematics;

(2) the physical sciences;

(3) the engineering sciences; and

(4) engineering design analysis and synthesis;

to the practice of professional engineering. A part of the examination may be designed to test the applicant's knowledge and understanding of the ethical, economic, and legal principles relating to the practices of professional engineering.

(d) An applicant for registration as a professional engineer who holds an engineering intern certificate issued in Indiana or in any other state or territory having equivalent standards may be exempted from the engineering fundamentals portion of the examination.

(e) An applicant must successfully pass the engineering

fundamentals portion of the examination before taking the principles and practice portion of the examination.

(f) Examinations shall be held at times and places as determined by the board at least two (2) times each year. Examinations for certification as an engineering intern may be held separately from the examinations for registration as a professional engineer.

(g) An applicant for registration as a professional engineer who is presently registered in another state or territory may be assigned a written or computer based examination as the board deems necessary to meet the requirements of this chapter.

(h) An applicant shall have three (3) attempts to pass each part of the examination within a time period established by the board by rule. The board may specify by rule the time required between examinations and the opportunity for future examination attempts for an applicant who fails to appear at an examination. The amount of the fee to be paid for each examination shall be determined by the board under IC 25-1-8-2.

(i) If an applicant who has failed a part of the examination three (3) times reapplies and submits evidence of acquiring additional knowledge for the examination, the board may give the applicant approval to take subsequent examinations or partial examinations.

Sec. 6. (a) The board shall issue a certificate of registration, upon the payment of the fee prescribed by the board under IC 25-1-8-2 and the fee established by section 2(b) of this chapter, to any applicant who, in the opinion of the board, has satisfactorily met all requirements of this chapter. In the case of a professional engineer, the certificate shall authorize the practice of "professional engineering". The certificate of registration shall:

(1) show the full name of the registrant;

(2) bear a serial number and date; and

(3) be signed by a designee of the board.

The issuance of any certificate of registration by the board under this chapter is evidence that the individual named on the certificate is entitled to all the rights and privileges of a registered professional engineer from the date on the certificate until it expires or is revoked.

(b) The board shall issue a certificate of enrollment upon the payment of the certificate fee prescribed by the board under IC 25-1-8-2 to any applicant who, in the opinion of the board, has satisfactorily met all of the requirements of this chapter. In the

case of an engineering intern, the certificate shall state that the applicant has successfully passed the examination in engineering fundamentals and has been enrolled as an engineering intern. The certificate of enrollment shall:

(1) show the full name of the enrollee;

(2) bear a serial number and date; and

(3) be signed by the director of the licensing agency.

The issuance of a certificate of enrollment by the board is evidence that the individual named on the certificate is entitled to all the rights and privileges of an engineering intern while the certificate remains unrevoked or until it expires.

Sec. 7. (a) The granting of registration extends to the registrant the authority to use a seal of a design approved by the board bearing the registrant's name, registration number, and the legend "professional engineer".

(b) During the period of time that a registrant's certificate is valid, the registrant is authorized to apply the registrant's seal to plans, specifications, studies, drawings, and reports. Applying the registrant's seal attests that:

(1) the work embodies the engineering work of the registrant;

(2) the registrant or an employed subordinate supervised by the registrant prepared the documents, and in the context of engineered plans "prepared" refers to the registrant's control and direction of the engineering work and design process;

(3) the registrant assumes full professional responsibility for the documents; and

(4) the work meets standards of acceptable engineering practice.

(c) It is unlawful for any person to stamp or seal any document with a seal after the certificate of the registrant named on the seal has expired or has been revoked.

Sec. 8. (a) Subject to IC 25-1-2-6(e), unless renewed, a certificate issued under this chapter expires on a date specified by the licensing agency under IC 25-1-6-4 and expires biennially after the initial expiration date. An applicant for renewal shall submit an application in the manner prescribed by the board and pay the renewal fee established by the board under IC 25-1-8-2 on or before the renewal date specified by the licensing agency.

(b) Subject to IC 25-1-2-6(e), if the holder of a certificate does not renew the certificate by the date specified by the licensing

agency, the certificate expires and becomes invalid without the board taking any action.

(c) The failure on the part of a registrant to renew a certificate does not deprive the registrant of the right of renewal.

(d) If a certificate has been expired for not more than three (3) years, the certificate may be reinstated by the board if the holder of the certificate meets the requirements for reinstatement under IC 25-1-8-6(c).

(e) If a certificate has been expired for more than three (3) years, the certificate may be reinstated by the board if the holder of the certificate meets the requirements for reinstatement under IC 25-1-8-6(d).

Sec. 9. (a) The board may adopt rules requiring a professional engineer to obtain continuing education for renewal of a certificate under section 8 of this chapter.

(b) If the board adopts rules under this section, the rules must do the following:

(1) Establish an inactive certificate of registration that:

(A) does not require the holder of an inactive certificate to obtain continuing education; and

(B) prohibits the holder of an inactive certificate from practicing engineering.

(2) Establish requirements for reactivation of an inactive certificate.

Sec. 10. (a) A registration certificate for a professional engineer may be issued only to a natural person.

(b) A business, including a proprietorship, partnership, or corporation, doing business in Indiana may not practice or offer to practice engineering unless that practice is carried on under the responsible direction and supervision of a registered professional engineer who is a full-time employee of the business. All plans, sheets of designs, specifications, reports, studies, or other engineering documents that require certification and are prepared by the personnel of a business must carry the signature and seal of the registered professional engineer who is in responsible charge of the professional engineering work.

Sec. 11. (a) A county, city, town, township, school corporation, or other political subdivision of this state may not engage in the construction or maintenance of any public work involving the practice of engineering for which plans, specifications, and

estimates have not been prepared, certified, and sealed by, and the construction and maintenance executed under the direct supervision of, a professional engineer. Any contract executed in violation of this section is void.

(b) An official of this state, or of any city, town, county, township, or school corporation, charged with the enforcement of any law, ordinance, or rule relating to the design, construction, or alteration of buildings or structures may not use or accept or approve any plans or specifications that have not been prepared by, or under the supervision of and certified by, a registered professional engineer. This subsection does not apply:

(1) to plans or specifications prepared by, or under the supervision of and certified by, an architect who is registered under IC 25-4-1;

(2) to structures and construction listed in IC 22-15-3-3(a); or

(3) to plans or specifications contained in a registration, license, or permit application, including an application for an initial permit, the renewal of a permit, the modification of a permit, or a variance from a permit submitted to the commissioner of the department of environmental management under IC 13, unless the permit is for the approval of plans or specifications for construction for which a professional engineer's seal is required by operation of either state or federal law, rule, or regulation. This subsection does not require a professional engineer's seal for an application for an air quality construction permit under 326 IAC 2-1-3.

This section shall not be construed as to abridge or otherwise affect the powers of any state board or department to issue rules governing the safety of buildings or structures.

(c) All maps required to show the underground workings of any mine in Indiana must be prepared, certified, and sealed by a professional engineer or professional surveyor.

Sec. 12. (a) An employee or a subordinate of any person who holds a certificate of registration under the provisions of this chapter is exempt from the provisions of this chapter if the practice of the employee or subordinate does not include responsible charge of design or supervision.

(b) This chapter does not require registration for the purpose of practicing engineering by an individual or a business:

(1) on property owned or leased by that individual or business unless the engineering practice involves the public health or safety, or the health or safety of the employees of that individual or business;

(2) for the performance of engineering which relates solely to the design or fabrication of manufactured products; or

(3) that is registered as a landscape architect under IC 25-4-2 and while the individual or business is engaged in the practice of landscape architecture planning the use of land or water.

Sec. 13. The board may, upon application and payment of a fee established by the board in the board's rules, issue a certificate of registration as a professional engineer to an individual who holds a valid certificate of registration as a professional engineer, issued to the applicant by the proper authority of any state or territory or possession of the United States if the requirements for registration of professional engineers that the certificate of registration was issued under do not conflict with the provisions of this chapter. In determining the qualifications of an applicant, the board may accept the verified professional record of the applicant that is certified by the National Council of Examiners for Engineers and Surveyors. However, an applicant meets the experience requirement under section 3 of this chapter if the applicant:

(1) has at least three (3) years of engineering work experience after the applicant graduates from an approved engineering curriculum but before the applicant successfully passes an examination required under section 5 of this chapter; and

(2) has been registered or licensed as a professional engineer in another state for at least ten (10) years.

Sec. 14. A certificate of registration, or a certification as an engineering intern to replace a certificate which has been lost, destroyed, or mutilated, may be issued subject to the rules of the board and the fee established under IC 25-1-8-2.

Sec. 15. A person who:

(1) practices or offers to practice engineering without being registered or exempted under the laws of this state;

(2) presents as the person's own the certificate of registration or the seal of another;

(3) gives any false or forged evidence of any kind to the board or to any member of the board in obtaining a certificate of registration;

(4) impersonates any other registrant;

(5) uses an expired, suspended, or revoked certificate of registration; or

(6) otherwise violates this chapter;

commits a Class B misdemeanor.

Sec. 16. (a) It is the duty of all law enforcement officers of this state, or any political subdivision, to enforce the provisions of this chapter and to apprehend and prosecute any person who violates any of the provisions of this chapter.

(b) The attorney general shall act as the legal advisor of the board and render any legal assistance as may be necessary in carrying out the provisions of this chapter.

(c) The attorney general and the licensing agency may use the registered professional engineers and registered engineering interns investigative fund established by section 20 of this chapter to hire investigators and other employees to enforce the provisions of this chapter and to investigate and prosecute violations of this chapter.

Sec. 17. (a) The attorney general, the prosecuting attorney of any county, the board, or a citizen of any county where a person who is not exempted engages in the practice of engineering without first having obtained a certificate of registration or without first having renewed an expired certificate of registration may, in accordance with the provisions of the laws of this state governing injunctions, file an action in the name of the state of Indiana to enjoin that person from engaging in the practice of engineering until a certificate of registration is secured or renewed.

(b) Any person who has been enjoined and violates an injunction shall be punished for contempt of court. An injunction does not relieve a person engaged in the practice of engineering without a certificate of registration or without first having renewed an expired certificate of registration from a criminal prosecution.

(c) The remedy by injunction is in addition to any remedy provided for herein for the criminal prosecution of the offender. In charging any person in a complaint for violation of the provisions of this chapter by engaging in the practice of engineering without a certificate of registration or without having renewed an expired certificate of registration, it is sufficient to charge that the offender:

(1) on a certain day in a certain county practiced or offered to

practice engineering; and

(2) was not registered or exempted under this chapter.

Sec. 18. (a) Except as provided in IC 25-4-1-11, a person registered as a professional engineer under this chapter is exempt from the provisions of any and all statutes in force in this state regulating the practice of architecture.

(b) This chapter does not apply to an individual registered as an architect under IC 25-4-1. An architect, however, who is registered under IC 25-4-1 and exempted from this chapter may not use the designation "engineer" in any form or manner unless the architect is registered under this chapter.

Sec. 19. (a) This section does not apply to a job position filled by the department of environmental management.

(b) Unless a job position is filled by a professional engineer, the state or a political subdivision (as defined in IC 36-1-2-13) may not use the word "engineer" in the position's job title.

Sec. 20. (a) The registered professional engineers and registered engineering interns investigative fund is established to provide funds for administering and enforcing the provisions of this chapter, including investigating and taking enforcement action against violators of this chapter. The fund shall be administered by the attorney general and the licensing agency.

(b) The expenses of administering the fund shall be paid from the money in the fund. The fund consists of money from the fee imposed upon registered professional engineers and registered engineering interns under section 9(b) of this chapter.

(c) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public money may be invested.

(d) Money in the fund at the end of a state fiscal year does not revert to the state general fund. If the total amount in the fund exceeds five hundred thousand dollars ($500,000) at the end of a state fiscal year after payment of all claims and expenses, the amount that exceeds five hundred thousand dollars ($500,000) reverts to the state general fund.

(e) Money in the fund is continually appropriated for use by the attorney general and the licensing agency to administer and enforce the provisions of this chapter and to conduct investigations and take enforcement action against persons violating the provisions of this chapter.

Sec. 21. The board shall send written notice to the department of homeland security established by IC 10-19-2-1 of the determination of the board in a disciplinary action against an engineer under IC 25-1-11. The board shall send the notice not later than three (3) business days after the date of the board's determination.

SECTION 657. IC 25-5.1 IS REPEALED [EFFECTIVE JANUARY 1, 2027]. (Athletic Trainers).

SECTION 658. IC 25-17.6-7-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 1. The following persons are exempt from the requirements of licensure under this article:

(1) An officer or employee of the United States government, state government, or local government while engaged in providing geological services for the officer's or employee's employers.

(2) A person engaged solely in geological research or the instruction of geology.

(3) A person not engaged in the public practice of geology.

(4) A professional engineer registered under ~~IC 25-31~~ **IC 25-4-3** who applies geology to the practice of engineering.

(5) A soil scientist who is certified as a soil classifier or soil scientist by the American Registry of Certified Professionals in Agronomy, Crops and Soils (ARCPACS) and the Indiana Association of Professional Soil Classifiers (IAPSC) and who applies geology in the practice of soil science.

SECTION 659. IC 25-20-1-1.5, AS AMENDED BY P.L.249-2019, SECTION 87, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1.5. (a) Subject to IC 25-1-6.5-3, there is established the committee of hearing aid dealer examiners which consists of ~~five (5)~~ **four (4)** members all appointed by the governor to a term under IC 25-1-6.5. Three (3) members must be hearing aid dealers licensed under this chapter, who are residents of this state and who have been practicing as hearing aid dealers for at least one (1) year prior to their appointment. ~~One (1) member must be an otolaryngologist in this state, who is a resident of this state and who has been engaged in the practice of otolaryngology for at least one (1) year prior to appointment to the committee.~~ One (1) member must be a resident of this state who is in no way associated with the business of hearing aid dealers, audiology, or speech-language pathology other than as a consumer. Whenever a vacancy occurs on the committee, the

governor shall appoint a successor under IC 25-1-6.5.

(b) Three (3) members present constitute a quorum. **The chairperson of the committee is not allowed to cast a vote on any matter before the committee unless the chairperson's vote is necessary to break a tie.**

(c) The members serve without compensation, except that each member is entitled to the salary per diem as provided by IC 4-10-11-2.1 and to reimbursement for travel, lodging, meals, and other expenses as provided in the state travel policies and procedures established by the department of administration and approved by the state budget agency.

(d) A member may be removed under IC 25-1-6.5-4.

SECTION 660. IC 25-20.2-1-1, AS AMENDED BY P.L.127-2012, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 1. (a) This article applies to an individual who conducts home inspections for compensation.

(b) This article does not apply to the following:

(1) An individual who is acting within the scope of the individual's employment as:

(A) a code enforcement official for the state or a political subdivision of the state; or

(B) a representative of a state or local housing agency or authority acting under the authority of the United States Department of Housing and Urban Development.

(2) An individual who is:

(A) either:

(i) registered as an architect under IC 25-4;

(ii) registered as a professional engineer under ~~IC 25-31;~~ **IC 25-4-3;** or

(iii) licensed as a plumbing contractor or journeyman plumber under IC 25-28.5; and

(B) acting within the scope of the individual's registration or license.

(3) An individual who is licensed under IC 25-34.1 as a real estate broker and is acting within the scope of the individual's license.

(4) An individual who is licensed or certified under IC 25-34.1 as a real estate appraiser and is acting within the scope of the individual's license or certificate.

(5) An individual who holds a certificate of authority under IC 27-1-27-2 as a public adjuster and is acting within the scope of the individual's certificate.

(6) An individual who holds a permit, certificate, or license to:

(A) use and apply pesticides; or

(B) make diagnostic inspections and reports for wood destroying pests;

under IC 15-16-5 and is acting within the scope of the individual's certificate or license.

(7) An individual who holds a license from a political subdivision as a tradesperson or home builder and is acting within the scope of the individual's license.

SECTION 661. IC 25-20.7-2-3, AS ADDED BY P.L.177-2009, SECTION 37, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 3. This article does not apply to a person who:

(1) does not profess to be a registered interior designer; and

(2) is:

(A) an architect registered under IC 25-4; or

(B) a professional engineer registered under ~~IC 25-31.~~ **IC 25-4-3.**

SECTION 662. IC 25-21.5-2-13 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 13. The state shall provide the board suitable office quarters in Indianapolis. The office may be shared with the ~~state board of registration for professional engineers.~~ **Indiana board of registration for design professionals.**

SECTION 663. IC 25-21.5-3-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 3. The licensing agency may assign joint personnel to work for both the board and the ~~state board of registration for professional engineers.~~ **Indiana board of registration for design professionals.**

SECTION 664. IC 25-22.5-1-2, AS AMENDED BY P.L.128-2022, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 2. (a) This article, as it relates to the unlawful or unauthorized practice of medicine or osteopathic medicine, does not apply to any of the following:

(1) A student in training in a medical school approved by the board, or while performing duties as an intern or a resident in a hospital under the supervision of the hospital's staff or in a program approved by the medical school.

(2) A person who renders service in case of emergency where no fee or other consideration is contemplated, charged, or received.

(3) A paramedic (as defined in IC 16-18-2-266), an advanced

emergency medical technician (as defined in IC 16-18-2-6.5), an emergency medical technician (as defined in IC 16-18-2-112), or a person with equivalent certification from another state who renders advanced life support (as defined in IC 16-18-2-7), or basic life support (as defined in IC 16-18-2-33.5):

(A) during a disaster emergency declared by the governor under IC 10-14-3-12 in response to an act that the governor in good faith believes to be an act of terrorism (as defined in IC 35-31.5-2-329); and

(B) in accordance with the rules adopted by the Indiana ~~emergency medical services~~ **fire and EMS standards and education** commission or the disaster emergency declaration of the governor.

(4) Commissioned medical officers or medical service officers of the armed forces of the United States, the United States Public Health Service, and medical officers of the United States Department of Veterans Affairs in the discharge of their official duties in Indiana.

(5) An individual who is not a licensee who resides in another state or country and is authorized to practice medicine or osteopathic medicine there, who is called in for consultation by an individual licensed to practice medicine or osteopathic medicine in Indiana.

(6) A person administering a domestic or family remedy to a member of the person's family.

(7) A member of a church practicing the religious tenets of the church if the member does not make a medical diagnosis, prescribe or administer drugs or medicines, perform surgical or physical operations, or assume the title of or profess to be a physician.

(8) A school corporation and a school employee who acts under IC 34-30-14 (or IC 34-4-16.5-3.5 before its repeal).

(9) A chiropractor practicing the chiropractor's profession under IC 25-10 or to an employee of a chiropractor acting under the direction and supervision of the chiropractor under IC 25-10-1-13.

(10) A dental hygienist practicing the dental hygienist's profession under IC 25-13.

(11) A dentist practicing the dentist's profession under IC 25-14.

(12) A hearing aid dealer practicing the hearing aid dealer's profession under IC 25-20.

(13) A nurse practicing the nurse's profession under IC 25-23. However, a certified registered nurse anesthetist (as defined in IC 25-23-1-1.4) may administer anesthesia if the certified registered nurse anesthetist acts under the direction of and in the immediate presence of a physician.

(14) An optometrist practicing the optometrist's profession under IC 25-24.

(15) A pharmacist practicing the pharmacist's profession under IC 25-26.

(16) A physical therapist practicing the physical therapist's profession under IC 25-27.

(17) A podiatrist practicing the podiatrist's profession under IC 25-29.

(18) A psychologist practicing the psychologist's profession under IC 25-33.

(19) A speech-language pathologist or audiologist practicing the pathologist's or audiologist's profession under IC 25-35.6.

(20) An employee of a physician or group of physicians who performs an act, a duty, or a function that is customarily within the specific area of practice of the employing physician or group of physicians, if the act, duty, or function is performed under the direction and supervision of the employing physician or a physician of the employing group within whose area of practice the act, duty, or function falls. An employee may not make a diagnosis or prescribe a treatment and must report the results of an examination of a patient conducted by the employee to the employing physician or the physician of the employing group under whose supervision the employee is working. An employee may not administer medication without the specific order of the employing physician or a physician of the employing group. Unless an employee is licensed or registered to independently practice in a profession described in subdivisions (9) through (18), nothing in this subsection grants the employee independent practitioner status or the authority to perform patient services in an independent practice in a profession.

(21) A hospital licensed under IC 16-21 or IC 12-25.

(22) A health care organization whose members, shareholders, or partners are individuals, partnerships, corporations, facilities, or institutions licensed or legally authorized by this state to provide health care or professional services as:

(A) a physician;

(B) a psychiatric hospital;

(C) a hospital;

(D) a health maintenance organization or limited service health maintenance organization;

(E) a health facility;

(F) a dentist;

(G) a registered or licensed practical nurse;

(H) a certified nurse midwife or a certified direct entry midwife;

(I) an optometrist;

(J) a podiatrist;

(K) a chiropractor;

(L) a physical therapist; or

(M) a psychologist.

(23) A physician assistant practicing the physician assistant profession under IC 25-27.5.

(24) A physician providing medical treatment under section 2.1 of this chapter.

(25) An attendant who provides attendant care services (as defined in IC 16-18-2-28.5).

(26) A personal services attendant providing authorized attendant care services under IC 12-10-17.1.

(27) A respiratory care practitioner practicing the practitioner's profession under IC 25-34.5.

(b) A person described in subsection (a)(9) through (a)(18) is not excluded from the application of this article if:

(1) the person performs an act that an Indiana statute does not authorize the person to perform; and

(2) the act qualifies in whole or in part as the practice of medicine or osteopathic medicine.

(c) An employment or other contractual relationship between an entity described in subsection (a)(21) through (a)(22) and a licensed physician does not constitute the unlawful practice of medicine or osteopathic medicine under this article if the entity does not direct or control independent medical acts, decisions, or judgment of the licensed physician. However, if the direction or control is done by the entity under IC 34-30-15 (or IC 34-4-12.6 before its repeal), the entity is excluded from the application of this article as it relates to the unlawful practice of medicine or osteopathic medicine.

(d) This subsection does not apply to a prescription or drug order for

a legend drug that is filled or refilled in a pharmacy owned or operated by a hospital licensed under IC 16-21. A physician licensed in Indiana who permits or authorizes a person to fill or refill a prescription or drug order for a legend drug except as authorized in IC 16-42-19-11 through IC 16-42-19-19 is subject to disciplinary action under IC 25-1-9. A person who violates this subsection commits the unlawful practice of medicine or osteopathic medicine under this chapter.

(e) A person described in subsection (a)(8) shall not be authorized to dispense contraceptives or birth control devices.

(f) Nothing in this section allows a person to use words or abbreviations that indicate or induce an individual to believe that the person is engaged in the practice of medicine or osteopathic medicine.

SECTION 665. IC 25-22.5-2-1, AS AMENDED BY P.L.249-2019, SECTION 97, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1. (a) The medical licensing board of Indiana is created. ~~It shall consist~~

(b) Before January 1, 2027, the board consists of seven (7) members, not more than four (4) of whom shall be members of the same political party. The members shall be appointed by the governor, and all vacancies occurring on the board shall be filled by the governor. Subject to IC 25-1-6.5-3, the membership of the board ~~shall consist~~ **consists** of the following:

(1) Five (5) reputable physicians who:

(A) are graduates of a medical school;

(B) hold the degree of doctor of medicine or its equivalent; and

(C) hold valid unlimited licenses to practice medicine in Indiana.

(2) One (1) reputable osteopathic physician who:

(A) is a graduate of an accredited osteopathic medical school;

(B) holds the degree of doctor of osteopathy or its equivalent; and

(C) holds a valid unlimited license to practice osteopathic medicine in Indiana.

(3) One (1) member who:

(A) will represent the general public;

(B) is a resident of this state; and

(C) is in no way associated with the medical profession other than as a consumer.

(c) After December 31, 2026, the board consists of nine (9) members, not more than five (5) of whom may be members of the

same political party. The members are appointed by the governor, and all vacancies occurring on the board must be filled by the governor. Subject to IC 25-1-6.5-3, the membership of the board consists of the following:

(1) Three (3) reputable physicians who:

(A) are graduates of a medical school;

(B) hold the degree of doctor of medicine or its equivalent;

(C) hold valid unlimited licenses to practice medicine in Indiana;

(D) have been practicing physicians for at least five (5) years; and

(E) are residents of Indiana.

(2) One (1) reputable osteopathic physician who:

(A) is a graduate of an accredited osteopathic medical school;

(B) holds the degree of doctor of osteopathy or its equivalent;

(C) holds a valid unlimited license to practice osteopathic medicine in Indiana;

(D) have been practicing osteopathic physicians for at least five (5) years; and

(E) are residents of Indiana.

(3) Three (3) members must be licensed podiatrists who actively practice podiatric medicine and meet the following conditions:

(A) Be licensed in Indiana as a podiatrist under IC 25-29.

(B) Be a resident of Indiana.

(C) Have practiced podiatric medicine for at least five (5) years.

(4) Two (2) members who are certified direct entry midwives who:

(A) have been practicing certified direct entry midwives for at least five (5) years; and

(B) are residents of Indiana.

~~(b)~~ **(d)** Members are appointed under IC 25-1-6.5.

~~(c)~~ **(e)** A member of the board may be removed under IC 25-1-6.5-4.

SECTION 666. IC 25-22.5-13-3, AS AMENDED BY P.L.129-2018, SECTION 27, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 3. (a) Before March 1, 2016, the:

(1) board, concerning physician assistants;

(2) board of podiatric medicine, concerning podiatrists;

(3) state board of dentistry, concerning dentists; and

(4) Indiana state board of nursing, concerning advanced practice registered nurses;

shall adopt rules necessary to complement the rules for prescribing opioid controlled substances for pain management treatment adopted by the board under sections 1 and 2 of this chapter.

(b) Before December 31, 2015, each board specified in subsection (a) shall provide a report in an electronic format under IC 5-14-6 to the legislative council providing a status report on efforts to adopt the rules required by subsection (a). The status report must include:

(1) a copy of the board's rulemaking docket required by IC 4-22-2-22.5; and

(2) a reasonable estimate of the timetable for action required under IC 4-22-2-22.5(d)(8).

(c) This section expires December 31, 2026.

SECTION 667. IC 25-23-1-7.2, AS ADDED BY P.L.148-2023, SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 7.2. (a) As used in this section, "nursing education program" means a nursing education program that is required to be authorized by the ~~board for proprietary education (established by IC 21-18.5-5-1).~~ **commission for higher education established by IC 21-18-2-1.**

(b) The board may not prohibit a nursing education program from submitting an application for accreditation to the board before being authorized by the ~~board for proprietary education (established by IC 21-18.5-5-1).~~ **commission for higher education established by IC 21-18-2-1.**

(c) The board shall review and approve or deny a nursing education program's application for accreditation within ninety (90) days of being authorized by the ~~board for proprietary education (established by IC 21-18.5-5-1)~~ **commission for higher education established by IC 21-18-2-1** unless the nursing education program, after receiving authorization from the ~~board of proprietary education,~~ **commission for higher education,** requests additional time from the board before the board's review of the application.

SECTION 668. IC 25-23.4-1-5 IS REPEALED [EFFECTIVE JANUARY 1, 2027]. ~~Sec. 5. "Committee" refers to the midwifery committee established by IC 25-23.4-2.~~

SECTION 669. IC 25-23.4-2-8 IS ADDED TO THE INDIANA

CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 8. This chapter expires December 31, 2026.**

SECTION 670. IC 25-23.4-2.5 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]:

Chapter 2.5. Duties of the Medical Licensing Board of Indiana

Sec. 1. (a) Except as provided in subsection (b), the enactment of this chapter must be construed as a recodification of prior law that does not result in a substantive change to the powers and duties of the board under this article.

(b) The board is released from any obligation to consult with the midwifery committee established under IC 25-23.4-2 (before its expiration) in carrying out its duties under this article.

Sec. 2. (a) The board shall do the following:

(1) Establish as a requirement for certification as a certified direct entry midwife the Certified Professional Midwife credentials developed by the North American Registry of Midwives or a successor organization.

(2) Subject to IC 25-1-8-2, establish fees to administer this article.

(3) Establish annual continuing education requirements to renew a certified direct entry midwife's certificate, which must include continuing education in pharmacology. The requirements established under this subdivision must provide for at least fifteen (15) hours of continuing education every twelve (12) months.

(4) Develop a peer review procedure, using as guidelines the peer review procedures established by:

(A) the Indiana Midwives Association or a successor organization; and

(B) the North American Registry of Midwives or a successor organization.

(b) The board shall do the following:

(1) In addition to the requirements under IC 25-23.4-5, adopt rules under IC 4-22-2 to provide for adequate collaboration between a certified direct entry midwife and a collaborating physician.

(2) Adopt rules under IC 4-22-2 that define the competent practice for certified direct entry midwives. Rules adopted

under this subdivision must limit the practice of certified direct entry midwives to nonhospital settings.

(3) Adopt rules under IC 4-22-2 that establish standards for an emergency plan of care, including that a plan must allow for the timely provision of emergency care at a hospital.

(4) In addition to the requirements under IC 25-23.4-4-1(a)(6), adopt rules under IC 4-22-2 to set standards for determining the geographic area close enough to the planned location of the delivery to make the collaborating physician a reasonable choice to provide backup care.

(5) In addition to the requirements under IC 25-23.4-5-1(b), adopt rules under IC 4-22-2 to establish standards or conditions that require additional review of a certified direct entry midwife's client encounters by the collaborating physician.

(6) Adopt rules under IC 4-22-2 to determine the number of certified direct entry midwives with whom a physician may collaborate.

(7) In addition to the requirements under IC 25-23.4-6-1(b), establish the conditions that require a certified direct entry midwife to refer a client for an examination by a physician.

(8) Adopt rules under IC 4-22-2, establishing the health conditions that require a referral to a physician under IC 25-23.4-6-1(c).

(c) The board may not adopt rules to grant a certified direct entry midwife prescriptive authority other than the authority specified in IC 25-23.4-4-5.

Sec. 3. The board shall adopt rules under IC 4-22-2 to administer this article.

SECTION 671. IC 25-23.4-3-2, AS ADDED BY P.L.232-2013, SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 2. The board shall ~~after receiving recommendations from the committee,~~ do the following:

(1) Determine the education that satisfies the requirements in section 1 of this chapter.

(2) Establish formal education requirements in addition to those required in section 1 of this chapter. The requirements must include course material on:

(A) emergency life support procedures;

(B) identification of high risk births for mothers;

(C) identification of potential complications during labor; and

(D) other material the board specifies.

SECTION 672. IC 25-23.5 IS REPEALED [EFFECTIVE JANUARY 1, 2027]. (Occupational Therapists).

SECTION 673. IC 25-26-24-2 IS REPEALED [EFFECTIVE JANUARY 1, 2027]. ~~Sec. 2. As used in this chapter, "committee" refers to the INSPECT oversight committee established by section 24 of this chapter.~~

SECTION 674. IC 25-26-24-17, AS AMENDED BY P.L.17-2021, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 17. (a) The board shall provide for an ephedrine, pseudoephedrine, and controlled substance prescription monitoring program that includes the following components:

(1) Each time ephedrine, pseudoephedrine, or a controlled substance designated by the board under IC 35-48-2-5 through IC 35-48-2-10 is dispensed, the dispenser shall transmit to the INSPECT program the following information:

(A) The ephedrine, pseudoephedrine, or controlled substance recipient's name.

(B) The ephedrine, pseudoephedrine, or controlled substance recipient's or the recipient representative's identification number or the identification number or phrase designated by the INSPECT program.

(C) The ephedrine, pseudoephedrine, or controlled substance recipient's date of birth.

(D) The national drug code number of the ephedrine, pseudoephedrine, or controlled substance dispensed.

(E) The date the ephedrine, pseudoephedrine, or controlled substance is dispensed.

(F) The quantity of the ephedrine, pseudoephedrine, or controlled substance dispensed.

(G) The number of days of supply dispensed.

(H) The dispenser's United States Drug Enforcement Agency registration number.

(I) The prescriber's United States Drug Enforcement Agency registration number.

(J) An indication as to whether the prescription was transmitted to the pharmacist orally or in writing.

(K) Other data required by the board.

(2) The information required to be transmitted under this section

must be transmitted not more than twenty-four (24) hours after the date on which ephedrine, pseudoephedrine, or a controlled substance is dispensed. However, if the dispenser's pharmacy is closed the day following the dispensing, the information must be transmitted by the end of the next business day. A dispenser who is also authorized to prescribe is required only to report actual dispensations within twenty-four (24) hours of the dispensation.

(3) A dispenser shall transmit the information required under this section by:

(A) uploading to the INSPECT Internet web site; or

(B) another electronic method that meets specifications prescribed by the board.

(4) The board may require that prescriptions for ephedrine, pseudoephedrine, or controlled substances be written on a one (1) part form that cannot be duplicated. However, the board may not apply such a requirement to prescriptions filled at a pharmacy with a Category II permit (as described in IC 25-26-13-17) and operated by a hospital licensed under IC 16-21, or prescriptions ordered for and dispensed to bona fide enrolled patients in facilities licensed under IC 16-28. The board may not require multiple copy prescription forms for any prescriptions written. The board may not require different prescription forms for any individual drug or group of drugs. Prescription forms required under this subdivision must be approved by the Indiana board of pharmacy created by IC 25-26-13-3.

(5) The costs of the program.

(6) As part of the information to be completed in the data base and, if available, an entry where a dispenser indicates that a patient is participating in a pain management contract with a designated practitioner.

Beginning January 1, 2027, the board is responsible for implementing policies and standards that promote the effective operation of the program.

~~(b) The board shall consider the recommendations of the committee concerning the INSPECT program.~~

~~(c)~~ **(b)** This subsection applies only to a retail pharmacy. A pharmacist, pharmacy technician, or person authorized by a pharmacist to dispense ephedrine, pseudoephedrine, or a controlled substance may not dispense ephedrine, pseudoephedrine, or a controlled substance to a person who is not personally known to the pharmacist, pharmacy

technician, or person authorized by a pharmacist to dispense a controlled substance unless the person taking possession of the ephedrine, pseudoephedrine, or controlled substance provides documented proof of the person's identification to the pharmacist, pharmacy technician, or person authorized by a pharmacist to dispense ephedrine, pseudoephedrine, or a controlled substance.

SECTION 675. IC 25-26-24-18, AS ADDED BY P.L.51-2019, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 18. (a) The INSPECT program must do the following:

(1) Create a data base for information required to be transmitted under section 17 of this chapter in the form required under rules adopted by the board, including search capability for the following:

(A) An ephedrine, pseudoephedrine, or a controlled substance recipient's name.

(B) An ephedrine, pseudoephedrine, or a controlled substance recipient's or recipient representative's identification number.

(C) An ephedrine, pseudoephedrine, or a controlled substance recipient's date of birth.

(D) The national drug code number of ephedrine, pseudoephedrine, or a controlled substance dispensed.

(E) The dates ephedrine, pseudoephedrine, or a controlled substance are dispensed.

(F) The quantities of ephedrine, pseudoephedrine, or controlled substance dispensed.

(G) The number of days of supply dispensed.

(H) A dispenser's United States Drug Enforcement Agency registration number.

(I) A prescriber's United States Drug Enforcement Agency registration number.

(J) Whether a prescription was transmitted to the pharmacist orally or in writing.

(K) An ephedrine, pseudoephedrine, or a controlled substance recipient's method of payment for the ephedrine, pseudoephedrine, or controlled substance dispensed.

To the extent considered appropriate by the board, the data base must be interoperable with other similar registries operated by federal and state governments.

(2) Provide the board with continuing twenty-four (24) hour a day

online access to the data base.

(3) Secure the information collected and the data base maintained against access by unauthorized persons.

~~(b) The board may not execute a contract with a vendor designated by the board to perform any function associated with the administration of the INSPECT program, unless the contract has been approved by the committee.~~

~~(c)~~ **(b)** The INSPECT program may gather prescription data from the Medicaid retrospective and prospective drug utilization review (DUR) program established under IC 12-15-35.

~~(d)~~ **(c)** The board may accept and designate grants, public and private financial assistance, and licensure fees to provide funding for the INSPECT program.

SECTION 676. IC 25-26-24-24 IS REPEALED [EFFECTIVE JANUARY 1, 2027]. ~~Sec. 24. (a) The INSPECT oversight committee is established.~~

~~(b) The committee consists of the following members:~~

~~(1) The president of the board or the president's designee, who shall serve as the chairperson of the committee.~~

~~(2) The commissioner of the Indiana department of health or the commissioner's designee.~~

~~(3) The superintendent of the state police department or the superintendent's designee.~~

~~(4) The attorney general or the attorney general's designee.~~

~~(5) Two (2) lay members who are authorized users of the INSPECT program appointed by the president pro tempore of the senate, not more than one (1) of whom may be affiliated with the same political party.~~

~~(6) Two (2) lay members who are authorized users of the INSPECT program appointed by the speaker of the house of representatives, not more than one (1) of whom may be affiliated with the same political party.~~

~~(c) The committee shall provide recommendations to the board concerning the implementation of policies, standards, and rules that promote the effective operation of the program.~~

~~(d) The committee shall meet:~~

~~(1) at least once each calendar year; and~~

~~(2) at the call of the chairperson.~~

~~(e) The term of a member of the committee appointed under this section is four (4) years. The term of a member of the committee~~

~~expires July 1, but a member may continue to serve on the committee until a successor is appointed.~~

~~(f) On or before July 1, 2027, and July 1 biennially thereafter, the committee shall submit a report to the executive director of the legislative services agency, in an electronic format under IC 5-14-6, for review by the interim committee on government in accordance with IC 1-1-15.5-4 and IC 2-5-1.3-13(g). The report shall describe:~~

~~(1) official action taken; and~~

~~(2) actionable items considered;~~

~~by the committee during the preceding two (2) years.~~

SECTION 677. IC 25-27-1-4, AS AMENDED BY P.L.101-2020, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 4. (a) There is created the ~~Indiana board of physical therapy.~~ **Indiana rehabilitation professions board.** Subject to IC 25-1-6.5-3, the board is comprised of the following:

(1) ~~Three (3)~~ **Two (2)** physical therapists **with at least three (3) years of licensed practice in Indiana.**

(2) One (1) ~~physical therapist assistant.~~ **physician licensed under IC 25-22.5 with experience in rehabilitation or sports.**

(3) One (1) member who is a resident of the state and who is not associated with ~~physical therapy in any way, other than as a consumer.~~ **any rehabilitation profession.**

(4) Two (2) occupational therapists who:

(A) are residents of Indiana;

(B) have at least three (3) years experience as occupational therapists; and

(C) are licensed under this article.

(5) Two (2) members who are licensed athletic trainers and actively practicing in Indiana for at least two (2) years.

(6) One (1) member who is a medical doctor, osteopath, podiatrist, or chiropractor involved in the practice of sports medicine.

(b) The governor shall make each appointment before July 1, 2019, for a term of three (3) years.

(c) The governor shall make each appointment after June 30, 2019, under IC 25-1-6.5.

(d) Each ~~physical therapist and physical therapist assistant~~ **professional member** appointed ~~must:~~ **to the board must maintain active practice in Indiana during the professional member's service on the board.**

~~(1) have an unrestricted license or certificate issued under this chapter;~~

~~(2) have had not less than five (5) years experience in the actual practice of physical therapy immediately preceding appointment; and~~

~~(3) be a resident of the state and actively engaged in this state in the practice of physical therapy during incumbency as a member of the board.~~

(e) The affirmative vote of a majority of the members appointed to the board is required for the board to take action on any measure.

(f) The board shall meet at least quarterly.

(g) A member may be removed under IC 25-1-6.5-4.

SECTION 678. IC 25-27-3 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]:

Chapter 3. Regulation of Athletic Trainers

Sec. 0.5. This chapter does not apply to an individual who meets the following conditions:

(1) Is not a resident of Indiana.

(2) Is employed for the primary purpose of providing athletic training services for an athletic or sports organization in another jurisdiction.

(3) Provides athletic training services in Indiana related to the training or participation of a specific event but does not provide athletic training services in Indiana for more than thirty-five (35) consecutive days.

Sec. 1. For purposes of this chapter, the following definitions apply:

(1) "Agency" refers to the Indiana professional licensing agency established by IC 25-1-5-3.

(2) "Athletic injury" refers to an injury sustained by a physically active individual as a result of the individual's participation in:

(A) an exercise;

(B) a sport;

(C) a game; or

(D) a recreational activity;

requiring physical strength, agility, flexibility, range of motion, speed, or stamina. The term includes any comparable injury that impedes the individual's participation in any of the

activities listed in this section.

(3) "Athletic trainer" means an individual who is or may be employed by an educational institution, a professional or an amateur athletic organization, an occupational or athletic facility, or a health care facility to practice athletic training.

(4) "Athletic training" means the practice of prevention, recognition, assessment, athletic training diagnosis, management, treatment, disposition, rehabilitation, and reconditioning of athletic injuries under the direction and supervision of a licensed physician, osteopath, podiatrist, or chiropractor. However, in a clinic accessible to the general public, the term means practicing athletic training only upon the referral, order, and supervision of a licensed physician, osteopath, podiatrist, or chiropractor, or specific licensed designees such as nurse practitioners or physician assistants. The term includes the following:

(A) Practice that may be conducted by an athletic trainer through the use of heat, light, sound, cold, electricity, manual therapies, exercise, rehabilitation, or mechanical devices related to the care and the reconditioning of athletes.

(B) The organization and administration of educational programs and athletic facilities.

(C) The education and the counseling of the public on matters related to athletic training.

However, the term does not include joint manipulation of the spinal column.

(5) "Board" refers to the Indiana rehabilitation professions board established by IC 25-27-1-4.

(6) "BOC" refers to the Board of Certification, Inc.

(7) "CAATE" refers to the Commission on Accreditation of Athletic Training Education.

(8) "Manual therapies" means soft tissue techniques, massage, and low-velocity, non-thrust joint mobilization.

(9) "Supervision" means:

(A) advising;

(B) consenting to; or

(C) directing the activities of;

an athletic trainer through written or oral orders. The term includes ensuring that the referral of athletic injuries is

appropriate to the athletic trainer's level of training and experience.

Sec. 2. (a) To qualify for a license under this article, an individual must satisfy the following requirements:

(1) Satisfactorily complete an application for licensure in accordance with the rules adopted by the board.

(2) Pay the application fees, examination fees, and licensure fees established by the board.

(3) Not have been convicted of a crime that has a direct bearing on the applicant's ability to practice competently as determined by the board.

(4) Not have had disciplinary action taken against the applicant or the applicant's license by the board or by the licensing agency of another state or jurisdiction by reason of the applicant's inability to safely practice athletic training with those reasons for discipline still being valid as determined by the board.

(5) Show to the satisfaction of the board that the applicant has received a professional athletic training degree from a postsecondary educational institution that meets the academic standards for athletic trainers established by the CAATE and described in subsection (b).

(6) Except to the extent that section 8 of this chapter applies, successfully pass the qualifying examination adopted by the board.

(b) The minimum academic standards for athletic trainers licensed under this article as required under subsection (a)(5) include the satisfactory completion of a CAATE accredited professional athletic training program and successful completion of the BOC examination.

Sec. 3. (a) If a person meets each of the requirements of section 1 of this chapter other than the requirement under section 1(a)(6), the board may issue a temporary license to the person.

(b) A temporary license issued under this section is valid for not more than ninety (90) days after the date of issuance.

Sec. 4. Except as provided in section 5 of this chapter, the board shall issue a license to an individual who:

(1) meets the conditions set out in section 2 of this chapter; and

(2) is otherwise qualified for licensure under this chapter.

Sec. 5. The board may refuse to issue a license to an applicant for licensure under section 1 or 1.5 of this chapter if:

(1) the board determines during the application process that the applicant committed an act that would have subjected the applicant to disciplinary sanction under section 1(a)(4) of this chapter if the applicant had been:

(A) certified before July 1, 1998; or

(B) licensed after June 30, 1998;

in Indiana when the act occurred; or

(2) the applicant has had a:

(A) certificate revoked under IC 25-1-1.1 before July 1, 1998; or

(B) license revoked under IC 25-1-1.1 after June 30, 1998.

Sec. 6. (a) Subject to IC 25-1-2-6(e), a license issued by the board expires on a date established by the agency under IC 25-1-5-4 in each odd-numbered year.

(b) An individual may renew a license by paying a renewal fee not later than the expiration date of the license.

(c) If an individual fails to timely pay a renewal fee as required by subsection (b), the individual's license becomes invalid without any action being taken by the board.

Sec. 7. (a) Except as provided in subsection (b), an individual whose license has expired may have the license reinstated not later than three (3) years after the date of expiration upon meeting the requirements under IC 25-1-8-6(c).

(b) A license that has been expired for more than three (3) years may be reinstated if the individual holding the license satisfies the requirements for reinstatement under IC 25-1-8-6(d).

Sec. 8. If an individual who applies for a license under this chapter meets any of the following conditions, the individual may be exempted from the examination requirement under section 2(a)(6) of this chapter by action of the board:

(1) The individual is licensed to practice athletic training in another state if the other state's standards for licensure are at least equal to the standards for licensure in Indiana.

(2) The individual is certified by the BOC and is otherwise qualified for licensure under this article.

(3) The individual is certified by an organization recognized by the National Commission on Competency Assurance and is otherwise qualified for licensure under this chapter.

Sec. 9. This chapter does not prohibit the following:

(1) The practice of an occupation or profession for which an individual is licensed, certified, or registered in Indiana by a state agency.

(2) The practice of a health care occupation or profession by an individual who is practicing within the individual's education and experience.

(3) The performance of a first aid procedure incidental to an individual's employment or volunteer duties.

(4) The performance of an emergency first aid procedure by an individual.

(5) A student, an intern, or a trainee from pursuing a course of study in athletic training from an accredited postsecondary educational institution if:

(A) the activities are performed under qualified supervision and constitute a part of the individual's supervised course of study; and

(B) the individual uses a title that contains the word "intern", "student", or "trainee".

(6) The use of the title "student athletic trainer" by a student enrolled in a high school or a postsecondary educational institution while assisting an athletic trainer during athletic activities of the high school or postsecondary educational institution.

Sec. 10. (a) The board may issue a temporary permit to a person to practice as an athletic trainer if the person pays a fee and the person:

(1) has a valid license or certificate to practice from another state and the person has applied for a license from the board;

(2) is practicing in a state that does not license or certify athletic trainers but is certified by the BOC, approved by the board, and the person has applied for a license from the board; or

(3) has met the requirements of section 2 of this chapter, except for the requirement of section 2(a)(6) of this chapter.

(b) A person with a temporary permit issued under subsection (a)(3) may practice as an athletic trainer only under the supervision of an athletic trainer licensed under this chapter.

(c) A temporary permit expires on the earliest of:

(1) the date the person holding the permit is issued a license

under this chapter;

(2) the date the board disapproves the person's license application; or

(3) ninety (90) days after the date of issuance.

Sec. 11. An individual may not:

(1) practice as an athletic trainer; or

(2) use:

(A) the title "licensed athletic trainer", "athletic trainer", "licensed trainer", or "athletic training";

(B) the abbreviations "AT", "ATC", "AT,C", "LAT", "ATC/L"; or

(C) other words, abbreviations, or insignia;

to indicate or imply that the individual is an athletic trainer; unless the individual is licensed under this chapter.

Sec. 12. An individual who knowingly violates or causes to be violated section 11 of this chapter commits a Class B misdemeanor.

SECTION 679. IC 25-27-4 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]:

Chapter 4. Regulation of Occupational Therapy

Sec. 0.5. This article does not apply to the practice of an occupation or a profession for which an individual is licensed, certified, or registered in Indiana by a state agency if the individual is practicing within the scope of the individual's license, certificate, or registration.

Sec. 0.6. The provisions of this article that require a license to engage in the practice of occupational therapy do not apply to the following:

(1) The practice of occupational therapy by an individual who is practicing occupational therapy as part of a supervised course of study in an educational program approved by the board.

(2) The practice of occupational therapy by an occupational therapy assistant who is:

(A) licensed under this article; and

(B) acting under the supervision of an occupational therapist.

Sec. 0.7. An occupational therapy assistant shall:

(1) be licensed under this article; and

(2) practice under the supervision of an occupational therapist

who is licensed under this chapter.

Sec. 1. For purposes of this chapter, the following definitions apply:

(1) "Board" refers to the Indiana rehabilitation professions board established by IC 25-27-1-4.

(2) "Examination" refers to a nationally recognized test for occupational therapists that has been approved by the board under IC 25-23.5-5-4.5.

(3) "Occupational therapist" means a person who practices occupational therapy.

(4) "Practice of occupational therapy" means the therapeutic use of everyday life occupations and occupational therapy services to:

(A) aid individuals or groups to participate in meaningful roles and situations in the home, school, the workplace, the community, or other settings;

(B) promote health and wellness through research and practice; and

(C) serve individuals or groups who are well but have been or are at risk for developing an illness, injury, disease, disorder, condition, impairment, disability, activity limitation, or participation restriction.

The practice of occupational therapy addresses the physical, cognitive, psychosocial, sensory, and other aspects of performance in a variety of contexts to support engagement in everyday life activities that affect a person's health, well-being, and quality of life throughout the person's life span.

(5) "Occupational therapy assistant" means a person who provides occupational therapy services under the supervision of an occupational therapist.

(6) "Occupational therapy services" means services that are provided to promote health and wellness, prevent disability, preserve functional capabilities, prevent barriers for occupational performance from occurring, and enable or improve performance in everyday activities, including services that do the following:

(A) Establish, remediate, or restore a skill or ability that is impaired or not yet developed. Occupational therapy services include identifying speech, language, and hearing

that are impaired or not yet developed, but does not include the remediation of speech, language, and hearing skills and abilities.

(B) Modify or adapt a person or an activity or environment of a person or compensate for a loss of a person's functions.

(C) Evaluate factors that affect daily living activities, instrumental activities of daily living, and other activities relating to work, play, leisure, education, and social participation. These factors may include body functions, body structure, habits, routines, role performance, behavior patterns, sensory motor skills, cognitive skills, communication and interaction skills, and cultural, physical, psychosocial, spiritual, developmental, environmental, and socioeconomic contexts and activities that affect performance.

(D) Perform interventions and procedures relating to the factors described in clause (C), including the following:

(i) Task analysis and therapeutic use of occupations, exercises, and activities.

(ii) Education and training in self-care, self-management, home management, and community or work reintegration.

(iii) Care coordination, case management, transition, and consultative services.

(iv) Modification of environments and adaptation processes, including the application of ergonomic and safety principles.

(v) Assessment, design, fabrication, application, fitting, and training in assistive technology, adaptive devices, and orthotic devices, and training in the use of prosthetic devices. However, this does not include gait training, training in the use of hearing aids, tracheoesophageal valves, speaking valves, or electrolarynx devices related to the oral production of language, remediation of speech, language, and hearing disorders, or fabrication of shoe inserts.

(vi) Assessment, recommendation, and training in techniques to enhance safety, functional mobility, and community mobility, including wheelchair management and mobility. However, this does not include gait training.

(vii) Management of feeding, eating, and swallowing to enable eating and feeding performance.

(viii) Application of physical agent modalities and use of a range of specific therapeutic procedures used in preparation for or concurrently with purposeful and occupation based activities, including techniques to enhance sensory-motor, perceptual, and cognitive processing, manual therapy techniques, and adjunctive and preparatory activities for occupational performance. However, manual therapy does not include spinal manipulation, spinal adjustment, or grade 5 mobilization.

Sec. 2. An individual may not:

(1) practice as an occupational therapist;

(2) practice as an occupational therapy assistant;

(3) use the title "occupational therapist";

(4) use the title "occupational therapy assistant"; or

(5) engage in the practice of occupational therapy;

unless the individual is licensed under this chapter.

Sec. 3. (a) An occupational therapist may provide occupational therapy services to an individual during a period of not more than forty-two (42) calendar days beginning on the day on which the occupational therapist first provides occupational therapy services to the individual.

(b) Except as provided in subsection (c), to provide occupational therapy services to an individual after the period referred to in subsection (a), the occupational therapist must obtain a referral from, or act on the order of, one (1) of the following:

(1) A physician or osteopathic physician licensed under IC 25-22.5.

(2) A podiatrist licensed under IC 25-29.

(3) An advanced practice registered nurse licensed under IC 25-23.

(4) A psychologist licensed under IC 25-33.

(5) A chiropractor licensed under IC 25-10.

(6) An optometrist licensed under IC 25-24.

(7) A physician assistant licensed under IC 25-27.5.

The occupational therapist shall report to the practitioner as specified by the practitioner who provided the referral or order. However, if the practitioner does not specify a reporting requirement, the occupational therapist shall report to the

practitioner upon completion or termination of occupational therapy services.

(c) An occupational therapist may provide the following services without a referral or order from a health care provider listed in subsection (b)(1) through (b)(7):

(1) Ergonomic or home assessment.

(2) Injury or illness prevention education and wellness services.

(3) Occupational therapy activities provided in an educational setting.

(4) Occupational therapy activities that the board determines, after reviewing the recommendations of the board, are appropriate to be conducted in a community based environment.

Sec. 4. An individual who knowingly or intentionally violates sections 2 or 3 this chapter commits a Class B misdemeanor.

Sec. 5. If an occupational therapist performs an evaluation and the evaluation suggests the possibility of a condition that requires medical attention, the occupational therapist shall promptly refer the patient to an individual licensed under IC 25-22.5.

Sec. 6. (a) An occupational therapist may assess and manage the pharyngoesophageal phase of swallowing, including instrumental evaluations, only if the occupational therapist has done the following:

(1) Obtained continuing competency specific to the assessment and management of swallowing disorders.

(2) Demonstrated competencies specific to the evaluation and management of pharyngoesophageal swallowing disorders within the practitioner's service delivery setting and with the specific populations through, at a minimum:

(A) professional development or similar advanced training;

(B) successful passage of a written test; and

(C) demonstrated clinical skills and knowledge.

(b) The competencies required under subsection (a)(2) must be annually reviewed and updated.

Sec. 7. (a) An individual who applies for a license as an occupational therapist or an occupational therapy assistant must present satisfactory evidence to the board that the person:

(1) does not have a conviction for a crime that has a direct bearing on the person's ability to practice competently;

(2) has not been the subject of a disciplinary action by a licensing or certification agency of another state or jurisdiction on the grounds that the person was not able to practice as an occupational therapist or occupational therapy assistant without endangering the public;

(3) has:

(A) before July 1, 2006, graduated from a school or program of occupational therapy or a program for occupational therapy assistants approved by the board; or

(B) after June 30, 2006, graduated:

(i) with a master's degree or its equivalent from a school or program of occupational therapy; or

(ii) from a program for occupational therapy assistants; approved by the board;

(4) has passed an occupational therapist or occupational therapy assistant licensing examination approved by the board under section 11 of this chapter; and

(5) has met the clinical experience requirements established by the board.

(b) Notwithstanding subsection (a), an occupational therapist who received an initial license in occupational therapy before July 1, 2006, is not required to meet the requirements under subsection (a)(3)(B) or (a)(5).

Sec. 8. (a) The board may require a person who applies for a license as an occupational therapist to have successfully completed supervised fieldwork experience arranged and approved by the school or program from which the person graduated.

(b) The board may require a person who applies for a license as an occupational therapy assistant to have successfully completed supervised fieldwork experience arranged and approved by the program from which the person graduated.

Sec. 9. An individual applying for a license under this chapter must pay a fee.

Sec. 10. An individual who satisfies the requirements of sections 7 through 9 of this chapter may take the examination approved by the board under section 11 of this chapter.

Sec. 11. (a) The board shall do the following:

(1) Approve a nationally recognized examination for each type of license issued under this chapter.

(2) Establish the passing score necessary to obtain a license

under this chapter.

(b) The board may use any part of an examination administered by:

(1) the National Board for Certification in Occupational Therapy, or its successor; or

(2) another nationally recognized body that provides examination services for occupational therapists, as determined by the board;

as the examination required to obtain a license under this chapter.

Sec. 12. (a) The board shall provide for examinations to be given at least two (2) times a year at times and places established by the board.

(b) The board shall provide for examinations that test a person's knowledge of the basic and clinical sciences as they relate to the practice of occupational therapy, occupational therapy theory and procedures, and other subjects the board considers useful to test a person's fitness to practice as an occupational therapist or occupational therapy assistant.

Sec. 13. (a) The board shall issue a license to an individual who meets the requirements for a license under this chapter.

(b) The board may refuse to issue a license or may issue a probationary license to an individual if:

(1) the individual has been disciplined by an administrative agency in another jurisdiction; and

(2) the board determines that the violation for which the individual was disciplined has a direct bearing on the person's ability to practice occupational therapy as an occupational therapist.

(c) The board may refuse to issue a license or may issue a probationary license to an individual if:

(1) the individual has been disciplined by an administrative agency in another jurisdiction; and

(2) the board determines that the violation for which the individual was disciplined has a direct bearing on the person's ability to practice as an occupational therapy assistant.

Sec. 14. (a) If the board issues a probationary license under section 13 of this chapter, the board may require the individual who holds the probationary license to perform one (1) or more of the following conditions:

(1) Report regularly to the board upon a matter that is the

basis for the probation.

(2) Limit practice to areas prescribed by the board.

(3) Continue or renew professional education.

(4) Engage in community restitution or service without compensation for a number of hours specified by the board.

(b) The board shall remove a limitation placed on a probationary license if after a hearing the board finds that the deficiency that caused the limitation has been remedied.

Sec. 15. (a) A license issued by the board expires on a date established by the Indiana professional licensing agency under IC 25-1-5-4 in the next even-numbered year following the year in which the license was issued.

(b) An individual may renew a license by paying a renewal fee on or before the expiration date of the license.

(c) If an individual fails to pay a renewal fee on or before the expiration date of a license, the license becomes invalid.

Sec. 16. (a) The board shall reinstate an invalid license up to three (3) years after the expiration date of the license if the individual holding the invalid license meets the requirements under IC 25-1-8-6.

(b) If more than three (3) years have elapsed since the date a license expired, the individual holding the license may renew the license by satisfying the requirements for renewal established by the board and meeting the requirements under IC 25-1-8-6.

Sec. 17. (a) The board may issue a temporary permit to an individual to engage in the practice of occupational therapy as an occupational therapist or occupational therapy assistant if the individual pays a fee and the individual:

(1) has a valid license or certificate to practice from another state and the individual has applied for a license or certificate from the board;

(2) is practicing occupational therapy in a state that does not license or certify occupational therapists or occupational therapy assistants but is certified by a national occupational therapy association approved by the board and the individual has applied for a license from the board; or

(3) meets all the following requirements:

(A) Has graduated from an accredited program.

(B) Has completed the fieldwork experience requirement for a license under this chapter.

(C) Is eligible to take the entry level examination.

(b) An individual with a temporary permit issued under subsection (a)(3) may engage in the practice of occupational therapy as an occupational therapist or an occupational therapy assistant only under the supervision of an occupational therapist licensed under this chapter.

(c) A temporary permit expires the earlier of:

(1) the date the individual holding the permit is issued a permanent license under this chapter;

(2) the date the board disapproves the individual's license application; or

(3) one hundred eighty (180) days after the date the permit is issued.

(d) The board may renew a temporary permit if the individual holding the permit was scheduled to take the next examination and the individual:

(1) did not take the examination; and

(2) shows good cause for not taking the examination.

(e) A permit renewed under subsection (d) expires on the date the individual holding the permit receives the results from the next examination given after the permit was issued.

Sec. 18. (a) An individual who is licensed under this chapter shall notify the board in writing when the individual retires from practice.

(b) Upon receipt of the notice, the board shall:

(1) record the fact the individual is retired; and

(2) release the individual from further payment of renewal fees.

Sec. 19. (a) If an individual surrenders a license to the board, the board may reinstate the license upon written request by the individual.

(b) If the board reinstates a license, the board may impose conditions on the license appropriate to the reinstatement.

(c) An individual may not surrender a license without written approval by the board if a disciplinary proceeding under this chapter is pending against the individual.

Sec. 20. An individual who applies for a license under this chapter may be exempted by the board from the examination requirement under section 13 of this chapter if the individual:

(1) is licensed or certified to practice occupational therapy as

an occupational therapist or occupational therapy assistant in another state; or

(2) is practicing occupational therapy in a state that does not license or certify occupational therapists or occupational therapy assistants and is certified by a national occupational therapy association approved by the board;

and is otherwise qualified under sections 7 through 9 of this chapter and pays an additional fee.

Sec. 21. The board may issue a license to an individual who has graduated as an occupational therapist or issue a license to an individual who has graduated as an occupational therapy assistant from an educational program in a foreign country if the individual:

(1) graduated from an educational program approved by the board;

(2) does not have a conviction for:

(A) an act that would constitute a ground for a disciplinary sanction under IC 25-1-9; or

(B) a crime that has a direct bearing on the individual's ability to practice competently;

(3) has not been the subject of a disciplinary action initiated by a licensing agency of another state or jurisdiction on the ground that the individual was not able to practice occupational therapy as an occupational therapist or occupational therapy assistant without endangering the public;

(4) passes the examination required under this chapter; and

(5) pays a fee.

SECTION 680. IC 25-28.5-1-2, AS AMENDED BY P.L.1-2006, SECTION 469, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 2. As used in this chapter:

(1) "Plumbing" means the practice of and the materials and fixtures used in the installation, maintenance, extension, and alteration of all piping, fixtures, appliances, and appurtenances in connection with any of the following:

(A) Sanitary drainage or storm drainage facilities, the venting system, and the public or private water supply systems, within or adjacent to any building or structure.

(B) The practice and materials used in the installation, maintenance, extension, or alteration of the stormwater, liquid waste, or sewerage, and water supply systems of any premises to

the private property line or to their connection with any point of public disposal or other acceptable terminal.

The term does not include the planning, designing, and installation of sanitation and water systems in vehicles commonly known as mobile homes, the drilling of wells, the installation of pumps, pressure tanks, and piping incidental to the drilling or repair of a well system, the sale or installation of water softening equipment and apparatuses and services of the same, or the business of manufacturing or selling plumbing fixtures; appliances, equipment, or hardware; the installation of automatic sprinklers, the overhead or underground water supplies or standpipes when connected to an automatic sprinkler system or to their related devices or appurtenances connecting thereto; nor does the term include the work referred to in section 32(i) of this chapter; nor does the term include the planning or design of water supply or sewage systems which would ordinarily be performed as "the practice of engineering", as defined in ~~IC 25-31-1,~~ **IC 25-4-0.5-7,** or the "practice of architecture", as defined in IC 25-4-1.

(2) "Plumbing contractor" means any person who, for compensation, undertakes to, or submits a bid to, or does himself or herself or by others, construct, repair, alter, remodel, add to, subtract from, or improve plumbing and who is responsible for substantially all the plumbing within the entire project, or one who fabricates units or plumbing substantially completed and ready for installation.

(3) "Journeyman plumber" means a person who engages or offers to engage in, as an occupation or trade, the construction, installation, alteration, maintenance, repair, remodeling, or removal and replacement of plumbing under the supervision, direction, and responsibility of a licensed plumbing contractor.

(4) "Maintenance man" means a person who is employed on a permanent basis to keep the premises of a business establishment in good repair.

(5) "Contracting" means, except as exempted in this chapter, engaging in a business as a contractor.

(6) "Person" means a natural person, except in the case of a plumbing contractor, in which case it may mean the partners or members of a partnership, limited partnership, or any form of unincorporated enterprise, owned by two (2) or more persons, and as applied to "corporation" in addition to the corporate entity means the officers or directors and employees thereof.

(7) "Commission" means the Indiana plumbing commission created

by this chapter.

(8) "License" means a certificate issued by the commission established by this chapter which confers upon the holder the privilege to act as a plumbing contractor or a journeyman plumber as defined in this chapter.

(9) "Farmstead" means a farm dwelling together with other buildings, structures, equipment, piping, and other plumbing materials and supplies, located upon a parcel of real estate used primarily for agricultural purposes located outside the corporate limits of a municipality and not connected to a public water supply.

(10) "Licensing agency" means the Indiana professional licensing agency established under IC 25-1-5-3.

(11) "Apprentice plumber" means an individual who:

(A) is learning the plumbing trade; and

(B) is under the direction and immediate supervision of a licensed plumbing contractor or a licensed journeyman plumber.

(12) "Registration" means the granting of a certificate by the commission that authorizes an individual to act as an apprentice plumber.

SECTION 681. IC 25-29-1-10 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 10. "Board" refers to the ~~board of podiatric medicine established by IC 25-29-2-1.~~ **medical licensing board of Indiana established by IC 25-22.5-2-1.**

SECTION 682. IC 25-29-2-1 IS REPEALED [EFFECTIVE JANUARY 1, 2027]. ~~Sec. 1. The board of podiatric medicine is established.~~

SECTION 683. IC 25-29-2-2 IS REPEALED [EFFECTIVE JANUARY 1, 2027]. ~~Sec. 2. (a) The board consists of five (5) members appointed by the governor.~~

~~(b) Subject to IC 25-1-6.5-3, four (4) members must be licensed podiatrists who actively practice podiatric medicine and who meet the following conditions:~~

~~(1) Be licensed in Indiana as a podiatrist under this article.~~

~~(2) Be a resident of Indiana.~~

~~(3) Have practiced podiatric medicine for at least five (5) years.~~

~~(c) Subject to IC 25-1-6.5-3, one (1) member of the board must meet the following conditions:~~

~~(1) Be a resident of Indiana.~~

~~(2) Not be associated with the practice of podiatry other than as a consumer.~~

SECTION 684. IC 25-29-2-3 IS REPEALED [EFFECTIVE JANUARY 1, 2027]. ~~Sec. 3. A member of the board serves a term:~~

~~(1) if appointed before July 1, 2019, of three (3) years and until the member's successor is appointed and qualified; and~~

~~(2) if appointed after June 30, 2019, a term under IC 25-1-6.5.~~

SECTION 685. IC 25-29-2-4 IS REPEALED [EFFECTIVE JANUARY 1, 2027]. ~~Sec. 4. The governor may remove a member of the board under IC 25-1-6.5-4.~~

SECTION 686. IC 25-29-2-5 IS REPEALED [EFFECTIVE JANUARY 1, 2027]. ~~Sec. 5. A quorum of the board consists of a majority of the appointed members. At least three (3) votes are necessary for the board to take official action.~~

SECTION 687. IC 25-29-2-6 IS REPEALED [EFFECTIVE JANUARY 1, 2027]. ~~Sec. 6. (a) The board shall hold at least one (1) meeting each year. The board may hold additional meetings that the board considers necessary.~~

~~(b) A meeting may be called by the chairman or by a majority of the members of the board.~~

SECTION 688. IC 25-29-2-7 IS REPEALED [EFFECTIVE JANUARY 1, 2027]. ~~Sec. 7. Each year the board shall elect a chairman and any other officers from its members that the board considers necessary.~~

SECTION 689. IC 25-29-2-8 IS REPEALED [EFFECTIVE JANUARY 1, 2027]. ~~Sec. 8. Each member of the board is entitled to receive the minimum salary per diem provided by IC 4-10-11-2.1(b). The member is also entitled to reimbursement for traveling and expenses as provided under IC 4-13-1-4 and other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures prepared by the Indiana department of administration and approved by the budget agency.~~

SECTION 690. IC 25-30-1-5, AS AMENDED BY P.L.141-2021, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 5. This chapter does not require any of the following persons to be a licensee:

(1) A law enforcement officer of the United States, a state, or a political subdivision of a state to the extent that the officer or employee is engaged in the performance of the officer's or employee's official duties.

(2) Any person to the extent that the person is engaged in the business of furnishing and obtaining information concerning the

financial rating of other persons.

(3) A collection agency licensed by the secretary of state or its employee acting within the scope of the employee's employment, to the extent that the person is making an investigation incidental to the business of the agency, including an investigation of the location of a debtor or a debtor's assets in a property that the client has an interest in or a lien upon.

(4) An attorney or employee of an attorney to the extent that the person is engaged in investigative matters incident to the delivery of professional services that constitute the practice of law.

(5) An insurance adjuster to the extent that the adjuster is employed in the investigation and settlement of claims made against insurance companies or persons insured by insurance companies if the adjuster is a regular employee of the insurance company and the insurance company is authorized to do business in Indiana and is complying with the laws regulating insurance companies in Indiana.

(6) A person primarily engaged in the business of furnishing information for:

(A) business decisions and transactions in connection with credit, employment, or marketing; or

(B) insurance underwriting purposes;

including a consumer reporting agency as defined by the Fair Credit Reporting Act (15 U.S.C. 1681 et seq.).

(7) A retail merchant or an employee of the retail merchant to the extent that the person is hiring a private investigator for the purposes of loss prevention investigations for the retail merchant's retail establishment.

(8) A professional engineer registered under ~~IC 25-31~~ **IC 25-4-3** or a person acting under a registered professional engineer's supervision, to the extent the professional engineer is engaged in an investigation incident to the practice of engineering.

(9) An architect with a certificate of registration under IC 25-4, to the extent the architect is engaged in an investigation incident to the practice of architecture.

(10) A professional surveyor with a certificate of registration under IC 25-21.5, to the extent the professional surveyor is engaged in an investigation incident to the practice of surveying.

(11) A certified public accountant with a certificate under IC 25-2.1-3, to the extent that the person is engaged in an

investigation incident to the practice of accountancy.

(12) An independent consultant employed by the attorney general under IC 32-34-1.5-60, to the extent that the independent consultant is engaged in providing services for the attorney general.

SECTION 691. IC 25-31 IS REPEALED [EFFECTIVE JANUARY 1, 2027]. (Professional Engineers).

SECTION 692. IC 25-31.5-1-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 1. This article does not apply to the following individuals:

(1) An officer or employee of:

(A) the federal government;

(B) state government; or

(C) local government;

while providing soil science services for the officer's or employee's employer.

(2) An individual engaged solely in soil science research or the instruction of soil science.

(3) An individual not engaged in the public practice of soil science.

(4) A professional engineer registered under ~~IC 25-31~~ **IC 25-4-3** who applies soil science to the practice of engineering.

(5) A professional geologist certified under IC 25-17.6 who applies soil science to the practice of geology.

(6) A person who is a certified professional erosion and sediment control specialist (CPESC) or soil conservationist who uses soil science in making land use decisions for the conservation of soil and water resources.

(7) A professional wetlands specialist who applies soil science to make wetland delineations or determinations.

SECTION 693. IC 25-31.5-1-12, AS AMENDED BY P.L.2-2008, SECTION 65, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 12. "State chemist" refers to the state chemist appointed under ~~IC 15-16-2-24.~~ **IC 15-11-4.5-2.**

SECTION 694. IC 25-31.5-3-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 9. (a) The soil scientist registration fund is established as a separate fund in the ~~Purdue University treasury~~ **Indiana state department of agriculture established by IC 15-11-2-1** to carry out the purposes of this article. The fund is administered by the board.

(b) The sources of money for the fund are the:

(1) registration fees paid under IC 25-31.5-4-10; and

(2) renewal fees paid under IC 25-31.5-6-3.

(c) Expenses of administering the fund shall be paid from money in the fund.

(d) The state chemist shall collect all money paid under this article and deposit the money in the fund.

(e) If required by the board, the state chemist shall obtain a surety bond conditioned upon the faithful performance of the state chemist's duties for the board in an amount determined by the board. The bond must be issued by a surety company authorized to transact business in Indiana. All costs of the surety bond shall be paid from money in the fund.

(f) The ~~Purdue University~~ treasurer **of state** shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public funds may be invested. Interest that accrues from these investments must be deposited in the fund.

(g) Money in the fund at the end of a state fiscal year does not revert to the state general fund.

SECTION 695. IC 25-35.6-2-1, AS AMENDED BY P.L.249-2019, SECTION 135, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1. (a) There is established the speech-language pathology and audiology board.

(b) The board shall be comprised of ~~five (5)~~ **four (4)** members, who shall be appointed by the governor. Subject to IC 25-1-6.5-3, four (4) board members shall have been residents of this state for at least one (1) year immediately preceding their appointment and shall have been engaged in rendering services to the public, teaching, or research in speech-language pathology or audiology for at least five (5) years immediately preceding their appointment. At least two (2) board members shall be speech-language pathologists and at least two (2) shall be audiologists. ~~Subject to IC 25-1-6.5-3, the fifth member of the board, to represent the general public, shall be a resident of this state who has never been associated with speech-language pathology or audiology in any way other than as a consumer. Except for the member representing the general public,~~ All board members shall at all times be holders of active and valid licenses for the practice of speech-language pathology or audiology in this state.

(c) A member may be removed under IC 25-1-6.5-4.

(d) Appointments shall be:

(1) for members appointed before July 1, 2019, for a three year term; and

(2) for members appointed after June 30, 2019, for a term under IC 25-1-6.5.

(e) The governor may consider, but shall not be bound to accept, recommendations for board membership made by a statewide association for speech-language and hearing. A statewide association for speech-language and hearing may submit to the governor its recommendations for board membership not less than sixty (60) days after a vacancy. In the event of a mid-term vacancy, such association may make recommendations for filling such vacancy.

(f) At the first meeting of the board each year, members shall elect a chairperson for the subsequent twelve (12) month period. Further meetings may be convened at the call of the chairperson or the written request of any two (2) board members. All meetings of the board shall be open to the public, except that the board may hold closed sessions to prepare, approve, grade, or administer examinations or, upon request of an applicant who fails an examination, to prepare a response indicating any reason for the applicant's failure. All meetings of the board must be held in Indiana.

(g) A quorum of the board consists of a majority of the appointed members. A majority of the quorum may transact business. **The chairperson of the board is not allowed to cast a vote on any matter before the board unless the chairperson's vote is necessary to break a tie.**

SECTION 696. IC 27-1-15.7-4, AS AMENDED BY P.L.158-2024, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 4. (a) The commissioner shall approve and disapprove continuing education courses. ~~after considering recommendations made by the insurance producer education and continuing education commission established under section 6.5 of this chapter.~~

(b) The commissioner may not approve a course under this section if the course:

(1) is designed to prepare an individual to receive an initial license under this chapter;

(2) concerns only routine, basic office skills, including filing, keyboarding, and basic computer skills; or

(3) may be completed by a licensee without supervision by an instructor, unless the course involves an examination process that

is:

(A) completed and passed by the licensee as determined by the provider of the course; and

(B) approved by the commissioner.

(c) The commissioner shall approve a course under this section that is submitted for approval by an insurance trade association or professional insurance association if:

(1) the objective of the course is to educate a manager or an owner of a business entity that is required to obtain an insurance producer license under IC 27-1-15.6-6(d);

(2) the course teaches insurance producer management and is designed to result in improved efficiency in insurance producer operations, systems use, or key functions;

(3) the course is designed to benefit consumers; and

(4) the course is not described in subsection (b).

(d) Approval of a continuing education course under this section shall be for a period of not more than two (2) years.

(e) A prospective provider of a continuing education course shall pay:

(1) a fee of forty dollars ($40) for each course submitted for approval of the commissioner under this section; or

(2) an annual fee of five hundred dollars ($500) not later than January 1 of a calendar year, which entitles the prospective provider to submit an unlimited number of courses for approval of the commissioner under this section during the calendar year.

The commissioner may waive all or a portion of the fee for a course submitted under a reciprocity agreement with another state for the approval or disapproval of continuing education courses. Fees collected under this subsection shall be deposited in the department of insurance fund established under IC 27-1-3-28.

(f) A prospective provider of a continuing education course may electronically deliver to the commissioner any supporting materials for the course.

(g) The commissioner shall adopt rules under IC 4-22-2 to establish procedures for approving continuing education courses.

SECTION 697. IC 27-1-15.7-5, AS AMENDED BY P.L.158-2024, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 5. (a) To qualify as a certified prelicensing course of study for purposes of IC 27-1-15.6-6, an insurance producer program of study must meet all of the following criteria:

(1) Be conducted or developed by an:

(A) insurance trade association;

(B) accredited college or university;

(C) educational organization certified by the ~~insurance producer education and continuing education commission;~~ **commissioner;** or

(D) insurance company licensed to do business in Indiana.

(2) Provide for self-study or instruction provided by an approved instructor in a structured setting, as follows:

(A) For life insurance producers, not less than twenty (20) hours of instruction in a structured setting or comparable self-study on:

(i) ethical practices in the marketing and selling of insurance;

(ii) requirements of the insurance laws and administrative rules of Indiana; and

(iii) principles of life insurance.

(B) For health insurance producers, not less than twenty (20) hours of instruction in a structured setting or comparable self-study on:

(i) ethical practices in the marketing and selling of insurance;

(ii) requirements of the insurance laws and administrative rules of Indiana; and

(iii) principles of health insurance.

(C) For life and health insurance producers, not less than forty (40) hours of instruction in a structured setting or comparable self-study on:

(i) ethical practices in the marketing and selling of insurance;

(ii) requirements of the insurance laws and administrative rules of Indiana;

(iii) principles of life insurance; and

(iv) principles of health insurance.

(D) For property and casualty insurance producers, not less than forty (40) hours of instruction in a structured setting or comparable self-study on:

(i) ethical practices in the marketing and selling of insurance;

(ii) requirements of the insurance laws and administrative rules of Indiana;

(iii) principles of property insurance; and

(iv) principles of liability insurance.

(E) For personal lines producers, a minimum of twenty (20)

hours of instruction in a structured setting or comparable self-study on:

(i) ethical practices in the marketing and selling of insurance;

(ii) requirements of the insurance laws and administrative rules of Indiana; and

(iii) principles of property and liability insurance applicable to coverages sold to individuals and families for primarily noncommercial purposes.

(F) For title insurance producers, not less than ten (10) hours of instruction in a structured setting or comparable self-study on:

(i) ethical practices in the marketing and selling of title insurance;

(ii) requirements of the insurance laws and administrative rules of Indiana;

(iii) principles of title insurance, including underwriting and escrow issues; and

(iv) principles of the federal Real Estate Settlement Procedures Act (12 U.S.C. 2608).

(G) For annuity product producers, not less than four (4) hours of instruction in a structured setting or comparable self-study on:

(i) types and classifications of annuities;

(ii) identification of the parties to an annuity;

(iii) the manner in which fixed, variable, and indexed annuity contract provisions affect consumers;

(iv) income taxation of qualified and non-qualified annuities;

(v) primary uses of annuities; and

(vi) appropriate sales practices, replacement, and disclosure requirements.

(3) Instruction provided in a structured setting must be provided only by individuals who meet the qualifications established by the commissioner under subsection (b).

(b) The commissioner ~~after consulting with the insurance producer education and continuing education commission,~~ shall adopt rules under IC 4-22-2 prescribing the criteria that a person must meet to render instruction in a certified prelicensing course of study.

(c) The commissioner shall adopt rules under IC 4-22-2 prescribing the subject matter that an insurance producer program of study must cover to qualify for certification as a certified prelicensing course of study under this section.

(d) The commissioner may make recommendations that the commissioner considers necessary for improvements in course materials.

(e) The commissioner shall designate a program of study that meets the requirements of this section as a certified prelicensing course of study for purposes of IC 27-1-15.6-6.

(f) For each person that provides one (1) or more certified prelicensing courses of study, the commissioner shall annually determine, of all individuals who received classroom instruction in the certified prelicensing courses of study provided by the person, the percentage who passed the examination required by IC 27-1-15.6-5. The commissioner shall determine only one (1) passing percentage under this subsection for all lines of insurance described in IC 27-1-15.6-7(a) for which the person provides classroom instruction in certified prelicensing courses of study.

(g) The commissioner may, after notice and opportunity for a hearing, do the following:

(1) Withdraw the certification of a course of study that does not maintain reasonable standards, as determined by the commissioner for the protection of the public.

(2) Disqualify a person that is currently qualified under subsection (b) to render instruction in a certified prelicensing course of study from rendering the instruction if the passing percentage calculated under subsection (f) is less than forty-five percent (45%).

(h) Current course materials for a prelicensing course of study that is certified under this section must be submitted to the commissioner upon request, but not less frequently than once every three (3) years.

SECTION 698. IC 27-1-15.7-6.5, AS ADDED BY P.L.158-2024, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 6.5. (a) As used in this section, "commission" refers to the insurance producer education and continuing education commission established by subsection (b).

(b) The insurance producer education and continuing education commission is established within the department. The commissioner shall appoint the following seven (7) individuals:

(1) One (1) individual nominated by the Professional Insurance Agents of Indiana or its successor organization.

(2) One (1) individual nominated by the Independent Insurance Agents of Indiana or its successor organization.

(3) One (1) individual nominated by the Indiana Association of Insurance and Financial Advisors or its successor organization.

(4) One (1) individual nominated by the Indiana State Association of Health Underwriters or its successor organization.

(5) One (1) individual nominated by the Association of Life Insurance Companies or its successor organization.

(6) One (1) individual nominated by the Insurance Institute of Indiana or its successor organization.

(7) One (1) individual nominated by the Indiana Land Title Association or its successor organization.

The commissioner shall solicit nominations from the entities set forth in this subsection. The commissioner may deny to make the appointment of an individual nominated under this subsection only if the commissioner determines that the individual is not in good standing with the department or is not qualified. If the commissioner denies the appointment of an individual nominated under this subsection, the commissioner shall provide the nominating entity with the reason for the denial and allow the nominating entity to submit an alternative nomination.

(c) A member of the commission serves for a term of three (3) years that expires June 30, 2027, and every third year thereafter. A member may not serve more than two (2) consecutive terms.

(d) The commissioner shall appoint a member of the commission to serve as chairperson, who serves at the will of the commissioner. The commission shall meet:

(1) at the call of the chairperson; and

(2) at least semiannually.

The department shall staff the commission. Four (4) members constitute a quorum of the commission.

(e) The commissioner shall fill a vacancy on the commission with a nomination from the entity that nominated the predecessor or the entity's successor. The individual appointed to fill the vacancy shall serve for the remainder of the predecessor's term.

(f) A member of the commission is entitled to the minimum salary per diem provided under IC 4-10-11-2.1(b). A member is also entitled to reimbursement for traveling expenses and other expenses actually incurred in connection with the member's duties, in accordance with state travel policies and procedures established by the Indiana department of administration and approved by the budget agency. Money paid under this subsection shall be paid from amounts

appropriated to the department.

(g) The commission shall review and make recommendations to the commissioner concerning the following:

(1) Course materials and curriculum and instructor credentials for prelicensing courses of study for which certification by the commissioner is sought under section 5 of this chapter.

(2) Continuing education requirements for insurance producers.

(3) Continuing education courses for which the approval of the commissioner is sought under section 4 of this chapter.

(4) Rules proposed for adoption by the commissioner concerning continuing education under this chapter.

(h) A member of the commission or a designee of the commissioner is permitted access to any classroom while instruction is in progress to monitor the classroom instruction.

(i) This section expires December 31, 2026.

SECTION 699. IC 27-1-29-29, AS ADDED BY P.L.46-2023, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 29. ~~(a) Except as provided in subsection (b),~~ This chapter expires ~~when the insurance commissioner certifies to the executive director of the legislative services agency that:~~

~~(1) the fund has no remaining members;~~

~~(2) all payments of liabilities of former members of the fund have been determined and finalized; and~~

~~(3) the balance in the fund has been distributed to former members of the fund in accordance with section 28(c)(4) of this chapter.~~

~~(b) This chapter does not expire under subsection (a) unless IC 27-1-29.1:~~

~~(1) has previously expired under IC 27-1-29.1-24; or~~

~~(2) expires under IC 27-1-29.1-24 at the same time as this chapter expires under subsection (a)(1) through (a)(3).~~ **December 31, 2026.**

SECTION 700. IC 27-1-44.5-0.4, AS ADDED BY P.L.195-2021, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 0.4. **(a)** As used in this chapter, "advisory board" means the all payer claims data base advisory board established under IC 27-1-44.6-5.

(b) This section expires December 31, 2026.

SECTION 701. IC 27-1-44.6-13 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS

[EFFECTIVE JULY 1, 2026]: **Sec. 13. This chapter expires December 31, 2026.**

SECTION 702. IC 27-8-6-6, AS AMENDED BY P.L.288-2019, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 6. (a) As used in this section, "policy of accident and sickness insurance" has the meaning set forth in IC 27-8-5-1. However, the term does not include the following:

(1) Accident only, credit, dental, vision, Medicare supplement, long term care, or disability income insurance.

(2) Coverage issued as a supplement to liability insurance.

(3) Automobile medical payment insurance.

(4) A specified disease policy.

(5) A short term insurance plan that:

(A) may be renewed for the greater of:

(i) thirty-six (36) months; or

(ii) the maximum period permitted under federal law;

(B) has a term of not more than three hundred sixty-four (364) days; and

(C) has an annual limit of at least two million dollars ($2,000,000).

(6) A policy that provides indemnity benefits not based on any expense incurred requirement, including a plan that provides coverage for:

(A) hospital confinement, critical illness, or intensive care; or

(B) gaps for deductibles or copayments.

(7) A supplemental plan that always pays in addition to other coverage.

(b) A policy of accident and sickness insurance that provides coverage for physical medicine and rehabilitative services shall provide the coverage for physical medicine and rehabilitative services that are:

(1) rendered by an athletic trainer who is licensed under ~~IC 25-5.1;~~ **IC 25-27-3;** and

(2) within the athletic trainer's scope of practice.

(c) This section does not require a policy of accident and sickness insurance to provide coverage for physical medicine or rehabilitative services generally.

SECTION 703. IC 27-8-6-8, AS AMENDED BY P.L.236-2025, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 8. (a) As used in this section, "emergency medical services" has the meaning set forth in IC 16-18-2-110.

(b) As used in this section, "emergency medical services provider organization" means a provider of emergency medical services that is certified by the Indiana ~~emergency medical services~~ **fire and EMS standards and education** commission as an advanced life support provider organization under rules adopted under IC 16-31-3.

(c) As used in this section, "policy of accident and sickness insurance" has the meaning set forth in IC 27-8-5-1. However, for purposes of this section, the term does not include the following:

(1) Accident only, credit, dental, vision, Medicare supplement, long term care, or disability income insurance.

(2) Coverage issued as a supplement to liability insurance.

(3) Automobile medical payment insurance.

(4) A specified disease policy.

(5) A policy that provides a stipulated daily, weekly, or monthly payment to an insured without regard to the actual expense of the confinement.

(6) A short term insurance plan (as defined in IC 27-8-5.9-3).

(d) A policy of accident and sickness insurance that provides coverage for emergency medical services must provide reimbursement for emergency medical services that are:

(1) rendered by an emergency medical services provider organization;

(2) within the emergency medical services provider organization's scope of practice;

(3) performed or provided as advanced life support services; and

(4) performed or provided:

(A) during a response initiated through the 911 system; or

(B) as part of a mobile integrated healthcare program described in IC 16-31-12;

regardless of whether the patient is transported.

(e) Reimbursement for basic and advanced life support services through a policy to which this section applies must be provided on an equal basis regardless of whether the services involve transportation of the patient by ambulance.

(f) If multiple emergency medical services provider organizations qualify and submit a claim for reimbursement under this section for an encounter, the insurer:

(1) may reimburse under this section only for one (1) claim per patient encounter; and

(2) shall reimburse the claim submitted by the emergency medical

services provider organization that performed or provided the majority of advanced life support services for the patient.

(g) The department may adopt rules under IC 4-22-2 to implement this section.

(h) This section does not require a policy of accident and sickness insurance to provide coverage for emergency medical services.

SECTION 704. IC 27-8-38-5, AS ADDED BY P.L.170-2022, SECTION 38, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 5. As used in this chapter, "emergency medical services provider organization" means a provider of emergency medical services that is certified by the Indiana ~~emergency medical services~~ **fire and EMS standards and education** commission under the rules adopted under IC 16-31-3 to provide advanced life support.

SECTION 705. IC 27-13-1-18, AS AMENDED BY P.L.133-2011, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 18. (a) "Health care services" means:

(1) any services provided by individuals licensed under ~~IC 25-5.1,~~ IC 25-10, IC 25-13, IC 25-14, IC 25-22.5, IC 25-23, IC 25-24, IC 25-26, IC 25-27, IC 25-29, IC 25-33, or IC 25-35.6;

(2) services provided as a result of hospitalization;

(3) services incidental to the furnishing of services described in subdivision (1) or (2); or

(4) any other services or goods furnished for the purpose of preventing, alleviating, curing, or healing human illness, physical disability, or injury.

(b) The term does not include any service provided by, from, or through a licensed health care facility in connection with any life care, founder's fee, or other type of prepaid fee contract for residency and health care in a retirement home, community, or facility for elderly persons.

SECTION 706. IC 27-13-7-27, AS AMENDED BY P.L.236-2025, SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 27. (a) This section applies to each of the following:

(1) An individual contract.

(2) A group contract.

(b) As used in this section, "emergency medical services" has the meaning set forth in IC 16-18-2-110.

(c) As used in this section, "emergency medical services provider organization" means a provider of emergency medical services that is

certified by the Indiana ~~emergency medical services~~ **fire and EMS standards and education** commission as an advanced life support provider organization under rules adopted under IC 16-31-3.

(d) An individual contract and a group contract that provide coverage for emergency medical services must provide reimbursement for emergency medical services that are:

(1) rendered by an emergency medical services provider organization;

(2) within the emergency medical services provider organization's scope of practice;

(3) performed or provided as advanced life support services; and

(4) performed or provided:

(A) during a response initiated through the 911 system; or

(B) as part of a mobile integrated healthcare program described in IC 16-31-12;

regardless of whether the patient is transported.

(e) Reimbursement for basic and advanced life support services through a contract to which this section applies must be provided on an equal basis regardless of whether the services involve transportation of the patient by ambulance.

(f) If multiple emergency medical services provider organizations qualify and submit a claim for reimbursement under this section, the health maintenance organization:

(1) may reimburse under this section only for one (1) claim per patient encounter; and

(2) shall reimburse the claim submitted by the emergency medical services provider organization that performed or provided the majority of advanced life support services.

(g) The department may adopt rules under IC 4-22-2 to implement this section.

(h) This section does not require an individual contract or a group contract to provide coverage for emergency medical services.

SECTION 707. IC 31-9-2-10.6, AS ADDED BY P.L.145-2006, SECTION 175, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 10.6. ~~(a)~~ "Board", for purposes of IC 31-25-4, has the meaning set forth in IC 31-25-4-34(a).

~~(b) "Board", for purposes of IC 31-26-4, has the meaning set forth in IC 31-26-4-2.~~

SECTION 708. IC 31-9-2-21.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS

[EFFECTIVE JULY 1, 2026]: **Sec. 21.5. "Commission", for purposes of IC 31-26-4, has the meaning set forth in IC 31-26-4-2.1.**

SECTION 709. IC 31-26-4-2, AS ADDED BY P.L.145-2006, SECTION 272, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2. **(a)** As used in this chapter, "board" refers to the Indiana kids first trust fund board established by section 5 of this chapter.

(b) This section expires December 31, 2026.

SECTION 710. IC 31-26-4-2.1 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 2.1. As used in this chapter, "commission" refers to the commission on improving the status of children in Indiana established by IC 2-5-36-3.**

SECTION 711. IC 31-26-4-2.3, AS ADDED BY P.L.220-2011, SECTION 506, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2.3. (a) After June 30, 2003, **and before January 1, 2027,** any reference in a statute or rule referring to the Indiana children's trust fund board is considered a reference to the board.

(b) **This subsection does not apply after December 31, 2026.** On July 1, 2003, the board becomes the owner of all the personal property and assets and assumes the obligations and liabilities of the Indiana children's trust fund board, as it existed before July 1, 2003.

(c) After December 31, 2026, any reference in a statute or rule referring to the Indiana children's trust fund board is considered a reference to the commission.

(d) On January 1, 2027, the commission becomes the owner of all the personal property and assets and assumes the obligations and liabilities of the Indiana children's trust fund board, as it existed before January 1, 2027.

SECTION 712. IC 31-26-4-5, AS AMENDED BY P.L.93-2021, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 5. (a) The Indiana kids first trust fund board is established.

(b) The purpose of the board is to determine whether proposed projects under this chapter should be approved and to perform other duties given to the board by this chapter. The board shall approve projects and recommend to the department that the projects receive funds under sections 12 and 14 of this chapter.

(c) The board shall, before January 1 of each year, prepare a budget

for expenditures from the fund for the following state fiscal year. The budget must contain priorities for expenditures from the fund to accomplish the projects that have been approved under this chapter. The budget shall be submitted to the department and the budget committee. **The board shall submit its final budget under this subsection before January 1, 2027.**

(d) The board may employ staff necessary to carry out the duties of the board.

(e) The board may establish a nonprofit subsidiary corporation under section 17 of this chapter.

(f) This section expires December 31, 2026.

SECTION 713. IC 31-26-4-5.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 5.5. (a) The commission shall determine whether proposed projects under this chapter should be approved and to perform other duties as directed by this chapter. The commission shall approve projects and recommend to the department that the projects receive funds under sections 12 and 14 of this chapter.**

(b) The commission shall annually prepare a budget for expenditures from the fund for the following state fiscal year. The budget must contain priorities for expenditures from the fund to accomplish the projects that have been approved under this chapter. The commission shall submit a budget to the department and the budget committee before January 1, 2028, and each year thereafter.

(c) The commission may employ staff necessary to carry out the duties of the board.

(d) The commission may establish a nonprofit subsidiary corporation under section 17 of this chapter.

SECTION 714. IC 31-26-4-6, AS AMENDED BY P.L.56-2023, SECTION 298, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 6. **(a)** The board consists of the following ten (10) members:

(1) Two (2) individuals who are not members of the general assembly, appointed by the president pro tempore of the senate with advice from the minority leader of the senate.

(2) Two (2) individuals who are not members of the general assembly, appointed by the speaker of the house of representatives with advice from the minority leader of the house

of representatives.

(3) The director of the department or the director's designee.

(4) Four (4) individuals appointed by the governor as follows:

(A) One (1) individual who represents the general public.

(B) Two (2) individuals who represent child advocacy organizations.

(C) One (1) individual who represents the medical community.

(5) The commissioner of the Indiana department of health or the commissioner's designee. An individual designated by the commissioner under this subdivision must have knowledge of or experience in issues relating to:

(A) the prevention of child abuse and neglect; and

(B) the reduction of infant mortality.

(b) This section expires December 31, 2026.

SECTION 715. IC 31-26-4-7, AS ADDED BY P.L.145-2006, SECTION 272, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 7. (a) The members shall annually choose a chairperson and vice chairperson from among the members of the board under this section.

(b) The director of the department or the director's designee may not serve as chairperson or vice chairperson.

(c) If the member chosen as chairperson was appointed as a member by the president pro tempore of the senate or the speaker of the house of representatives, the vice chairperson must be chosen from among the members appointed by the governor. If the member chosen as chairperson was appointed as a member by the governor, the vice chairperson must be chosen from among the members appointed by the president pro tempore of the senate or the speaker of the house of representatives.

(d) This section expires December 31, 2026.

SECTION 716. IC 31-26-4-8, AS AMENDED BY P.L.93-2021, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 8. (a) The board shall meet at least quarterly and at the call of the chair.

(b) A majority of the appointed members of the board constitutes a quorum. The board may take action only in the presence of a quorum.

(c) The affirmative vote of a majority of the members of the board participating in a board meeting is necessary for the board to take any action at the meeting.

(d) The board shall post the minutes of a meeting on the board's

Internet web site not later than ten (10) days after the minutes are approved by the board.

(e) This section expires December 31, 2026.

SECTION 717. IC 31-26-4-9, AS AMENDED BY P.L.93-2021, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 9. (a) The term of a board member begins on the later of the following:

(1) The day the term of the member whom the individual is appointed to succeed expires.

(2) The day the individual is appointed.

(b) The term of a member expires July 1 of the fourth year after the member is appointed. However, a member serves at the pleasure of the appointing authority.

(c) The appointing authority may reappoint a member for a new term.

(d) The appointing authority shall appoint an individual to fill a vacancy among the members.

(e) This section expires December 31, 2026.

SECTION 718. IC 31-26-4-10, AS ADDED BY P.L.145-2006, SECTION 272, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 10. (a) Each member of the board who is not a state employee is entitled to the minimum salary per diem provided by IC 4-10-11-2.1(b). The member is also entitled to reimbursement for traveling expenses as provided under IC 4-13-1-4 and other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.

(b) Each member of the board who is a state employee is entitled to reimbursement for traveling expenses as provided under IC 4-13-1-4 and other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.

(c) This section expires December 31, 2026.

SECTION 719. IC 31-26-4-11, AS ADDED BY P.L.145-2006, SECTION 272, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 11. The ~~board~~ **commission** shall adopt and make available to the public:

(1) a strategic plan to implement the purposes of this chapter; and

(2) a method for proposing projects and requesting funds from the Indiana kids first trust fund.

SECTION 720. IC 31-26-4-12, AS AMENDED BY P.L.93-2021, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 12. (a) The Indiana kids first trust fund is established to carry out the purposes of this chapter.

(b) The fund consists of the following:

(1) Appropriations made by the general assembly.

(2) Interest as provided in subsection (e).

(3) Fees from kids first trust license plates issued under IC 9-18-30 (before its expiration) or IC 9-18.5-14.

(4) Money donated to the fund, including donations from a nonprofit subsidiary corporation established under section 17 of this chapter.

(5) Money transferred to the fund from other funds.

(c) The treasurer of state shall administer the fund.

(d) The expenses of administering the fund and this chapter shall be paid from the fund.

(e) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public trust funds are invested. Interest that accrues from these investments shall be deposited in the fund.

(f) An appropriation made by the general assembly to the fund shall be allotted and allocated at the beginning of the fiscal period for which the appropriation was made.

(g) Money in the fund at the end of a state fiscal year does not revert to the state general fund or any other fund.

(h) Subject to this chapter, there is annually appropriated to the department all money in the fund for the purposes of this chapter. However, the department may not request the allotment of money from the appropriation for a project that has not been approved and recommended by the ~~board.~~ **commission.**

SECTION 721. IC 31-26-4-14, AS AMENDED BY P.L.156-2011, SECTION 40, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 14. (a) The infant mortality account is established within the fund for the purpose of providing money for education and programs approved by the ~~board~~ **commission** under section ~~5(b)~~ **5.5(a)** of this chapter to reduce infant mortality in Indiana. The account shall be administered by the treasurer of state.

(b) Expenses of administering the account shall be paid from money

in the account. The account consists of the following:

(1) Appropriations to the account.

(2) Money donated to the account.

(c) The treasurer of state shall invest the money in the account not currently needed to meet the obligations of the account in the same manner as other public money may be invested. Interest that accrues from these investments shall be deposited in the account.

(d) Money in the account at the end of a state fiscal year does not revert to the state general fund.

SECTION 722. IC 31-26-4-15, AS ADDED BY P.L.145-2006, SECTION 272, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 15. **(a) This subsection applies to a calendar year ending before January 1, 2027.** Before October 1 of each year, the board shall prepare a report concerning the program established by this chapter for the public and the general assembly. A report prepared under this section for the general assembly must be in an electronic format under IC 5-14-6.

(b) This subsection applies to a calendar year beginning after December 31, 2026. Before October 1 of each year, the commission shall prepare a report concerning the program established by this chapter for the public and the general assembly. The commission shall submit the report to the general assembly in an electronic format under IC 5-14-6.

SECTION 723. IC 31-26-4-17, AS ADDED BY P.L.93-2021, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 17. (a) The board may establish a nonprofit subsidiary corporation that is exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code to solicit and accept private funding, gifts, donations, bequests, devises, and contributions.

(b) The board shall study the topic of establishing a nonprofit subsidiary corporation described in subsection (a). Not later than December 31, 2021, the board shall submit a report to the general assembly in an electronic format under IC 5-14-6 addressing the board's findings and determinations under this subsection. If the board determines to establish a nonprofit subsidiary corporation as described in subsection (a), the report must also include an implementation plan and estimated budget for the establishment of the nonprofit subsidiary corporation.

(c) A subsidiary corporation established under this section is

governed by a board of directors comprised of members appointed by the Indiana kids first trust fund board. Employees of the Indiana kids first trust fund board may serve on the board of directors of the subsidiary corporation. A subsidiary corporation established under this section:

(1) shall use money received under subsection (a) to carry out, in any manner, the purposes and programs of the board;

(2) shall report to the budget committee each year concerning:

(A) the use of money received; and

(B) the balances in any accounts or funds established by the subsidiary corporation;

(3) may donate money received to the Indiana kids first trust fund; and

(4) may deposit money received in an account or fund that is:

(A) administered by the subsidiary corporation; and

(B) not part of the state treasury.

(d) The board of directors of a subsidiary corporation established under this section shall post the minutes of a meeting on the subsidiary corporation's Internet web site not later than ten (10) days after the minutes are approved by the board of directors.

(e) Employees of the Indiana kids first trust fund board shall provide administrative support for a subsidiary corporation established under this section. Employees of the board directly involved in the subsidiary corporation may engage in fundraising activities on behalf of the subsidiary corporation.

(f) The state board of accounts shall annually audit a subsidiary corporation established under this section.

(g) This section expires December 31, 2026.

SECTION 724. IC 31-27-2-2, AS AMENDED BY P.L.56-2023, SECTION 300, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2. The department may do the following:

(1) Prescribe forms for reports, statements, notices, and other documents required by this article or by the rules adopted under this article.

(2) Increase public awareness of this article and the rules adopted under this article by preparing and publishing manuals and guides explaining this article and the rules adopted under this article.

(3) Facilitate compliance with and enforcement of this article through the publication of materials under subdivision (2).

(4) Prepare reports and studies to advance the purpose of this article.

(5) Seek the advice and recommendations of state agencies whose information and knowledge would be of assistance in writing, revising, or monitoring rules developed under this article. These agencies, including the office of the attorney general, Indiana department of health, division of mental health and addiction, division of family resources, the state police department, and ~~fire prevention and building safety commission,~~ **department of homeland security,** shall upon request supply necessary information to the department.

(6) Make the directory of licensees available to the public for a charge not to exceed the cost of reproducing the directory.

(7) Charge a reasonable processing fee for each license application and renewal as follows:

(A) For a child caring institution or group home license, a fee not to exceed three dollars ($3) for each licensed bed based on total licensed bed capacity not to exceed a maximum fee of one hundred fifty dollars ($150).

(B) For a child placing agency license, a fee not to exceed fifty dollars ($50).

(8) Exercise any other regulatory and administrative powers necessary to carry out the functions of the department.

SECTION 725. IC 31-27-2-4, AS AMENDED BY P.L.1-2025, SECTION 223, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 4. (a) The department shall adopt rules under IC 4-22-2 concerning the licensing and inspection of:

(1) child caring institutions, foster family homes, group homes, and child placing agencies after consultation with the:

(A) Indiana department of health; and

(B) ~~fire prevention and building safety commission;~~ **department of homeland security;** and

(2) child caring institutions and group homes that are licensed for infants and toddlers after consultation with the division of family resources.

(b) The rules adopted under subsection (a) shall be applied by the department and state fire marshal in the licensing and inspection of applicants for a license and licensees under this article.

(c) The rules adopted under IC 4-22-2 must establish minimum standards for the care and treatment of children in a secure private

facility.

(d) The rules described in subsection (c) must include standards governing the following:

(1) Admission criteria.

(2) General physical and environmental conditions.

(3) Services and programs to be provided to confined children.

(4) Procedures for ongoing monitoring and discharge planning.

(5) Procedures for the care and control of confined persons that are necessary to ensure the health, safety, and treatment of confined children.

(e) The department shall license a facility as a secure private facility if the facility:

(1) meets the minimum standards required under subsection (c);

(2) provides a continuum of care and services; and

(3) is licensed under IC 31-27-3.

(f) A waiver of the rules may not be granted for treatment and reporting requirements.

SECTION 726. IC 31-27-2-7, AS ADDED BY P.L.145-2006, SECTION 273, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 7. (a) Except as provided in subsections (b) and (c), the department shall exempt from licensure a child caring institution and a group home operated by a church or religious ministry that is a religious organization exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code (as defined in IC 6-3-1-11) and that does not:

(1) accept for care:

(A) a child who is a delinquent child under IC 31-37-1-1 or IC 31-37-2-1; or

(B) a child who is a child in need of services under IC 31-34-1-1 through IC 31-34-1-9; or

(2) operate a residential facility that provides child care on a twenty-four (24) hour basis for profit.

(b) The department shall adopt rules under IC 4-22-2 to govern the inspection of a child caring institution and a group home operated by a church or religious ministry with regard to sanitation.

(c) The ~~fire prevention and building safety commission~~ **department of homeland security** shall adopt rules under IC 4-22-2 to govern the inspection of a child caring institution and a group home operated by a church or religious ministry under this section. The rules must provide standards for fire alarms and fire drills.

(d) A child caring institution and a group home operated by a church or religious ministry under this section shall comply with the rules established by the department and the ~~fire prevention and building safety commission~~ **department of homeland security** under this section.

SECTION 727. IC 31-27-2-8, AS AMENDED BY P.L.183-2017, SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 8. (a) Except as provided in subsection (f), the department may grant a variance or waiver of a rule governing child caring institutions, foster family homes, group homes, or child placing agencies. A variance or waiver granted under this section must promote statewide practices and must protect the rights of persons affected by this article.

(b) The department may grant a variance to a rule if an applicant for a license or a licensee under this article does the following:

(1) Submits to the department a written request for the variance in the form and manner specified by the department.

(2) Documents that compliance with an alternative method of compliance approved by the department will not be adverse to the health, safety, or welfare of a child receiving services from the applicant for the variance, as determined by the department.

(c) A variance granted under subsection (b) must be conditioned upon compliance with the alternative method approved by the department. Noncompliance constitutes the violation of a rule of the department and may be the basis for revoking the variance.

(d) The department may grant a waiver of a rule if an applicant for a license or a licensee under this article does the following:

(1) Submits to the department a written request for the waiver in the form and manner specified by the department.

(2) Documents that compliance with the rule specified in the application for the waiver will create an undue hardship on the applicant for the waiver, as determined by the department.

(3) Documents that the applicant for the waiver will be in substantial compliance with the rules adopted by the department after the waiver is granted, as determined by the department.

(4) Documents that noncompliance with the rule specified in the application for a waiver will not be adverse to the health, safety, or welfare of a child receiving services from the applicant for the waiver, as determined by the department.

(e) Except for a variance or waiver of a rule governing foster family

homes, a variance or waiver of a rule under this section that conflicts with a building rule or fire safety rule adopted by the ~~fire prevention and building safety commission~~ **department of homeland security** is not effective until the variance or waiver is approved by the ~~fire prevention and building safety commission.~~ **department of homeland security.**

(f) A waiver may not be granted for an applicant who has been convicted of a nonwaivable offense, as defined in IC 31-9-2-84.8.

SECTION 728. IC 31-27-2-10, AS ADDED BY P.L.145-2006, SECTION 273, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 10. (a) If the department determines that a waiver or variance expiring under section 9 of this chapter will continue to serve the public interest, the department may do the following:

(1) Renew the waiver or variance without modifications.

(2) Renew and modify the waiver or variance as needed to promote statewide practices and to protect the rights of persons affected by this chapter.

(b) Before taking an action under subsection (a), the department may require a licensee under this article to do the following:

(1) Apply for the renewal of a waiver or variance on the form specified by the department.

(2) Provide the information required by the department.

(c) Except for a variance or waiver of a rule governing foster family homes, before taking an action under subsection (a), the department must obtain the approval of the ~~fire prevention and building safety commission~~ **department of homeland security, or if applicable, the state building commissioner,** for the action if either of the following occurs:

(1) The ~~fire prevention and building safety commission substantially~~ **department of homeland security or state building commissioner** changes a building ~~rule~~ **requirement** or fire safety rule **adopted by the department of homeland security** affected by the waiver or variance after the date the ~~commission~~ **department of homeland security or state building commissioner** last approved the waiver or variance.

(2) The department substantially modifies any part of a waiver or variance that conflicts with a building rule or fire safety rule adopted by the ~~fire prevention and building safety commission.~~ **department of homeland security.**

SECTION 729. IC 31-27-3-17, AS ADDED BY P.L.145-2006, SECTION 273, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 17. The ~~fire prevention and building safety commission~~ **department of homeland security** may not adopt rules requiring the installation of a sprinkler system in a living unit of a licensed child caring institution in which fewer than sixteen (16) children reside, each of whom is:

(1) ambulatory; and

(2) at least six (6) years of age.

SECTION 730. IC 31-27-4-4, AS ADDED BY P.L.145-2006, SECTION 273, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 4. The ~~fire prevention and building safety commission~~ **department of homeland security** shall provide consultation regarding the licensure of foster family homes to the department upon request.

SECTION 731. IC 32-21-2.5-8, AS AMENDED BY P.L.26-2022, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 8. (a) As used in this section, "paper document" or "paper documents" means a tangible record that is received by a county recorder in a form that is not electronic.

(b) On or before July 1, 2022, a county recorder shall receive for recording, indexing, storage, archiving, access to, searching of, retrieval, and transmittal all electronic documents proper for recording. A county recorder shall also accept electronically any fee or tax that the county recorder is authorized to collect under applicable laws. A county recorder shall implement the processing of electronic documents proper for recording in compliance with:

(1) this article;

(2) IC 33-42;

(3) IC 36-2-7.5;

(4) IC 36-2-11; and

(5) IC 36-2-13; and

the standards adopted by the electronic recording commission created under section 9 of this chapter **(before its repeal).**

(c) This section does not apply to the following documents:

(1) A military discharge under IC 10-17-2.

(2) A survey of real property.

(3) A plat of real property.

(d) A recorder who accepts electronic documents for recording shall:

(1) continue to accept paper documents as authorized by state law; and

(2) place entries for paper documents and electronic documents in the same index.

(e) A recorder who accepts electronic documents for recording may:

(1) convert paper documents accepted for recording into electronic form;

(2) convert into electronic form information recorded before the county recorder began to accept and index electronic documents; or

(3) agree with other officials of a state or a political subdivision of a state, or of the United States, on procedures or processes to facilitate the electronic satisfaction of prior approvals and conditions precedent to recording and the electronic payment of fees and taxes.

SECTION 732. IC 32-21-2.5-9 IS REPEALED [EFFECTIVE JULY 1, 2026]. ~~Sec. 9. (a) The electronic recording commission is established to adopt standards to implement this chapter before January 1, 2018. The commission consists of the following five (5) members appointed by the governor:~~

~~(1) Three (3) members must be county recorders.~~

~~(2) One (1) member must be employed in Indiana in the banking or mortgage lending industry.~~

~~(3) One (1) member must be employed in Indiana in the land title industry.~~

~~(b) To keep the standards and practices of county recorders in Indiana in harmony with the standards and practices of recording offices in other jurisdictions that enact substantially this chapter and to keep the technology used by county recorders in Indiana compatible with technology used by recording offices in other jurisdictions that enact substantially this chapter, the electronic recording commission, so far as is consistent with the purposes, policies, and provisions of this chapter, in adopting, amending, and repealing standards shall consider:~~

~~(1) standards and practices of other jurisdictions;~~

~~(2) the most recent standards promulgated by national standard setting bodies, such as the Property Records Industry Association (PRIA);~~

~~(3) the views of interested persons and governmental officials and entities;~~

~~(4) the needs of counties of varying size, population, and~~

~~resources; and~~

~~(5) standards requiring adequate information security protection to ensure that electronic documents are accurate, authentic, adequately preserved, and resistant to tampering.~~

SECTION 733. IC 32-21-5.2-3, AS ADDED BY P.L.157-2024, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 3. As used in this chapter, "local building department" means, in any county, city, or town, the department, division, agency, section, or office that enforces the Indiana building code adopted by the ~~fire prevention and building safety commission,~~ **department of homeland security,** as required by IC 36-7-2-9(1).

SECTION 734. IC 34-6-2.1-84, AS AMENDED BY P.L.186-2025, SECTION 274, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 84. (a) "Health care services":

(1) except as provided in subdivision (2), for purposes of IC 34-30-13, has the meaning set forth in IC 27-13-1-18(a); and

(2) for purposes of IC 34-30-13-1.2, means only noninvasive examinations, treatments, and procedures and the following invasive procedures:

(A) Routine dental services.

(B) Injections.

(C) Suturing of minor lacerations.

(D) Incisions of boils or superficial abscesses.

The term does not include performance of an abortion, including abortion by surgical means, by use of an abortion inducing drug, or by prescribing a controlled substance or scheduled drug under IC 35-48.

(b) "Health care services", for purposes of IC 34-30-13.5, means:

(1) any services provided by an individual licensed under:

(A) IC 25-2.5;

(B) IC 25-10;

(C) IC 25-13;

(D) IC 25-14;

(E) IC 25-19;

(F) IC 25-22.5;

(G) IC 25-23;

~~(H) IC 25-23.5;~~

~~(I)~~ **(H)** IC 25-23.6;

~~(J)~~ **(I)** IC 25-24;

~~(K)~~ **(J)** IC 25-26;

~~(L) IC 25-27;~~ **(K) IC 25-27-1;**

(L) IC 25-27-4;

(M) IC 25-27.5;

(N) IC 25-29;

(O) IC 25-33;

(P) IC 25-34.5; or

(Q) IC 25-35.6;

(2) services provided as the result of hospitalization, to an individual admitted to a health facility licensed under IC 16-28, or to a person residing in a housing with services establishment (as defined by IC 12-10-15-3);

(3) services incidental to the furnishing of services described in subdivisions (1) or (2);

(4) any services by individuals:

(A) licensed as paramedics;

(B) certified as advanced emergency medical technicians; or

(C) certified as emergency medical technicians under IC 16-31;

(5) any services provided by individuals certified as emergency medical responders under IC 16-31;

(6) any services provided by certified health care professionals who are registered with the Indiana department of health and the certified health care professions commission, including:

(A) certified nurse aides certified under IC 16-27.5-3;

(B) qualified medication aides certified under IC 16-27.5-4; and

(C) home health aides registered under rules adopted under IC 16-27.5-5;

(7) any services provided by unlicensed health care professionals who have successfully completed any applicable training required by the Indiana department of health;

(8) any services provided by health care volunteers who are permitted to practice during an event that is declared a disaster emergency under IC 10-14-3-12 to respond to COVID-19;

(9) any services provided by individuals with provisional or temporary licenses who are permitted to practice during an event that is declared a disaster emergency under IC 10-14-3-12 to respond to COVID-19; or

(10) any other services or goods furnished for the purpose of preventing, alleviating, curing, or healing human illness, physical disability, or injury.

SECTION 735. IC 34-6-2.1-165, AS ADDED BY P.L.186-2025,

SECTION 176, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 165. "Professional health care provider", for purposes of IC 34-30-15, means:

(1) a physician licensed under IC 25-22.5;

(2) a dentist licensed under IC 25-14;

(3) a hospital licensed under IC 16-21;

(4) a podiatrist licensed under IC 25-29;

(5) a chiropractor licensed under IC 25-10;

(6) an optometrist licensed under IC 25-24;

(7) a psychologist licensed under IC 25-33;

(8) a pharmacist licensed under IC 25-26;

(9) a health facility licensed under IC 16-28-2;

(10) a registered or licensed practical nurse licensed under IC 25-23;

(11) a physical therapist licensed under IC 25-27;

(12) a home health agency licensed under IC 16-27-1;

(13) a community mental health center (as defined in IC 12-7-2-38);

(14) a health care organization whose members, shareholders, subsidiaries, affiliates, or partners are:

(A) professional health care providers described in subdivisions (1) through (13);

(B) professional corporations comprised of health care professionals (as defined in IC 23-1.5-1-8); or

(C) professional health care providers described in subdivisions (1) through (13) and professional corporations comprised of persons described in subdivisions (1) through (13);

(15) a private psychiatric hospital licensed under IC 12-25;

(16) a preferred provider organization (including a preferred provider arrangement or reimbursement agreement under IC 27-8-11);

(17) a health maintenance organization (as defined in IC 27-13-1-19) or a limited service health maintenance organization (as defined in IC 27-13-34-4);

(18) a respiratory care practitioner licensed under IC 25-34.5;

(19) an occupational therapist licensed under ~~IC 25-23.5;~~ **IC 25-27-4;**

(20) a state institution (as defined in IC 12-7-2-184);

(21) a clinical social worker who is licensed under IC 25-23.6-5-2;

(22) a provider (as defined in IC 12-7-2-149.1(5));

(23) a nonprofit health care organization affiliated with a hospital that is owned or operated by a religious order, whose members are members of that religious order;

(24) a nonprofit health care organization with one (1) or more hospital affiliates;

(25) a health care organization that owns or controls, in whole or in part, one (1) or more entities described in subdivisions (1) through (24);

(26) a provider organization (as defined in IC 16-18-2-296);

(27) a paramedic licensed under IC 16-31;

(28) an emergency medical technician certified under IC 16-31;

(29) an emergency medical responder certified under IC 16-31; or

(30) an advanced emergency medical technician certified under IC 16-31.

SECTION 736. IC 34-13-3-2, AS AMENDED BY P.L.111-2021, SECTION 102, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2. This chapter applies to a claim or suit in tort against any of the following:

(1) The bureau of motor vehicles commission established by IC 9-14-9-1.

(2) A member of the bureau of motor vehicles commission board established under IC 9-14-9-2.

(3) An employee of the bureau of motor vehicles commission.

(4) A member of the driver education advisory board established by IC 9-27-6-5 **(before its expiration on December 31, 2026).**

(5) An approved postsecondary educational institution (as defined in IC 21-7-13-6(a)(1)), or an association acting on behalf of an approved postsecondary educational institution, that:

(A) shares data with the commission for higher education under IC 21-12-12-1; and

(B) is named as a defendant in a claim or suit in tort based on any breach of the confidentiality of the data that occurs after the institution has transmitted the data in compliance with IC 21-12-12-1.

(6) The state fair commission established by IC 15-13-2-1.

(7) A member of the state fair commission established by IC 15-13-2-1 or an employee of the state fair commission.

(8) The state fair board established by IC 15-13-5-1.

(9) A member of the state fair board established by IC 15-13-5-1.

SECTION 737. IC 34-13-3-8, AS AMENDED BY P.L.46-2023, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 8. (a) Except as provided in section 9 of this chapter and subsection (b), a claim against a political subdivision is barred unless notice is filed with:

(1) the governing body of that political subdivision; and

(2) ~~unless IC 27-1-29 has expired under IC 27-1-29-29,~~ the Indiana political subdivision risk management commission created under IC 27-1-29 **(before its expiration December 31, 2026);**

within one hundred eighty (180) days after the loss occurs.

(b) A claim against a political subdivision is not barred for failure to file notice with the Indiana political subdivision risk management commission under subsection (a)(2) if the political subdivision was not a member of the political subdivision risk management fund established under IC 27-1-29-10 at the time the act or omission took place.

SECTION 738. IC 34-30-2.1-30 IS REPEALED [EFFECTIVE JULY 1, 2026]. ~~Sec. 30. IC 5-2-2-14(b) (Concerning the state for violations of the law enforcement academy building commission law).~~

SECTION 739. IC 34-30-2.1-107 IS REPEALED [EFFECTIVE JANUARY 1, 2027]. ~~Sec. 107. IC 9-27-7-6(c) (Concerning members of the advisory board to the motorcycle operator safety education program).~~

SECTION 740. IC 34-30-2.1-127 IS REPEALED [EFFECTIVE JANUARY 1, 2027]. ~~Sec. 127. IC 10-18-1-2 (Concerning members of the Indiana war memorials commission).~~

SECTION 741. IC 34-30-2.1-252 IS REPEALED [EFFECTIVE JANUARY 1, 2027]. ~~Sec. 252. IC 16-41-42.2-5(k) (Concerning members of the spinal cord and brain injury research board).~~

SECTION 742. IC 34-30-27-1, AS AMENDED BY P.L.2-2014, SECTION 117, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 1. An architect registered under IC 25-4-1, a professional surveyor registered under IC 25-21.5, or a professional engineer registered under ~~IC 25-31-1~~ **IC 25-4-3** who, after May 31, 2013, voluntarily, without compensation (other than expense reimbursement), provides architectural, structural, electrical, mechanical, or professional services:

(1) related to a declared national, state, or local emergency caused by an earthquake, hurricane, tornado, fire, explosion, gale, severe

storm, flood, or collapse; and

(2) at the request of or with the approval of a federal or state official with executive responsibility in the jurisdiction to coordinate:

(A) law enforcement;

(B) public safety; or

(C) building inspection;

believed by the registered architect, professional surveyor, or professional engineer to be acting in an official capacity;

is not liable for any personal injury, wrongful death, property damage, or other loss of any nature related to the registered architect's, professional surveyor's, or professional engineer's acts, errors, or omissions in the performance of the services.

SECTION 743. IC 34-52-2-1, AS AMENDED BY P.L.3-2014, SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 1. (a) Subject to any other statute governing reimbursement of fees and other expenses, this chapter applies to the reimbursement of the fees and other expenses incurred in preparing for or prosecuting:

(1) a proceeding under IC 4-21.5-5 to judicially review a final order made by a state agency;

(2) an appeal from a final determination made by the worker's compensation board;

(3) an appeal of a final determination made by the department of state revenue; or

(4) an appeal of a final determination made by the department of workforce development or the department of workforce development unemployment insurance review board.

(b) However, this chapter does not apply to an order or other determination:

(1) under:

(A) IC 16-27-1;

(B) IC 16-28;

(C) IC 16-30;

(D) IC 12-28-4; or

(E) IC 12-28-5;

(2) by an agency described in IC 25-0.5-9; or

(3) by the ~~board of podiatric medicine.~~ **medical licensing board of Indiana under IC 25-29.**

SECTION 744. IC 35-44.1-4-9, AS AMENDED BY P.L.32-2019,

SECTION 30, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 9. (a) As used in this section, "emergency medical person" means a person who holds a certificate issued by the Indiana ~~emergency medical services~~ **fire and EMS standards and education** commission to provide emergency medical services.

(b) A person who knowingly or intentionally obstructs or interferes with an emergency medical person performing or attempting to perform the emergency medical person's emergency functions or duties commits obstructing an emergency medical person, a Class A misdemeanor.

SECTION 745. IC 35-44.2-3-3 IS REPEALED [EFFECTIVE JULY 1, 2026]. ~~Sec. 3. A member or person employed by the law enforcement academy building commission who has a conflict of interest with respect to an action by the commission is subject to criminal prosecution under IC 5-2-2-11.~~

SECTION 746. IC 35-47.5-2-3 IS REPEALED [EFFECTIVE JULY 1, 2026]. ~~Sec. 3. "Commission" refers to the fire prevention and building safety commission established by IC 22-12-2-1.~~

SECTION 747. IC 35-47.5-4-4, AS AMENDED BY P.L.187-2021, SECTION 134, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 4. (a) The department shall issue a regulated explosives magazine permit to maintain an explosives magazine to an applicant who qualifies under section 5 of this chapter.

(b) A permit issued under subsection (a) expires one (1) year after it is issued. The permit is limited to storage of the types and maximum quantities of explosives specified in the permit in the place covered by the permit and under the construction and location requirements specified in the rules of the ~~commission.~~ **department.**

SECTION 748. IC 35-47.5-4-4.5, AS AMENDED BY P.L.187-2021, SECTION 135, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 4.5. (a) This section does not apply to:

(1) a person who is regulated under IC 14-34; or

(2) near surface or subsurface use of regulated explosives associated with oil and natural gas:

(A) exploration;

(B) development;

(C) production; or

(D) abandonment activities or procedures.

(b) The ~~commission~~ **department** shall adopt rules under IC 4-22-2 to:

(1) govern the use of a regulated explosive; and

(2) establish requirements for the issuance of a license for the use of a regulated explosive.

(c) The ~~commission~~ **department** shall include the following requirements in the rules adopted under subsection (b):

(1) Relicensure every three (3) years after the initial issuance of a license.

(2) Continuing education as a condition of relicensure.

(3) An application for licensure or relicensure must be submitted to the department on forms approved by the ~~commission.~~ **department.**

(4) A fee for licensure and relicensure.

(5) Reciprocal recognition of a license for the use of a regulated explosive issued by another state if the licensure requirements of the other state are substantially similar to the licensure requirements established by the ~~commission.~~ **department.**

(d) A person may not use a regulated explosive unless the person has a license issued under this section for the use of a regulated explosive.

(e) The department shall carry out the licensing and relicensing program under the rules adopted by the ~~commission.~~ **department.**

(f) As used in this section, "regulated explosive" does not include either of the following:

(1) Consumer fireworks (as defined in 27 CFR 555.11).

(2) Commercially manufactured black powder in quantities not to exceed fifty (50) pounds, if the black powder is intended to be used solely for sporting, recreational, or cultural purposes in antique firearms or antique devices.

SECTION 749. IC 35-47.5-4-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 5. (a) To qualify for a regulated explosives permit, an applicant must:

(1) submit information on the form provided by the state fire marshal describing:

(A) the location of the affected magazine;

(B) the types and maximum quantities of explosives that will be kept in the place covered by the application; and

(C) the distance that the affected magazine will be located from the nearest highway, railway, and structure that is also used as a place of habitation or assembly other than for the manufacture of explosives;

(2) except as provided in subdivision (3), demonstrate through an inspection that the magazine is constructed and located in accordance with the rules adopted by the ~~commission;~~ **department;**

(3) demonstrate through an inspection that smoking, matches, open flames, and spark producing devices are not allowed within a room containing an indoor magazine; and

(4) pay the fee under IC 22-12-6-6.

(b) To qualify for the renewal of a regulated explosives permit, the applicant must pay the fee under IC 22-12-6-6.

SECTION 750. IC 35-47.5-4-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 6. (a) This section does not apply to storage that is exempted from the requirements of this section in the rules adopted by the ~~commission~~ **department** under IC 22-13-3.

(b) A person who:

(1) stores a regulated explosive;

(2) has control over a regulated explosive that is stored; or

(3) has control over a place where a regulated explosive is stored;

without a regulated explosives magazine permit issued under this chapter that covers the storage commits a Class C infraction.

SECTION 751. IC 35-52-5-3 IS REPEALED [EFFECTIVE JULY 1, 2026]. ~~Sec. 3. IC 5-2-2-11 defines a crime concerning the law enforcement academy building commission.~~

SECTION 752. IC 35-52-16-93 IS REPEALED [EFFECTIVE JANUARY 1, 2027]. ~~Sec. 93. IC 16-46-6-12 defines a crime concerning state health grants and programs.~~

SECTION 753. IC 35-52-25-2.7 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: **Sec. 2.7. IC 25-4-3-4 defines a crime concerning engineers.**

SECTION 754. IC 35-52-25-2.8 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: **Sec. 2.8. IC 25-4-3-15 defines a crime concerning engineers.**

SECTION 755. IC 35-52-25-53 IS REPEALED [EFFECTIVE JANUARY 1, 2027]. ~~Sec. 53. IC 25-31-1-13 defines a crime concerning engineers.~~

SECTION 756. IC 35-52-25-54 IS REPEALED [EFFECTIVE JANUARY 1, 2027]. ~~Sec. 54. IC 25-31-1-27 defines a crime~~

~~concerning engineers.~~

SECTION 757. IC 36-1-7-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 5. (a) Except as provided in subsection (b) and regardless of the requirements of section 4 of this chapter, if an agreement under section 3 of this chapter concerns the provision of services or facilities that a state officer or state agency has power to control, the agreement must be submitted to that officer or agency for approval before it takes effect.

(b) If a reciprocal borrowing agreement under section 3 of this chapter concerns the provision of library services or facilities between public libraries that are of the same nature as the services provided under the statewide library card program under IC 4-23-7.1-5.1, the reciprocal borrowing agreement is not required to be submitted to the Indiana library ~~and historical~~ board for approval before the reciprocal borrowing agreement takes effect, but a copy of the reciprocal borrowing agreement shall be submitted to the state library.

(c) Approval or disapproval is governed by the same provisions prescribed by section 4(b) of this chapter for the attorney general.

SECTION 758. IC 36-1-12-7, AS AMENDED BY P.L.86-2025, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 7. (a) This section does not apply to public work that:

(1) is considered routine maintenance or upkeep; or

(2) does not require a building permit issued by a city, town, or county.

(b) Public work performed or contracted for on a public building, the cost of which is more than one hundred thousand dollars ($100,000), may be undertaken by the board only in accordance with plans and specifications approved by an architect or engineer licensed under ~~IC 25-4 or IC 25-31~~ **IC 25-4-1 or IC 25-4-3** if the scope of the public work requires a design release under IC 22-15-3.

SECTION 759. IC 36-1-12-11, AS AMENDED BY P.L.187-2021, SECTION 138, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 11. (a) The board must, within sixty (60) days after the completion of the public work project, file in the department of homeland security a complete set of final record drawings for the public work project. However, this requirement does not apply to a public work project constructed at a cost less than one hundred thousand dollars ($100,000). In addition, the filing of the drawings is required only if the project involves a public building.

(b) The department of homeland security shall provide a depository for all final record drawings filed, and retain them for inspection and loan under regulated conditions. The ~~fire prevention and building safety commission~~ **department of homeland security** may designate the librarian of Indiana as the custodian of the final record drawings. The librarian shall preserve the final record drawings in the state archives as public documents.

SECTION 760. IC 36-1-12.5-3, AS AMENDED BY P.L.168-2006, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 3. (a) As used in this chapter, "qualified provider" means the following:

(1) Before July 1, 1999, the term means a person that satisfies both of the following:

(A) The person is experienced in the design, implementation, and installation of energy conservation measures.

(B) The person submits to the school corporation or political subdivision a performance bond to ensure the qualified provider's faithful performance of the qualified provider's obligations over the term of the guaranteed energy savings contract.

(2) After June 30, 1999, the term means a person that satisfies all of the following:

(A) Subject to subdivision (3), the person is experienced in the design, implementation, and installation of energy conservation measures.

(B) The person is certified and meets the requirements of IC 4-13.6-4. The person's response to the request for proposals must include a copy of the person's certificate of qualification issued under IC 4-13.6-4.

(C) Subject to subdivision (3), the person provides energy conservation engineering services by a professional engineer licensed under ~~IC 25-31~~ **IC 25-4-3** who is under the person's direct employment and supervision. The person's response to the request for proposals must include the license number of each professional engineer employed by the person to satisfy the requirement of this clause.

(D) The person provides:

(i) monitoring for the facility performance guarantee; and

(ii) service personnel under the person's direct employment and supervision;

for the duration of the contract's guarantee.

(E) The person performs at least twenty percent (20%) of the work (measured in dollars of the total contract price) with its own workforce.

(F) The person submits to the school corporation or political subdivision a performance bond to ensure the qualified provider's faithful performance of the qualified provider's obligations over the term of:

(i) the guaranteed energy savings contract; or

(ii) the guaranteed savings contract.

(3) With respect to conservation measures for which a contract is executed after June 30, 2006, the term includes a person that satisfies the following:

(A) The person is experienced in the design, implementation, and installation of conservation measures.

(B) The person provides engineering services with respect to conservation measures by a professional engineer licensed under ~~IC 25-31~~ **IC 25-4-3** who is under the person's direct employment and supervision. The person's response to the request for proposals must include the license number of each professional engineer employed by the person to satisfy the requirement of this clause.

(b) For purposes of a guaranteed energy savings contract entered into before July 1, 1999, a person who was a qualified provider under subsection (a)(1) at the time the contract was entered into remains a qualified provider for that contract after June 30, 1999. If the person enters into:

(1) a guaranteed energy savings contract after June 30, 1999, and before July 1, 2006, the person must satisfy the requirements of subsection (a)(2); or

(2) a guaranteed savings contract after June 30, 2006, the person must satisfy the requirements of subsection (a)(2) and (a)(3);

to be considered a qualified provider.

SECTION 761. IC 36-1-12.5-8, AS AMENDED BY P.L.56-2023, SECTION 328, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 8. Conservation measures installed under a utility efficiency program or a guaranteed savings contract must be approved by the following:

(1) The Indiana department of health, department of homeland security, and any other state agency designated by statute.

(2) An architect or engineer licensed under ~~IC 25-4 or IC 25-31~~ **IC 25-4-1 or IC 25-4-3** if the conservation measures have a cost of more than fifty thousand dollars ($50,000).

SECTION 762. IC 36-2-12-13 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 13. (a) A person may, for excavation, mineral extraction, or other purposes related to the person's business, temporarily remove a monument marking a corner. The person must notify in writing the county surveyor at least thirty (30) days before removing the monument. The person must replace the monument within a reasonable time at the person's expense under the supervision of the county surveyor or, if the county surveyor is not registered under IC 25-21.5 or ~~IC 25-31,~~ **IC 25-4-3;** the registered person who is selected under section 11 of this chapter. The surveyor shall file a copy of the notice in the corner record book.

(b) Only a county surveyor or a designee may change the location of any monument. A person who wishes to have the location of a monument changed must make a request to the surveyor in writing and furnish written approval of all landowners whose property is affected by the proposed change. The surveyor may approve, reject, or modify the request and shall file a copy of the notice and the landowners' consents in the corner record book.

(c) When, in the construction or maintenance of a state, county, or municipal road or street, it is necessary to remove or bury a monument marking a corner, the owner of the public right-of-way shall notify the county surveyor in writing at least fifteen (15) days before commencing the work.

(d) A county legislative body may adopt an ordinance:

(1) prohibiting a person from moving, changing, or otherwise altering a monument marking a corner without complying with this section; and

(2) prescribing a monetary penalty for a violation of the ordinance.

Any money collected shall be deposited in the county surveyor's corner perpetuation fund.

(e) A person who damages or removes a monument marking a corner or high accuracy reference network (HARN) point shall reimburse the county for the cost of repairing or replacing the monument.

(f) If a person who damages or removes a monument marking a corner violates an ordinance under subsection (d), the person is liable

for:

(1) the amount of reimbursement under subsection (e); and

(2) any monetary penalty prescribed by the county legislative body for violation of the ordinance under subsection (d).

SECTION 763. IC 36-2-12-15, AS AMENDED BY P.L.127-2017, SECTION 89, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 15. (a) If the surveyor serves as highway supervisor or county highway engineer and is compensated for that service in an amount greater than the compensation fixed under this title, then that compensation is in lieu of the compensation fixed under this title.

(b) When fixing the compensation of county officers under this title, the county fiscal body shall fix:

(1) compensation for the surveyor as if the surveyor is registered under IC 25-21.5 or ~~IC 25-31;~~ **IC 25-4-3;** and

(2) compensation for the surveyor as if the surveyor is not registered under IC 25-21.5 or ~~IC 25-31.~~ **IC 25-4-3.**

The compensation fixed under subdivision (1) must be one and one-half (1 1/2) times that fixed under subdivision (2). The county fiscal body shall then determine whether or not the surveyor is registered under IC 25-21.5 or ~~IC 25-31~~ **IC 25-4-3** and shall fix the surveyor's compensation in the proper amount.

(c) In addition to the compensation fixed under subsection (b), if the surveyor describes and certifies the number of miles of active regulated drains in the county to the county executive, the surveyor is entitled, with the approval of the county executive, to:

(1) two dollars ($2) per mile for each mile described and certified, if the surveyor is not registered under IC 25-21.5 or ~~IC 25-31;~~ **IC 25-4-3;** or

(2) four dollars ($4) per mile for each mile described and certified, if the surveyor is registered under IC 25-21.5 or ~~IC 25-31.~~ **IC 25-4-3.**

(d) In addition to the compensation fixed under subsections (b) and (c), the surveyor is entitled to:

(1) two dollars ($2) for each corner reference required under section 11 of this chapter, if the surveyor is not registered under IC 25-21.5 or ~~IC 25-31;~~ **IC 25-4-3;** or

(2) four dollars ($4) for each corner reference required under section 11 of this chapter, if the surveyor is registered under IC 25-21.5 or ~~IC 25-31.~~ **IC 25-4-3.**

SECTION 764. IC 36-7-2-9, AS AMENDED BY P.L.22-2005, SECTION 50, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 9. Each unit shall require compliance with:

(1) the code of building laws and fire safety laws that is adopted in the rules of the ~~fire prevention and building safety commission~~ **department of homeland security** under IC 22-13;

(2) orders issued under IC 22-13-2-11 that grant a variance to the code of building laws and fire safety laws described in subdivision (1);

(3) orders issued under IC 22-12-7 that apply the code of building laws described in subdivision (1);

(4) IC 22-15-3-7; and

(5) a written interpretation of a building law and fire safety law binding on the unit under IC 22-13-5-3 or IC 22-13-5-4.

SECTION 765. IC 36-7-2-9.1, AS AMENDED BY THE TECHNICAL CORRECTIONS BILL OF THE 2026 GENERAL ASSEMBLY, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 9.1. (a) This section does not apply to:

(1) a manufactured housing community; or

(2) a mobile home community;

that is licensed, permitted, and inspected by the Indiana department of health or a local board of health.

(b) This section applies only to a city, town, or county that requires a building permit, plan review, or inspection for the construction of a Class 2 structure.

(c) As used in this section, "Class 2 structure" has the meaning set forth in IC 22-12-1-5.

(d) A city, town, or county shall allow the plan review or inspection to be conducted by the following:

(1) An individual who is employed by the city, town, or county as a building inspector.

(2) An individual who is employed by another city, town, or county as a building inspector.

(3) A private provider who is:

(A) an architect registered under IC 25-4-1;

(B) a professional engineer registered under ~~IC 25-31-1;~~ **IC 25-4-3;** or

(C) a certified building official (as defined in ~~IC 36-7-2.5-3).~~ **IC 36-7-2.5-4).**

(e) An applicant for a building permit may choose to have a private

provider under subsection (d)(3) conduct the plan review or inspection as provided in IC 36-7-2.5.

SECTION 766. IC 36-7-2.5-9, AS ADDED BY P.L.146-2025, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 9. As used in this chapter, "private provider" means a person who:

(1) is:

(A) an architect registered under IC 25-4-1;

(B) a professional engineer registered under ~~IC 25-31-1;~~ **IC 25-4-3;** or

(C) a certified building official;

(2) is not:

(A) an employee of;

(B) affiliated with; or

(C) financially interested in;

the person, firm, or corporation engaged in the project to be reviewed or inspected; and

(3) is not an employee of a unit.

SECTION 767. IC 36-7-4-1108, AS AMENDED BY P.L.134-2024, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1108. (a) This section applies only to a child care home that is used as the primary residence of the person who operates the child care home regardless of whether the child care home meets the definition set forth in IC 12-7-2-28.6.

(b) A zoning ordinance may not do any of the following:

(1) Exclude a child care home from a residential area solely because the child care home is a business.

(2) Impose limits on the number of children that may be served by a child care home at any one (1) time that vary from the limits set forth in IC 12-7-2-33.7 and IC 12-7-2-33.8.

(3) Impose requirements or restrictions upon child care homes that vary from the requirements and restrictions imposed upon child care homes by rules adopted by the division of family resources or the ~~fire prevention and building safety commission.~~ **department of homeland security.**

(c) Notwithstanding subsection (b), a child care home may be required to meet the same:

(1) zoning requirements;

(2) developmental standards; and

(3) building codes;

that apply to other residential structures in the same residential district or classification as the child care home.

SECTION 768. IC 36-7-8-3, AS AMENDED BY P.L.208-2015, SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 3. (a) The legislative body of a county having a county department of buildings or joint city-county building department may, by ordinance, adopt building, heating, ventilating, air conditioning, electrical, plumbing, and sanitation standards for unincorporated areas of the county. These standards take effect only on the legislative body's receipt of written approval from the ~~fire prevention and building safety commission.~~ **department of homeland security.**

(b) An ordinance adopted under this section must be based on occupancy, and it applies to:

(1) the construction, alteration, equipment, use, occupancy, location, and maintenance of buildings, structures, and appurtenances that are on land or over water and are:

(A) erected after the ordinance takes effect; and

(B) if expressly provided by the ordinance, existing when the ordinance takes effect;

(2) conversions of buildings and structures, or parts of them, from one occupancy classification to another; and

(3) the movement or demolition of buildings, structures, and equipment for the operation of buildings and structures.

(c) The rules of the ~~fire prevention and building safety commission~~ **department of homeland security** are the minimum standards upon which ordinances adopted under this section must be based.

(d) An ordinance adopted under this section does not apply to private homes that are built by individuals and used for their own occupancy. However, onsite sewage systems of a private home described in this subsection must comply with state laws and rules.

SECTION 769. IC 36-7-8-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 4. (a) The legislative body of a county having a county department of buildings or a joint city-county building department may, by ordinance, adopt minimum housing standards for unincorporated areas of the county. These standards must be consistent with the rules of the ~~fire prevention and building safety commission.~~ **department of homeland security.**

(b) An ordinance adopted under this section applies to:

(1) residential buildings;

(2) residential parts of mixed occupancy buildings; and

(3) conversions of buildings from nonresidential to residential or partly residential.

(c) A municipality may elect, by ordinance, to make itself subject to an ordinance adopted under this section.

(d) This section does not affect IC 16-41-26.

SECTION 770. IC 36-7-41-1, AS ADDED BY P.L.119-2025, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 1. (a) As used in this chapter, ~~"commission" refers to the northwest Indiana professional sports development commission established by section 2 of this chapter.~~ **"authority" refers to the northwest Indiana regional development authority established by IC 36-7.5-2-1.**

(b) As used in this chapter, "fund" refers to the local professional sports development fund created by section 13 of this chapter.

(c) As used in this chapter, "professional sports franchise" refers to a club, corporation, sole proprietorship, partnership, limited liability company, association, or other legal entity operating a professional sports team that belongs to one (1) of the following:

(1) A professional football league established before 1930.

(2) A professional baseball league established before 1910.

(3) An association of professional basketball teams established before 1960.

(4) A North American hockey league that has had at least one (1) franchise in the United States since 1924.

(5) A professional soccer league established in 1993.

SECTION 771. IC 36-7-41-2, AS ADDED BY P.L.119-2025, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2. **(a)** The northwest Indiana professional sports development commission is established.

(b) This section expires December 31, 2026.

SECTION 772. IC 36-7-41-3, AS ADDED BY P.L.119-2025, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 3. (a) The commission consists of the following seventeen (17) members:

(1) The mayor of East Chicago.

(2) The mayor of Gary.

(3) The mayor of Hammond.

(4) The mayor of Michigan City.

(5) The mayor of LaPorte.

(6) The mayor of Portage.

(7) The mayor of South Bend.

(8) Four (4) members appointed under subsection (b).

(9) Four (4) members appointed under subsection (c).

(10) One (1) member appointed by the executive director of the northwest Indiana regional development authority.

(11) One (1) member appointed by the governor to represent the Indiana economic development corporation.

(b) The board of county commissioners for each of the following counties shall appoint to the commission one (1) member from among the board's membership:

(1) Lake County.

(2) Porter County.

(3) LaPorte County.

(4) St. Joseph County.

(c) The county council for each of the following counties shall appoint to the commission one (1) member from among the council's membership:

(1) Lake County.

(2) Porter County.

(3) LaPorte County.

(4) St. Joseph County.

(d) This section expires December 31, 2026.

SECTION 773. IC 36-7-41-4, AS ADDED BY P.L.119-2025, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 4. **(a)** A member of the commission may designate an individual to serve on the commission in the member's place.

(b) This section expires December 31, 2026.

SECTION 774. IC 36-7-41-5, AS ADDED BY P.L.119-2025, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 5. (a) The term of each member is two (2) years and ends June 30 of an odd-numbered year.

(b) A member may be reappointed.

(c) This section expires December 31, 2026.

SECTION 775. IC 36-7-41-6, AS ADDED BY P.L.119-2025, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 6. **(a)** A vacancy occurring in the membership of the commission shall be filled by the appointing authority to serve the remainder of the term.

(b) This section expires December 31, 2026.

SECTION 776. IC 36-7-41-7, AS ADDED BY P.L.119-2025, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 7. (a) A quorum of the commission must be present to conduct the commission's business. A quorum consists of nine (9) members of the commission.

(b) The affirmative votes of nine (9) members of the commission are required for the commission to take action on any measure.

(c) This section expires December 31, 2026.

SECTION 777. IC 36-7-41-8, AS ADDED BY P.L.119-2025, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 8. (a) The commission shall hold its initial meeting before September 1, 2025, at the call of the member appointed under section 3(a)(10) of this chapter.

(b) The commission shall elect the following officers from among the members of the commission:

(1) A chairperson.

(2) A vice chairperson.

(3) A treasurer.

(c) The term of each officer elected under subsection (b):

(1) is one (1) year; and

(2) ends on June 30.

(d) An officer may be reelected.

(**e) This section expires December 31, 2026.**

SECTION 778. IC 36-7-41-9, AS ADDED BY P.L.119-2025, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 9. **(a)** The commission shall fix the time for regular meetings.

(b) This section expires December 31, 2026.

SECTION 779. IC 36-7-41-10, AS ADDED BY P.L.119-2025, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 10. The ~~commission~~ **authority** may do the following:

(1) Study various plans and recommendations that are proposed with respect to attracting one (1) or more professional sports franchises to northwest Indiana.

(2) Prepare a comprehensive master plan for building the facilities and other infrastructure necessary for attracting and developing professional sports franchises in northwest Indiana.

(3) Coordinate the implementation of the comprehensive master plan.

(4) Monitor the progress of implementation of the comprehensive master plan.

(5) Report to the governor, the lieutenant governor, the Indiana economic development corporation, the legislative council, and the budget committee on:

(A) the activities of the ~~commission;~~ **authority;** and

(B) the progress of implementation of the comprehensive master plan.

A report provided under this subdivision to the legislative council must be in an electronic format under IC 5-14-6.

SECTION 780. IC 36-7-41-11, AS ADDED BY P.L.119-2025, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 11. When necessary to accomplish the purposes of ~~the commission,~~ **this chapter,** the ~~commission~~ **authority** may do the following:

(1) Conduct studies. ~~necessary for the performance of the commission's duties~~

(2) Publicize, advertise, and distribute reports on the ~~commission's purposes,~~ **authority's objectives,** **objectives** and findings.

(3) Provide recommendations in matters related to ~~the commission's~~ **this chapter's** functions and objectives to the following:

(A) The governor and, in an electronic format under IC 5-14-6, the general assembly.

(B) Political subdivisions that have territory within northwest Indiana.

(C) Other public and private agencies.

(4) When requested, act as a coordinating agency for programs and activities of other public and private agencies that are related to the commission's objectives.

(5) Receive grants and appropriations from the following:

(A) Federal, state, and local governments.

(B) Individuals.

(C) Foundations.

(D) Other organizations.

(6) Enter into agreements or contracts regarding the acceptance or use of these grants and appropriations for the purpose of carrying out the ~~commission's~~ **authority's** activities under this chapter.

(7) Acquire and dispose of real or personal property by grant, gift, purchase, lease, devise, or otherwise.

(8) Hold, use, improve, maintain, operate, own, manage, or lease as lessor or lessee:

(A) real or personal property; or

(B) any interest in real or personal property.

(9) Contract for staff services with qualified agencies or individuals.

SECTION 781. IC 36-7-41-12, AS ADDED BY P.L.119-2025, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 12. (a) After approval of the budget by the ~~commission,~~ **authority,** money may be expended only as budgeted, unless a majority vote of the ~~commission~~ **authority** authorizes other expenditures.

(b) The treasurer of the ~~commission~~ **authority** is responsible for the safekeeping and deposit of money the commission receives under this chapter. The state board of accounts shall:

(1) prescribe the methods and forms for keeping; and

(2) periodically audit;

the accounts, records, and books of the commission.

(c) The treasurer of the ~~commission~~ **authority** may receive, disburse, and handle money belonging to the commission, subject to the following:

(1) Applicable statutes.

(2) Procedures established by the commission.

SECTION 782. IC 36-7-41-13, AS ADDED BY P.L.119-2025, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 13. (a) The local professional sports development fund is created. The ~~commission~~ **authority** may make expenditures from the fund only to accomplish the purposes of this chapter.

(b) The fund consists of the following:

(1) Grants, gifts, and donations intended for deposit in the fund.

(2) Interest that accrues from money in the fund.

(3) Money from any other source deposited in the fund.

(c) The ~~commission~~ **authority** shall do the following:

(1) Hold the fund in the name of the ~~commission.~~ **authority.**

(2) Administer the fund.

(3) Make all expenditures from the fund.

SECTION 783. IC 36-7-41.5-0.5 IS ADDED TO THE INDIANA

CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: **Sec. 0.5. (a) On January 1, 2027, all powers, duties, agreements, and liabilities of the northwest Indiana professional sports development commission are transferred to the northwest Indiana regional development authority.**

(b) On January 1, 2027, all records and property of the northwest Indiana professional sports development commission are transferred to the northwest Indiana regional development authority, including appropriations and other funds under the control or supervision of the northwest Indiana professional sports development commission, are transferred to the northwest Indiana regional development authority.

(c) After December 31, 2026, any amounts owed to the northwest Indiana professional sports development commission before January 1, 2027, are considered to be owed to the northwest Indiana regional development authority.

(d) After December 31, 2026, a reference to the northwest Indiana professional sports development commission in a statute, rule, or other document is considered a reference to the northwest Indiana regional development authority.

SECTION 784. IC 36-7.5-2-1, AS AMENDED BY P.L.114-2022, SECTION 36, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1. The northwest Indiana regional development authority is established as a separate body corporate and politic to carry out the purposes of this article by:

(1) acquiring, constructing, equipping, owning, leasing, and financing projects and facilities for lease to or for the benefit of eligible political subdivisions under this article in accordance with IC 36-7.5-3-1.5;

(2) funding and developing the Gary/Chicago International Airport expansion and other airport authority projects, commuter transportation district and other rail projects and services, regional bus authority projects and services, regional transportation authority projects and services, and economic development projects in northwestern Indiana;

(3) assisting with the funding of infrastructure needed to sustain development of an intermodal facility in northwestern Indiana;

(4) overseeing the operations of the northwest Indiana commuter transportation district established under IC 8-5-15;

~~(4)~~ **(5)** funding and developing regional transportation infrastructure projects under IC 36-9-43; and

~~(5)~~ **(6)** studying and evaluating destination based economic development projects that have:

(A) an identified market;

(B) identified funding sources and these funding sources include at least fifty percent (50%) from nongovernmental sources; and

(C) a demonstrable short and long term local and regional economic impact, as verified by an independent economic analysis.

An economic analysis conducted under clause (C) must be submitted to the budget committee at least thirty (30) days before review is sought for the project under IC 36-7.5-3-1.5.

SECTION 785. IC 36-7.5-3-1, AS AMENDED BY P.L.114-2022, SECTION 37, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1. The development authority shall do the following:

(1) Subject to sections 1.5 and 1.7 of this chapter, assist in the coordination of local efforts concerning projects.

(2) Assist a commuter transportation district, an airport authority, a regional transportation authority, and a regional bus authority in coordinating regional transportation and economic development efforts.

(3) Subject to sections 1.5 and 1.7 of this chapter, fund projects as provided in this article.

(4) Fund bus services (including fixed route services and flexible or demand-responsive services) and projects related to bus services and bus terminals, stations, or facilities.

(5) Oversee the operations of the northern Indiana commuter transportation district established under IC 8-5-15.

SECTION 786. IC 36-7.5-4-23 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 23. (a) An appropriation made for the benefit of the northern Indiana commuter transportation district established under IC 8-5-15 must be made to the development authority.**

(b) The development authority must do the following with respect to an appropriation made under subsection (a):

(1) Transfer to the northern Indiana commuter

transportation district the amount necessary for the operation of the district.

(2) Retain any remaining amount for strategic planning for and the expansion of the northern Indiana commuter transportation district.

SECTION 787. IC 36-8-2.5-1, AS AMENDED BY P.L.7-2021, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 1. The following definitions apply throughout this chapter:

(1) "Communication" means an oral or written statement, note, record, recording, report, or document made during, or arising out of, a first responder's receipt of CISM services or peer support services.

(2) "Critical incident" means an actual or perceived event or situation that involves crisis, disaster, trauma, or emergency.

(3) "Critical incident stress" means the acute or cumulative psychological stress or trauma that a first responder may experience in providing emergency services in response to a critical incident. The stress or trauma is an unusually strong emotional, cognitive, behavioral, or physical reaction that may interfere with normal functioning by causing:

(A) physical and emotional injury or illness;

(B) failure of a usual coping mechanism;

(C) loss of interest in work or normal life activities;

(D) loss of ability to function; or

(E) psychological disruption of personal life, including the emergency responder's relationship with a spouse, child, relative, or friend.

(4) "CISM services" means critical incident stress management services that include programs and services related to education, prevention, and mitigation of the effects from exposure to highly stressful critical incidents. The term includes services provided by an individual certified to provide group crisis intervention, individual crisis intervention, peer support, or any related service.

(5) "CISM services provider" means an individual who is certified to provide CISM services and who is acting as part of a CISM team or in another official capacity.

(6) "CISM team" means an organized community or local crisis response team that is trained and certified under standards substantially similar to the training and certification standards

established by the Indiana ~~emergency medical services~~ **fire and EMS standards and education** commission as set forth under IC 16-31-2.

(7) "First responder" has the meaning set forth in IC 10-10.5-2-1.

(8) "First responder recipient" means an individual who is a first responder and receives CISM services, peer support services, or both.

(9) "Peer support services" means services provided by a person who:

(A) is a first responder working for the same department or public agency that the first responder recipient works for; and

(B) acts:

(i) in the person's official capacity as a peer support team member; and

(ii) within the written peer support guidelines that are in effect for the person's respective first responder agency program.

The term includes active listening, assessment, mentoring, crisis intervention, or other support services provided to an employee experiencing personal or professional difficulties that may or may not be a result of the employee's exposure to highly stressful critical incidents.

(10) "Peer support team member" means a first responder who:

(A) has successfully completed peer support training; and

(B) is designated a peer support team member;

by the head of the first responder's agency or the president of the bargaining unit of the employees of the department or agency.

SECTION 788. IC 36-8-3-4.3, AS AMENDED BY P.L.57-2023, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 4.3. (a) This section also applies to a town, township, or fire department of a fire protection territory or fire protection district, that has at least one (1) certified employee of a full-time, paid fire or police department, without regard to whether:

(1) the employee is an appointed police officer or firefighter; or

(2) under section 5 of this chapter, the police or fire department is exempt from sections 3, 4, and 4.1 of this chapter.

(b) As used in this section, "certified employee" means an individual who, as a condition of employment, holds a valid certification issued under IC 16-31-3 by the Indiana ~~emergency medical services~~ **fire and EMS standards and education** commission established by

~~IC 16-31-2-1.~~ **IC 16-31-2-1.5.**

(c) As used in this section, "medical director" means a physician with an unlimited license to practice medicine in Indiana and who performs the duties and responsibilities described in 836 IAC 2-2-1.

(d) If a medical director takes any of the following actions against a certified employee, the medical director shall provide to the certified employee and to the chief of the certified employee's department a written explanation of the reasons for the action taken by the medical director:

(1) The medical director refuses or fails to supervise or otherwise provide medical control and direction to the certified employee.

(2) The medical director refuses or fails to attest to the competency of the certified employee to perform emergency medical services.

(3) The medical director suspends the certified employee from performing emergency medical services.

(e) Before a police or fire department takes any employment related action against a certified employee as the result of a medical director's action described in subsection (d), the certified employee is entitled to a hearing and appeal concerning the medical director's action as provided in section 4 of this chapter.

(f) If the medical director's action that is the subject of an appeal under subsection (e) is based on a health care decision made by the certified employee in performing emergency medical services, the safety board conducting the hearing shall consult with an independent medical expert to determine whether the certified employee followed the applicable emergency medical services protocol in making the health care decision. The independent medical expert:

(1) must be a physician trained in emergency medical services; and

(2) may not be affiliated with the same hospital as the medical director.

SECTION 789. IC 36-8-3.2-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 3. (a) The appointing authority shall adopt standards for firefighters establishing a physical agility test that:

(1) does not discriminate on the basis of sex;

(2) reflects the essential functions of the job; and

(3) at a minimum includes testing the following:

(A) Fear of heights (acrophobia).

(B) Fear of confinement (claustrophobia).

(C) Muscular strength.

(D) Muscular endurance.

(E) Cardiovascular endurance.

(F) Musculoskeletal flexibility.

(b) The appointing authority shall also adopt standards for firefighters establishing a general aptitude test.

(c) The standards required by this section must be presented to the ~~board of firefighting personnel standards and education established by IC 22-12-3-1~~ **Indiana fire and EMS standards and education commission established by IC 16-31-2-1.5** for review.

SECTION 790. IC 36-8-3.5-19.3, AS ADDED BY P.L.13-2010, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 19.3. (a) This section applies to a department that has at least one (1) certified employee, without regard to whether:

(1) the employee is an appointed police officer or firefighter; or

(2) the department has a merit system to which this chapter does not otherwise apply as provided under section 1 of this chapter.

(b) As used in this section, "certified employee" means an individual who, as a condition of employment, holds a valid certification issued under IC 16-31-3 by the Indiana ~~emergency medical services~~ **fire and EMS standards and education** commission established by ~~IC 16-31-2-1.~~ **IC 16-31-2-1.5.**

(c) As used in this section, "medical director" means a physician with an unlimited license to practice medicine in Indiana and who performs the duties and responsibilities described in 836 IAC 2-2-1.

(d) If a medical director takes any of the following actions against a certified employee, the medical director shall provide to the certified employee and to the chief of the certified employee's department a written explanation of the reasons for the action taken by the medical director:

(1) The medical director refuses or fails to supervise or otherwise provide medical control and direction to the certified employee.

(2) The medical director refuses or fails to attest to the competency of the certified employee to perform emergency medical services.

(3) The medical director suspends the certified employee from performing emergency medical services.

(e) Before a department takes any employment related action as the result of a medical director's action described in subsection (d) against

a certified employee, the certified employee is entitled to a hearing and appeal concerning the medical director's action as provided in sections 17 and 18 of this chapter.

(f) If the medical director's action that is the subject of an appeal under subsection (e) is based on a health care decision made by the certified employee in performing emergency medical services, the commission conducting the hearing shall consult with an independent medical expert to determine whether the certified employee followed the applicable emergency medical services protocol in making the health care decision. The independent medical expert:

(1) must be a physician trained in emergency medical services; and

(2) may not be affiliated with the same hospital as the medical director.

SECTION 791. IC 36-8-10.5-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2. **(a)** As used in this chapter, "education board" refers to the board of firefighting personnel standards and education.

(b) This section expires December 31, 2026.

SECTION 792. IC 36-8-10.5-2.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 2.5. (a) This section applies after December 31, 2026.**

(b) As used in this chapter, "education commission" refers to the Indiana fire and EMS standards and education commission established by IC 16-31-2-1.5.

SECTION 793. IC 36-8-10.5-7, AS AMENDED BY P.L.93-2024, SECTION 209, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 7. (a) The education ~~board~~ **commission** shall adopt rules under IC 4-22-2 establishing minimum basic training requirements for full-time firefighters and volunteer firefighters, subject to subsection (b) and section 7.5 of this chapter. The requirements must include training in the following areas:

(1) Orientation.

(2) Personal safety.

(3) Forcible entry.

(4) Ventilation.

(5) Apparatus.

(6) Ladders.

(7) Self-contained breathing apparatus.

(8) Hose loads.

(9) Streams.

(10) Basic recognition of special hazards.

(b) A person who fulfills the certification requirements for:

(1) Firefighter I; or

(2) Firefighter II;

is considered to comply with the requirements established under subsection (a).

(c) In addition to the requirements of subsections (a), (d), and (f), the minimum basic training requirements for full-time firefighters and volunteer firefighters must include successful completion of a basic or inservice course of education and training on sudden infant death syndrome that is certified by the ~~Indiana emergency medical services commission (created under IC 16-31-2-1)~~ **education commission established by IC 16-31-2-1.5** in conjunction with the state health commissioner.

(d) In addition to the requirements of subsections (a), (c), and (f), the minimum basic training requirements for full-time and volunteer firefighters must include successful completion of an instruction course on vehicle emergency response driving safety. The education ~~board~~ **commission** shall adopt rules under IC 4-22-2 to operate this course.

(e) In addition to the requirements of subsections (a), (c), (d), and (f), the minimum basic training requirements for full-time and volunteer firefighters must include successful completion of a basic or inservice course of education and training in interacting with individuals with autism that is certified by the ~~Indiana emergency medical services commission (created under IC 16-31-2-1).~~ **education commission.**

(f) This subsection does not apply to volunteer firefighters. After December 31, 2024, in addition to the requirements of subsections (a), (c), (d), and (e), the minimum basic training requirement for full-time firefighters must include training, which may be completed online or by other means of virtual instruction, that addresses the mental health and wellness of firefighters, including:

(1) healthy coping skills to preserve the mental health of firefighters and to manage the stress and trauma related to employment as a firefighter;

(2) recognition of:

(A) symptoms of posttraumatic stress disorder; and

(B) signs of suicidal behavior; and

(3) information on mental health resources available for firefighters.

(g) The education ~~board~~ **commission** may adopt rules under IC 4-22-2 concerning the adoption of the most current edition of the following National Fire Protection Association standards, subject to amendment by the board:

(1) NFPA 472.
(2) NFPA 1001.
(3) NFPA 1002.
(4) NFPA 1003.
(5) NFPA 1006.
(6) NFPA 1021.
(7) NFPA 1031.
(8) NFPA 1033.
(9) NFPA 1035.
(10) NFPA 1041.
(11) NFPA 1521.
(12) NFPA 1670.

SECTION 794. IC 36-8-10.5-11, AS AMENDED BY P.L.32-2021, SECTION 102, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 11. (a) The education ~~board~~ **commission** must establish best practices to improve safety and health outcomes for full-time firefighters and volunteer firefighters not later than July 1, 2021.

(b) The best practices must include:

(1) a proactive health and safety risk management system consisting of a joint employer and employee governance structure to oversee a continuous process of identification, evaluation, monitoring and controlling, and reporting of safety and health hazards in the workplace;
(2) ways to reduce firefighter risk of exposure to carcinogens; and
(3) ways to prevent or reduce the risk of injuries and illness with particular focus on causes of compensable worker's compensation or disability claims.

(c) The education ~~board~~ **commission** shall:

(1) review programs established by political subdivisions and volunteer fire departments implementing best practices under this section; and
(2) provide a political subdivision or volunteer fire department with a letter for submission to an insurance company for

consideration in a premium or rate discount toward the purchase or procurement of worker's compensation insurance under IC 22-3-2-2 or IC 36-8-12-10 that states that the political subdivision or volunteer fire department has implemented best practices under this section.

SECTION 795. IC 36-8-12-2, AS AMENDED BY P.L.10-2019, SECTION 139, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 2. As used in this chapter:

"Emergency medical services personnel" means individuals certified by the ~~emergency medical services~~ **fire and EMS standards and education** commission established by IC 16-31-2-1 who:

(1) as a result of a written application, have been elected or appointed to membership in a volunteer fire department; and

(2) have executed a pledge to faithfully perform, with or without nominal compensation, the work related duties assigned and orders given to the individuals by the chief of the volunteer fire department or an officer of the volunteer fire department, including orders or duties involving education and training.

"Employee" means a person in the service of another person under a written or implied contract of hire or apprenticeship.

"Employer" means:

(1) a political subdivision;

(2) an individual or the legal representative of a deceased individual;

(3) a firm;

(4) an association;

(5) a limited liability company;

(6) an employer that provides on-the-job training under the federal School to Work Opportunities Act (20 U.S.C. 6101 et seq.) to the extent set forth in IC 22-3-2-2.5(a); or

(7) a corporation or its receiver or trustee;

that uses the services of another person for pay.

"Essential employee" means an employee:

(1) who the employer has determined to be essential to the operation of the employer's daily enterprise; and

(2) without whom the employer is likely to suffer economic injury as a result of the absence of the essential employee.

"Nominal compensation" means annual compensation of not more than twenty thousand dollars ($20,000).

"Public servant" has the meaning set forth in IC 35-31.5-2-261.

"Responsible party" has the meaning set forth in IC 13-11-2-191(d).

"Volunteer fire department" means a department or association organized for the purpose of answering fire alarms, extinguishing fires, and providing other emergency services, the majority of members of which receive no compensation or nominal compensation for their services.

"Volunteer firefighter" means a firefighter:

(1) who, as a result of a written application, has been elected or appointed to membership in a volunteer fire department;

(2) who has executed a pledge to faithfully perform, with or without nominal compensation, the work related duties assigned and orders given to the firefighter by the chief of the volunteer fire department or an officer of the volunteer fire department, including orders or duties involving education and training as prescribed by the volunteer fire department or the state; and

(3) whose name has been entered on a roster of volunteer firefighters that is kept by the volunteer fire department and that has been approved by the proper officers of the unit.

"Volunteer member" means a member of a volunteer emergency medical services association connected with a unit as set forth in IC 16-31-5-1(6).

SECTION 796. IC 36-8-16.7-24, AS AMENDED BY P.L.36-2016, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 24. (a) The statewide 911 board is established to develop, implement, and oversee the statewide 911 system. The board is a body corporate and politic, and though it is separate from the state, the exercise by the board of its powers constitutes an essential governmental function.

(b) The following recommendations must be made to the governor concerning the membership of the board:

(1) The executive committees of:

(A) the Indiana chapter of the National Emergency Number Association (NENA); and

(B) the Indiana chapter of the Association of Public Safety Communication Officials International (APCO);

shall jointly recommend three (3) individuals, at least one (1) of whom must have budget experience at the local level.

(2) The facilities based CMRS providers authorized to provide CMRS in Indiana shall jointly recommend one (1) individual.

(3) The Indiana Association of County Commissioners shall

recommend one (1) individual who is a county commissioner in Indiana.

(4) The Indiana Sheriffs' Association shall recommend one (1) individual who is a county sheriff in Indiana.

(5) The Indiana Telecommunications Association, or any successor organization, shall recommend two (2) individuals as follows:

(A) One (1) individual representing a local exchange carrier that serves less than fifty thousand (50,000) local exchange access lines in Indiana.

(B) One (1) individual representing a local exchange carrier that serves at least fifty thousand (50,000) local exchange access lines in Indiana.

(6) The Indiana Cable Telecommunications Association shall recommend one (1) individual representing a VOIP provider.

(7) The Indiana Association of Cities and Towns shall recommend one (1) individual representing municipalities.

(c) The board consists of the following fifteen (15) members:

(1) The treasurer of state or the treasurer's designee. The treasurer of state or the treasurer's designee is chairperson of the board for a term concurrent with the treasurer of state's term of office. However, the treasurer of state's designee serves at the pleasure of the treasurer of state.

(2) Three (3) members for a term of three (3) years who are appointed by the governor after considering the recommendations submitted under subsection (b)(1) by the executive committees of NENA and APCO. At least one (1) member appointed under this subdivision must have budget experience at the local level.

(3) One (1) facilities based CMRS member who is appointed by the governor after considering the recommendation submitted under subsection (b)(2) by the facilities based CMRS providers authorized to provide CMRS in Indiana. A member appointed under this subdivision may not be affiliated with the same business entity as a member appointed under subdivision (6), (7), or (8).

(4) One (1) county commissioner member appointed by the ~~governor~~ **president pro tempore of the senate** after considering the recommendation submitted under subsection (b)(3) by the Indiana Association of County Commissioners.

(5) One (1) county sheriff member appointed by the governor

after considering the recommendation submitted under subsection (b)(4) by the Indiana Sheriffs' Association.

(6) One (1) member who represents a local exchange carrier that serves less than fifty thousand (50,000) local exchange access lines in Indiana and who is appointed by the governor after considering the recommendation of the Indiana Telecommunications Association, or any successor organization, under subsection (b)(5)(A). A member appointed under this subdivision may not be affiliated with the same business entity as a member appointed under subdivision (3), (7), or (8).

(7) One (1) member who represents a local exchange carrier that serves at least fifty thousand (50,000) local exchange access lines in Indiana and who is appointed by the governor after considering the recommendation of the Indiana Telecommunications Association, or any successor organization, under subsection (b)(5)(B). A member appointed under this subdivision may not be affiliated with the same business entity as a member appointed under subdivision (3), (6), or (8).

(8) One (1) member who represents a VOIP provider and who is appointed by the governor after considering the recommendation of the Indiana Cable Telecommunications Association under subsection (b)(6). A member appointed under this subdivision may not be affiliated with the same business entity as a member appointed under subdivision (3), (6), or (7).

(9) One (1) member who represents municipalities and is appointed by the ~~governor~~ **speaker of the house of representatives** after considering the recommendation of the Indiana Association of Cities and Towns submitted under subsection (b)(7).

(10) The state fire marshal or the state fire marshal's designee.

(11) The superintendent of the state police department or the superintendent's designee.

(12) The executive director of the department of homeland security, or the executive director's designee. The executive director of the department of homeland security or the executive director's designee is a nonvoting member of the board.

(13) The state GIS officer. The state GIS officer is a nonvoting member of the board.

(d) This subsection applies to a member appointed ~~by the governor~~ under subsection (c)(2) through (c)(9). The ~~governor~~ **appointing**

authority shall ensure that the terms of the initial members appointed by the ~~governor~~ **appointing authority** are staggered so that the terms of not more than five (5) members expire in a single calendar year. After the initial appointments, subsequent appointments shall be for three (3) year terms. A vacancy on the board shall be filled for the vacating member's unexpired term in the same manner as the original appointment, and a member of the board is eligible for reappointment. In making an appointment under subsection (c)(2) through (c)(9), the ~~governor~~ **appointing authority** shall take into account the various geographical areas of Indiana, including rural and urban areas. A member appointed ~~by the governor~~ **under this section** serves at the pleasure of the ~~governor.~~ **appointing authority.**

(e) A member must be a resident of Indiana.

(f) A member may not vote by proxy.

SECTION 797. IC 36-8-17-1 IS REPEALED [EFFECTIVE JULY 1, 2026]. ~~Sec. 1. As used in this chapter, "commission" refers to the fire prevention and building safety commission.~~

SECTION 798. IC 36-8-17-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 3. As used in this chapter, "fire safety law" means any law, including rules and orders of the ~~commission,~~ **department,** safeguarding life or property from the hazards of fire or explosion.

SECTION 799. IC 36-8-17-8, AS AMENDED BY P.L.107-2023, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 8. (a) A fire department serving an area that does not include a city may engage in an inspection program to promote compliance with fire safety laws. Upon the request of an owner or a primary lessee who resides in a private dwelling, the fire department may inspect the interior of the private dwelling to determine compliance with IC 22-11-18-3.5. The fire department shall maintain a written report for each inspection. These reports shall be made available to the department upon request.

(b) The fire department serving an area that includes a city shall inspect every place and public way within the jurisdiction of the city, except the interiors of private dwellings, for compliance with the fire safety laws. Upon the request of an owner or a primary lessee who resides in a private dwelling, the fire department may inspect the interior of the private dwelling to determine compliance with IC 22-11-18-3.5. Except as otherwise provided in the rules adopted by the ~~commission,~~ **department,** the fire chief of the fire department shall

specify the schedule under which places and public ways are inspected and may exclude a class of places or public ways from inspection under this section, if the fire chief determines that the public interest will be served without inspection. The fire department shall maintain a written report for each inspection. The fire department shall submit monthly reports to the department, on forms prescribed by the department, containing the following information:

(1) The total number of inspections made.

(2) The total number of defects found, classified as required by the office.

(3) The total number of orders issued for correction of each class of defect.

(4) The total number of orders complied with.

(c) Except as provided in subsection (d), an inspection may only be carried out by an individual who:

(1) is a firefighter who meets, at a minimum, the training requirements described in IC 36-8-10.5; or

(2) has:

(A) obtained certification as a:

(i) fire inspector I as described in 655 IAC 1-2.1-12;

(ii) fire inspector II as described in 655 IAC 1-2.1-13; or

(iii) fire inspector I/II as described in 655 IAC 1-2.1-13.1; and

(B) in the case of an individual who is not an employee of a fire department, completed at least two (2) years of experience as a fire inspector described in clause (A)(i) through (A)(iii).

(d) A volunteer fire department may carry out inspections under this section only through an individual who is certified under IC 22-14-2-6(c).

SECTION 800. IC 36-8-17-11 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 11. (a) An order issued under section 9 or 10 of this chapter may be appealed to the ~~commission~~ **department** under IC 4-21.5-3-7. A decision to deny a request to modify or reverse an order issued under section 10 of this chapter is not appealable.

(b) If an order issued under section 9 or 10 of this chapter is appealed, the ~~commission~~ **department** or its designee shall conduct all administrative proceedings under IC 4-21.5. In its proceedings, the ~~commission~~ **department** may modify or reverse the order.

SECTION 801. IC 36-8-17-13 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 13. The ~~commission~~ **department** may adopt rules under IC 4-22-2 to implement this chapter.

SECTION 802. IC 36-9-7-3, AS AMENDED BY P.L.127-2017, SECTION 288, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 3. (a) The personnel of the department of traffic engineering consists of a city traffic engineer, the traffic engineer's assistants, and other employees necessary to perform the duties of the department. The city executive shall appoint the traffic engineer.

(b) The traffic engineer must:

(1) have a thorough knowledge of modern traffic control methods;

(2) be able to supervise and coordinate diversified traffic engineering activities and prepare engineering reports; and

(3) either:

(A) be a registered professional engineer who has practiced traffic engineering for at least one (1) year;

(B) have a certificate of engineer-in-training under ~~IC 25-31~~ **IC 25-4-3** and have practiced traffic engineering for at least two (2) years; or

(C) have practiced traffic engineering for at least ten (10) years.

A person must furnish evidence of the person's qualifications under this subsection before the person may be appointed by the executive.

SECTION 803. IC 36-9-27-30, AS AMENDED BY P.L.57-2013, SECTION 101, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 30. (a) Whenever the county surveyor is not registered under IC 25-21.5 or ~~IC 25-31~~ **IC 25-4-3** and that statute prohibits an unregistered person from performing any function that the county surveyor is directed to do under this chapter, the surveyor shall employ and fix the compensation of a person who is a professional engineer or professional surveyor in performing those functions. However, if the county surveyor does not employ a registered person within one (1) year of the acceptance of a petition for construction or reconstruction of a drain, the board may make the appointment of a registered person that this section requires.

(b) The person employed by the county surveyor, who shall be known as a qualified deputy, shall file with the county surveyor the original of all plans, specifications, and other documents made by the person in performing the work for which the person was employed.

Those plans, specifications, and other documents become a part of the permanent file of the county surveyor's office, which the county surveyor shall maintain for the use of the board as provided in section 109 of this chapter.

(c) The rate of compensation paid to a qualified deputy shall be assessed against the drainage project for which the deputy was employed.

(d) This subsection applies whenever the county surveyor is not registered under IC 25-21.5 or ~~IC 25-31,~~ **IC 25-4-3,** and the county surveyor has not employed a registered person as provided in subsection (a). If the county has a full-time employee who is registered as a professional surveyor under IC 25-21.5 or as a professional engineer under ~~IC 25-31,~~ **IC 25-4-3,** the board may, subject to the approval of the county executive and the county surveyor, designate that person to perform the functions of the county surveyor under this chapter that are allowed under the employee's license as a professional surveyor or professional engineer. If a designation is made and approved under this subsection, the county surveyor may not employ a registered person under subsection (a) to perform that same function.

SECTION 804. IC 36-9-27-31 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 31. If for any reason there is no elected county surveyor in any county, the board shall employ and fix the compensation of a part-time or full-time engineer or surveyor. The engineer or surveyor, who must be registered under IC 25-21.5 or ~~IC 25-31~~ **IC 25-4-3** and must be or become a resident of Indiana, shall perform the functions required of the county surveyor in this chapter.

SECTION 805. IC 36-9-27-71 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 71. (a) When, in the construction or reconstruction of a regulated drain, the county surveyor determines that the proposed drain will cross a public highway or the right-of-way of a railroad company at a point where:

(1) there is no crossing; or

(2) the crossing will not adequately handle or will be endangered by the flow of water from the drain when completed;

the county surveyor shall include in the plans the grade and cross section requirements for a new crossing, or the requirements for altering, enlarging, repairing, or replacing the crossing. The surveyor shall mail a copy of the requirements addressed to the owner of the highway or right-of-way.

(b) When requested by the owner of the highway or right-of-way, the county surveyor shall meet with the owner at a time and place to be fixed by the surveyor. The surveyor shall hear objections to the requirements, and may then change the requirements as justice may require.

(c) When the board finds that in the construction, reconstruction, or maintenance of a regulated drain it is necessary to:

(1) alter, enlarge, repair, or replace a crossing; or

(2) construct a new crossing where none existed before;

the cost of the work on the crossing shall be paid by the owner of the public highway. This cost may not be considered by the county surveyor or by the board in determining the cost of the work on the drain or in assessing benefits and damages. However, if it is necessary for the owner of a public highway to construct a new crossing because of a cut-off for the purpose of shortening or straightening a regulated drain, the owner of the public highway shall pay one-half (1/2) of the cost of the new crossing, and the remainder shall be included in the cost of the work on the drain.

(d) A railroad company with a right-of-way that is:

(1) crossed by the construction of a regulated drain; or

(2) affected by the altering or enlarging of a crossing;

shall pay one-half (1/2) of the cost of the work on the crossing and the remainder shall be included in the cost of the work on the drain.

(e) If the county surveyor is registered under ~~IC 25-31,~~ **IC 25-4-3,** the county surveyor must review and approve or disapprove the plans and hydraulic data for an existing crossing that is to be altered, enlarged, repaired, or replaced, or the construction of a new crossing for a public highway or the right-of-way of a railroad company. The county surveyor shall disapprove the plans and hydraulic data if they do not show that the structure will meet hydraulic requirements that will permit the drain to function properly.

(f) If the county surveyor is registered under IC 25-21.5, the county surveyor must review and approve or disapprove the plans and hydraulic data for an existing crossing that is to be altered, enlarged, repaired, or replaced or the construction of a new crossing for a public highway or the right-of-way of a railroad company. The county surveyor shall disapprove the plans and hydraulic data if they do not show that the structure will meet hydraulic requirements that will permit the drain to function properly.

(g) Approval of the plans and hydraulic data by a person who is registered under IC 25-21.5 or ~~IC 25-31~~ **IC 25-4-3** is required before the work can take place. However, if the county surveyor is not registered under IC 25-21.5 or ~~IC 25-31,~~ **IC 25-4-3,** a registered person who is selected under section 30 of this chapter shall:

(1) review and approve or disapprove the plans and specifications described in this subsection;

(2) inform the county surveyor in writing of the approval or disapproval; and

(3) submit all plans, specifications, and hydraulic data along with the approval or disapproval.

SECTION 806. IC 36-10-3-4, AS AMENDED BY P.L.133-2025, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 4. (a) This subsection applies only in a third class city. A city board consists of four (4) members to be appointed by the city executive. The members shall be appointed on the basis of their interest in and knowledge of parks and recreation. In addition, the creating ordinance may provide for one (1) or two (2) additional members, those being:

(1) a member selected by the governing body of the school corporation who is:

(A) a member of the governing body of the school corporation, serving ex officio; or

(B) an individual who resides in the school corporation;

(2) a member selected by the governing body of the library district who is:

(A) a member of the governing body of the library district, serving ex officio; or

(B) an individual who resides in the library district, **selected by the governing body of the library district;** or

(3) individuals under both subdivisions (1) and (2).

(b) This subsection applies in a county containing a consolidated city and in a second class city. A city board consists of four (4) members to be appointed by the city executive. The members shall be appointed on the basis of their interest in and knowledge of parks and recreation, but no more than two (2) members may be affiliated with the same political party. In addition, the creating ordinance may provide for one (1) or two (2) additional members, those being:

(1) either:

(A) a member of the governing body of the school corporation, serving ex officio, selected by the governing body of the school corporation; or

(B) an individual who resides in the school corporation, selected by the governing body of the school corporation;

(2) a member of the governing body of the library district, serving ex officio, selected by that body; or

(3) individuals described in both subdivisions (1) and (2).

(c) A town board consists of four (4) members to be appointed by the town legislative body. The members shall be appointed on the basis of their interest in and knowledge of parks and recreation. Except as provided in section 4.1 of this chapter, not more than two (2) members may be affiliated with the same political party. Members of the board must be residents of the district. In addition, the creating ordinance may provide for one (1) or two (2) additional members, those being:

(1) a member:

(A) of the governing body of the school corporation, serving ex officio, selected by that body; or

(B) designated by the governing body of the school corporation;

(2) a member selected by the governing body of the library district who is:

(A) a member of the governing body of the library district serving ex officio; or

(B) an individual who resides in the library district; or

(3) individuals under both subdivisions (1) and (2).

(d) A county board shall be appointed as follows:

(1) Two (2) members shall be appointed by the judge of the circuit court.

(2) One (1) member shall be appointed by the county executive.

(3) Two (2) members shall be appointed by the county fiscal body.

The members appointed under subdivisions (1), (2), and (3) shall be appointed on the basis of their interest in and knowledge of parks and recreation, but no more than one (1) member appointed under subdivisions (1) and (3) may be affiliated with the same political party. In a county having at least one (1) first or second class city, the creating ordinance must provide for one (1) ex officio board member to be appointed by the executive of that city. The member appointed by the city executive must be affiliated with a different political party than the member appointed by the county executive. However, if a county has

more than one (1) such city, the executives of those cities shall agree on the member. The member serves for a term coterminous with the term of the appointing executive or executives.

(e) Ex officio members have all the rights of regular members, including the right to vote. A vacancy in an ex officio position shall be filled by the appointing authority. All members serving on a county, city, or town board have the same rights, including the right to vote. A vacancy in the seat of a member shall be filled by the appointing authority.

(f) A municipal executive, a member of a county fiscal body, a member of the county executive, or a member of the municipal fiscal body may not serve on a board.

(g) The creating ordinance in any county may provide for:

(1) the county cooperative extension coordinator;

(2) the county extension educator; or

(3) a member of the county extension committee selected by the committee;

to serve as an ex officio member of the county board, in addition to the members provided for under subsection (d).

(h) The creating ordinance in a county having no first or second class cities may provide for a member of the county board to be selected by the board of supervisors of a soil and water conservation district in which a facility of the county board is located. The member selected under this subsection is in addition to the members provided for under subsections (d) and (g).

SECTION 807. IC 36-12-1-2, AS ADDED BY P.L.1-2005, SECTION 49, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2. "Indiana library ~~and historical~~ board" refers to the Indiana library ~~and historical~~ board established by IC 4-23-7-2.

SECTION 808. IC 36-12-3-16, AS AMENDED BY P.L.84-2012, SECTION 24, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 16. (a) The library board may adopt a resolution allowing money to be disbursed under this section for lawful library purposes, including advertising and promoting the programs and services of the library.

(b) With the prior written approval of the library board and if the library board has adopted a resolution under subsection (a), claim payments may be made in advance of library board allowance for any of the following types of expenses:

(1) Property or services purchased or leased from the federal government or the federal government's agencies and the state, the state's agencies, or the state's political subdivisions.

(2) Dues, subscriptions, and publications.

(3) License or permit fees.

(4) Insurance premiums.

(5) Utility payments or connection charges.

(6) Federal grant programs where:

(A) advance funding is not prohibited; and

(B) the contracting party posts sufficient security to cover the amount advanced.

(7) Grants of state funds authorized by statute.

(8) Maintenance and service agreements.

(9) Legal retainer fees.

(10) Conference fees.

(11) Expenses related to the educational or professional development of an individual employed by the library board, including:

(A) inservice training;

(B) attending seminars or other special courses of instruction; and

(C) tuition reimbursement;

if the library board determines that the expenditures under this subdivision directly benefit the library.

(12) Leases or rental agreements.

(13) Bond or coupon payments.

(14) Payroll costs.

(15) State, federal, or county taxes.

(16) Expenses that must be paid because of emergency circumstances.

(17) Expenses incurred to advertise and promote the programs and services of the library.

(18) Other expenses described in a library board resolution.

The library board shall review and allow the claim at the library board's first regular or special meeting following the payment of a claim under this section.

(c) Each payment of expenses lawfully incurred for library purposes must be supported by a fully itemized invoice or other documentation. The library director shall certify to the library board before payment

that each claim for payment is true and correct. The certification must be on a form prescribed by the state board of accounts.

(d) Purchases of books, magazines, pamphlets, films, filmstrips, microforms, microfilms, slides, transparencies, phonodiscs, phonotapes, models, art reproductions, and all other forms of library and audiovisual materials are exempt from the restrictions imposed by IC 5-22.

(e) The purchase of library automation systems must meet the standards established by the Indiana library ~~and historical~~ board under IC 4-23-7.1-11(b).

SECTION 809. IC 36-12-11-2, AS ADDED BY P.L.1-2005, SECTION 49, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2. As used in this chapter, "board" refers to the Indiana library ~~and historical~~ board established by IC 4-23-7-2.

SECTION 810. [EFFECTIVE UPON PASSAGE] **(a) The terms of all of the members serving on the advisory committee established by IC 4-23-7.2-21 (before its repeal by this act) expire June 30, 2026.**

(b) This SECTION expires July 1, 2027.

SECTION 811. [EFFECTIVE UPON PASSAGE] **(a) As used in this SECTION, "commission" means the Indiana commission for arts and humanities in education created by IC 4-23-12-1 (before its repeal by this act).**

(b) As used in this SECTION, "department" means the department of education.

(c) On July 1, 2026, all agreements and liabilities of the commission are transferred to the department, as the successor agency.

(d) On July 1, 2026, all records and property of the commission, including appropriations and other funds under the control or supervision of the commission, are transferred to the department, as the successor agency.

(e) After July 1, 2026, any amounts owed to the commission before July 1, 2026, are considered to be owed to the department, as the successor agency.

(f) After July 1, 2026, a reference to the commission in a statute, rule, contract, lease, or other document is considered a reference to the department, as the successor agency.

(g) All powers, duties, agreements, and liabilities of the commission with respect to bonds issued by the commission in

connection with any trust agreement or indenture securing those bonds are transferred to the department, as the successor agency. The rights of the trustee under any trust agreement or indenture and the rights of the bondholders of the commission remain unchanged, although the powers, duties, agreements, and liabilities of the commission have been transferred to the department, as the successor agency.

(h) The terms of all members serving on the commission expire June 30, 2026.

(i) This SECTION expires July 1, 2027.

SECTION 812. [EFFECTIVE UPON PASSAGE] **(a) As used in this SECTION, "commission" means the law enforcement academy building commission created by IC 5-2-2-1 (before its repeal by this act).**

(b) As used in this SECTION, "department" means the state police department.

(c) On July 1, 2026, all agreements and liabilities of the commission are transferred to the department, as the successor agency.

(d) On July 1, 2026, all records and property of the commission, including appropriations and other funds under the control or supervision of the commission, are transferred to the department, as the successor agency.

(e) After July 1, 2026, any amounts owed to the commission before July 1, 2026, are considered to be owed to the department, as the successor agency.

(f) After July 1, 2026, a reference to the commission in a statute, rule, contract, lease, or other document is considered a reference to the department, as the successor agency.

(g) All powers, duties, agreements, and liabilities of the commission with respect to bonds issued by the commission in connection with any trust agreement or indenture securing those bonds are transferred to the department, as the successor agency. The rights of the trustee under any trust agreement or indenture and the rights of the bondholders of the commission remain unchanged, although the powers, duties, agreements, and liabilities of the commission have been transferred to the department, as the successor agency.

(h) The terms of all members serving on the commission expire June 30, 2026.

(i) This SECTION expires July 1, 2027.

SECTION 813. [EFFECTIVE UPON PASSAGE] **(a) As used in this SECTION, "council" means the advisory council established by IC 14-9-6-1 (before its repeal by this act).**

(b) As used in this SECTION, "department" means the department of natural resources.

(c) On July 1, 2026, all agreements and liabilities of the council are transferred to the department, as the successor agency.

(d) On July 1, 2026, all records and property of the council, including appropriations and other funds under the control or supervision of the council, are transferred to the department, as the successor agency.

(e) After July 1, 2026, any amounts owed to the council before July 1, 2026, are considered to be owed to the department, as the successor agency. The department shall transfer any amounts received under this subsection to the state comptroller for deposit in the state general fund.

(f) After July 1, 2026, a reference to the council in a statute, rule, or other document is considered a reference to the department, as the successor agency.

(g) All powers, duties, agreements, and liabilities of the council with respect to bonds issued by the council in connection with any trust agreement or indenture securing those bonds are transferred to the department, as the successor agency. The rights of the trustee under any trust agreement or indenture and the rights of the bondholders of the council remain unchanged, although the powers, duties, agreements, and liabilities of the council have been transferred to the department, as the successor agency.

(h) The terms of all members serving on the council expire June 30, 2026.

(i) This SECTION expires July 1, 2027.

SECTION 814. [EFFECTIVE JULY 1, 2026] **(a) As used in this SECTION, "CHLA" refers to the commission on Hispanic/Latino affairs established by IC 4-23-28-2 (before its repeal by this act).**

(b) As used in this SECTION, "CSSBM" refers to the commission on the social status of black males established by IC 4-23-31-2 (before its repeal by this act).

(c) As used in this SECTION, "ICW" refers to the Indiana commission for women created by IC 4-23-25-3 (before its repeal by this act).

(d) As used in this SECTION, "NAIAC" refers to the Native American Indian affairs commission established by IC 4-23-32-3 (before its repeal by this act).

(e) As used in this SECTION, "commission" refers to the Indiana cultural commission established by IC 4-23-36-3 (as added by this act).

(f) On July 1, 2026, all agreements and liabilities of the:

(1) CHLA;

(2) CSSBM;

(3) ICW; or

(4) NAIAC;

are transferred to the commission as the successor entity.

(g) On July 1, 2026, all records and property, including appropriations and other funds under an entity's control or supervision, of the:

(1) CHLA;

(2) CSSBM;

(3) ICW; or

(4) NAIAC;

are transferred to the commission as the successor entity.

(h) After June 30, 2026, any amount owed to the:

(1) CHLA;

(2) CSSBM;

(3) ICW; or

(4) NAIAC;

is considered to be owed to the commission as the successor entity. The commission shall transfer any amounts received under this subsection to the state comptroller for deposit in the state general fund.

(i) After June 30, 2026, any reference to the:

(1) CHLA;

(2) CSSBM;

(3) ICW; or

(4) NAIAC;

in a statute, rule, or other document is considered a reference to the commission as the successor entity.

(j) All powers, duties, agreements, and liabilities of the:

(1) CHLA;

(2) CSSBM;

(3) ICW; or

(4) NAIAC;

relating to bonds issued by the board in connection with any trust agreement or indenture securing those bonds are transferred to the commission as the successor entity. The rights of the trustee under any trust agreement or indenture and the rights of bondholders described in this subsection remain unchanged although the powers, duties, agreements, and liabilities of the ICW, CHLA, CSSBM, and NAIAC, as applicable, have been transferred to the commission as the successor entity.

(k) The term of any member serving as of June 30, 2026, on the:

(1) CHLA;

(2) CSSBM;

(3) ICW; or

(4) NAIAC;

expires July 1, 2026.

(l) This SECTION expires July 1, 2027.

SECTION 815. [EFFECTIVE JULY 1, 2026] **(a) The legislative services agency shall prepare for introduction in 2027 any legislation necessary to conform the Indiana code to:**

(1) the expiration of IC 14-10 (natural resources commission) on July 1, 2027; or

(2) the expiration or repeal of any other board, commission, committee, council, or similar entity enacted in this act.

(b) This SECTION expires July 1, 2027.

SECTION 816. [EFFECTIVE JULY 1, 2026] **(a) Not later than January 1, 2028, the treasurer of Purdue University shall transfer to the state comptroller the balance of any funds that remain on December 31, 2027, and are being held to administer the following:**

(1) IC 15-15-1.

(2) IC 15-15-2.

(3) IC 15-15-5.

(4) IC 15-15-7.

(5) IC 15-15-13.

(6) IC 15-16-2-35.

(7) IC 15-16-2-36.

(8) IC 15-16-4.

(9) IC 15-16-5.

(10) IC 15-19-7.

(11) IC 25-31.5-3-9.

(12) Any other law administered by the state chemist or state seed commissioner.

(b) This SECTION expires July 1, 2028.

SECTION 817. [EFFECTIVE JULY 1, 2026] **(a) Not later than July 1, 2027, the treasurer of Purdue University shall transfer to the treasurer of state the balance of any funds that remain on June 30, 2027, and are being held to administer IC 15-18-2. The treasurer of state shall deposit amounts received under this SECTION in the creamery inspection fund established by IC 15-18-2-31.5, as added by this act.**

(b) After December 31, 2026, a rule adopted by the creamery examining board or the creamery licensing division of Purdue University is considered a rule adopted by the Indiana state board of animal health for all purposes of administering IC 15-18-2.

(c) After December 31, 2026, a license issued before January 1, 2027, by the creamery license division under IC 15-18-2:

(1) is considered a license issued by the Indiana state board of animal health; and

(2) remains valid under the terms of the license until it expires or is revoked in accordance with IC 15-18-2.

(d) This SECTION expires June 30, 2028.

SECTION 818. [EFFECTIVE JULY 1, 2026] **(a) As used in this SECTION, "commission" refers to the Indiana fire and EMS standards and education commission established by IC 16-31-2-1.5, as added by this act.**

(b) As used in this SECTION, "education board" refers to the board of firefighting personnel standards and education established by IC 22-12-3-1 (before its expiration).

(c) As used in this SECTION, "EMS commission" refers to the Indiana emergency medical services commission created by IC 16-31-2-1 (before its expiration).

(d) On January 1, 2027, all agreements and liabilities of the education board and the EMS commission are considered agreements and liabilities of the commission.

(e) On January 1, 2027, all records and property of the education board and the EMS commission, including any appropriations and other funds under the control or supervision of either entity, are considered records and property of the commission.

(f) After December 31, 2026, any amount owed to the education board or the EMS commission is considered owed to the commission.

(g) After December 31, 2026, any reference to the education board or the EMS commission in a statute, rule, or other document is considered a reference to the commission.

(h) This SECTION expires July 1, 2028.

SECTION 819. [EFFECTIVE UPON PASSAGE] **(a) As used in this SECTION, "commission" means the occupational safety standards commission created by IC 22-8-1.1-7 (before its repeal by this act).**

(b) As used in this SECTION, "board" means the board of safety review created by IC 22-8-1.1-30.1.

(c) On January 1, 2027, all agreements and liabilities of the commission are transferred to the board, as the successor entity.

(d) On January 1, 2027, all records and property of the commission, including appropriations and other funds under the control or supervision of the commission, are transferred to the board, as the successor entity.

(e) After December 31, 2026, any amounts owed to the commission before January 1, 2027, are considered to be owed to the board, as the successor entity.

(f) After December 31, 2026, a reference to the commission in a statute, rule, contract, lease, or other document is considered a reference to the board, as the successor entity.

(g) Proceedings pending before the commission on January 1, 2027, shall be transferred from the commission to the board and treated as if initiated by the board.

(h) The rules adopted by the commission before January 1, 2027, are considered, after December 31, 2026, rules of the board.

(i) All powers, duties, agreements, and liabilities of the commission with respect to bonds issued by the commission in connection with any trust agreement or indenture securing those bonds are transferred to the board, as the successor agency. The rights of the trustee under any trust agreement or indenture and the rights of the bondholders of the commission remain unchanged, although the powers, duties, agreements, and liabilities of the commission have been transferred to the board, as the successor entity.

(j) The terms of all members serving on the commission expire December 31, 2026.

(k) This SECTION expires July 1, 2027.

SECTION 820. [EFFECTIVE JANUARY 1, 2027] **(a) As used in this section, "entity" means the following:**

(1) The Indiana athletic trainers board.

(2) The occupational therapy committee.

(3) The Indiana board of physical therapy.

(b) On January 1, 2027, all powers, duties, agreements, and liabilities of each
entity are transferred to the Indiana rehabilitation professions board.

(c) On January 1, 2027, all records and property of each entity, including appropriations and other funds under the control or supervision of the entity, are transferred to the Indiana rehabilitation professions board.

(d) After January 1, 2027, any amounts owed to an entity before January 1, 2027, are considered to be owed to the Indiana rehabilitation professions board.

(e) After January 1, 2027, a reference to an entity in a statute, rule, or other document is considered a reference to the Indiana rehabilitation professions board.

(f) After January 1, 2027, a license, permit, or certification issued by an entity is considered a license, permit, or certification issued by the Indiana rehabilitation professions board.

SECTION 821. [EFFECTIVE UPON PASSAGE] **(a) As used in this SECTION, "architect board" means the board of registration for architects and landscape architects established by IC 25-4-1-2 (before the amendments made by this act).**

(b) As used in this SECTION, "design professionals board" means the Indiana board of registration for design professionals established by IC 25-4-1-2.

(c) On January 1, 2027, all agreements and liabilities of the architect board are transferred to the design professionals board, as a successor.

(d) On January 1, 2027, all records and property of the architect board, including appropriations and other funds under the control or supervision of the architect board, are transferred to the design professionals board, as a successor.

(e) After January 1, 2027, any amounts owed to the architect board on or before January 1, 2027, are considered owed to the design professionals board, as a successor. The design professionals board shall transfer any amounts transferred under this subsection to the state comptroller for deposit in the state general fund.

(f) After January 1, 2027, a reference to the architect board in a statute, rule, or other document is considered a reference to the design professionals board, as a successor.

(g) All powers, duties, agreements, and liabilities of the architect board with respect to bonds issued by the architect board in connection with any trust agreement or indenture securing those bonds are transferred to the design professionals board, as a successor. The rights of the trustee under any trust agreement or indenture and the rights of the bondholders of the architect board remain unchanged, although the powers, duties, agreements, and liabilities of the architect board have been transferred to the design professionals board, as a successor.

(h) The terms of all members serving on the architect board expire December 31, 2026.

(i) This SECTION expires January 1, 2028.

SECTION 822. [EFFECTIVE UPON PASSAGE] **(a) As used in this SECTION, "engineers board" means the state board of registration for professional engineers established by IC 25-31-1-3 (before its repeal by this act).**

(b) As used in this SECTION, "design professionals board" means the Indiana board of registration for design professionals established by IC 25-4-1-2.

(c) On January 1, 2027, all agreements and liabilities of the engineers board are transferred to the design professionals board, as a successor.

(d) On January 1, 2027, all records and property of the engineers board, including appropriations and other funds under the control or supervision of the engineers board, are transferred to the design professionals board, as a successor.

(e) After January 1, 2027, any amounts owed to the engineers board on or before January 1, 2027, are considered owed to the design professionals board, as a successor. The design professionals board shall transfer any amounts transferred under this subsection to the state comptroller for deposit in the state general fund.

(f) After January 1, 2027, a reference to the engineers board in a statute, rule, or other document is considered a reference to the design professionals board, as a successor.

(g) All powers, duties, agreements, and liabilities of the engineers board with respect to bonds issued by the engineers board in connection with any trust agreement or indenture securing those bonds are transferred to the design professionals board, as a successor. The rights of the trustee under any trust agreement or indenture and the rights of the bondholders of the engineers board remain unchanged, although the powers, duties, agreements, and liabilities of the engineers board have been transferred to the design professionals board, as a successor.

(h) The terms of all members serving on the engineers board expire December 31, 2026.

(i) This SECTION expires January 1, 2028.

SECTION 823. [EFFECTIVE UPON PASSAGE] **(a) The terms of all members serving on the:**

(1) Indiana pesticide review board established by IC 15-16-4-42 (before its repeal by this act); and

(2) invasive species council established by IC 15-16-10-3 (before its repeal by this act);

expire June 30, 2026.

(b) This SECTION expires July 1, 2027.

SECTION 824. **An emergency is declared for this act.**

(Reference is to HB 1003 as introduced.)