



January 23, 2026

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## SENATE BILL No. 172

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DIGEST OF SB 172 (Updated January 22, 2026 3:24 pm - DI 129)

**Citations Affected:** IC 4-12; IC 4-22; noncode.

**Synopsis:** Administrative rulemaking. Establishes the administrative rules oversight committee (oversight committee) with oversight review of rules of any agency if the implementation and compliance costs of the proposed rule of the agency is expected to exceed a specified threshold. Sets forth the membership of the oversight committee. Provides that if the implementation and compliance costs of a proposed rule, provisional rule, or interim rule exceed \$100,000 (instead of \$1,000,000) over a two year period: (1) the rule cannot be published in the Indiana Register until the oversight committee has reviewed the rule; (2) the budget agency and the office of management and budget may not approve any part of the proposed rule prior to review by the oversight committee; and (3) in the case of a provisional rule or an interim rule, the governor may not approve a rule prior to the oversight committee's review of the rule. Provides that an agency may adopt a rule only if the agency has demonstrated to the satisfaction of the governor that certain circumstances exist. Specifies that provisional and interim rulemaking may be used only under specified circumstances if the combined implementation and compliance costs would not exceed \$500,000 for businesses, units, and individuals if effective over a two year period.

**Effective:** Upon passage; July 1, 2026.

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## **Johnson T, Garten, Brown L**

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January 5, 2026, read first time and referred to Committee on Appropriations.  
January 22, 2026, amended, reported favorably — Do Pass.

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SB 172—LS 6401/DI 125





January 23, 2026

Second Regular Session of the 124th General Assembly (2026)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2025 Regular Session of the General Assembly.

## SENATE BILL No. 172

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

*Be it enacted by the General Assembly of the State of Indiana:*

1        SECTION 1. IC 4-12-2.5 IS ADDED TO THE INDIANA CODE  
2        AS A **NEW CHAPTER** TO READ AS FOLLOWS [EFFECTIVE  
3        UPON PASSAGE]:

4        **Chapter 2.5. Administrative Rules Oversight Committee**

5        **Sec. 1.** As used in this chapter, "agency" has the meaning set  
6        forth in IC 4-22-2-3.

7        **Sec. 2.** As used in this chapter, "committee" refers to the  
8        administrative rules oversight committee established by section 4  
9        of this chapter.

10       **Sec. 3.** As used in this chapter, "rule" has the meaning set forth  
11       in IC 4-22-2-3.

12       **Sec. 4.** The administrative rules oversight committee is  
13       established.

14       **Sec. 5. (a)** The committee consists of the following twelve (12)  
15       members of the general assembly:

16            (1) The chairperson of the senate appropriations committee.  
17            (2) The ranking majority member of the senate

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appropriations committee.

(3) The chairperson of the senate tax and fiscal policy committee.

**(4) The ranking majority member of the senate tax and fiscal policy committee.**

**(5) The chairperson of the house ways and means committee.**

**(6) The ranking majority member of the house ways and means committee.**

**(7) The chairperson of the house government and regulatory reform committee.**

**(8) The ranking majority member of the house government and regulatory reform committee.**

**(9) Two (2) minority members of the house of representatives appointed by the speaker of the house of representatives as follows:**

**(A) The ranking minority member of the house ways and means committee.**

**(B) One (1) other minority member of the house ways and means committee.**

**(10) Two (2) minority members of the senate appointed by the president pro tempore of the senate as follows:**

(A) The ranking minority member of the senate appropriations committee.

**(B) The ranking minority member of the senate tax and fiscal policy committee.**

**(b) Legislative appointments to the committee under subsection (a)(9) and (a)(10) shall be made within fifteen (15) days after the official selection of the president pro tempore of the senate and the speaker of the house of representatives. However, in the case of 2026, the legislative appointments to the committee under subsection (a)(9) and (a)(10) shall be made after the adjournment sine die of the second regular session of the one hundred twenty-fourth general assembly and before July 1, 2026. Each member appointed under subsection (a)(9) and (a)(10) shall serve at the will and pleasure of the member's respective appointing leadership or until the member's term as a member of the general assembly expires, whichever is shorter.**

**(c) Any vacancy occurring on the committee must be filled by the appointing authority for the unexpired term.**

**Sec. 6. (a) The chairperson of the committee shall be:**

**(1) the chairperson of the senate appropriations committee, in those years that the chairperson of the house ways and means**



**committee is serving as the chair of the budget committee; and**

(2) the chairperson of the house ways and means committee, in those years that the chairperson of the senate appropriations committee is serving as the chair of the budget committee.

(b) Unless the committee has no agenda, the committee shall meet on those same days of the year and at the same location that the budget committee has fixed to meet. The committee shall fix the time for its meetings.

**Sec. 7. (a) The rule of any agency shall be subject to committee review if the implementation and compliance costs of the proposed rule are expected to exceed the threshold set forth in IC 4-22-2-22.7(c)(6).**

**(b) However, this section does not apply to a rule described in IC 4-22-2-22.7(f).**

(c) For purposes of any statute that requires committee review before an action may be taken by a state agency or other entity, committee review is considered to have taken place when the action requiring review has been included on an approved agenda of the committee in the part of the agenda concerning review items.

**Sec. 8. (a) Seven (7) members of the committee constitute a quorum.**

**(b) The affirmative vote of seven (7) members of the committee is required for the committee to take any action.**

**Sec. 9. (a) Each member of the committee 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. These expenses shall be paid from funds appropriated to the legislative council.**

(b) Members of the committee shall not receive a salary per diem under this section if the member receives any salary per diem for the member's services at a budget committee meeting on the same day under IC 4-12-1-11(b).

**Sec. 10. Staff for the committee shall be provided by the legislative services agency.**

SECTION 2. IC 4-22-2-19.6, AS AMENDED BY P.L.128-2024, SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 19.6. (a) A rule adopted under this article or IC 13-14-9 that includes a fee, fine, or civil penalty must comply with this section. Subsections (b), (c), and (d) do not apply to a rule that must be adopted in a certain form to comply with federal law.



5 (1) as a specific dollar amount;

6 (2) under a formula by which a specific dollar amount can be  
7 reasonably calculated by persons regulated or otherwise affected  
8 by the rule; or

9 (3) as a range of potential dollar amounts, stating the factors that  
10 the agency will utilize to set a specific dollar amount in an  
11 individual case with sufficient certainty that a review of an agency  
12 action under IC 4-21.5 or comparable process can evaluate  
13 whether the amount was reasonable.

14 A rule concerning fines or civil penalties does not prohibit an agency  
15 to enter into a settlement agreement with a person against whom a fine  
16 or civil penalty is being assessed to determine the fine or civil penalty  
17 to be paid for a violation.

18 (c) The amount of a fee must be reasonably based on the amount  
19 necessary to carry out the purposes for which the fee is imposed.

22 (1) Whether the violation has a major or minor impact on the  
23 health, safety, or welfare of a person, the health or safety of  
24 animals or natural resources, or other facts set forth in the  
25 agency's rule.

26 (2) The number of previous violations committed by the offender  
27 of laws, rules, or programs administered by the agency.

28 (3) The need for deterrence of future violations.

29 (4) Whether the conduct, if proved beyond a reasonable doubt,  
30 would constitute a criminal offense, and the level of penalty set by  
31 law for the criminal offense.

32 (e) An agency is not liable for a fee, fine, or civil penalty that is not  
33 in conformity with this section if

37 (2) the fee, fine, or civil penalty was:

38 (A) set by an agency before January 1, 2023;

39 (B) reviewed by the budget committee:

40 (f) in the case of the department of environmental  
41 management, the boards listed in IC 13-14-9-1, the natural  
42 resources commission, the department of natural resources;



1 the Indiana gaming commission; and the Indiana horse  
2 racing commission, before December 31, 2023; and

3 (ii) in the case of an agency not described in item (i), before  
4 July 1, 2024; and

5 (C) included in a rule that complies with this section and  
6 becomes effective before:

7 (i) in the case of the department of environmental  
8 management, the boards listed in IC 13-14-9-1, the natural  
9 resources commission, the department of natural resources,  
10 the Indiana gaming commission, and the Indiana horse  
11 racing commission, December 31, 2024; and

12 (ii) in the case of an agency not described in item (i), July 1,  
13 2025; or

14 (3) the agency withdraws or otherwise ceases to enforce or apply  
15 the fee, fine, or civil penalty before:

16 (A) in the case of the department of environmental  
17 management, the boards listed in IC 13-14-9-1, the natural  
18 resources commission, the department of natural resources, the  
19 Indiana gaming commission, and the Indiana horse racing  
20 commission, December 31, 2023; and

21 (B) in the case of an agency not described in clause (A), July  
22 1, 2024.

23 Readoption without changes under IC 4-22-2.6 of a nonconforming fee,  
24 fine, or civil penalty that meets the requirements of subdivision (1) or  
25 (2) does not invalidate the nonconforming fee, fine, or civil penalty.

26 (f) Beginning January 1, 2024, an agency shall post on its website  
27 a schedule of fines and civil penalties that apply to violations of laws,  
28 rules, and requirements of federal programs administered by the  
29 agency.

30 SECTION 3. IC 4-22-2-22.7, AS AMENDED BY P.L.93-2024,  
31 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
32 JULY 1, 2026]: Sec. 22.7. (a) Before complying with section 22.8,  
33 37.1, or 37.2 of this chapter, an agency shall conduct a regulatory  
34 analysis for the proposed rule that complies with the requirements of  
35 this section.

36 (b) The office of management and budget shall set standards for the  
37 criteria, analytical method, treatment technology, economic, fiscal, and  
38 other background data to be used by an agency in the regulatory  
39 analysis. The regulatory analysis must be submitted in a form that can  
40 be easily loaded into commonly used business analysis software and  
41 published in the Indiana Register using the format jointly developed by  
42 the publisher, the office of management and budget, and the budget



1 agency. The office of management and budget may provide more  
2 stringent requirements for rules with fiscal impacts and costs above a  
3 threshold amount determined by the office of management and budget.

4 (c) At a minimum, the regulatory analysis must include findings and  
5 any supporting data, studies, or analyses prepared for a rule that  
6 demonstrate compliance with the following:

- 7 (1) The cost benefit requirements in IC 4-3-22-13.
- 8 (2) Each of the standards in section 19.5 of this chapter.
- 9 (3) If applicable, the requirements for fees, fines, and civil  
10 penalties in section 19.6 of this chapter.
- 11 (4) The annual economic impact on small businesses statement  
12 required under IC 4-22-2.1-5.
- 13 (5) If applicable, the information required under IC 13-14-9-4.
- 14 (6) A determination whether the combined implementation and  
15 compliance costs of a proposed rule are at least ~~one million~~  
16 ~~dollars (\$1,000,000)~~ **one hundred thousand dollars (\$100,000)**  
17 for businesses, units, and individuals over any ~~two (2)~~ **one (1)**  
18 year period.
- 19 (7) Any requirement under any other law to conduct an analysis  
20 of the cost, benefits, economic impact, or fiscal impact of a rule,  
21 if applicable.

22 (d) The regulatory analysis must include a statement justifying any  
23 requirement or cost that is:

- 24 (1) imposed on a regulated entity under the rule; and
- 25 (2) not expressly required by:
  - 26 (A) the statute authorizing the agency to adopt the rule; or
  - 27 (B) any other state or federal law.

28 The statement required under this subsection must include a reference  
29 to any data, studies, or analyses relied upon by the agency in  
30 determining that the imposition of the requirement or cost is necessary.

31 (e) Except as provided in subsection (f), if the implementation and  
32 compliance costs of a proposed rule are expected to exceed the  
33 threshold set forth in subsection (c)(6), the publisher may not publish  
34 the proposed rule until the ~~budget committee administrative rules~~  
35 **oversight committee** has reviewed the rule.

36 (f) Subsection (e) does not apply to a proposed rule if the proposed  
37 rule is:

- 38 (1) a provisional rule that was issued as the result of the governor  
39 declaring an emergency under IC 10-14-3 and is only valid during  
40 the emergency;
- 41 (2) a provisional or interim rule that complies only with the  
42 requirements of a:



14 SECTION 4. IC 4-22-2-22.8, AS AMENDED BY P.L.1-2025,  
15 SECTION 24, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
16 JULY 1, 2026]: Sec. 22.8. (a) After conducting a regulatory analysis  
17 under section 22.7 of this chapter, if an agency **elects to adopt may**  
18 **begin rulemaking procedures for** a rule subject to section 23 of this  
19 chapter or IC 13-14-9 **only if the agency has demonstrated to the**  
20 **satisfaction of the governor that the rule meets at least one (1) of**  
21 **the following conditions:**

28 (3) The rule is necessary to comply with an order of a court.

29 (4) The rule is related to the licensing of  
30 care services or health care facilities.

34       or shall be listed in section 37.2(3) of this chapter.

35       (b) The agency shall submit a request to the budget agency and the

(3) The agency shall submit a request to the budget agency and the office of management and budget to authorize commencement of the public comment periods under this chapter or IC 13-14-9 (as applicable) governor to authorize the use of rulemaking procedures in the form and in the manner required by the governor. The request must include the following:

41 (1) A general description of the subject matter of the proposed  
42 rule.



(2) The full text of the proposed rule (including a copy of any matter incorporated by reference under section 21 of this chapter) in the form required by the publisher, including citations to any related authorizing and affected Indiana statutes.

(3) The regulatory analysis, including supporting data, prepared under section 22.7 of this chapter.

(4) Any other information required by the office of management and budget, governor.

**(c) The governor may do the following:**

(1) Return the request to the agency with a statement describing any additional information needed to authorize or disapprove further rulemaking actions on one (1) or more of the rules in the request.

**(2) Authorize the use of rulemaking procedures for one (1) or more of the rules in the request with or without changes.**

**(3) Disapprove the use of rulemaking procedures for one (1) or more of the rules with a statement of reasons for the disapproval.**

(d) If the governor authorizes the use of rulemaking procedures and the agency elects to adopt a rule subject to section 23 of this chapter or IC 13-14-9, the agency shall submit a request to the budget agency and the office of management and budget to authorize commencement of the public comment periods under this chapter or IC 13-14-9 (as applicable). The request must include the documents submitted to the governor under subsection (b) and any other information required by the budget agency or the office of management and budget.

(b) (e) The budget agency and the office of management and budget shall expedite the review of the request to adopt a rule. The budget agency and the office of management and budget may do the following:

(1) Return the request to the agency with a statement describing any additional information needed to authorize or disapprove further rulemaking actions on one (1) or more of the rules in the request.

(2) Authorize the commencement of the public comment periods on one (1) or more of the rules in the request with or without changes.

(3) Disapprove commencement of the public comment periods on one (1) or more of the rules with a statement of reasons for the disapproval.

(e) (f) If an agency has requested authorization for more than one (1) rule in the same request, the **governor or the** budget agency and



1 the office of management and budget, **as applicable**, may make  
2 separate determinations with respect to some or all of the rules in the  
3 request. Approval of a request shall be treated as a determination that  
4 the review conducted and findings made by the agency comply with the  
5 requirements of section 22.7 of this chapter and this section. The  
6 budget agency and the office of management and budget may not  
7 approve any part of a proposed rule that adds or amends language to  
8 increase or expand application of a fee, fine, or civil penalty or a  
9 schedule of fees, fines, or civil penalties before submitting the  
10 proposed rule to the **budget committee administrative rules oversight**  
11 **committee** for review.

12 **(f) (g)** If the implementation and compliance costs of a proposed  
13 rule are expected to exceed the threshold set forth in section 22.7(c)(6)  
14 of this chapter, the office of management and budget shall submit the  
15 rule to the legislative council, in an electronic format under IC 5-14-6,  
16 within thirty (30) days of completing the review of the regulatory  
17 analysis. The chairperson of the legislative council shall inform  
18 members of the **budget committee administrative rules oversight**  
19 **committee** of a rule submitted under this subsection. The budget  
20 agency and the office of management and budget may not approve any  
21 part of a proposed rule covered by this subsection prior to review of the  
22 proposed rule by the **budget committee administrative rules**  
23 **oversight committee**.

24 **(e) (h)** Notice of **the determination each determination under this**  
25 **section** shall be provided to the agency in an electronic format required  
26 by the publisher. The **governor**, **the** budget agency, and the office of  
27 management and budget may return to the agency any copy of a matter  
28 incorporated by reference under section 21 of this chapter that was  
29 submitted with the request.

30 **(f) (i)** If an agency revises a proposed rule after the:

31 **(1) governor approves the use of rulemaking procedures; or**  
32 **(2) budget agency and the office of management and budget**  
33 **authorize commencement of the public comment periods;**  
34 the agency must obtain a new notice of determination under subsection  
35 **(e). (b) or (d), or both, as applicable.** The agency shall resubmit to the  
36 **governor or to the** budget agency and the office of management and  
37 budget the revised proposed rule and a revised regulatory analysis with  
38 sufficient information for the **governor or the** budget agency and the  
39 office of management and budget to determine the impact the revisions  
40 have on the regulatory analysis previously reviewed by the **governor**  
41 **or the** budget agency and the office of management and budget. After  
42 obtaining a new notice **or notices** of determination, the agency shall



1 submit to the publisher the new notice **or notices** of determination, the  
2 revised proposed rule, and the revised regulatory analysis.

3 SECTION 5. IC 4-22-2-23, AS AMENDED BY P.L.93-2024,  
4 SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
5 JULY 1, 2026]: Sec. 23. (a) An agency shall provide notice in the  
6 Indiana Register of the first public comment period required by this  
7 section. To publish notice of the first public comment period in the  
8 Indiana Register, the agency must submit the following to the  
9 publisher:

10 (1) A statement of the date, time, and place at which the hearing  
11 required by section 26 of this chapter will be convened, including  
12 information for how to attend the public hearing remotely.

13 (2) The full text of the agency's proposed rule in the form required  
14 by section 20 of this chapter and the documents required by  
15 section 21 of this chapter.

16 (3) The latest version of the regulatory analysis submitted to the  
17 budget agency and the office of management and budget under  
18 section 22.8 of this chapter.

19 (4) **The determination of the governor authorizing the use of  
20 rulemaking procedures.**

21 (4) (5) The determination of the budget agency and the office of  
22 management and budget authorizing commencement of the public  
23 comment periods.

24 (5) (6) If the proposed rule adds or amends language to increase  
25 or expand application of a fee, fine, or civil penalty or a schedule  
26 of fees, fines, or civil penalties, the agenda of the **budget  
27 committee administrative rules oversight committee** meeting  
28 at which the rule was scheduled for review.

29 (6) (7) If the proposed rule is expected to exceed the threshold set  
30 forth in section 22.7(c)(6) of this chapter, the agenda of the **budget  
31 committee administrative rules oversight committee**  
32 meeting at which the rule was scheduled for review.

33 (7) (8) The notice required under subsection (b).

34 (b) The notice of the first public comment period must include the  
35 following:

36 (1) A general description of the subject matter of the proposed  
37 rule.

38 (2) An overview of the intent and scope of the proposed rule and  
39 the statutory authority for the rule.

40 (3) The latest version of the regulatory analysis submitted to the  
41 budget agency and the office of management and budget under  
42 section 22.8 of this chapter, excluding any appendices containing



1                   any data, studies, or analyses referenced in the regulatory  
2                   analysis.

3                   (4) Information concerning where, when, and how a person may  
4                   submit written comments on the proposed rule, including contact  
5                   information concerning the small business regulatory coordinator  
6                   required by section 28.1 of this chapter.

7                   (5) Information concerning where, when, and how a person may  
8                   inspect and copy the regulatory analysis, and any data, studies, or  
9                   analyses referenced under subdivision (3).

10                  (6) Information concerning where, when, and how a person may  
11                  inspect any documents incorporated by reference into the  
12                  proposed rule under section 21 of this chapter.

13                  (7) An indication that, if the agency does not receive any  
14                  substantive comments during the public comment period or  
15                  public hearing, the agency may adopt a rule that is the same as or  
16                  does not substantially differ from the text of the proposed rule  
17                  published under this section.

18                  Inadequacy or insufficiency of the published description or regulatory  
19                  analysis in a notice published under this section does not invalidate a  
20                  rulemaking action.

21                  (c) Although the agency may comply with the publication  
22                  requirements of this section on different days, the agency must comply  
23                  with all of the publication requirements of this section at least thirty  
24                  (30) days before the public hearing required by section 26 of this  
25                  chapter is convened.

26                  (d) The publisher shall review materials submitted under this  
27                  section and determine the date that the publisher intends to publish the  
28                  text of the proposed rule and the notice in the Indiana Register. If the  
29                  submitted material complies with this section, the publisher shall  
30                  establish the intended publication date, assign a document control  
31                  number to the proposed rule, and provide a written or an electronic  
32                  mail authorization to proceed to the agency. The publisher shall publish  
33                  the following in the Indiana Register on the intended publication date:

34                  (1) The notice of the first public comment period, including any  
35                  information required under IC 13-14-9-4 (if applicable).

36                  (2) The full text of the agency's proposed rule (excluding the full  
37                  text of a matter incorporated by reference under section 21 of this  
38                  chapter).

39                  SECTION 6. IC 4-22-2-37.1, AS AMENDED BY P.L.93-2024,  
40                  SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
41                  JULY 1, 2026]: Sec. 37.1. (a) The following do not apply to a rule  
42                  adopted under this section:



(1) Sections 23 through 27 of this chapter or IC 13-14-9 (as applicable).

(2) Sections 28 through 36 of this chapter.

The amendments to this section made in the 2023 regular session of the general assembly apply to provisional rules that are accepted for filing by the publisher of the Indiana Register after June 30, 2023, regardless of whether the adopting agency initiated official action to adopt the rule by the name of emergency rule or provisional rule before July 1, 2023. An action taken before July 1, 2023, in conformity with this section (as effective after June 30, 2023) is validated to the same extent as if the action was taken after June 30, 2023.

(b) An agency may adopt a rule on a subject for which the agency has rulemaking authority using the procedures in this section if the governor finds that the agency proposing to adopt the rule has demonstrated to the satisfaction of the governor that use of provisional rulemaking procedures under this section:

(1) is necessary to avoid:

(+) (A) an imminent and a substantial peril to public health, safety, or welfare;

(2) (B) an imminent and a material loss of federal funds for an agency program;

③ (C) an imminent and a material deficit;

(4) (D) an imminent and a substantial violation of a state or federal law or the terms of a federal agreement or program;

(5) (E) injury to the business or interests of the people or any public utility of Indiana as determined under IC 8-1-2-113;

(6) (F) an imminent and a substantial peril to:

(A) (i) wildlife; or

(B) (ii) domestic animal;

health, safety, or welfare; or  
(7) (G) the spread of invasive species, pests, or diseases affecting plants; **and**

(2) will result in a rule for which the combined implementation and compliance costs of the rule would not exceed five hundred thousand dollars (\$500,000) for businesses, units, and individuals if effective over a two (2) year period.

To obtain a determination from the governor, an agency must submit to the governor the text of the proposed provisional rule, the regulatory analysis required under section 22.7 of this chapter, a statement justifying the need for provisional rulemaking procedures, and any additional information required by the governor in the form and in the



1 manner required by the governor.

2 (c) The governor may not approve provisional rulemaking for any  
3 part of a proposed provisional rule that:

4 (1) adds or amends language to increase or expand application of  
5 a fee, fine, or civil penalty or a schedule of fees, fines, or civil  
6 penalties; or

7 (2) is expected to exceed the threshold set forth in section  
8 22.7(c)(6) of this chapter;

9 prior to the ~~budget committee's administrative rules oversight~~  
10 ~~committee's~~ review of the proposed provisional rule. A notice of  
11 determination by the governor shall include findings that explain the  
12 basis for the determination. The notice of determination shall be  
13 provided to the agency in an electronic format. Approval of a request  
14 shall be treated as a determination that the rule meets the criteria in  
15 subsection (b) and this subsection.

16 (d) After the governor approves provisional rulemaking procedures  
17 for a rule but before the agency adopts the provisional rule, the agency  
18 shall obtain a document control number from the publisher. The  
19 publisher shall determine the documents and the format of the  
20 documents that must be submitted to the publisher to obtain a  
21 document control number. The agency must submit at least the  
22 following:

23 (1) The full text of the proposed provisional rule in the form  
24 required by section 20 of this chapter.

25 (2) The regulatory analysis submitted to the governor under  
26 subsection (b).

27 (3) A statement justifying the need for provisional rulemaking.

28 (4) The approval of the governor to use provisional rulemaking  
29 procedures required by law.

30 (5) The documents required by section 21 of this chapter.

31 (6) If the proposed provisional rule adds or amends language to  
32 increase or expand the application of a fee, fine, or civil penalty,  
33 or a schedule of fees, fines, or civil penalties, the agenda of the  
34 ~~budget committee administrative rules oversight committee~~  
35 meeting at which the rule was scheduled for review.

36 (7) If the proposed provisional rule is expected to exceed the  
37 threshold set forth in section 22.7(c)(6) of this chapter, the agenda  
38 of the ~~budget committee administrative rules oversight~~  
39 ~~committee~~ meeting at which the rule was scheduled for review.

40 An agency may not adopt a proposed provisional rule until after the  
41 publisher notifies the agency that the publisher has complied with  
42 subsection (e). At least ten (10) regular business days must elapse after



1 the publisher has complied with subsection (e) before the department  
2 of natural resources, the natural resources commission, the department  
3 of environmental management, or a board that has rulemaking authority  
4 under IC 13 adopts a provisional rule.

5 (e) Upon receipt of documents described in subsection (d), the  
6 publisher shall distribute the full text of the proposed provisional rule  
7 to legislators and legislative committees in the manner and the form  
8 specified by the legislative council or the personnel subcommittee of  
9 the legislative council acting for the legislative council. After  
10 distribution has occurred, the publisher shall notify the agency of the  
11 date that distribution under this subsection has occurred.

12 (f) After the document control number has been assigned and the  
13 agency adopts the provisional rule, the agency shall submit the  
14 following to the publisher for filing:

15 (1) The text of the adopted provisional rule. The agency shall  
16 submit the provisional rule in the form required by section 20 of  
17 this chapter.

18 (2) A signature page that indicates that the agency has adopted the  
19 provisional rule in conformity with all procedures required by  
20 law.

21 (3) The documents required by section 21 of this chapter.  
22 The publisher shall determine the format of the provisional rule and  
23 other documents to be submitted under this subsection. The substantive  
24 text of the adopted provisional rule must be substantially similar to the  
25 text of the proposed provisional rule submitted to the governor. A  
26 provisional rule may suspend but not repeal a rule approved by the  
27 governor under section 34 of this chapter.

28 (g) Subject to subsections (d) and (f) and section 39 of this chapter,  
29 the publisher shall:

30 (1) accept the provisional rule for filing;  
31 (2) electronically record the date and time that the provisional  
32 rule is accepted; and

33 (3) publish the text of the:  
34 (A) adopted provisional rule;  
35 (B) regulatory analysis (excluding appendices containing data,  
36 studies, or analyses referenced in the regulatory analysis); and  
37 (C) governor's approval in the Indiana Register.

38 (h) A provisional rule adopted by an agency under this section takes  
39 effect on the latest of the following dates:

40 (1) The effective date of the statute delegating authority to the  
41 agency to adopt the provisional rule.  
42 (2) The date and time that the provisional rule is accepted for



filings under subsection (g).

(3) The effective date stated by the adopting agency in the provisional rule.

(4) The date of compliance with every requirement established by law as a prerequisite to the adoption or effectiveness of the provisional rule.

(5) The statutory effective date for a provisional rule set forth in law.

(i) An agency may amend a provisional rule with another provisional rule by following the procedures in this section for the amended provisional rule. However, unless otherwise provided by IC 4-22-2.3, a provisional rule and all amendments of a provisional rule by another provisional rule expire not later than one hundred eighty (180) days after the initial provisional rule is accepted for filing under subsection (g). Unless otherwise provided by IC 4-22-2.3-2, the subject of the provisional rule, including all amendments to the provisional rule, may not be subsequently extended under this section or section 37.2 of this chapter. If the governor determines that the circumstance that is the basis for using the procedures under this section ceases to exist, the governor may terminate the provisional rule before the lapse of one hundred eighty (180) days. The termination is effective when filed with the publisher. The publisher shall publish the termination notice in the Indiana Register.

(j) Subject to subsection (k), the attorney general or the governor may file an objection to a provisional rule that is adopted under this section not later than forty-five (45) days after the date that a provisional rule or amendment to a provisional rule is accepted for filing under subsection (g). The objection must cite the document control number for the affected provisional rule and state the basis for the objection. When filed with the publisher, the objection has the effect of invalidating the provisional rule or amendment to a provisional rule. The publisher shall publish the objection in the Indiana Register.

(k) The attorney general may file a written objection to a provisional rule under subsection (j) only if the attorney general determines that the provisional rule has been adopted:

(1) without statutory authority; or

(2) without complying with this section.

A notice of objection to a provisional rule by the attorney general must include findings that explain the basis for the determination. The notice of objection shall be provided to the agency in an electronic format.

SECTION 7. IC 4-22-2-37.2, AS AMENDED BY P.L.93-2024,



1 SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
2 JULY 1, 2026]: Sec. 37.2. (a) The following do not apply to a rule  
3 adopted under this section:

4 (1) Sections 23 through 27 of this chapter or IC 13-14-9 (as  
5 applicable).

6 (2) Sections 28 through 36 of this chapter.

7 This section as added by the 2023 regular session of the general  
8 assembly applies to interim rules that are accepted for filing by the  
9 publisher of the Indiana Register after June 30, 2023, regardless of  
10 whether the adopting agency initiated official action to adopt the  
11 interim rule before July 1, 2023. An action taken before July 1, 2023,  
12 in conformity with this section (as effective after June 30, 2023) is  
13 validated to the same extent as if the action was taken after June 30,  
14 2023.

15 (b) An agency may only adopt a rule on a subject for which the  
16 agency has rulemaking authority using the procedures in this section if  
17 the governor finds that the agency proposing to adopt the rule has  
18 demonstrated to the satisfaction of the governor that use of interim  
19 rulemaking procedures under this section:

20 (1) is necessary to implement:

21 (1) (A) a new state or federal law or program, rule of another  
22 state agency, federal regulation, or federal grant or loan  
23 agreement, or (if used by the agency to carry out the agency's  
24 responsibilities) a building, an equipment, a firefighting, a  
25 safety, or a professional code adopted by a nationally  
26 recognized organization;

27 (2) (B) a change in a state or federal law or program, rule of  
28 another state agency, federal regulation, federal grant or loan  
29 agreement, or (if used by the agency to carry out the agency's  
30 responsibilities) a building, an equipment, a firefighting, a  
31 safety, or a professional code adopted by a nationally  
32 recognized organization; or

33 (3) (C) a category of rule authorized under IC 4-22-2.3 to be  
34 adopted as an interim rule; and

35 (2) will result in a rule for which the combined  
36 implementation and compliance costs of the rule would not  
37 exceed five hundred thousand dollars (\$500,000) for  
38 businesses, units, and individuals if effective over a two (2)  
39 year period;

40 before the time that a final rule approved by the governor under section  
41 34 of this chapter could reasonably take effect.

42 (c) To obtain a determination from the governor, an agency must



1 submit to the governor the text of the proposed interim rule, **the**  
2 **regulatory analysis required by section 22.7 of this chapter**, a  
3 statement justifying the need for interim rulemaking procedures, and  
4 any additional information required by the governor in the form and in  
5 the manner required by the governor. The governor may not approve  
6 interim rulemaking for any part of a proposed interim rule that:

7 (1) adds or amends language to increase or expand application of  
8 a fee, fine, or civil penalty or a schedule of fees, fines, or civil  
9 penalties; or

10 (2) is expected to exceed the threshold set forth in section  
11 22.7(c)(6) of this chapter;

12 prior to the ~~budget committee's administrative rules oversight~~  
13 **committee's** review of the proposed interim rule. A notice of  
14 determination by the governor shall include findings that explain the  
15 basis for the determination. The notice of determination shall be  
16 provided to the agency in an electronic format. Approval of a request  
17 shall be treated as a determination that the rule meets the criteria in this  
18 subsection.

19 (d) To publish a notice of interim rulemaking in the Indiana  
20 Register, the agency must submit the following to the publisher:

21 (1) The full text of the agency's proposed interim rule in the form  
22 required by section 20 of this chapter.

23 (2) The regulatory analysis submitted to the governor under  
24 subsection (c).

25 (3) A statement justifying the need for interim rulemaking.

26 (4) The approval of the governor to use interim rulemaking  
27 procedures for the rule.

28 (5) If the proposed interim rule adds or amends language to  
29 increase or expand application of a fee, fine, or civil penalty or a  
30 schedule of fees, fines, or civil penalties, the agenda of the ~~budget~~  
31 **committee administrative rules oversight committee** meeting  
32 at which the rule was scheduled for review.

33 (6) The documents required by section 21 of this chapter.

34 (7) If the proposed interim rule is expected to exceed the  
35 threshold set forth in section 22.7(c)(6) of this chapter, the agenda  
36 of the ~~budget committee administrative rules oversight~~  
37 **committee** meeting at which the rule was scheduled for review.

38 The publisher shall review materials submitted under this section and  
39 determine the date that the publisher intends to include the material in  
40 the Indiana Register. After establishing the intended publication date,  
41 the publisher shall provide a written or an electronic mail authorization  
42 to proceed to the agency.



3 (1) A general description of the subject matter of the proposed  
4 interim rule, including the document control number.

5 (2) The full text of the agency's proposed interim rule in the form  
6 required by section 20 of this chapter (excluding the text of a  
7 matter incorporated by reference under section 21 of this chapter).

8 (3) The regulatory analysis submitted to the governor under  
9 subsection (c) (excluding appendices containing data, studies, or  
10 analyses referenced in the regulatory analysis).

11 (4) A statement justifying any requirement or cost that is:

12 (A) imposed on a regulated entity under the interim rule; and  
13 (B) not expressly required by the statute authorizing the  
14 agency to adopt rules or any other state or federal law.

15 The statement required under this subdivision must include a  
16 reference to any data, studies, or analyses relied upon by the  
17 agency in determining that the imposition of the requirement or  
18 cost is necessary.

19 (5) Information concerning where, when, and how a person may  
20 inspect and copy any data, studies, or analyses referenced under  
21 subdivision (4).

22 (6) Information concerning where, when, and how a person may  
23 inspect any documents incorporated by reference into the  
24 proposed interim rule under section 21 of this chapter.

25 (7) A date that is thirty (30) days after the notice is published in  
26 the Indiana Register by which written comments are due and a  
27 statement explaining that any person may submit written  
28 comments concerning the proposed interim rule during the public  
29 comment period and instructions on when, where, and how the  
30 person may submit written comments.

31 However, inadequacy or insufficiency of the subject matter description  
32 under subdivision (1) or a statement of justification under subdivision  
33 (4) in a notice does not invalidate a rulemaking action. An agency may  
34 continue the public comment period by publishing a subsequent notice  
35 in the Indiana Register extending the public comment period.

36 (f) Before adopting the interim rule, the agency shall prepare a  
37 written response to comments received by the agency, including the  
38 reasons for rejecting any recommendations made in the comments.

39 (g) After an agency has completed the public comment period and  
40 complied with subsection (f), the agency may:



(2) adopt a revised version of a proposed interim rule published under this section and include provisions that did not appear in the initially published proposed version.

An agency may not adopt an interim rule that substantially differs from the version of the proposed interim rule published in the Indiana Register under this section, unless it is a logical outgrowth of any proposed interim rule as supported by any written comments submitted during the public comment period.

(h) After the agency adopts the interim rule, the agency shall submit the following to the publisher for filing:

(1) The text of the adopted interim rule. The agency shall submit the full text of the interim rule in the form required by section 20 of this chapter.

(2) A summary of the comments received by the agency during the public comment period and the agency's response to the comments.

(3) A signature page that indicates that the agency has adopted the interim rule in conformity with all procedures required by law.

(4) The documents required by section 21 of this chapter.

The publisher shall determine the format of the interim rule and other documents to be submitted under this subsection. An interim rule may suspend but not repeal a rule approved by the governor under section 34 of this chapter.

(i) Subject to subsection (h) and section 39 of this chapter, the publisher shall:

(1) accept the interim rule for filing;

(2) electronically record the date and time that the interim rule is accepted; and

(3) publish the text of the:

(A) adopted interim rule;

(B) regulatory analysis (excluding appendices containing data, studies, or analyses referenced in the regulatory analysis); and

(C) governor's approval in the Indiana Register.

(j) An interim rule adopted by an agency under this section takes effect on the latest of the following dates:

(1) The effective date of the statute delegating authority to the agency to adopt the interim rule.

(2) The date and time that the interim rule is accepted for filing under subsection (i)

(3) The effective date stated by the adopting agency in the interim rule.

(4) The date of compliance with every requirement established by



1 law as a prerequisite to the adoption or effectiveness of the  
 2 interim rule.

3 (5) The statutory effective date for an interim rule set forth in law.

4 (k) An agency may amend an interim rule with another interim rule  
 5 by following the procedures in this section for adoption of an interim  
 6 rule. Except as provided in IC 4-22-2.3, an interim rule and all  
 7 subsequent rules on the same subject adopted under section 37.1 of this  
 8 chapter or this section expire not later than four hundred twenty-five  
 9 (425) days after the initial interim rule is accepted for filing under  
 10 subsection (i).

11 (l) Subject to subsection (m), the attorney general or the governor  
 12 may file an objection to an interim rule that is adopted under this  
 13 section not later than forty-five (45) days after the date that an interim  
 14 rule or amendment to an interim rule is accepted for filing under  
 15 subsection (i). The objection must cite the document control number  
 16 for the affected interim rule and state the basis for the objection. When  
 17 filed with the publisher, the objection has the effect of invalidating the  
 18 interim rule or amendment to an interim rule. The publisher shall  
 19 publish the objection in the Indiana Register.

20 (m) The attorney general may file a written objection to an interim  
 21 rule under subsection (l) only if the attorney general determines that the  
 22 interim rule has been adopted:

23 (1) without statutory authority; or

24 (2) without complying with this section.

25 A notice of objection to an interim rule by the attorney general must  
 26 include findings that explain the basis for the determination. The notice  
 27 of objection shall be provided to the agency in an electronic format.

28 SECTION 8. IC 4-22-2-40, AS AMENDED BY P.L.249-2023,  
 29 SECTION 37, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 30 JULY 1, 2026]: Sec. 40. (a) At any time before a rule is accepted for  
 31 filing by the publisher under section 35, 37.1, 37.2, or 38 of this  
 32 chapter, the agency that adopted the rule may recall it. A rule may be  
 33 recalled regardless of whether:

34 (1) the rule has been disapproved by the attorney general under  
 35 section 32 of this chapter; or

36 (2) the rule has been disapproved by the governor under section  
 37 34 of this chapter.

38 (b) IC 13-14-9 and sections 23 through 38 of this chapter do not  
 39 apply to a recall action under this section. However, the agency shall  
 40 distribute a notice of its recall action to the publisher for publication in  
 41 the Indiana Register. IC 13-14-9 and sections 23 and 26 of this chapter  
 42 do not apply to a readoption action under subsection (c).



(c) After an agency recalls a rule, the agency may reconsider its adoption action and adopt an identical rule or a revised rule. However, if IC 13-14-9 or sections 23 through 36 of this chapter apply to the recalled rule, the readopted rule must comply with the requirements under section 29 of this chapter or IC 13-14-9-9 (as applicable).

(d) The recall of a rule under this section voids any approval given after the rule was adopted and before the rule was recalled.

(e) If a rule is:

- (1) subject to sections 31 and 33 of this chapter;
- (2) recalled under subsection (a); and
- (3) readopted under subsection (c);

the agency shall resubmit the readopted version of the recalled rule to the attorney general and the governor for approval. **The agency shall include sufficient information for the governor to evaluate whether the readopted version of the recalled rule complies with the requirements of section 22.8(a) of this chapter.** The attorney general and the governor have the full statutory period to approve or disapprove the readopted rule. The agency shall resubmit the readopted version of a recalled rule to the office of management and budget with sufficient information for the office of management and budget to evaluate whether the initial regulatory analysis submitted to the office of management and budget under section 22.8 of this chapter needs to be revised. If the impact of the readopted rule is substantially different from the recalled rule, the agency shall submit the revised regulatory analysis to the publisher for publication in the Indiana Register with the document control number assigned by the publisher to the rule. The agency also shall comply with any other applicable approval requirement provided by statute.

(f) The readopted version of a recalled rule is effective only after the agency has complied with section 35, 37.1, 37.2, or 38 of this chapter.

SECTION 9. [EFFECTIVE JULY 1, 2026] (a) IC 4-22-2-19.6, IC 4-22-2-22.7, IC 4-22-2-22.8, IC 4-22-2-23, IC 4-22-2-37.1, IC 4-22-2-37.2, and IC 4-22-2-40, all as amended by this act, apply to a rulemaking action that commences after June 30, 2026.

**(b) This SECTION expires July 1, 2028.**

**SECTION 10. An emergency is declared for this act.**



## COMMITTEE REPORT

Mr. President: The Senate Committee on Appropriations, to which was referred Senate Bill No. 172, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

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

**"SECTION 1. IC 4-12-2.5 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]:**

**Chapter 2.5. Administrative Rules Oversight Committee**

**Sec. 1. As used in this chapter, "agency" has the meaning set forth in IC 4-22-2-3.**

**Sec. 2. As used in this chapter, "committee" refers to the administrative rules oversight committee established by section 4 of this chapter.**

**Sec. 3. As used in this chapter, "rule" has the meaning set forth in IC 4-22-2-3.**

**Sec. 4. The administrative rules oversight committee is established.**

**Sec. 5. (a) The committee consists of the following twelve (12) members of the general assembly:**

**(1) The chairperson of the senate appropriations committee.**

**(2) The ranking majority member of the senate appropriations committee.**

**(3) The chairperson of the senate tax and fiscal policy committee.**

**(4) The ranking majority member of the senate tax and fiscal policy committee.**

**(5) The chairperson of the house ways and means committee.**

**(6) The ranking majority member of the house ways and means committee.**

**(7) The chairperson of the house government and regulatory reform committee.**

**(8) The ranking majority member of the house government and regulatory reform committee.**

**(9) Two (2) minority members of the house of representatives appointed by the speaker of the house of representatives as follows:**

**(A) The ranking minority member of the house ways and means committee.**

**(B) One (1) other minority member of the house ways and**



means committee.

(10) Two (2) minority members of the senate appointed by the president pro tempore of the senate as follows:

(A) The ranking minority member of the senate appropriations committee.

(B) The ranking minority member of the senate tax and fiscal policy committee.

(b) Legislative appointments to the committee under subsection (a)(9) and (a)(10) shall be made within fifteen (15) days after the official selection of the president pro tempore of the senate and the speaker of the house of representatives. However, in the case of 2026, the legislative appointments to the committee under subsection (a)(9) and (a)(10) shall be made after the adjournment sine die of the second regular session of the one hundred twenty-fourth general assembly and before July 1, 2026. Each member appointed under subsection (a)(9) and (a)(10) shall serve at the will and pleasure of the member's respective appointing leadership or until the member's term as a member of the general assembly expires, whichever is shorter.

(c) Any vacancy occurring on the committee must be filled by the appointing authority for the unexpired term.

Sec. 6. (a) The chairperson of the committee shall be:

(1) the chairperson of the senate appropriations committee, in those years that the chairperson of the house ways and means committee is serving as the chair of the budget committee; and

(2) the chairperson of the house ways and means committee, in those years that the chairperson of the senate appropriations committee is serving as the chair of the budget committee.

(b) Unless the committee has no agenda, the committee shall meet on those same days of the year and at the same location that the budget committee has fixed to meet. The committee shall fix the time for its meetings.

Sec. 7. (a) The rule of any agency shall be subject to committee review if the implementation and compliance costs of the proposed rule are expected to exceed the threshold set forth in IC 4-22-2-22.7(c)(6).

(b) However, this section does not apply to a rule described in IC 4-22-2-22.7(f).

(c) For purposes of any statute that requires committee review before an action may be taken by a state agency or other entity,



**committee review is considered to have taken place when the action requiring review has been included on an approved agenda of the committee in the part of the agenda concerning review items.**

**Sec. 8. (a) Seven (7) members of the committee constitute a quorum.**

**(b) The affirmative vote of seven (7) members of the committee is required for the committee to take any action.**

**Sec. 9. (a) Each member of the committee 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. These expenses shall be paid from funds appropriated to the legislative council.**

**(b) Members of the committee shall not receive a salary per diem under this section if the member receives any salary per diem for the member's services at a budget committee meeting on the same day under IC 4-12-1-11(b).**

**Sec. 10. Staff for the committee shall be provided by the legislative services agency.**

SECTION 2. IC 4-22-2-19.6, AS AMENDED BY P.L.128-2024, SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 19.6. (a) A rule adopted under this article or IC 13-14-9 that includes a fee, fine, or civil penalty must comply with this section. Subsections (b), (c), and (d) do not apply to a rule that must be adopted in a certain form to comply with federal law.

(b) For each fee, fine, or civil penalty imposed by an agency that is not set as a specific amount in a state law, a rule must describe the circumstances for which the agency will assess a fee, fine, or civil penalty and set forth the amount of the fee, fine, or civil penalty:

(1) as a specific dollar amount;

(2) under a formula by which a specific dollar amount can be reasonably calculated by persons regulated or otherwise affected by the rule; or

(3) as a range of potential dollar amounts, stating the factors that the agency will utilize to set a specific dollar amount in an individual case with sufficient certainty that a review of an agency action under IC 4-21.5 or comparable process can evaluate whether the amount was reasonable.

A rule concerning fines or civil penalties does not prohibit an agency to enter into a settlement agreement with a person against whom a fine or civil penalty is being assessed to determine the fine or civil penalty to be paid for a violation.

(c) The amount of a fee must be reasonably based on the amount



necessary to carry out the purposes for which the fee is imposed.

(d) An agency setting a fine or civil penalty shall consider the following:

- (1) Whether the violation has a major or minor impact on the health, safety, or welfare of a person, the health or safety of animals or natural resources, or other facts set forth in the agency's rule.
- (2) The number of previous violations committed by the offender of laws, rules, or programs administered by the agency.
- (3) The need for deterrence of future violations.
- (4) Whether the conduct, if proved beyond a reasonable doubt, would constitute a criminal offense, and the level of penalty set by law for the criminal offense.

(e) An agency is not liable for a fee, fine, or civil penalty that is not in conformity with this section if

(1) the fee, fine, or civil penalty was included in a rule that became effective before January 1, 2023, and that otherwise complies with subsection (b).

(2) the fee, fine, or civil penalty was:

(A) set by an agency before January 1, 2023;

(B) reviewed by the budget committee:

(i) in the case of the department of environmental management, the boards listed in IC 13-14-9-1, the natural resources commission, the department of natural resources, the Indiana gaming commission, and the Indiana horse racing commission, before December 31, 2023; and  
 (ii) in the case of an agency not described in item (i), before July 1, 2024; and

(C) included in a rule that complies with this section and becomes effective before:

(i) in the case of the department of environmental management, the boards listed in IC 13-14-9-1, the natural resources commission, the department of natural resources, the Indiana gaming commission, and the Indiana horse racing commission, December 31, 2024; and  
 (ii) in the case of an agency not described in item (i), July 1, 2025; or

(3) the agency withdraws or otherwise ceases to enforce or apply the fee, fine, or civil penalty before:

(A) in the case of the department of environmental management, the boards listed in IC 13-14-9-1, the natural resources commission, the department of natural resources, the



Indiana gaming commission, and the Indiana horse racing commission, December 31, 2023; and

(B) in the case of an agency not described in clause (A), July 1, 2024.

Readoption without changes under IC 4-22-2.6 of a nonconforming fee, fine, or civil penalty that meets the requirements of subdivision (1) or (2) does not invalidate the nonconforming fee, fine, or civil penalty.

(f) Beginning January 1, 2024, an agency shall post on its website a schedule of fines and civil penalties that apply to violations of laws, rules, and requirements of federal programs administered by the agency.".

Page 2, delete lines 10 through 14, begin a new line block indented and insert:

"(6) A determination whether the combined implementation and compliance costs of a proposed rule are at least ~~one million dollars (\$1,000,000)~~ **one hundred thousand dollars (\$100,000)** for businesses, units, and individuals over any ~~two (2)~~ **one (1)** year period.".

Page 2, line 30, strike "budget committee" and insert "**administrative rules oversight committee**".

Page 5, line 5, strike "budget committee" and insert "**administrative rules oversight committee**".

Page 5, line 12, strike "budget committee" and insert "**administrative rules oversight committee**".

Page 5, line 15, strike "budget".

Page 5, line 16, strike "committee." and insert "**administrative rules oversight committee**".

Page 6, line 19, strike "budget".

Page 6, line 20, strike "committee" and insert "**administrative rules oversight committee**".

Page 6, line 23, strike "budget committee" and insert "**administrative rules oversight committee**".

Page 9, line 1, strike "budget committee's" and insert "**administrative rules oversight committee's**".

Page 9, line 25, strike "budget committee" and insert "**administrative rules oversight committee**".

Page 9, line 29, strike "budget committee" and insert "**administrative rules oversight committee**".

Page 13, line 3, strike "budget committee's" and insert "**administrative rules oversight committee's**".

Page 13, line 20, strike "budget".

Page 13, line 21, strike "committee" and insert "**administrative**



**rules oversight committee".**

Page 13, line 25, strike "budget committee" and insert  
**"administrative rules oversight committee".**

Page 17, line 20, after "(a)" insert "**IC 4-22-2-19.6.**".

Page 17, after line 24, begin a new paragraph and insert:  
**"SECTION 9. An emergency is declared for this act."**.

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 172 as introduced.)

GARTEN, Chairperson

Committee Vote: Yeas 12, Nays 0.

