



# Hendricks County Chambers Weekly Statehouse Update

By Caryl Auslander • Mar 25, 2023

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## General Statehouse Update



Another week has come and gone at the statehouse bringing more action than in previous weeks. Some controversial legislation was heard bringing protests to the building and the Governor quickly signed of another bill into law. This week also saw movement on a new constitutional amendment and a number of bills affecting utilities and environmental matters. However, what has yet to be seen from either chamber are pieces of major priority legislation passed at the halfway mark pertaining to taxation, healthcare, and education. Let's dive in...

### **Gender Identity Bills Bring Large Crowds**

A controversial [bill concerning gender identity](#) was heard in the Senate Education Committee this week, drawing crowds of activists. [HB 1608](#), dubbed the "Don't Say Gay" bill, was passed out of committee by a vote of 9-4. Under the proposal as passed by the House, educators would be required to tell parents if a student changes their gender identity or preferred name and prohibits instruction surrounding sexuality to be

discussed before grade 3. At the committee hearing, an additional amendment was added to require schools to have parental consent, not just notification, of a child's request for changes to their pronoun and name. The bill now moves to the full Senate for consideration.

On the other side of the building, the House Public Health Committee heard [SB 480](#) - legislation that would prevent gender transitioning care for minors. This bill also brought protests to the statehouse, and [emotional testimony](#) lasted nearly 5 hours. The Committee Chairman Brad Barrett (R-Richmond) did not allow committee amendments, and the bill passed 8-5 with Representative Ann Vermillion (R-Marion) being the sole Republican voting against the bill. [Second reading amendments](#) from the Democrats all failed on the floor later this week. The bill will be eligible for a final vote on Monday. Because the bill was not amended in the second-half, should it pass the full Senate, it will go straight to the Governor's desk for signature.

### **Mental Health Bill Passes Senate Committee**

[HB 1006](#), the mental health companion bill to [SB 1](#), advanced out of Senate Corrections and Criminal Law on Tuesday by a vote of 7-1. The bill creates a mental health referral program to be utilized by those in the criminal justice system. The bill now goes to Appropriations, where the fiscal impact will be considered. The funding appropriation set to accompany SB 1 the bill is slated to be added to the final budget bill, and we will keep you updated on whether HB 1006 follows the same process.

### **Legislation Aims to Address Graduation Waiver Inflation**

Two bills that aim to decrease high school [graduation rates inflated by waivers](#) made it past the halfway point and are anticipated to move. [SB 380](#) and [HB 1635](#) set forth provisions to both new requirements for graduates entering the military and caps the percentage of waivers allowed by a school corporation. The bill would also require schools to remove waived graduates from their school's graduation rates for transparency purposes. HB 1635 had its first hearing in Senate Education Committee this week and awaits further action.

### **Constitutional Amendment on Judicial Residency Advances Out of Committee**

A Joint Resolution to change residency requirements for judges in cities and towns is moving through the Senate, passing out of Local Government on Monday, and through second reading in the latter part of the week. [HJR 6](#) would amend the state constitution to expand residency requirements for said judges to reside in the county as well as the bordering Indiana county that is the closest Indiana county to the city or town in which the court is located. This is the first General Assembly to consider this proposal.

*A Note on Processes For Constitutional Amendments - Any proposed change to Indiana's Constitution must see approval by two successive general assemblies, not legislative years. This means it would need to pass this session and after a new legislature takes office in 2025. From there, it would be on the ballot in 2026, and a majority of Hoosiers would need to vote for the measure for it to take effect.*

### **Statewide Energy Plan Sees Unanimous Approval**

A [new statewide energy plan](#) would be in effect under [HB 1007](#), which passed out of the Senate on Monday. The bill sets forth 5 elements that must be considered by utilities: reliability, affordability, resiliency, stability, and environmental sustainability. The bill now goes back to the House, where they will consider changes made from their original language. If signed by the Governor, the plan would become effective July 1 of this year.

### **Utility Bill Gets Governor's Signature**

A [new measure to allow utilities](#) to pass along certain costs to customers for federally mandated projects without state pre-approval was signed by Governor Holcomb on Wednesday. Critics of [SEA 9](#) say that millions of dollars in unexpected project costs could be passed on to consumers. Utilities contend that this legislation helps to keep federal projects moving quickly through the pipeline without being held up by state regulatory processes. As a reminder, the Governor's bill watch site can be found [here](#).

### **Wetland Reclassification Amendment Added to Sewage Proposal**

A bill that began as a residential sewage proposal [was amended on Wednesday](#) and now contains language that could change how the

state's wetlands are classified. [SB 414](#), Class I wetland would be redefined as a wetland that supports minimal wildlife, aquatic habitat, and hydrologic function. Currently, a wetland need only meet one of those factors to be classified as a Class I Wetland. There has been significant push back on this amendment language, and there are discussions that it may [counter findings by the Indiana Wetlands Task Force final report](#), convened by the legislature.

### **Up Next Week**

Next week we expect to continue to see full committee and floor calendars - however the House has not released their committee schedule for next week at the time of this report. Appropriations has moved from budget proposal mode and into consideration of fiscal impacts of bills moving out of committee, and a high-profile pet shop bill remains in House Agriculture and Rural Development Committee awaiting further action. As always, Torchbearer Public Affairs will be there monitoring, testifying, and advocating for your needs. Please feel free to reach out to us with any questions or concerns.

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## Hendricks County Chambers Update



**We are rounding the corner** on the second half of session, as final committee deadlines will be here in just three weeks. Many committees will hold only one more hearing, and most have solidified their agendas for the remainder of session (which means lawmakers are finding out whether their legislation is dying or moving). We're also getting to the point where dissents will be filed in either chamber, so conference committees will be here before we know it. The next few weeks will move quickly, and, as always, we will be keeping our eyes and ears to the ground for updates relevant to you.

### **Childcare/PreK:**

- As we have reported, [HB 1591](#) is an omnibus education bill authored by Representative Behning and was amended during the first half of session to include language that gets rid of the term "pilot" for On My Way Pre-K, making the program permanent throughout the state after 12 years. The bill had a hearing only committee three weeks ago and was heard for an amend and vote hearing this week. There were several changes made to the bill, and it passed out of committee 11-2. The bill has been recommitted to the Senate Appropriations committee due to the fiscal impact. There is a letter circulating encouraging Senator Mishler, Chair of Appropriations, to hear the bill and keep the Pre-K language in. ***Please let us know if you would like your chambers added to the letter.***

### **Housing:**

- As we have reported previously, [HB1005](#) is an omnibus housing infrastructure bill and it has been assigned to the Senate Appropriations committee. It has not been added to the calendar for a hearing at this time.

### **Workforce:**

- [HB1451](#) deals with unemployment compensation and increases the number of earnings someone can keep when they work part-time while drawing unemployment insurance. The bill was heard for a second time in the Senate Pensions and Labor committee last week and was voted out unanimously. The bill was engrossed on second readings with no additional changes and passed unanimously on the Senate floor during third reading. Since there were no additional

changes, the bill will move on to the Governor's desk for a final signature.

- [HB1528](#) deals with addressing the teacher shortages and allows for a scholarship of up to \$10,000 for remaining education needed for teachers' license. As we've reported, the bill was amended in committee and eliminates the requirement to have a bachelor's degree if they are a teaching assistant and allows those currently obtaining their degree to apply for this scholarship. The bill passed out of committee with a 11-2 vote and was referred to the Senate Appropriations committee due to its fiscal impact and has not been added to the calendar for next week at this time.
- [HB 1002](#) is a House priority bill that is a "re-branding" of the high school diploma. As we have reported on this bill in past reports, and it has been assigned to the Senate Education committee. It has not been scheduled for a hearing at this time, but we anticipate it will be soon.
- [HB 1160](#) is a workforce training pilot program bill that made it through the first half. The bill requires the commission for higher education to establish an education and career support services pilot program. The bill targets workforce training for unemployed or underemployed individuals who are eligible for the TANF program. The bill has been referred to the Senate Committee on Family and Children services and has been scheduled for a hearing on Monday.

### **Health Care:**

- As we have reported previously, [HB 1006](#) and [SB 1](#) are this year's priority mental health bills for each caucus. Both bills are receiving pushback from lawmakers due to the fiscal or applicability of the language. Some House members believe that SB 1 is too expensive of an effort and are skeptical of how successful the rollout will be. HB 1006 is questioned by some members due to the fact that there is involuntary holding provisions in the bill. We helped draft a letter of support on behalf of the business community in support of the General Assembly fully supporting and funding both of these bills. HB1006 was heard in committee this week and drew out wide support. Changes were made to address some of the concerns from stakeholders. The bill passed out 7-1 and was recommitted to Senate Appropriations due to the fiscal impact.



- [HB 1003](#), Representative Snow’s health care bill, deals with inefficiencies in the system and incentivizing employers through tax credits. The bill would incentivize employers through tax credits to use "health reimbursement arrangements" rather than a traditional health care plan for their employees. As we have previously reported, the bill was heard in the Senate Insurance and Financial Institutions committee and was amended to ensure that Medicaid is not impacted by the bill, and further defines certain terms. The bill passed out of committee unanimously and has been referred to the Senate Appropriations committee due to its fiscal impact. It has yet to be scheduled for a hearing.
- Also previously reported, [HB 1004](#) is a healthcare bill that deals with what hospitals can charge for services. This bill has been labeled the “titanic” bill, as no one can seem to come to an agreement long enough for the bill to start moving. Currently, the bill would create a penalty for hospitals that charge above the national average for services, which is 260% of the federal Medicare reimbursement rate. The bill was referred to the Senate Committee on Health and Provider Services but has not been scheduled for a hearing at this time.

Please review your bill track list (below) and let us know if you have any questions - Chambers care about a lot of issues, so this list is very expansive!

**Here is the [live link](#) to your bill track for 2023.**

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## Action Items



- Please review your bill track and let us know of any bills of interest to you.

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## Important Dates



*Tuesday, April 11th - House Committee Report Deadline*

*Thursday, April 13th - Senate Committee Report Deadline*

*Thursday, April 13th - House 2nd Reading Deadline*

*Monday, April 17th - Senate 2nd Reading Deadline*

*Monday, April 17th - House 3rd Reading Deadline*

*Tuesday, April 18th - Senate 3rd Reading Deadline*

*Thursday, April 27th - Anticipated Sine Die*

[Senate Session Calendar](#)

[House Session Calendar](#)

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Please feel free to reach out with any questions. Have a great weekend!

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