

# Legislative Agenda

## Chamber Outlines Bill Positions

By Kevin Brinegar, president and CEO, Indiana Chamber of Commerce

This **first edition** of the Indiana Chamber’s 2023 *Legislative Agenda* continues an evolving public policy process for the organization and the state’s business community.

Chamber policy committees, composed of statewide volunteer leaders, meet throughout the year. They identify key issues, research the topics and help define policy positions, which are adopted each fall by the Chamber’s Board of Directors.

The organization’s policy positions are outlined in the annual *Legislative Business Issues* publication, with the 2023 edition presented to all members of the General Assembly at the beginning of the current session. *Legislative Agenda* matches those policy positions with specific feedback on the bills introduced in the House and Senate.

This publication provides clear input on issues that not only affect the Indiana business community, but communities, families and individuals throughout the state. We strive to provide you

with a clear understanding of our positions on key bills that will assist you as you proceed during this legislative session.

Please contact me or any of the members of our government affairs team with questions about this *Legislative Agenda*.

**NOTES:** This first edition considers all bills as of 1/31/23.

The absence of a bill from this list does not mean the Indiana Chamber has, or will have, no position on the legislation. The review process continues throughout the legislative session.



= Chamber priority bills



= bills designated as “job killers”

## House Bills

### HB 1001 STATE BUDGET (Thompson)

Appropriates money for capital expenditures, the operation of the state, K-12 and higher education, the delivery of Medicaid and other services, and various other distributions and purposes. Numerous additional provisions. **Position: SUPPORT Reason:** The Chamber supports the overall sound and balanced approach this budget reflects – by funding critical needs within the means of the state based on projected revenues and maintaining a prudent level of reserve funds to guard against the ramifications of an economic downturn. More specifically, the Chamber supports the enhanced flexibility with tax incentives granted to the Indiana Economic Development Corporation.  
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work-based learning opportunities, making high school graduation requirements more relevant to real-world expectations and creating funding flexibility (through the creation of “Career Scholarship Accounts”) to help students to complete on-the-job-training and postsecondary credentials. **Position: SUPPORT Reason:** The Chamber whole-heartedly supports the intent of HB 1002 to better connect secondary education to the rigors and realities of a talent-driven economy, with a focus on equipping students with relevant work-based learning experiences and industry-recognized credentials aligned with workforce needs.  
**Contact: Jason Bearce (317) 264-6880**

### HB 1002 EDUCATION AND WORKFORCE MATTERS (Goodrich)

Contains a number of provisions aimed at expanding



### HB 1005 HOUSING (D. Miller)

Creates a program and fund called the Residential Housing Infrastructure Assistance Program and Fund, which is run by the Indiana Finance Authority (IFA). Local governments can apply for loans from the fund to pay for infrastructure projects

related to residential housing development. The bill also sets guidelines on how the money in the fund should be distributed, with 70% going to municipalities with a population of less than 50,000 and 30% going to other local governments. The IFA will establish a system to prioritize loan applications and may also create a leveraged loan program for participants. **Position: SUPPORT Reason:** Housing needs have impeded economic development in many areas. This bill would provide an ability to assist in needed residential development to accommodate potential employees for employers considering local investment.  
**Contact: David Ober (317) 264-6887**

### **HB 1007 ELECTRIC UTILITY SERVICE (Soliday)**

Creates an energy plan for Indiana. It provides that it is the continuing policy of the state that decisions concerning Indiana's electric generation resource mix, energy infrastructure and electric service the Indiana Utility Regulatory Commission (IURC) must consider the following attributes of electric utility service: (A) reliability, (B) affordability, (C) resiliency, (D) stability and (E) environmental sustainability. The bill also requires the IURC to commence a comprehensive study of performance-based ratemaking for investor-owned electricity suppliers. **Position: SUPPORT Reason:** We have been asking for a statewide energy plan for several years and the timing is ripe. The 21st Century Energy Policy Task Force just completed four years of work and the Indiana Chamber Foundation completed an energy study in November 2020. The last energy plan for Indiana was created in 2006. This will help guide Indiana's energy makeup moving forward.  
**Contact: Greg Ellis (317) 264-6881**



### **HB 1008 PENSION INVESTMENTS (Manning)**

Provides that a fiduciary, in making and supervising investments of funds of the public pension system, shall discharge the fiduciary's duties solely in the financial interest of the participants and beneficiaries of the public pension system. It also sets out that any investment action should not be taken based upon furthering social, political or ideological interests. It would prohibit investment or require divestments from funds or companies with policies of limiting investment based upon the following: failure to meet or commit to environmental standards; engagement in the anti-firearms/ammunition industry; contracts with the U.S. Immigration and Customs Enforcement for the detention of immigrants/border security policies; and work in the fossil fuels, timber, mining, agriculture and food animal production. **Position: OPPOSE Reason:** This bill is picking specific sectors as winners and losers in which state pension funds can be invested in and is anti-free market. It doesn't consider what is in the best interests of state pensioners. Market performance and financial performance of investments should be driving pension investments. We all know the market changes over time. The bill could also have a chilling effect on certain kinds of investments being made in Indiana. Furthermore, a recent financial impact analysis from the Legislative Services Agency states this proposal could have a stunning impact on the system's returns, potentially reducing them by a staggering

total of nearly \$7 billion over the next decade.  
**Contact: Greg Ellis (317) 264-6881**

### **HB 1024 PUBLIC WORKS PROJECTS (Torr)**

Provides that a governmental body may not enter into a debt instrument unless it first receives a written financial analysis. Requires a person who engages in certain activities on behalf of either a governmental body or a potential operator with whom a governmental body is negotiating a build-operate-transfer (BOT) agreement to be registered as a broker with the United States Securities and Exchange Commission. Provides that a contractor that employs 10 or more employees on a design-build public works project must provide its employees access to a training program applicable to the tasks to be performed in the normal course of the employee's employment with the contractor on the public project. ... **Position: SUPPORT Reason:** This levels the playing field so that all contractors may propose project bids competitively, without preference to union contractors.  
**Contact: Ashton Eller (317) 264-7536**

### **HB 1033 LOCAL UNIT WATER INFRASTRUCTURE FUND (Frye)**

Establishes the Local Unit Water Infrastructure Fund to provide grants, loans and other financial assistance to counties, cities and towns for projects to repair, replace or increase the capacity of water infrastructure or replace lead water service lines; in community water systems. It requires the Indiana Finance Authority (IFA) to administer the fund. The fund consists of appropriations from the state general fund and money from other sources. Requires the IFA to adopt guidelines to establish criteria for the making of grants and the providing of loans and other financial assistance from the fund. It requires a local unit that applies for a grant, loan or other financial assistance to develop an asset management program for its community water system. It authorizes the IFA to make the award of a grant conditional upon the local unit contributing a local match of funds to be combined with the grant. **Position: SUPPORT Reason:** This is consistent with one of the drivers of the Chamber's *Indiana Vision 2025* plan and our long-term position on water resources. It will establish the fund and appropriate money to the fund which will be available to local governments. This is similar to the Water Infrastructure Assistance Fund created in SB 416 in 2017 and HB 1406 in 2019. It also promotes sustainability of water resources and attempts to keep costs as low as possible.  
**Contact: Greg Ellis (317) 264-6881**

### **HB 1035 TOWNSHIP ASSESSORS (Pressel)**

Provides that, in counties that have one or more township assessors, the county election board shall place on the ballot at the November 2024 general election a public question asking whether the office of township assessor should be abolished or continued. Provides that a county election board shall tabulate the votes cast on the public question and certify the results to the Department of Local Government Finance. Provides that if a majority of the voters voting on the public question vote "yes," the office of each township assessor in the county is

abolished effective January 1, 2026. Provides that the county assessor shall interview, or give the opportunity to interview to, each individual who is an employee of a township assessor in the county and applies for an employment position.

**Position: SUPPORT Reason:** All but these few township assessors were abolished over a decade ago. Having all assessments conducted by the county assessor resulted in greater uniformity, efficiency and savings. Under this bill, these remaining counties will now realize those same benefits.  
**Contact: David Ober (317) 264-6887**

### **HB 1039 MEDICAL AND ADULT USE OF CANNABIS (Teshka)**

After marijuana is removed as a federal schedule I controlled substance, permits the use of cannabis by: (1) a person at least 21 years of age; and (2) a person with a serious medical condition as determined by the person's physician. Establishes the adult use cannabis excise tax and requires a retailer to transfer the tax to the department of state revenue for deposit in the state general fund. Exempts veterans from payment of the sales tax on medical or adult use cannabis. Establishes a cannabis program to permit the cultivation, processing, testing, transportation and sale of cannabis by holders of a valid permit. Establishes the Indiana Cannabis Commission (ICC) as a state agency to oversee, implement and enforce the program, and establishes the ICC advisory committee to review the effectiveness of the program. Requires that permit holders take steps to prevent diversion of cannabis to unauthorized persons. Requires that cannabis and cannabis products be properly labeled, placed in child resistant packaging and tested by an independent testing laboratory before being made available for purchase. Prohibits packaging cannabis in a manner that is appealing to children. Authorizes research on cannabis in accordance with rules set forth by the ICC. Establishes a procedure for the expungement of a cannabis related conviction if the act constituting the conviction becomes legal. **Position: OPPOSE Reason:** The Chamber opposes the legalization of marijuana for recreational use as well as medicinal purposes until clinical trials have proven its efficacy and safety. Data shows that once medicinal marijuana is introduced, illegal access to and use of marijuana increases. Marijuana use is associated with an increase in industrial accidents, disciplinary problems and absenteeism. Any association of marijuana with workplace issues raises concerns for employers. The Chamber opposes any and all legislation related to legalizing cannabis or marijuana or setting up a structure to facilitate future legalization.  
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### **HB 1040 REQUIREMENTS FOR ELECTED OFFICIALS (Lehman)**

Provides that the State Board of Accounts (SBOA) will be responsible for declaring entities "unauditable" if an examination of their accounts, records, files or reports cannot be performed due to improper maintenance or reconciliation. These entities will have 90 days to bring their accounts up to an auditable condition, and the SBOA will publish a list of "unauditable" entities on their web site. It also requires SBOA to hold an annual conference for city and town controllers and clerk-treasurers, newly appointed city and

town controllers, and city and town clerk-treasurers elect, as well as township trustees and township trustees elect. Elected officials must attend training every two years, and newly elected officials must complete five hours of training before taking office. **Position: SUPPORT Reason:** Allowing the SBOA to post publicly which local units are unauditable will improve compliance and enhance the accountability of those officials to their constituents. The other provisions in the bill will likewise further assure that tax dollars are being expended according to the law.

**Contact: David Ober (317) 264-6887**

### **HB 1051 PROPERTY TAX RELIEF (Pryor)**

Permits counties, cities and towns (including Marion County) to establish a neighborhood enhancement property tax relief program to provide an assessed value deduction for longtime owner-occupants of homesteads having an assessed value of not more than \$200,000 in certain designated areas. Authorizes the redevelopment commission (or the metropolitan development commission in the case of Marion County) to identify the areas for purposes of the program based on specified conditions. Requires the county auditor to notify each owner of property that qualifies for a deduction under a program and provide the owner with an application for the deduction. Requires an owner of property that qualifies for a deduction to apply to the county auditor to receive the deduction. Provides a penalty for wrongly receiving the deduction that is the same as the penalty for wrongly receiving the homestead standard deduction **Position: SUPPORT Reason:** We support efforts to keep longtime residents in place, so long as it minimizes the tax shift. While this could be made better with an income threshold, the 10-year qualifier will limit the impact.

**Contact: David Ober (317) 264-6887**

### **HB 1062 REORGANIZATION OF MUNICIPALITY AND TOWNSHIP (Engleman)**

Allows for the reorganization of a municipality with a township, as long as at least 70% of the population of the township is located within the boundaries of the municipality and the municipality adopts a reorganization plan. The reorganization must be initiated by the municipality's legislative body and must include a fiscal impact analysis in the comprehensive plan of reorganization. The bill allows the reorganized political subdivision to provide township assistance by contracting with nonprofit organizations. **Position: SUPPORT Reason:** This bill represents a common sense approach to encouraging efficiencies in government structure, and proving better service to taxpayers where there is an extensive overlap of jurisdictions between townships and municipalities. The Chamber believes that fewer levels of government, not more, would better serve the taxpayers.

**Contact: David Ober (317) 264-6887**

## **HB 1065 CANNABIS REGULATION**

### **(Errington)**

Establishes the Cannabis Compliance Advisory committee to review and evaluate certain rules, laws and programs.

Establishes the Cannabis Compliance Commission to regulate all forms of legal cannabis in Indiana, including hemp and low THC hemp extract. **Position: OPPOSE Reason:** The Chamber opposes any and all legislation related to legalizing cannabis or marijuana or setting up a structure to facilitate future legalization. Marijuana is illegal under federal law and has not been approved for any valid medical purpose by the Food and Drug Administration.

**Contact: Ashton Eller (317) 264-7536**

## **HB 1072 AVIATION FUEL INSPECTION FEES**

### **(Morrison)**

Establishes an aviation fuel account within the underground petroleum storage tank Excess Liability Trust Fund (ELTF) and requires that the inspection fees on aviation fuel and jet fuel be deposited in the account. It also provides that the account may be used only for financial responsibility, corrective action, third-party indemnification and administration expenses related to aviation fuel and jet fuel. Beginning December 31, 2023, an amount calculated by formula shall be transferred annually from the ELTF to the airport development grant fund. **Position: OPPOSE Reason:** The Chamber opposes this because it threatens the solvency of the ELTF. Protection of the ELTF has long been an environmental policy priority of the Chamber. In addition, this bill would allow airports to access money paid into the ELTF while other businesses would not have the same ability. It was mentioned by one legislator that there is too much money in the ELTF. If that is the case, we should adjust the funding formula down to be fair to all contributors.

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## **HB 1082 RESIDENTIAL TAX INCREMENT**

### **FINANCING (Heine)**

Removes the threshold conditions for establishing a residential housing development program and a tax increment allocation area for the program, including the condition that the governing body of each school corporation affected by the program pass a resolution approving the program before the program may go into effect. Also provides that the fiscal body of a county may adopt an ordinance to designate an economic development target area. **Position: SUPPORT Reason:** Housing needs have impeded economic development in many areas. This bill would provide an ability to assist in needed residential development to accommodate potential employees for employers considering local investment.

**Contact: Adam Berry (317) 264-6892**

## **HB 1085 TAX INCENTIVE FINANCING (Cherry)**

Provides that 20% of the incremental property taxes of a tax increment financing (TIF) area established after June 30, 2023, shall be allocated to and, when collected, paid to school corporations that maintain an attendance area that includes all

or part of the allocation area. It requires a school corporation to use the distribution for career and technical education programs. Also provides that, for an allocation area established before July 1, 2023, a redevelopment commission (RDC) is strongly encouraged to make allocations to a school corporation for use in the school corporation's career and technical education programs. Provides that, after June 30, 2023, at least one of the members appointed to an RDC by a municipal executive or county executive must also be a member of the school board of a school corporation that includes all or part of the territory served by the redevelopment commission or an individual recommended by the school board. **Position: OPPOSE Reason:** The Chamber supports the development of career and technical education programs, but opposes requiring TIF proceeds be distributed to a school corporation for that purpose. General appropriations are the best way to achieve this goal. The Chamber also opposes requiring a municipal executive or council to appoint a member of a school board as a voting member of a RDC. While school corporations may face fiscal impacts from RDC decisions, they should not have an outsized voice in those decisions. School corporations currently are represented on RDCs by a nonvoting member. It is unnecessary to change current law.

**Contact: Jason Bearce (317) 264-6880**

## **HB 1102 REPEAL OF RIGHT-TO-WORK LAW**

### **(Gore)**

Repeals the chapter prohibiting an employer from requiring: (1) labor organization membership; (2) payment of dues or fees to a labor organization; or (3) payment to a charity or other third party an amount equivalent to fees required by a labor organization; as a condition of employment. **Position: OPPOSE Reason:** This bill will repeal the right-to-work statute. Further, it would remove an individual's right to choose whether or not they wish to join a union.

**Contact: Ashton Eller (317) 264-7536**



## **HB 1123 ELIMINATION OF TEXTBOOK FEES**

### **(Miller)**

Requires each public school to provide curricular materials at no cost to each student enrolled in the public school. Establishes a curricular materials fund to be administered by the Indiana Department of Education for that purpose. **Position: SUPPORT Reason:** Providing "a general and uniform system of Common Schools, wherein tuition shall be without charge and equally open to all" is a founding tenet of Indiana's Constitution. Given the importance of an equitable education for all Hoosiers and the state's strong fiscal position, now may be the time to remove the financial burden of textbook fees from Indiana families.

**Contact: Jason Bearce (317) 264-6880**

## **HB 1124 CIVIL PROCEEDING ADVANCE**

### **PAYMENT CONTRACTS (Lehman)**

Amends the law concerning civil proceeding advance payment (CPAP) transactions to provide that in a civil action in which one party has entered into a CPAP contract, that party or the

party's attorney is required to provide to: (1) each of the other parties in the civil action; and (2) each insurer that has a duty to defend another party in the civil action; a copy of the CPAP contract that the party has entered into. **Position: SUPPORT Reason:** CPAP contracts have increased costs to employers and added strain to Indiana's judicial system. In the absence of outlawing CPAP contracts altogether, disclosure of these contracts during the course of litigation will expedite settlement negotiations so that the outcomes are fair and efficient, which is beneficial to both parties.

**Contact: Adam Berry (317) 264-6892**

### **HB 1127 EXEMPTION FROM COVID-19 IMMUNIZATION REQUIREMENTS (Cash)**



Provides that an employer may not require an employee to submit to testing for the presence of COVID-19 unless the employee had a known high risk exposure to COVID-19 or has active symptoms of COVID-19. Removes a provision that allows an employer to require an employee who receives an exemption from COVID-19 immunization requirements to submit to testing under certain conditions. Provides that an employer may not subject an employee who claims an exemption based on religious reasons to religious testing or questioning unless the employer has documented evidence of an insincere belief. Removes a provision that allows an employer to request a new laboratory test result from an employee who claims an exemption based on immunity from COVID-19 not more than once every three months. Allows an employee or prospective employee to bring a civil action against an employer to enforce the exemption requirements.

**Position: OPPOSE Reason:** The Chamber opposes this legislation on multiple fronts. The Chamber opposes any legislation that would prohibit employers' right to hire and discipline employees under Indiana's "at-will" status. Secondly, this legislation creates an unnecessary right of action against employers that could be abused in the court system. Lastly, this topic was covered extensively in the previous legislative session under HB 1001 (2022). The Chamber opposes this bill and all others that interfere with an employer's right to determine workplace rules and health and safety policies.

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### **HB 1133 BAN ON SALE OF FLAVORED TOBACCO AND E-LIQUIDS (Jackson)**

Prohibits the sale of flavored tobacco products and their components, including: (1) cigarettes, electronic cigarettes and smokeless tobacco; and (2) tobacco products that have a characterizing flavor. Provides that a person or entity that sells a flavored tobacco product commits a Class C misdemeanor and may have the person's tobacco sales certificate revoked by the alcohol and tobacco commission. **Position: SUPPORT Reason:** Banning flavored tobacco and e-liquids would reduce tobacco and e-liquid consumption, particularly among young adults. This, in turn, would reduce health care costs to employers and the state through the Medicaid program, as well as improve Indiana's health metrics.

**Contact: Ashton Eller (317) 264-7536**

### **HB 1137 EQUAL PAY; WAGE DISCLOSURE PROTECTION (Jackson)**

Provides that it is an unlawful employment practice to: (1) pay wages that discriminate based on sex for substantially similar work; (2) discharge, discipline, discriminate against, coerce, intimidate, threaten or interfere with any employee or other person because the employee inquired about, disclosed, compared or otherwise discussed the employee's wages; (3) require as a condition of employment nondisclosure by an employee of the employee's wages; or (4) require an employee to sign a waiver or other document that purports to deny the employee the right to disclose the employee's wage information. Provides that the Civil Rights Commission has jurisdiction for the investigation and resolution of complaints of these employment actions. **Position: OPPOSE Reason:** The Chamber opposes legislation that would erode the rights employers have under Indiana's "at-will" employment status. The Chamber also respects the right of employers and employees to enter into contracts and non-disclosure agreements. Any discrimination based upon sex is already prohibited by the federal government in Title VII of the Civil Rights Act of 1964.

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### **HB 1141 CAP ON ASSESSED VALUATION INCREASE FOR HOMESTEADS (Prescott)**

Limits the annual increase in assessed value (AV) of a homestead to 5% unless: (1) ownership of the homestead changes; or (2) the increase results from physical changes to the homestead. Also limits the increase in AV of a homestead over a 10-year period to 40%. **Position: OPPOSE Reason:** The Chamber opposes assessment limits that cap the rate of growth in assessed values and shift the cost of local government onto other classes of taxpayers and create inequities over time. While the intention of assessment limits may be to align property tax with the taxpayer's ability to pay, the policy creates a system where some homeowners are protected from paying their fair share of taxes while other property owners bear the burden.

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### **HB 1160 WORKFORCE TRAINING AND TANF MATTERS (Clere)**

Contains several provisions aimed at expanding opportunities for individuals receiving Temporary Assistance for Needy Families (TANF) dollars to receive workforce training and related services, including a provision to reimburse employers for the costs of training and onboarding these workers.

**Position: SUPPORT Reason:** The link between low levels of education attainment/training and cyclical generational poverty are unmistakable. The Chamber supports efforts to provide targeted training that promotes upward economic mobility in alignment with employers' workforce needs.

**Contact: Jason Bearce (317) 264-6880**

### **HB 1173 UTILITY SCALE BATTERY ENERGY STORAGE SYSTEMS (Pressel)**

Sets siting and safety standards for utility-scale battery energy storage that would be subject to approval by the

Department of Homeland Security. Requires the operator of the battery storage to provide annual training that provides the fire department with information necessary to allow the fire department to safely and effectively respond to a fire or discharge or threatened discharge of environmental contaminants by the battery storage unit. It also sets some triggers for when approvals will be necessary, and the battery storage unit be subject to regulations that were of concern to the industry. **Position: SUPPORT Reason:** The Chamber supports the bill because it provides regulatory certainty for these types of developments on the front-end rather than trying to fix sighting issues with local government as they pop up like they have in wind and solar energy development  
**Contact: Greg Ellis (317) 264-6881**

### **HB 1190 CLOSURE OF COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS (Boy)**

Requires the owner or operator of a coal combustion residuals (CCR) surface impoundment that is located in a 500-year flood zone, has caused a statistically significant increase in groundwater contamination or does not have a composite liner that meets certain requirements, or that is otherwise subject to a federal or state closure requirement, to remove all CCR from the CCR surface impoundment, return the site of the CCR surface impoundment to a non-erosive and stable condition, and either transfer the CCR for disposal in a landfill that meets certain requirements or put the CCR to an encapsulated beneficial use. Requires that the CCR be put to an encapsulated beneficial use whenever possible. **Position: SUPPORT IN PART/OPPOSE IN PART Reason:** We support the beneficial use of the CCR that the bill addresses, but there are too many limitations on what is beneficial use – that should be determined by the Environmental Protection Agency (EPA) or Indiana Department of Environmental Management (IDEM). We oppose the blanket /prohibition of closure in place. This should again be looked at on a case-by-case basis. The EPA and IDEM already have regulations in place that deal with CCR. EPA recently came out with strict guidelines on CCR disposal. These rules are sufficient to address the removal/disposal of CCR. The provisions of this bill are too prescriptive. The result will be increased disposal costs to utilities, which would likely result in increased energy costs and higher rates for customers.  
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### **HB 1192 MINIMUM WAGE (Boy)**

Amends the definition of “employee” for the purposes of the minimum wage statute.

Increases the minimum wage paid to certain employees in Indiana as follows: (1) After June 30, 2024, from \$7.25 an hour to \$9.02 an hour. (2) After December 31, 2024, from \$9.02 an hour to \$10.07 an hour. (3) After December 31, 2025, from \$10.07 an hour to \$11.11 an hour. (4) After December 31, 2026, from \$11.11 an hour to \$12.10 an hour. Provides that after December 31, 2027, and each subsequent December 31, the hourly minimum wage increases at the same percentage as any increase in the Consumer Price Index for the preceding calendar year. Increases the cash wage paid to tipped employees as follows: (1) After June 30, 2024, from



\$2.13 an hour to \$3.30 an hour. (2) After December 31, 2024, from \$3.30 an hour to \$4.71 an hour. (3) After December 31, 2025, from \$4.71 an hour to \$6.12 an hour. (4) After December 31, 2026, from \$6.12 an hour to \$7.54 an hour. Provides that after December 31, 2027, and continuing for each subsequent December 31, the cash wage required to be paid to employees is equal to 70% of the hourly minimum wage. Provides that, if the federal minimum wage or cash wage is higher than the state minimum wage or cash wage, employers are required to pay the higher federal rate. **Position: OPPOSE Reason:** This bill would reduce the number of entry-level and part-time jobs, particularly for young people. An increase in the minimum wage is not necessary at this time as the labor shortage is driving up starting wages to \$15 per hour or more.  
**Contact: Ashton Eller (317) 264-7536**

### **HB 1203 ELIMINATION OF TEXTBOOK FEES (O'Brien)**

Requires each public school to provide curricular materials at no cost to each student enrolled in the public school. **Position: SUPPORT Reason:** See HB 1123.  
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### **HB 1214 TOBACCO AND E-LIQUIDS (Manning)**

Modifies the definition of “tobacco product” to include a product that contains nicotine and is not approved by the federal Food and Drug Administration for tobacco cessation. It provides that an e-liquid distributor shall purchase and distribute e-liquid from an: (1) Indiana e-liquid manufacturer that has a valid e-liquid manufacturing permit; or (2) Indiana e-liquid distributor that has a valid e-liquid manufacturing permit or a valid tobacco distributor’s license. **Position: SUPPORT Reason:** Indiana ranks 40th in overall health and 41st in percentage of smokers. Each smoking employee costs a business \$6,200 per year in health care costs and lost productivity, equaling \$7.6 billion annually in total costs to employers. Ninety-five percent of smokers start smoking well before the age of 21. Tobacco use is the single most preventable cause of death among youth, which is our future workforce.  
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### **HB 1233 COLLEGE SAVINGS TAX CREDIT (Klinker)**

Increases the credit provided for a contribution to a College Choice 529 education savings plan against a taxpayer’s adjusted gross income from \$1,500 to \$2,000 beginning in taxable year 2024. **Position: SUPPORT Reason:** The Chamber supports College Choice 529 savings plans as an effective means for helping Hoosiers plan and pay for higher education, especially for low- and middle-income families. Given that college savings tax credits are one of few such benefits available to middle class households, the Chamber supports a \$500 tax credit increase for this purpose, particularly in light of recent inflationary pressures.  
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## **HB 1243 PAID FAMILY AND MEDICAL LEAVE PROGRAM (Campbell)**

Requires the Indiana Department of Workforce Development (DWD) to establish a paid family and medical leave program to provide payments for employees who take family and medical leave. Establishes the family and medical leave fund to be funded with appropriations from the general assembly and payroll contributions. Specifies requirements for administration of the paid family and medical leave program. Provides for the DWD to approve an employer's use of a private plan to meet the paid family and medical leave program obligations.

**Position: OPPOSE Reason:** This bill would interfere with employers' authority to establish employee benefits, working conditions and employee leave policies within the workplace.

**Contact: Ashton Eller (317) 264-7536**

## **HB 1248 CANNABIS (Johnson)**

Establishes a procedure for the lawful production and sale of cannabis in Indiana. Makes conforming amendments. Makes an appropriation. **Position: OPPOSE Reason:** See HB 1065.

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## **HB 1250 DUTY TO NOTIFY WATER UTILITY OF SPILL (Hatfield)**

Requires the Environmental Rules Board to amend the administrative rules concerning spill reporting to require the party responsible for a spill or release of a substance into a body of water to give timely notice of the spill or release to the operator of a water utility or water treatment plant if there is a substantial risk that the spill or release will cause a threat to human health or the environment or will impair the operation of or adversely affect the quality of the water produced by the water utility or water treatment plant. **Position: SUPPORT Reason:** This bill would help protect water resources which has long been a Chamber priority. It would alert water utilities of substances that they will need to adjust their treatment process to deal with. This could potentially save ratepayers money by not creating a bigger problem. It would also mitigate damages for parties responsible for the spill. It should be noted though that the Indiana Department of Environmental Management already has spill-reporting requirements in place.

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## **HB 1253 OVERTIME COMPENSATION (Hatfield)**

Provides that, after December 31, 2023, certain employees must be paid compensation for employment in certain circumstances at a rate not less than 1.5 times the regular rate at which the employee is employed and, under certain circumstances, not less than two times the regular rate at which the employee is employed. **Position: OPPOSE Reason:** The federal Fair Labor Standards Act of 1938 currently establishes that overtime compensation is not less than 1.5 times the regular rate for hours worked in excess of 40 per week for certain employees. This bill expands overtime compensation to include the following: (1) certain employees working longer during a work day than their previously scheduled time and (2) certain employees working in excess of a 52-hour work week to receive compensation at not less than two times the

regular rate for more than 52 hours. While well-intentioned, this will have an adverse financial impact on employers.

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## **HB 1254 WORK SHARING UNEMPLOYMENT INSURANCE PROGRAM (Hatfield)**



Establishes a work sharing unemployment insurance program. Requires an employer that desires to participate in the program to submit a work sharing plan for approval by the commissioner of the Indiana Department of Workforce Development. Establishes the work sharing benefit as equal to an affected employee's unemployment benefit reduced by a percentage equal to the percentage of the employee's normal weekly work hours that the employee works under the approved work sharing plan.

**Position: SUPPORT Reason:** The Chamber believes it is better for both the employer and the employee if employees are still working as opposed to being laid off. The program allows employers to retain workers at reduced hours in lieu of a layoff. The employee maintains benefits, such as health care coverage, and is eligible to receive partial unemployment benefits. Based upon a 2015 Ball State University study (revisited in 2018), income may actually stabilize in the manufacturing sector during an economic downturn if work share is available. A recent study by the Brookings Institute discloses that millions of dollars provided through the federal CARES Act for work share programs were forfeited by the state because a work share program was not in place.

**Contact: Ashton Eller (317) 264-7536**

## **HB 1255 ELIMINATION OF TEXTBOOK FEES (Hatfield)**

Requires each public school to provide curricular materials at no cost to each student enrolled in the public school. **Position: SUPPORT Reason:** See HB 1123.

**Contact: Jason Bearce (317) 264-6880**

## **HB 1262 EMERGENCY POWERS (Lucas)**

Provides that the orders, rules and regulations made, amended or rescinded by the Governor must be narrowly tailored to serve a compelling public health or safety interest. Provides that if the Governor declares a state of disaster emergency, the state of disaster emergency expires not later than 30 days after the declaration and may not be renewed. Provides that the Governor may suspend certain regulatory statutes only to the extent necessary to carry out certain emergency responses. Provides that the Governor may not suspend any provision of any regulatory statute if that suspension infringes upon any right or protection guaranteed or provided in the Constitution of the United States or the Constitution of the State of Indiana. ... Repeals provisions relating to the Governor's authority to establish an energy emergency. **Position: NEUTRAL IN PART/OPPOSE IN PART Reason:** Maintaining the balance of powers is central to government. The Chamber agrees that executive action should never infringe on Hoosiers' constitutional rights nor should the Governor be statutorily enabled to abuse his powers. However, this bill goes too far in limiting the Governor's flexibility if and when the state

experiences a true state of emergency.  
**Contact: Adam Berry (317) 264-6893**

### **HB 1263 MEDICAL MARIJUANA (Lucas)**

Permits the use of medical marijuana by persons with serious medical conditions as determined by their physician. Establishes a medical marijuana program to permit the cultivation, processing, testing, transportation and dispensing of medical marijuana by holders of a valid permit. Requires the Indiana Department of Health to implement and enforce the medical marijuana program. Requires that medical marijuana and medical marijuana products be properly labeled, placed in child resistant packaging and tested by an independent testing laboratory before being made available for purchase. Prohibits packaging medical marijuana in a manner that is appealing to children. Authorizes research on medical marijuana in accordance with rules set forth by the state department. Prohibits discrimination against medical marijuana users. Prohibits harassment of medical marijuana users by law enforcement officers and prohibits cooperation with federal law enforcement officials seeking to enforce federal laws that criminalize the use of marijuana authorized in Indiana. Establishes the medical marijuana oversight board to review appeals and grievances concerning the medical marijuana program. Provides a defense to prosecution for a person who operates a vehicle or motorboat with marijuana or its metabolite in the person's blood under certain conditions that involve medical marijuana. **Position: OPPOSE Reason:** See HB 1039.  
**Contact: Ashton Eller (317) 264-7536**

### **HB 1266 VOLUNTEER CYBER CIVILIAN CORPS (Judy)**

Establishes the Indiana Cyber Civilian Corps program whereby civilian volunteers with expertise in addressing cybersecurity incidents volunteer (at the invitation of the adjutant general) to provide rapid response assistance to a cybersecurity client. Provides that the work product of a cyber civilian corps volunteer or advisor, including any information voluntarily submitted to the volunteer or advisor, is exempt from disclosure. Provides that a cyber civilian corps volunteer or advisor is immune from tort liability for certain damages that occur while the volunteer or advisor is deployed and acting on behalf of the adjutant general. **Position: SUPPORT Reason:** Cyber security risks increase every day for the public and private sector alike. This offers additional response capabilities if and when the availability of expertise is insufficient during a crisis. The program is voluntary for those who wish to offer their service and expertise to the state.  
**Contact: Adam Berry (317) 264-6894**

### **HB 1270 PILOT PROGRAM TO FUND EDUCATION ATTAINMENT (Bartlett)**

Establishes the parent education assistance pilot program for the purpose of providing grants to cover childcare costs for eligible individuals who are pursuing postsecondary education program. To remain eligible for the program, individuals must be enrolled full time, in good academic standing, meet a volunteer service hours requirement and take advantage of related wraparound

services available through the state. **Position: SUPPORT Reason:** Increasing education attainment and workforce participation are top Chamber priorities. As such, the Chamber supports targeted interventions that address barriers and circumstances which often prevent individuals from completing education and training that promotes upward mobility and workforce development. This proposed program could be part of an effective two-generation strategy to boost education attainment among low-income parents and their children if intentionally paired with the state's 21st Century Scholars program.  
**Contact: Jason Bearce (317) 264-6880**

### **HB 1278 NONDISCLOSURE AGREEMENTS IN ECONOMIC DEVELOPMENT (Greene)**

Prohibits the Indiana Economic Development Corporation (IEDC), the state (or any instrumentality of the state), any other public authority or any party negotiating on behalf of any of those entities, from entering into an economic development agreement or contract that contains any provision, clause or language that provides that the agreement or contract, or any of its terms, is confidential, or that the parties to the agreement or contract are prohibited from disclosing, discussing, describing or commenting upon the terms of the agreement or contract. **Position: OPPOSE Reason:** Transparency is certainly important when government spending is involved. However, this bill would limit the IEDC's ability to execute transformational economic development contracts and projects.  
**Contact: Adam Berry (317) 264-6894**

### **HB 1280 PROHIBITED ECONOMIC DEVELOPMENT INCENTIVES (Greene)**

Prohibits a state agency, political subdivision or body corporate and politic created by state statute from disbursing: (1) funds; (2) financial incentives; or (3) subsidies for any project where a facility or property is to be used primarily by an electronic commerce business with a market capitalization of more than \$100,000,000 for electronic commerce storage and transfers or the facilitation of electronic commerce storage and transfers. **Position: OPPOSE Reason:** Indiana must remain attractive to employers of every size; this includes large technology companies. It should remain at the discretion of state and local economic development organizations to craft incentive packages most compatible with the needs and capabilities of Indiana's state and local workforce.  
**Contact: Adam Berry (317) 264-6894**

### **HB 1281 FINANCIAL LITERACY (Hall)**

Provides that Indiana students must successfully complete a personal financial responsibility course as a high school graduation requirement. **Position: SUPPORT Reason:** The Chamber believes that financial literacy, along with civic, digital and reading literacy, are essential skills for Hoosier students to be equipped for success in both work and life. As such, it makes sense that financial literacy should be integrated into core high school graduation expectations for all students.  
**Contact: Jason Bearce (317) 264-6880**

### **HB 1289 FAIR AND OPEN COMPETITION FOR PUBLIC WORKS PROJECTS (Goodrich)**

Provides that a public agency may not do any of the following: (1) require a potential bidder on a public works project to provide any information that the potential bidder considers confidential or proprietary as a requirement for the public agency finding the bidder to be a responsive or responsible bidder; (2) by rule, ordinance or any other action relating to contracts for public works projects for which competitive bids are required impose any requirement that directly or indirectly restricts potential bidders to any predetermined class of bidders defined by experience on similar projects, size of company, union membership or any other criteria; (3) take certain actions based on a bidder's, offeror's or contractor's entering into, refusing to enter into, adhering to or refusing to adhere to an agreement with a labor organization. **Position:** SUPPORT **Reason:** See HB 1024.  
**Contact:** Ashton Eller (317) 264-7536

### **HB 1292 PHYSICIAN NONCOMPETE AGREEMENTS (VanNatter)**

Specifies that the reasonable price of a noncompete agreement buyout may not exceed \$75,000 under the following circumstances: (1) the physician's employer is a hospital system located in Allen County; (2) the physician has completed a minimum of eight years of employment with the hospital system; and (3) the physician practices primary care and specializes in family medicine. **Position:** OPPOSE **Reason:** The Chamber recognizes and respects the rights of employers and employees to enter into contracts. In today's work environment, all employers invest significant resources to recruit and employ potential employees. The Chamber respects reasonable non-competes that help employers protect this investment.  
**Contact:** Ashton Eller (317) 264-7536

### **HB 1297 DECRIMINALIZATION OF MARIJUANA (VanNatter)**

Decriminalizes possession of two ounces or less of marijuana. **Position:** OPPOSE **Reason:** See HB 1248.  
**Contact:** Ashton Eller (317) 264-7536

### **HB 1301 CIGARETTE TAXES (Vermilion)**

Increases the cigarette tax by \$1 to \$1.995 per pack of regular size cigarettes and makes a corresponding increase for larger cigarettes. **Position:** SUPPORT IN PART **Reason:** The Chamber would prefer a \$2.00 increase per pack of cigarettes. Data says that amount would reduce the number of smokers in Indiana by about 100,000.  
**Contact:** Ashton Eller (317) 264-7536



### **HB 1307 HIGH VALUE WORKFORCE READY CREDIT-BEARING GRANT (Ledbetter)**

Provides that an applicant who has previously received a baccalaureate degree or an associate degree may be eligible for a high value workforce ready credit-bearing grant if the applicant: (1) received a diploma of graduation, high school

equivalency certificate, or state of Indiana general educational development diploma five or more years before the applicant applies for a grant; and (2) is not working in the subject matter field in which the applicant received the baccalaureate degree or associate degree. (Current law provides that an applicant for a high value workforce ready credit-bearing grant may not have previously received a baccalaureate degree, an associate degree, or an eligible certificate.) **Position:** SUPPORT **Reason:** Increasing postsecondary attainment in alignment with Indiana's workforce needs is a top Chamber priority. This proposal provides a pathway for individuals with a college degree to earn a supplemental workforce certificate in high-wage, high-demand industries that are closely aligned with Indiana's economic development imperatives.  
**Contact:** Jason Bearce (317) 264-6880

### **HB 1330 ADVANCED PRACTICE REGISTERED NURSES (Ledbetter)**

Removes the requirements that an advanced practice registered nurse (APRN) has a practice agreement with a collaborating physician. Removes a provision requiring an APRN to operate under a collaborative practice agreement or the privileges granted by a hospital governing board. Repeals law concerning the audit of practice agreements. Allows an APRN with prescriptive authority to prescribe a schedule II controlled substance for weight reduction or to control obesity. **Position:** SUPPORT **Reason:** The Indiana Chamber urges an examination of the scope-of-practice laws that govern mid-level providers and determine whether policy changes could facilitate a safe increase in primary care practitioners. Allowing advance practice registered nurses (APRN) to practice within their scope without the additional cost of a physician contract may help alleviate access to care concerns in parts of rural Indiana.  
**Contact:** Ashton Eller (317) 264-7536



### **HB 1343 REVIEW OF OCCUPATIONAL REGULATIONS (Teshka)**

Provides that all occupational regulations must be limited to those demonstrably necessary and carefully tailored to fulfill legitimate public health, safety or welfare objectives. Requires each public agency to conduct a review of all occupational regulations within the public agency's jurisdiction not later than July 1, 2024. ... Allows a person to bring an action in a court of general jurisdiction to challenge an occupational regulation. **Position:** SUPPORT **Reason:** Occupational licensing is the greatest barrier to economic liberty for those who possess the requisite skills and ability to practice a profession. There are sufficient laws and enforcement measures in place to protect the public from bad actors. Permitting individuals to challenge regulations will effectively crowdsource undue burdens placed on practitioners.  
**Contact:** Adam Berry (317) 264-6894

### **HB 1344 RIGHT TO START ACT (Teshka)**

Establishes a "right to start act," which requires the state to encourage 5% of the total number of state contracts to be awarded to businesses that have been in operation for fewer than five years

and whose principal place of business is in Indiana. Requires the state to encourage 5% of workforce development funding, including funding allocated by workforce development boards across Indiana, to be used to support organizations or programs for entrepreneurs and programs that support early stage businesses. Requires the state to encourage the elimination of all first year business fees relating to any license or registration for any new business or person establishing a new business, including home-based businesses, whose principal place of business is located within Indiana. **Position: SUPPORT Reason:** Indiana must do everything possible to support new and young businesses, as well as the entrepreneurs willing to take the risks necessary to start a business. Designating a small portion of the state's outsourcing budget to help this sector equates to Indiana investing in its early-stage businesses.

**Contact: Adam Berry (317) 264-6894**

### **HB 1350 FINANCIAL LITERACY (King)**

Provides that Indiana students who must successfully complete a personal financial responsibility course as a high school graduation requirement. **Position: SUPPORT Reason:** See HB 1281.

**Contact: Jason Bearce (317) 264-6880**

### **HB 1353 HEALTH CARE STAFFING (Ledbetter)**

Requires a hospital to establish a nurse staffing council or assign the functions of the council to an entity in the hospital to develop a nurse staffing plan and review any reported deviations from the plan. Prohibits a hospital from taking certain actions against an employee or contract worker for filing a deviation report. Prohibits a hospital, ambulatory outpatient surgery center, health facility or residential care facility from requiring a registered nurse or licensed practical nurse to work mandatory overtime. Establishes exceptions. ... **Position: OPPOSE Reason:** The Indiana Chamber opposes bills that will erode Indiana's position as an at-will employment state. This bill would infringe upon that doctrine. Employers may choose to hire and/or discipline employees as they deem necessary.

**Contact: Ashton Eller (317) 264-7536**

### **HB 1355 TOWNSHIP MERGER PILOT PROGRAM (D. Miller)**

Establishes a pilot program that aims to merge townships in Blackford, Crawford, Switzerland County and LaPorte County into single or multiple township governments. The bill also establishes a fund and a board to manage the program and increase administrative workload for county commissioners, council and assessors. The plan must be adopted by July 1, 2025, and if not, the decision to move forward with the merger will shift to the county commissioners and council by July 1, 2027. **Position: SUPPORT Reason:** The Chamber believes that fewer levels of government, not more, would better serve the taxpayers. See HB 1062.

**Contact: David Ober (317) 264-6887**

### **HB 1356 CANNABIS (Lucas)**

Decriminalizes the possession of: (1) two ounces or less of

cannabis; or (2) five grams or less of hash oil or hashish. Establishes a per se intoxication level of 10 nanograms of THC per milliliter of whole blood for purposes of operating while intoxicated laws and requires that the analysis of controlled substances in a person's blood measure only the controlled substance and not the metabolites of the controlled substance. Repeals the term "marijuana" and replaces with the term "cannabis." Makes conforming changes. **Position:**

**OPPOSE Reason:** See HB 1246.

**Contact: Ashton Eller (317) 264-7536**

### **HB 1368 SCHOOL SCHOLARSHIPS (Lucas)**

Expands the state's education choice scholarship program to allow eligible families to receive an annual grant amount that may be used to pay for tuition and related eligible expenses at an accredited nonpublic school. **Position: SUPPORT Reason:** The Chamber supports efforts that provide Indiana parents and families with greater choice, flexibility and autonomy in choosing the education option that best serves the learning needs of their students.

**Contact: Jason Bearce (317) 264-6880**

### **HB 1369 PROPERTY TAX ASSESSMENT APPEALS (Steuerwald)**

Changes the process for appealing property tax assessments. It also allows for appeals of decisions made by the Tax Court to go directly to the Court of Appeals, rather than the Supreme Court. This means that the Court of Appeals will now be the next step in the review process for property tax assessment appeals after the review by the Indiana Tax Court. **Position: OPPOSE Reason:** The Indiana Tax Court was established as a court of special jurisdiction by the General Assembly in 1986. The court has jurisdiction over cases related to Indiana tax laws, including initial appeals of final determinations made by state revenue and tax review departments, appeals from the Department of Local Government Finance and appeals of inheritance tax determinations from probate courts. These cases were previously heard in Circuit or Superior Courts but are now handled by the Tax Court. The Chamber opposes relegating the Tax Court to a lesser status than it enjoys under current law. Additionally, this change would dramatically increase the length of time to resolve tax cases.

**Contact: David Ober (317) 264-6887**

### **HB 1375 EMPLOYEE MISCLASSIFICATION (Mosely)**

Requires the Indiana Department of Labor (IDOL) to employ an investigator to investigate complaints of employee misclassification. Provides that the investigator shall be located at the Marion County prosecutor's office. Extends certain protections to an employee who reports, complains or testifies about employee misclassification. **Position: OPPOSE Reason:** This bill is unnecessary as the IDOL already investigates cases involving worker misclassification. Further, the state should not be locating a state employee in a county prosecutor's office. This would remove supervisory oversight and control.

**Contact: Ashton Eller (317) 264-7536**

### **HB 1393 CHILD CARE ASSISTANCE (Andrade)**

Raises the income eligibility limit for grants under the On My Way Pre-K program from 127% of the federal poverty level to 185% of the federal poverty level. **Position: SUPPORT Reason:**

Given the implications for both education preparation and workforce participation, increasing access and affordability of high-quality early learning and childcare across Indiana is a top Chamber priority. This bill's proposed eligibility expansion from 127% to 185% of the federal poverty line is more closely aligned with the near-term target supported by the Chamber and other advocates than other legislative proposals under consideration this session.

**Contact: Jason Bearce (317) 264-6880**



### **HB 1394 MINIMUM WAGE (Andrade)**

Increases, for any work week beginning on or after July 1, 2023, the minimum wage paid to certain employees from \$7.25 per hour to \$15 per hour. Makes conforming amendments and a technical correction. **Position: OPPOSE Reason:** See HB 1192.

**Contact: Ashton Eller (317) 264-7536**



### **HB 1401 ASSESSMENT OF WIND POWER DEVICES (Negele)**

Requires public utility companies, after a change in ownership, to report to the Department of Local Government Finance (DLGF) the valuations of the wind power devices they own or operate. The new owners have to calculate and report the valuations of the wind power devices according to the rules set by the DLGF. The DLGF will need to update the annual report form and the public utility database to reflect the changes in ownership and valuations of the wind power devices. Also requires the Indiana Utility Regulatory Commission to include a provision in an order declining to exercise jurisdiction over a public utility company that: (1) owns or operates one or more wind power devices; or (2) plans to own or operate one or more wind power devices; requiring the public utility to notify the DLGF of any change in ownership of the wind power devices. **Position: SUPPORT Reason:** This bill was filed in response to a situation in Benton County and the legislation reasonably addresses that very specific circumstance. The Chamber provisionally supports the legislation, but seeks more clarity on the amended forms and rulemaking authority granted to the DLGF.

**Contact: David Ober (317) 264-6887**

### **HB 1410 MULTIPLE EMPLOYER WELFARE ARRANGEMENTS (Carbaugh)**

Requires a multiple employer welfare arrangement (MEWA) to provide each participating employer access to claims data that is specific to that employer. Provides that, not more than 15 business days after receiving a written request from a participating employer that is a public entity, a MEWA must provide to the public entity certain loss history information concerning the benefits provided by the MEWA for the public entity. Also imposes the duty to provide the loss history information upon the insurer providing the group insurance

policy if the MEWA provides benefits for the public entity through a group insurance policy and upon the health maintenance organization if the MEWA provides benefits for the public entity through a group health maintenance contract. ... **Position: OPPOSE Reason:** This bill is a solution in search of a problem and therefore unnecessary. There is no evidence that the bill would improve the operation of MEWAs or better serve the needs of MEWA participants. The bill could make MEWAs less attractive to employers looking for health insurance, which appears to be the intent of the supporter of the bill. The penalty contained in this bill is excessive and unnecessary. Requiring that claims data be provided to very small employers also could create a HIPAA violation.

**Contact: Ashton Eller (317) 264-7536**

### **HB 1413 PROPERTY TAX INCREASE LIMITS (Smaltz)**

Provides that for each calendar year beginning after December 31, 2023, an annual adjustment of the assessed value of certain real property may not exceed an amount equal to 3% over the assessed value of the real property for the prior tax year.

Provides that the limitation does not apply if the assessment is based on substantial renovations or new improvements, a change of ownership, or uses that were not considered in the assessment for the prior tax year. It lists circumstances that do not constitute a change in ownership. **Position: OPPOSE Reason:** The Chamber opposes assessment limits that cap the rate of growth in assessed values and shift the cost of local government onto other classes of taxpayers and create inequities over time. See HB 1141.

**Contact: David Ober (317) 264-6887**

### **HB 1414 FINANCIAL LITERACY (Carbaugh)**

Provides that Indiana students who must successfully complete a personal financial responsibility course as a high school graduation requirement. **Position: SUPPORT Reason:** See SB 1281.

**Contact: Jason Bearce (317) 264-6880**

### **HB 1430 BUSINESS PERSONAL PROPERTY TAX EXEMPTION (Mayfield)**

Increases the acquisition cost threshold for the business personal property tax exemption from \$80,000 to \$250,000. **Position: SUPPORT**

**Reason:** This bill exempts an additional 46,000 small businesses from the requirement to file and pay personal property taxes on the small amount of machinery and equipment they own. It represents another meaningful step forward on the personal property front and can be accomplished with only nominal impact since the total statewide reduction in tax revenues is very small.

**Contact: David Ober (317) 264-6887**



### **HB 1435 CAP ON ASSESSED VALUATION INCREASES FOR HOMESTEADS (Jeter)**

Limits the annual increase in assessed value (AV) of a homestead to the lesser of: (1) 3%; or (2) the change in the

(CPI); unless ownership of the homestead changes during the year or the increase results from physical changes to the homestead. **Position: OPPOSE Reason:** See HB 1413.  
**Contact: David Ober (317) 264-6887**

### **HB 1438 PUBLICATION OF LOCAL GOVERNMENT NOTICES (D. Miller)**

Provides that after June 30, 2024, a political subdivision may publish notices electronically instead of in a newspaper if the political subdivision: (1) publishes notices on its official web site, and (2) transmits the notices for publication on a state notice website. Establishes a state notice web site. Also requires notices to be transferred to the Indiana Archives and Records Administration (IARA) for archiving. **Position: SUPPORT Reason:** The Chamber supports efforts to modernize local government and improve ease of access to information about local decision making. This bill allows local government notices to be placed online in multiple locations rather than just published in a newspaper. Creating a centralized location to display notices will increase transparency of local government.  
**Contact: David Ober (317) 264-6887**

### **HB 1441 PROPERTY TAX ASSESSMENTS (GiaQuinta)**

Repeals the provision that requires the county surveyor to make a survey of certain land if an assessor and a landowner fail to agree on the amount of land included in assessments involving rights-of-way, levees and public drainage ditches. Provides that a survey must be done if an assessor and a landowner fail to agree on the amount of land in those circumstances, and (1) requires the landowner to provide written notice of the disagreement to the assessor, (2) requires the survey to be completed within six months from the date of the landowner's notice, (3) allows the landowner to elect to choose the surveyor to conduct the survey and (4) specifies the party who is required to pay for the survey. Also provides that the attorney general, upon written request of a county assessor, may authorize the chief administrative officer of the Office of Judicial Administration to hire private counsel to represent the county assessor in a judicial review initiated by the county assessor for review of a final determination of the Indiana Board of Tax Review (IBTR) regarding the assessment or exemption of tangible property and in a judicial review seeking relief from the Tax Court to establish that the IBTR rendered a decision that was an abuse of discretion, arbitrary and capricious, contrary to substantial or reliable evidence, or contrary to law. **Position: OPPOSE IN PART Reason:** The Chamber opposes allowing the attorney general to help secure private counsel for an assessor to pursue judicial review of IBTR decisions. We oppose using taxpayer dollars to fund legal challenges to rulings in favor of the taxpayer.  
**Contact: David Ober (317) 264-6887**

### **HB 1443 UTILITY PERSONAL PROPERTY (Culp)**

Establishes appeal rights and procedures for political subdivisions with regard to utility company personal property assessments. **Position: OPPOSE Reason:** This bill creates a disparate system of appeals where some business personal

property is treated differently than other types of business property. The Chamber opposes establishing an onerous system of appeals for utility distributable property.  
**Contact: Greg Ellis (317) 264-6881**

### **HB 1449 TWENTY-FIRST CENTURY SCHOLARS PROGRAM ENROLLMENT (Harris)**

Provides that the Indiana Commission for Higher Education and the Department of Education shall identify income eligible students for automatic enrollment in the 21st Century Scholars program. **Position: SUPPORT Reason:** Auto-enrolling eligible students in Indiana's 21st Century Scholars program is a top Chamber priority given its potential for increasing education attainment and strengthening the state's talent pipeline in alignment with state workforce needs.  
**Contact: Jason Bearce (317) 264-6880**



### **HB 1455 NEW MARKETS TAX CREDIT (Snow)**

Establishes the Indiana new markets tax credit for certain qualified equity investments. Requires a qualified community development entity to pay a nonrefundable application fee of \$5,000 to the Indiana Economic Development Corporation (IEDC). Provides that the credit is subject to recapture. Allows the IEDC to issue letter rulings requested by taxpayers, similar to private letter rulings issued by the Internal Revenue Service at the federal level and adopt rules regarding the credit. Requires each qualified community development entity to submit an annual report to the IEDC regarding qualified low income community investments made by the qualified community development entity. **Position: SUPPORT Reason:** Provides a creative way to spur economic development and investment in rural and underserved communities. Given the credit may be "recaptured" is an alternative to a revolving fund, which should be the model for future economic development investments.  
**Contact: Adam Berry (317) 264-6894**

### **HB 1456 CERTIFIED TECHNOLOGY PARKS (Snow)**

Specifies additional information that a certified technology park (CTP) must provide to the Indiana Economic Development Corporation in the course of a review. Provides that if a park has reached the limit on deposits and maintains its certification, the park shall become a Level 2 park. Increases from \$100,000 to \$500,000 the annual additional incremental income tax deposit capture amount. Provides that when the corporation certifies a Level 2 park, the corporation shall make a determination of whether the park shall continue to be designated as a Level 2 park. **Position: SUPPORT Reason:** CTPs having the realistic ability to recoup \$500,000 better reflects the financial assistance that highly functioning CTPs need to continue providing high-quality services to their tenants.  
**Contact: Adam Berry (317) 264-6894**

### **HB 1469 TEACHER COLLECTIVE BARGAINING (Boy)**

Requires a school employer to bargain collectively class size,

health and safety matters, and teacher preparation time with an exclusive representative. **Position: OPPOSE Reason:** The Chamber opposes the expansion of collective bargaining (both in terms of scope and scale) in Indiana.

**Contact: Ashton Eller (317) 264-7536**

### **HB 1470 WORKER MISCLASSIFICATION (Boy)**

Requires, for public works contracts awarded after June 30, 2023, a: (1) bidder to submit a statement, under oath, that the contractors in all contractor tiers working on the public works project will not misclassify an employee as an independent contractor; and (2) public agency that will own a public works project to conduct a specified audit concerning employee misclassification. **Position: OPPOSE Reason:** This bill is unnecessary as the Indiana Department of Labor already investigates cases involving worker misclassification.

**Contact: Ashton Eller (317) 264-7536**

### **HB 1489 SEWER AND STORM WATER FEES INCURRED BY TENANTS (Smith)**

Establishes billing procedures for municipal sewage or storm water user fees assessed for real property that is occupied by someone other than the owner. Provides that a lien does not attach for user fees assessed against real property occupied by someone other than the owner under certain circumstances. The bill also requires the assessing entity to release certain liens and delinquent user fees upon receipt of a verified demand in writing from the owner. **Position: OPPOSE Reason:** This bill would allow for the non-payment of utility bills with no way for the utility to collect those unpaid fees. This would cause those fees to be spread out to other utility customers and increase overall rates. The Chamber is concerned with rising utility costs.

**Contact: Greg Ellis (317) 264-6881**

### **HB 1490 EMPLOYMENT DISCRIMINATION CLAIMS IN STATE COURT (V. Smith)**

Expands the definition of “employer,” for purposes of civil rights enforcement, to include any person employing one or more persons within the state. (Current law defines “employer” to include any person employing six or more persons within the state.) Permits a civil rights action to be tried by a jury. Removes the requirement that both parties must consent before a civil rights claim is heard as a civil cause of action. **Position: OPPOSE Reason:** The Chamber believes the current process followed by the Indiana Civil Rights Commission is more than adequate for adjudicating discrimination claims. Furthermore, the Chamber opposes legislation that would give additional causes of action against employers.

**Contact: Ashton Eller (317) 264-7536**

### **HB 1501 NONACCREDITED NONPUBLIC SECONDARY SCHOOLS (Wesco)**

Provides that a high school diploma or credential issued by a nonaccredited nonpublic secondary school is legally sufficient to demonstrate that the recipient of the diploma or credential has met the requirements to complete high school. **Position:**

**OPPOSE Reason:** High school diplomas and postsecondary credentials must provide graduates with currency that is valued by higher education institutions and employers alike. Accreditation is one means of ensuring credential quality. Competency-based approaches are another. Simply mandating that credentials from nonaccredited institutions be recognized and accepted universally without any safeguards or quality-control measures in place opens the door to unregulated diploma mills that neither serve the interests of students nor the state.

**Contact: Jason Bearce (317) 264-6880**

### **HB 1512 SOLID WASTE MATTERS (Speedy)**

Extends the Central Indiana Waste Diversion Pilot Project created by HB 1226 in the 2022 legislative Session for two additional years and directs the Indiana Department of Environmental Management to carry out a second round of grants. It extends the eligibility of the pilot project to Marion County and the eight surrounding counties located in central Indiana. **Position: SUPPORT Reason:** Expansion and extension of the pilot project will aid in determining the viability of recycling in central Indiana. The ability to reuse the collected materials will help to counter continued supply change shortages of materials.

**Contact: Greg Ellis (317) 264-6881**

### **HB 1517 SOCIAL MEDIA (Prescott)**

Requires the Office of Technology to restrict access to TikTok or WeChat applications or any other applications developed by ByteDance Limited or Tencent Holdings Limited, and prohibits persons from accessing those applications or visiting those web sites on a state-owned, state-operated or state-maintained device. Imposes a surcharge tax on social media providers. Defines “social media provider” as a social media company that: (1) maintains a public social media platform; (2) has more than 1,000,000 active Indiana account holders; (3) has annual gross revenue derived from social media advertising services in Indiana of at least \$1,000,000; and (4) derives economic benefit from the data individuals in Indiana share with the company. ...

**Position: NEUTRAL IN PART/OPPOSE IN PART Reason:** The Chamber opposes a tax on digital advertising.

**Contact: Adam Berry (317) 264-6894**

### **HB 1521 INCOME TAX REPLACEMENT (Borders)**

Eliminates the state adjusted gross income tax by reducing the rate to zero. It provides that the reduction in revenue resulting from the elimination of the state adjusted gross income tax must be offset by adjustments to the state gross retail tax. Provides that in calculating the local income tax (LIT), which is imposed based on a local taxpayer’s state adjusted gross income, the calculation of a taxpayer’s state adjusted gross income for LIT purposes shall be calculated under the adjusted gross income tax provisions as if those provisions, and the most recent adjusted gross income tax rate before its elimination, were still in effect. **Position: OPPOSE Reason:** The Chamber supports a comprehensive review of the state system of taxation and only then deliberative action. Senate Bill 3 achieves this goal. This bill proposes a radical reduction

of the state income tax and recommends an increase in the state sales tax to fully offset the negative revenue impact. There is no plan of action in the bill for how that new sales tax rate is to be calculated.

**Contact: David Ober (317) 264-6887**

### **HB 1530 PFAS WATER SAFETY STANDARDS (Dvorak)**

Requires the Indiana State Department of Health (ISDH) to establish state maximum contaminant levels for PFAS in water provided by public water systems. Provides that maximum contaminant levels established by the department must be protective of public health, including the health of vulnerable subpopulations, and may not be less stringent than any maximum contaminant level or health advisory promulgated by the U.S. Environmental Protection Agency (EPA). **Position: OPPOSE Reason:** This bill creates an additional layer of regulation. It directs ISDH to establish standards for PFAS, notably PFOA (likely carcinogens) in water. The EPA and Indiana Department of Environmental Management (IDEM) already regulate what levels of certain chemicals are allowable in water. This takes into consideration public health. This bill also requires standards to be set for PFAS chemicals (including PFOS and PFOA) which are often used in firefighting, along with other uses. The EPA has been studying these chemicals to determine their risk. In June 2022, the EPA updated these lifetime health advisory levels for four different PFAS chemicals: PFOA, PFOS, GenX Chemicals and PFBS. The EPA is also developing a proposed National Drinking Water Regulation for PFOA and PFOS. The EPA plans on finalizing this by the end of 2023.

**Contact: Greg Ellis (317) 264-6881**

### **HB 1541 UTILITY SERVICE TO RENTAL PREMISES (Soliday)**

Requires a landlord, under a residential rental agreement, to include the duty to remain current on all bills for utility service to the rental premises (other than for utility service for which a tenant is responsible for paying under the rental agreement or state law). This applies to a landlord that offers for rent at least 100 rental units that are part of one or more structures that are located on the same parcel of property or on contiguous parcels of property and are master metered for one or more utility services. **Position: SUPPORT Reason:** Not only will this bill help tenants with their utilities, but it will keep the costs of delinquent bills from being shifted to other ratepayers including the business community.

**Contact: Greg Ellis (317) 264-6881**

### **HB 1554 CONSUMER DATA PROTECTION (Jeter)**

Establishes in the Indiana Code a new article concerning consumer data protection, to take effect January 1, 2024. Sets forth definitions, exemptions, consumers' rights, responsibilities of controllers of consumers' personal data, roles of roles of controllers and processors, requirements for data protection assessments and processing de-identified data or pseudonymous data ... Requirements for brokers of consumers' personal information, including reporting requirements. Investigative and

enforcement authority provisions for the attorney general. Establishes the consumer privacy account within the state general fund to support the work of the attorney general in enforcing the new article. Authorizes the attorney general to adopt rules and issue opinion letters. **Position: SUPPORT IN PART/OPPOSE IN PART Reason:** See SB 5. Additionally, there is merit to authorizing the attorney general to propose regulations and issue opinion letters. Unfortunately, this bill also introduces additional burdens on stakeholders that go beyond the Virginia model, which would complicate compliance obligations. The Chamber prefers lawmakers work within and pass SB 5.

**Contact: Adam Berry (317) 264-6894**

### **HB 1556 WATER RIGHTS (Aylesworth)**

Allows the Department of Natural Resources (DNR) to issue a permit to a person proposing to do work that requires the withdrawal of 10,000,000 gallons or more of groundwater per day, following the DNR conducting a feasibility study examining the watershed and replenishment. It requires the DNR to determine how to inform persons of the need for a permit to perform certain work related to groundwater withdrawal and to undertake certain activities related to streamlining the permitting process. It provides that the law governing groundwater rights does not supersede or affect the Great Lakes St. Lawrence River Basin Water Resources Compact or related laws, rules, duties, actions, immunities or obligations. **Position: SUPPORT Reason:** This bill would aid the DNR in monitoring water usage and adequacy for individual consumers, farmers, businesses and other users. It would aid in determining the long-term availability of water resources in Indiana. It is consistent with one of the drivers of the Chamber's *Indiana Vision 2025* plan.

**Contact: Greg Ellis (317) 264-6881**

### **HB 1558 SCIENCE OF READING (Teshka)**

Includes several provisions related to the "science of reading," which includes establishing a \$20 million state grant fund to assist school corporations in placing literacy instructional coaches in elementary schools, obtaining science of reading training for teachers and complying with science of reading curriculum requirements. **Position: SUPPORT Reason:** The Chamber recognizes that reading and literacy are the foundation of an educated and highly skilled workforce. Adults lacking essential reading and literacy skills face numerous challenges just navigating daily life, let alone securing stable, living-wage employment in a skills-based economy. And, based on the data, we know that reading deficiencies are at the center of the alarming learning loss and achievement gaps in our K-12 schools. The Chamber supports efforts to attack this challenge on multiple fronts with evidence-based instruction and targeted interventions that are grounded in valid "science of reading" research and proven best practices.

**Contact: Jason Bearce (317) 264-6880**

### **HB 1559 EMPLOYMENT OF INDIVIDUALS WITH A DISABILITY (Greene)**

Establishes a tax credit for an eligible taxpayer that employs

certain individuals with a disability. **Position: SUPPORT**  
**Reason:** Increasing Indiana's workforce participation rate is a top Chamber priority, and as such, we support efforts that encourage the hiring and development of historically disadvantaged workforce populations, including individuals with disabilities.  
**Contact: Jason Bearce (317) 264-6880**

### **HB 1585 SALE OF COLD ALCOHOLIC BEVERAGES (Manning)**

Makes it a Class B misdemeanor for a grocery store or drug store to sell an iced or cooled alcoholic beverage. Current law prohibits the sale of iced or cooled beer by a grocery store or drug store. It specifies that a package liquor store may sell any alcoholic beverage iced or cooled. **Position: OPPOSE**  
**Reason:** The General Assembly has taken steps over the last few legislative sessions to update Indiana's antiquated alcohol laws. This bill would take a step backward by removing options in grocery and drug stores. The Chamber supports more logical and equitable alcohol policies that level the playing field for producers, distributors and retailers, as well as facilitate consumer convenience. All retailers should be allowed to sell cold beverages (Indiana is the only state that does not allow grocery retailers to sell cold beer).  
**Contact: Greg Ellis (317) 264-6881**

### **HB 1606 EMPLOYER TAX CREDIT FOR APPRENTICESHIP PROGRAMS (Behning)**

Provides a nonrefundable \$1,250 apprenticeship tax credit to an eligible employer for each apprentice employed. **Position: SUPPORT**  
**Reason:** The Chamber is a strong proponent of apprenticeships and related work-based learning opportunities as an effective strategy for attracting, developing and retaining Hoosier talent. Moreover, the Chamber supports targeted incentives that encourage and support employers, especially small- and mid-sized employers, to invest in these programs.  
**Contact: Jason Bearce (317) 264-6880**



### **HB 1610 EXEMPTION FROM PRIOR AUTHORIZATION REQUIREMENTS (Fleming)**

Amends the law concerning the prior authorization of health care services by a health plan (which includes a policy of accident and sickness insurance, a health maintenance organization contract and the Medicaid risk based managed care program). Provides that: (1) if a health plan, during a six month evaluation period, approves at least 90% of a health care provider's requests for prior authorization for a particular type of health care service, the health plan may not require the health care provider to obtain prior authorization for that type of health care service for the entire duration of an exemption period of six calendar months immediately following the evaluation period; and (2) at the conclusion of the initial exemption period, the health plan shall continue granting consecutive exemption periods of six months to the health care provider unless the health plan rescinds the exemption. Provides that a health plan may rescind a health care

provider's exemption only on the basis of a determination by a physician that, in at least five and not more than 20 cases randomly selected for review, less than 90% of the health care services provided by the health care provider met the health plan's medical necessity criteria. Authorizes a health care provider that is notified of the rescission of its exemption to initiate a review of the rescission by an independent review panel. ... **Position: OPPOSE** **Reason:** By adding additional regulations to prior authorizations, it ultimately leads to interference with an employer health plan's ability to determine authorization and overall management. This bill interferes with a health plan's ability to determine prior authorization. This, in turn, hamstring a health plan's ability to control costs.

**Contact: Ashton Eller (317) 264-7536**

### **HB 1615 LEGALIZATION OF CANNABIS (Payne)**

Legalizes the sale and use of cannabis by a person at least 18 years of age. Requires the Indiana Department of Health to establish a program to issue a medical cannabis identification card to a patient whose physician has recommended cannabis to treat a medical condition. Permits the sale of cannabis to a person less than 18 years of age if the person has been issued a medical cannabis identification card, and exempts purchases by a medical cannabis cardholder from sales tax. Makes conforming amendments. **Position: OPPOSE** **Reason:** See HB 1248.  
**Contact: Ashton Eller (317) 264-7536**

### **HB 1616 ASSESSED VALUE (Payne)**

Limits the annual increase in assessed value of real property to 5% unless ownership of the real property changes during the year or the increase results from physical changes to the real property. **Position: OPPOSE** **Reason:** See HB 1413.  
**Contact: David Ober (317) 264-6887**

### **HB 1618 EXEMPTION FOR NEW BUSINESS PERSONAL PROPERTY (Payne)**

Provides that for business personal property purchased after December 31, 2023, the total acquisition cost of a taxpayer's total business personal property in a county for an assessment date is exempt from taxation. **Position: SUPPORT** **Reason:** This bill proposes a phase out of the business personal property tax with all new property acquired after 2023 being exempt. The Chamber supports meaningful and deliberative action on the business personal property tax.  
**Contact: David Ober (317) 264-6887**



### **HB 1626 ADMINISTRATIVE RULES CONCERNING CARBON DIOXIDE (Soliday)**

Authorizes the Department of Natural Resources (DNR) to adopt emergency rules to carry out the duties of the DNR under the article of the Indiana Code concerning carbon dioxide. The bill requires the Natural Resources Commission (NRC) to adopt rules to implement the article of the Indiana Code concerning carbon capture sequestration. It provides that the rules adopted by the NRC must include the provisions

necessary to the DNR's discharge of the duties imposed upon the DNR and may establish fees for the administration and implementation of the Indiana Code concerning carbon dioxide. **Position: SUPPORT Reason:** The bill is necessary for the DNR to implement and carry out the duties placed upon it by HB 1209 that passed in 2022 dealing with carbon sequestration projects. It is also needed for the administration of the underground storage of carbon dioxide pilot project in West Terre Haute, which was authorized through SB 442 in 2019. **Contact: Greg Ellis (317) 264-6881**

### **HB 1633 STUDENT 529 ACCOUNT FUNDING (Behning)**

Provides that when a Medicaid recipient has a child born after December 31, 2023, the state treasurer shall open a college choice 529 education savings plan (529 plan) in the child's name and make a deposit of \$250 into the account. Provides that if the student completes one or more age appropriate career exploration activities as determined by the Indiana State Board of Education, and if the child's parent makes certain contributions to the 529 plan, the treasurer shall continue to make intermittent deposits into the 529 plan throughout the child's K-12 education. **Position: SUPPORT IN PART Reason:** Increasing Indiana's lackluster postsecondary education attainment ranking (37th nationally) is a top Chamber priority for boosting workforce development and upward economic mobility. As such, we support targeted incentives that encourage proactive college savings and career exploration, especially for low-income and first-generation students. **Contact: Jason Bearce (317) 264-6880**

### **HB 1635 VARIOUS EDUCATION MATTERS (Behning)**

Contains several provisions aimed at curbing the widespread usage of high school graduation waivers, providing greater flexibility for the teaching of career and technical education courses, integrating relevant real-world applications of high school math courses and strengthening the state's graduation pathways requirements. **Position: SUPPORT Reason:** The Chamber supports efforts to more closely align high school coursework and student preparation with relevant, real-world expectations and workforce needs. **Contact: Jason Bearce (317) 264-6880**



### **HB 1638 EDUCATION MATTERS (Behning)**

Includes several provisions related to streamlining and strengthening education/workforce data reporting, including reducing redundant school data submissions and improving data collections for work-based learning courses and experiences. **Position: SUPPORT Reason:** Improving the collection and reporting of relevant data regarding student participation and outcomes resulting from internships, apprenticeships and related forms of work-based learning experiences is a key driver for education preparation and workforce development. **Contact: Jason Bearce (317) 264-6880**



### **HB 1644 DRIVING PRIVILEGE CARDS (King)**

Provides that an individual who is an Indiana resident and cannot provide proof of identity and lawful status in the United States may apply for a driving privilege card to obtain driving privileges. Provides that a driving privilege card may not be used as identification for any state or federal purpose. Requires an individual who holds a driving privilege card and operates a motor vehicle to verify and continuously maintain financial responsibility in the amount required by law. Provides that the bureau of motor vehicles may not disclose certain information unless presented with a lawful court order or judicial warrant. Requires an applicant for a driving privilege card or driving privilege card renewal to sign up for selective service. **Position: SUPPORT Reason:** Driving privilege cards will improve public safety and increase the number of insured drivers. Further, undocumented residents of Indiana who hold driving cards will feel a greater sense of security and responsibility when driving and/or interacting with authorities. **Contact: Adam Berry (317) 264-6894**

### **HB 1645 UTILITY RECEIPT TAX ON WATER (Morris)**

Imposes a receipts tax on the provision of water utility services and a corresponding use tax on the consumption of water utility services. The bill provides that the taxes apply to receipts received in taxable years beginning after December 31, 2023, and to the consumption of water utility services billed after December 31, 2023. It provides that the tax rate for both taxes is 1.4%. Requires tax revenues to be distributed to the cities, towns and counties from which the taxes were derived. It requires cities, towns and counties to use tax revenues for infrastructure necessary to promote economic development. **Position: OPPOSE Reason:** The Legislature repealed the utility receipts tax during the 2022 regular session. The repeal provided over \$73 million in tax relief to all Hoosiers. The Chamber opposes efforts to reinstate the utility receipts tax. **Contact: David Ober (317) 264-6887**

### **HJR 3 RIGHT TO UNIONIZE (Gore)**

Provides that persons in private employment have the right to organize and bargain collectively. Provides that persons in public employment have the right to: (1) organize; and (2) present to and make known to the state, or any of its political subdivisions or agencies, their grievances and proposals; through representatives of their own choosing. **Position: OPPOSE Reason** The Chamber opposes this bill because it is redundant. Section 7 of the National Labor Relations Act already guarantees employees the ability to self-organize. **Contact: Ashton Eller (317) 264-7536**

# Senate Bills

## **SB 1 BEHAVIORAL HEALTH MATTERS (Crider)**

Provides that, not later than December 31, 2024, the office of the secretary of family and social services shall apply to the United States Department of Health and Human Services: (1) for a Medicaid state plan amendment, a waiver or an amendment to an existing waiver to require reimbursement for eligible certified community behavioral health clinic services; or (2) to participate in the expansion of a community mental health services demonstration program. Requires the division of mental health and addiction to establish and maintain a help line: (1) to provide confidential emotional support and referrals to certain resources to individuals who call the help line; and (2) that is accessible by calling a toll free telephone number. Reestablishes the Indiana Behavioral Health Commission. Changes the name of the “9-8-8 crisis hotline center” to “9-8-8 crisis response center.” Makes an appropriation. Makes conforming changes. **Position:**

**SUPPORT Reason:** The Chamber recognizes the need to address the mental health challenges plaguing the Hoosier workforce. The cost of untreated mental illness in Indiana is estimated to be a staggering \$4.2 billion annually. Hoosier businesses shoulder the brunt of these costs through direct health care costs, absenteeism, premature mortality and expenses for caregivers. This bill is a step in the right direction for Hoosier employees and employers.

**Contact: Ashton Eller (317) 264-7536**

## **SB 2 TAXATION OF PASS-THROUGH ENTITIES (Baldwin)**

Allows certain types of businesses known as “pass-through entities” (such as partnerships and S corporations) to elect to pay taxes at the entity level based on each owner’s share of adjusted gross income. It provides a refundable tax credit to the electing entities for the amount of tax paid on behalf of the owners. The law also allows for a credit for taxes paid to another state by pass through entities.

**Position: SUPPORT Reason:** The Chamber supports efforts to improve the overall business tax climate relative to surrounding states. This bill allows some business owners to take full advantage of the state and local tax deduction on their federal income tax return. Indiana is among a small number of states which do not offer this flexibility and enacting this law would bring parity with our surrounding states.

**Contact: David Ober (317) 264-6887**

## **SB 3 STATE AND LOCAL TAX REVIEW COMMISSION (Holdman)**

Establishes the State and Local Tax Review Commission, consisting of 14 members, to review: (1) paying down the unfunded pension liability, (2) methods to reduce state debt, (3) elimination of the individual income tax and replacement revenues, (4) property tax structure, (5) state and local government efficiency, and (6) reserve fund balances and Indiana’s fiscal health. **Position: SUPPORT Reason:** The Chamber supports a comprehensive review of the state system

of taxation and only then deliberative action. This legislation provides a forum for these important discussions. We believe more representation from Indiana business owners on the commission is needed.

**Contact: David Ober (317) 264-6887**

## **SB 4 PUBLIC HEALTH COMMISSION (Charbonneau)**

Defines “core public health services” for purposes of public health laws. Adds members to the executive board of the Indiana department of health. Requires the department to provide district or regional services to local health departments. Allows the state department to issue guidance to local health departments. Requires the department to make annual local health department reports available to the public. Changes the qualification requirements for a local health officer and requires certain training. Requires local health departments to report to the department activities and metrics on the delivery of core public health services. Sets political affiliation limitations on local boards of health and adds two members to local boards of health. Requires a multiple county health department to maintain at least one physical office in each represented county. Provides that a new city health department cannot be created after December 31, 2022, but allows current city health departments to continue to operate. ... **Position: SUPPORT Reason:** Indiana’s health metrics are among the worst in the nation. The Chamber supports legislation to boost public health outcomes and reverses the trend of poor public health rankings. This bill is a good starting point to work towards improving Indiana’s public health stature.

**Contact: Ashton Eller (317) 264-7536**

## **SB 5 CONSUMER DATA PROTECTION (Brown)**

Establishes a new article in the Indiana Code concerning consumer data protection, to take effect January 1, 2026. Sets forth exemptions from the bill’s requirements concerning the responsibilities of controllers of consumers’ personal data, and the rights of Indiana consumers with respect to their personal and sensitive data (e.g., correct or delete data held by a controller, obtain copy of the data, etc.). Provides the responsibilities of controllers of consumers’ personal data, the roles of controllers and processors with respect to a consumer’s personal data, requirements for data protection impact assessments and for processing de-identified data or pseudonymous data. Grants investigative and enforcement authority to the attorney general. **Position: SUPPORT Reason:** In the absence of federal legislation, it is critically important for Indiana to pass a consumer data protection law. This bill balances effectively business interests with the rights of consumers who want to preserve the sanctity and privacy of the data they share with businesses with whom they engage in commerce. Limitations on enforcement deserve close consideration as the bill progresses.

**Contact: Adam Berry (317) 264-6894**

## **SB 7 PHYSICIAN NONCOMPETE AGREEMENTS AND REFERRALS (Busch)**

Provides that beginning July 1, 2023, a physician and an employer may not enter into a noncompete agreement.



Prohibits a referring physician from receiving compensation or an incentive from a health care entity or other physician, who is in the same health care network as the referring physician, for referring a patient to the health care entity or other physician. **Position: OPPOSE Reason:** See HB 1292. **Contact: Ashton Eller (317) 264-7536**

### **SB 9 ELECTRIC SERVICE RELIABILITY (Leising)**

Requires a public utility to provide the Indiana Utility Regulatory Commission (IURC) with at least six months advance notice of the public utility's intention to retire, sell or transfer an electric generation facility with a capacity of at least 80 megawatts if such intention is not set forth in the public utility's preferred portfolio in the public utility's most recent integrated resource plan. It prohibits a public utility from retiring, selling or transferring an electric generation facility with a capacity of at least 80 megawatts unless the public utility first obtains from the IURC a determination that the public convenience and necessity will be served by the planned retirement, sale or transfer. ... **Position: OPPOSE Reason:** Under this bill, utilities and their customers could be required to invest hundreds of millions of dollars in aging generation facilities just to keep them operational. This bill would preclude sound business decisions on items such as the uneconomic operation of an electric generating facility, tax credits, changing technology, demand, etc. It may create other issues, too. **Contact: Greg Ellis (317) 264-6881**

### **SB 10 TWENTY-FIRST CENTURY SCHOLARS PROGRAM (Leising)**

Requires schools to notify students who are enrolled at the school and their parents of the qualifications for and requirements of the 21st Century Scholars program while the student is in grade 7 and grade 8. **Position: SUPPORT Reason:** Expanding access to Indiana's 21st Century Scholars program is a top Chamber priority given its potential for increasing education attainment and strengthening the state's talent pipeline. While we would support a requirement that schools notify eligible student about program, a related proposal championed by the Chamber to auto-enroll eligible students in the program is preferable and would ultimately prove more effective than enhanced notification expectations. **Contact: Jason Bearce (317) 264-6880**



### **SB 16 USE OF CONSUMER REPORTS FOR EMPLOYMENT PURPOSES (Randolph)**

Prohibits an employer from using a consumer report for employment purposes unless certain conditions apply. Allows a consumer to bring a civil action against an employer for a violation of this provision. Provides that if the attorney general has reason to believe that an employer has violated the provision, the attorney general may bring one or both of the following: (1) An action to enjoin the violation. (2) An action to recover damages sustained by Indiana residents as a result of the violation. Makes it: (1) a Class B infraction for a knowing or intentional violation of the provision; or (2) a Class A infraction if an employer has a prior unrelated

judgment for a violation of the provision. **Position: OPPOSE Reason:** Would interfere with an employer's right to conduct thorough background searches on prospective job applicants. Creates a new right of action against employers as well as criminal penalties against employers which the Chamber opposes. Allows the attorney general to conduct investigations and bring actions against employers, which we also oppose. **Contact: Ashton Eller (317) 264-7536**

### **SB 17 STUDY COMMITTEE ON FAMILY AND MEDICAL LEAVE (Randolph)**

Urges the legislative council to assign to an appropriate interim study committee, during the 2023 legislative interim, the task of studying paid personal leave from employment. **Position: OPPOSE Reason:** Employers currently have the ability to create paid family leave programs within their organizations. If this program would become mandatory and require employers to participate, then this would be difficult for many small employers to provide for and to implement. **Contact: Ashton Eller (317) 264-7536**

### **SB 32 EMPLOYEE MISCLASSIFICATION (Niegodski)**

Requires the Indiana Department of Revenue, Indiana Department of Labor, Worker's Compensation Board of Indiana and Indiana Department of Workforce Development to report before November 1 of each year for three years, beginning November 1, 2023, to the Interim Study Committee on Employment and Labor for the immediately preceding state fiscal year: (1) the number of employers that each department or the board determined during the immediately preceding state fiscal year improperly classified at least one worker as an independent contractor; (2) the total number of improperly classified workers employed by those employers; (3) the department's or board's calculation of actual revenue not collected or the additional costs to the state that the department or board attributes to the improperly classified workers; (4) the amount of the penalties and interest assessed against those employers by each department or the board, and the amount of the penalties and interest assessed that has been collected; and (5) the classification criteria used by the department or board to classify workers. Requires that the reports include information only in the form of aggregate statistics and do not include information that can be used to identify specific employers or workers. **Position: OPPOSE Reason:** See HB 1375. **Contact: Ashton Eller (317) 264-7536**

### **SB 35 FINANCIAL LITERACY (Gaskill)**

Provides that Indiana students must successfully complete a personal financial responsibility course as a high school graduation requirement. **Position: SUPPORT Reason:** See HB 1281. **Contact: Jason Bearce (317) 264-6880**

### **SB 45 ELIMINATION OF ANNUAL ADJUSTMENTS TO ASSESSED VALUES (Niemeyer)**

Eliminates the annual adjustments (or "trending") to assessed values of certain real property for assessment dates beginning

after December 31, 2023. This bill retains the provisions in current law that require four-year cyclical reassessments and allows a reassessment plan for the four-year cyclical reassessments to include trending factors in the plan. It does not eliminate the annual adjustment for agricultural land. Makes conforming changes. Makes technical corrections. **Position: OPPOSE Reason:** Trending is the only effective way to maintain equity between real property taxpayers and personal property taxpayers on an annual basis. Without trending, real property value increases would not be captured and would shift the burden to personal property taxpayers who must report valuation changes on an annual basis. **Contact: David Ober (317) 264-6887**

**SB 46 COUNTY OPTION CIRCUIT BREAKER TAX CREDIT (Sandlin)**

Authorizes a county fiscal body to adopt an ordinance to establish a senior homestead assessed value deduction. Defines a “qualified senior homestead” for purposes of the deduction as homestead property that is owned by one or more owner-occupants who is at least 50 years of age. Provides that the deduction is equal to: (1) the difference of the percentage increase in the assessed value of the property that is due to the annual adjustment (or “trending”) minus the assessed value growth quotient percentage, multiplied by; (2) the gross assessed value. Requires an individual who desires to claim the deduction following the enactment of an ordinance to file a certified statement with the county auditor. Provides that the county auditor shall apply the deduction in succeeding years after the certified statement is filed unless the auditor determines that the individual is no longer eligible for the deduction. Provides a penalty for wrongly receiving the deduction that is the same as the penalty for wrongly receiving the homestead standard deduction. **Position: OPPOSE IN PART Reason:** The Chamber is not opposed to the apparent objective of this bill to provide some relief to older homeowners with limited income who have lived in their neighborhood for years and are being forced to move because they can’t afford the growing property taxes due to “gentrification.” Unfortunately, this bill, as introduced, does not match that objective. It instead provides an unnecessarily broad, blanket deduction to every homeowner over 50, regardless of their neighborhood circumstances or income level. The Chamber opposes the overly broad application of this bill that, unless amended, has the potential to cause unwarranted shifts to other taxpayers. **Contact: David Ober (317) 264-6887**

**SB 68 CORE 40 CURRICULUM (Bohacek)**

Provides that a personal finance course may be accepted in place of an Algebra II course requirement for high school students graduating with an Indiana diploma with a Core 40 designation. **Position: OPPOSE Reason:** While the Chamber is a strong advocate for financial literacy and personal financial responsibility, coursework on this subject is in no way an acceptable substitute for Algebra II and other high-level math courses, especially for students who intend to pursue advanced education and/or a career in STEM-related disciplines. **Contact: Jason Bearce (317) 264-6880**

**SB 70 MARIJUANA (Bohacek)**

Decriminalizes possession of one ounce or less of marijuana. **Position: OPPOSE Reason:** See HB 1248. **Contact: Ashton Eller (317) 264-7536**

**SB 78 DISTRIBUTIONS OF PUBLIC SAFETY INCOME TAX REVENUE (Niemeyer)**

Requires the distribution of public safety local income tax revenues to a township that provides fire protection or emergency medical services. Permits a qualified fire protection territory to be eligible to receive distributions of public safety local income tax revenues. **Position: SUPPORT Reason:** There is no justification for denying a property tax distribution to townships that provide the equivalent public safety service as other entities that receive the distributions. **Contact: David Ober (317) 264-6887**

**SB 82 INTOXICATION AND MARIJUANA (Bohacek)**

Establishes a defense to operating a vehicle or motorboat with a controlled substance in the person’s blood if: (1) the controlled substance is marijuana or a metabolite of marijuana; and (2) the person was not intoxicated. **Position: OPPOSE Reason:** The Chamber opposes the legalization of recreational marijuana. The Chamber believes decriminalization sends the wrong message about the use of marijuana. Other states that have enacted a per se limit for intoxication differ in what that amount should be to determine impairment since there isn’t an agreed standard. **Contact: Ashton Eller (317) 264-7536**

**SB 86 TOBACCO PRODUCTS TAX (Bohacek)**

Provides that a tax is imposed on the distribution of cigars at a rate of 24% of the wholesale price of a cigar for cigars having a wholesale price not exceeding \$3. Provides that a tax is imposed on the distribution of cigars at a rate of \$0.72 per cigar for cigars having a wholesale price exceeding \$3 per cigar. **Position: OPPOSE Reason:** The Chamber supports increasing the tax on tobacco products, not lowering it. This bill is the opposite of the Chamber’s position. **Contact: Ashton Eller (317) 264-7536**

**SB 91 ANNUAL INSPECTION OF CFOs (Niemeyer)**

Requires the owner or operator of a confined feeding operation (CFO, which is defined as an animal feeding operation having at least 300 cattle, 600 swine or sheep, 30,000 fowl, or 500 horses) to annually submit to the Indiana Department of Environmental Management (IDEM) a report concerning the operation of the CFO and any satellite manure storage structure associated with the CFO. **Position: OPPOSE Reason:** There are adequate rules and regulations in place to oversee Indiana’s concentrated animal feeding operations (CAFOs). New regulations would likely only serve to increase the costs of CAFOs. During this period of inflation and supply chain issues, the costs of CAFO operations have already increased. In addition, IDEM is already experiencing staffing issues. **Contact: Greg Ellis (317) 264-6881**

**SB 135 ELIGIBILITY FOR RESIDENT TUITION (Doriot)**

Provides that an individual who meets certain conditions is eligible for the resident tuition rate as determined by the state educational institution. **Position: SUPPORT Reason:** Indiana’s future economic vitality is directly tied to increasing the education attainment level of our working-age population. Providing our Hoosier immigrant population with affordable pathways to complete postsecondary education and training aligned with state workforce needs is one such strategy worth pursuing. **Contact: Jason Bearce (317) 264-6880**

**SB 143 PROTECTIVE ORDERS AND EMPLOYMENT (Randolph)**

Provides that an employer may not discriminate against an employee with respect to compensation and benefits from the employer or terms and conditions of employment based on: (1) the employee’s filing of a petition for a protective order, whether or not the protective order has been issued; or (2) the actions of an individual against whom the employee has filed a protective order. **Position: OPPOSE Reason:** The Chamber opposes any legislation that would weaken Indiana’s “at-will” employment doctrine giving employers the ability to hire and discipline employees as they deem necessary. **Contact: Ashton Eller (317) 264-7536**

**SB 155 IDEM MATTERS (Niemeyer)**

Permits the Environmental Rules Board (ERB) to amend permit fees, on a time frame and in an amount determined necessary, to pay costs related to the Title V Operating Permit Program. It mandates that a federal regulation that classifies or amends a designation of attainment, nonattainment or unclassifiable for any area in Indiana under the Federal Clean Air Act is effective and enforceable in Indiana on the effective date of the federal regulation. **Position: SUPPORT Reason:** This legislation is needed so that the Indiana Department of Environmental Management (IDEM) can keep its primacy, delegated from the U.S. Environmental Protection Agency (EPA), over air permitting. The EPA sent a warning letter to IDEM in October 2022 threatening to take over the Title V program in the future. If that happened, we believe it would increase delays and overall costs to businesses and manufacturers. In addition, Chamber member businesses have indicated they would prefer to work with IDEM over the EPA on air issues. A rulemaking in front of the ERB will also allow for input from the business community. **Contact: Greg Ellis (317) 264-6881**

**SB 163 EVIDENCE OF LACK OF SEAT BELT USE (Gaskill)**

Provides that evidence concerning a failure to comply with safety belt requirements, including a child restraint system, may be admissible in a civil action. Repeals a provision that failure to comply with a child restraint system does not constitute contributory negligence. **Position: SUPPORT Reason:** Whether or not one wears a seat belt – or a child is securely fastened – is important evidence that should be considered in an automobile-related lawsuit. The judge or jury should ultimately

determine its relevancy depending on the case being heard. **Contact: Adam Berry (317) 264-6894**

**SB 167 FAFSA (Leising)**

Requires high school seniors to complete and submit the Free Application for Federal Student Aid (FAFSA) unless the student opts out with the consent of a parent, principal or school counselor. **Position: SUPPORT Reason:** A longtime Chamber priority, this common sense, consumer-friendly policy would increase student access to financial aid opportunities and ensure more Hoosiers earn industry-recognized credentials and degrees that are critical to our state’s workforce and individual economic mobility. **Contact: Jason Bearce (317) 264-6880**



**SB 170 INTIMIDATION AGAINST UTILITY WORKERS (Leising)**

Provides that a person who communicates a threat to another person with the intent of interfering with the provision of utility service or communications service for a dwelling, building or other structure commits intimidation, a Class A misdemeanor. Provides that the offense is a Level 6 felony if the person to whom the threat is communicated is an employee or agent of a utility company or a communications service provider engaged in the performance of the person’s duties on behalf of the utility or the communications service provider. **Position: SUPPORT Reason:** Provides additional needed protection to workers that often interface with people in difficult situations without the ability to protect themselves. **Contact: Greg Ellis (317) 264-6881**

**SB 176 SMALL MODULAR NUCLEAR REACTORS (Koch)**

Changes the rated electric generating capacity from 350 megawatts to 470 megawatts for purposes of the definition of “small modular nuclear reactor” as used in the statutes concerning: (a) certificates of public convenience and necessity issued by the Indiana Utility Regulatory Commission (IURC) for the construction, lease or purchase of electric generation facilities; and (b) financial incentives for energy utilities that invest in clean energy projects. **Position: SUPPORT Reason:** This bill builds on SB 271 from the 2022 legislative session. It is consistent with recommendations made in the Indiana Chamber Foundation’s energy study, *Powering Indiana’s Economic Future*. There is a small modular reactor with a 470-megawatt capacity currently being developed. It will create additional options for energy generation in Indiana. **Contact: Greg Ellis (317) 264-6881**

**SB 180 ALLOCATION OF WASTEWATER UTILITY COSTS (Koch)**

Allows a utility company that provides both water and wastewater service and has acquired wastewater utility property to request authorization from the Indiana Utility Regulatory Commission (IURC) to allocate a portion of the eligible costs of

the utility company's wastewater utility property to the utility company's water customers. The bill provides that the IURC may approve the request if the IURC finds that because of reasonable and necessary improvements that are proposed for the wastewater utility property, the resulting rates charged to wastewater customers would reach levels necessitating the provision of financial assistance to those customers and the total rates charged by the utility company for water service will not increase unreasonably as a result of the allocation. It also specifies the factors that the IURC must consider in making such a determination. **Position: OPPOSE IN PART Reason:** The Chamber supports a utility's ability to make investments in its systems to adequately serve its customers. However, we are opposed to the situation where a customer may be paying for a service they are not receiving from the utility or may be receiving from another utility, in which case they will be paying twice. This shifts costs from one category of ratepayers to another.

**Contact: Greg Ellis (317) 264-6881**

### **SB 182 TOWNSHIP MERGERS (Koch)**

Allows a township that does not have a township trustee or township board to merge with another township, if identical resolutions approving the merger are adopted by the following: (1) The township trustee and legislative body of the other township. (2) The county executive. **Position: SUPPORT Reason:** The Chamber believes that fewer levels of government, not more, would better serve the taxpayers. See HB 1062.

**Contact: David Ober (317) 264-6887**

### **SB 186 TAX CREDIT FOR EMPLOYER PROVIDED CHILDCARE (K. Walker)**

Establishes a state tax credit for a taxpayer that makes qualified childcare expenditures or qualified childcare resource and referral expenditures in providing childcare to the taxpayer's employees. **Position: SUPPORT Reason:** Increasing accessibility and affordability of high-quality early learning and childcare across Indiana is a top Chamber priority, including tax and related financial incentives that encourage private-sector investment to expand statewide childcare capacity.

**Contact: Jason Bearce (317) 264-6880**



### **SB 189 ASSESSED VALUE GROWTH CAP (Alexander)**

Limits the annual increase in the gross assessed value (AV) of real property for property tax purposes to the lesser of 5% or the percentage change in the Consumer Price Index for all Urban Consumers (CPI). **Position: OPPOSE Reason:** See HB 1413.

**Contact: David Ober (317) 264-6887**

### **SB 190 PHYSICIAN ASSISTANTS (Charbonneau)**

Amends current requirements for a collaborative agreement between a physician and a physician assistant with the following: (1) the collaborative agreement must include limitations; (2) the collaborative agreement must set forth the method of collaboration between the physician and



physician assistant; and (3) the collaborative agreement must be signed, updated annually and made available to the Medical Licensing Board of Indiana upon request. Amends the definition of "prescriber" for purposes of electronically transmitted prescriptions for controlled substances, overdose intervention drugs and telehealth services and prescriptions. Provides that a written collaborative agreement between a physician assistant, who is employed by a certain health care facility or center, and a particular collaborating physician is not required. Requires a physician assistant employed by a certain health care facility or center to enter into a practice agreement with the health care facility or center that employs the physician assistant. Eliminates: (1) a prohibition against a physician collaborating with more than four physician assistants at the same time; (2) a requirement that a physician submit a collaborative agreement to the medical licensing board; and (3) a requirement that a collaborating physician and physician assistant submit a list of locations the physician and physician assistant will practice to the medical licensing board. **Position: SUPPORT Reason:** The Indiana Chamber believes that Indiana should examine the scope-of-practice laws that govern mid-level providers. This legislation could facilitate a safe increase in primary care practitioners.

**Contact: Ashton Eller (317) 264-7536**

### **SB 194 COLLECTIVE BARGAINING FOR TEACHERS (J.D. Ford)**

Requires a school employer to bargain collectively class size, health and safety matters, and teacher preparation time with an exclusive representative. **Position: OPPOSE Reason:** The Chamber opposes efforts to expand the reach and scope of collective bargaining.

**Contact: Jason Bearce (317) 264-6880**

### **SB 213 ADVANCED PRACTICE REGISTERED NURSES (Charbonneau)**

Removes the requirements that an advanced practice registered nurse (APRN) have a practice agreement with a collaborating physician. Removes a provision requiring an APRN to operate under a collaborative practice agreement or the privileges granted by a hospital governing board. Repeals law concerning the audit of practice agreements. Allows an APRN with prescriptive authority to prescribe a schedule II controlled substance for weight reduction or to control obesity. Makes conforming changes. **Position: SUPPORT Reason:** See HB 1330.

**Contact: Ashton Eller (317) 264-7536**



### **SB 237 MEDICAL MARIJUANA (Taylor)**

Establishes a medical marijuana program and permits caregivers and patients who have received a physician recommendation to possess a certain quantity of marijuana for treatment of certain medical conditions. Establishes a regulatory agency to oversee the program, and creates the regulatory agency advisory committee to review the effectiveness of the program and to consider recommendations from the regulatory agency. Authorizes the regulatory agency to grant research licenses to research facilities with a physical presence in Indiana. Repeals the controlled substance excise

tax and the marijuana eradication program. Makes conforming amendments. **Position: OPPOSE Reason:** See HB 1248.

**Contact: Ashton Eller (317) 264-7536**

### **SB 238 CHILD AND DEPENDENT CARE TAX CREDIT (Taylor)**



Provides a refundable child and dependent care tax credit to taxpayers whose adjusted gross income for the taxable year is not more than 250% of the federal poverty level. **Position: SUPPORT Reason:** Increasing access to and affordability of high-quality early learning and childcare across Indiana is a top Chamber priority. Early learning provides both an essential foundation for academic learning and is key to increasing the state's adult workforce participation rate.

**Contact: Jason Bearce (317) 264-6880**

### **SB 246 EXCESS LIABILITY TRUST FUND (Niemeyer)**

Expands the use of the Underground Petroleum Storage Tank Excess Liability Fund (ELTF) to include aboveground storage tanks (ASTs). It transfers, from the State Fire Marshal and the Fire Prevention and Building Safety Commission to the Indiana Department of Environmental Management (IDEM) and the Environmental Rules Board, the authority to issue certificates for people who work on underground storage tanks in Indiana. **Position: SUPPORT Reason:** This bill expands the use of the ELTF while protecting the solvency of the fund, which has long been an environmental policy priority of the Chamber. The fund has grown over the last couple of years due to better regulatory oversight of claims submitted for reimbursement to IDEM. Expanding the use of the ELTF to clean up or replace aboveground storage tanks is an equitable solution for all contributors to the fund. The next best option would be to adjust the funding formula down. This is a much better solution than HB 1072 if the concern is the amount of money in the ELTF is too much.

**Contact: Greg Ellis (317) 264-6881**

### **SB 247 CARBON SEQUESTRATION (Niemeyer)**

Provides that a carbon sequestration project may not be undertaken unless the project is approved by the county legislative body (for a project located in the unincorporated area of a county) or the city or town legislative body (for a project located in a city or town). **Position: OPPOSE Reason:** This bill will add another level of permitting/approval for any carbon sequestration project. An entity that undertakes a carbon sequestration project is already required to obtain several federal and state permits or approvals. Adding the local level requirements would add to the overall costs of these types of projects and could add further delay to them as well.

**Contact: Greg Ellis (317) 264-6881**

### **SB 248 DRIVING PRIVILEGE CARDS (Doriot)**

Provides that an individual who is an Indiana resident and cannot provide proof of identity and lawful status in the United States

may apply for a driving privilege card to obtain driving privileges. Provides that a driving privilege card may not be used as identification for any state or federal purpose. Requires an individual who holds a driving privilege card and operates a motor vehicle to verify and continuously maintain financial responsibility in the amount required by law. Provides that the Indiana Bureau of Motor Vehicles may not disclose certain information unless presented with a lawful court order or judicial warrant. Requires an applicant for a driving privilege card or driving privilege card renewal to sign up for selective service.

**Position: SUPPORT Reason:** See HB 1644.

**Contact: Adam Berry (317) 264-6894**

### **SB 251 CAUSE OF DAMAGES FOR BUSINESS DAMAGES (Doriot)**

Provides that if a unit enacts an ordinance that causes a business's profit to decline by at least 15%, the business may bring an action for damages against the unit. Exempts certain ordinances and specifies which businesses may bring an action. Provides that a unit is not liable for damages if the unit repeals the ordinance, amends the ordinance in a manner that will not cause the business's profit to decline by at least 15%, or grants a waiver to the affected business. **Position: SUPPORT Reason:** This bill would help limit or prevent government overreach and protect businesses that invest in Indiana and its communities. Businesses should have some guarantee against rogue local government actions that interrupt established business practices. Bill includes sufficient exceptions for mandatory or emergency actions that result in unintended harm to a business.

**Contact: Adam Berry (317) 264-6894**

### **SB 255 CHILD AND DEPENDENT CARE TAX CREDIT (Yoder)**



Provides a refundable child and dependent care tax credit to taxpayers whose adjusted gross income for the taxable year is not more than 250% of the federal poverty level. **Position: SUPPORT Reason:** See SB 238.

**Contact: Jason Bearce (317) 264-6880**

### **SB 261 ECONOMIC DEVELOPMENT DISTRICTS (Buchanan)**



Creates a procedure to establish a community infrastructure improvement district. Specifies that the procedure added by the bill allowing for the establishment of a district does not authorize the unit to establish a district that overlaps with an economic improvement district. Requires a petition for the establishment of a district to include a rate and methodology report, as well as signatures from 100% of the landowners in the district. ... Requires a determination that the aggregate assessments within a district: (1) do not exceed 30% of the projected assessed value of property within the district; or (2) in the case of a district that is established for single family residences, do not exceed 10%. ... Requires a community infrastructure improvement board to assist the county treasurer in order to make certain specified determinations and designations regarding annual assessments within a district. Adds specific provisions that apply to the board's issuance of revenue bonds.

Sunsets these provisions after five years. **Position: SUPPORT Reason:** Offers a unique and local solution for funding quality of place initiatives. Projects must receive input and support from 100% of landowners impacted by an assessment, as well as public-private collaboration and oversight.  
**Contact: Adam Berry (317) 264-6894**

### **SB 264 CIGARETTE TAX REVENUE STAMP ALLOWANCE (Jon Ford)**

Changes the stamp discount for cigarette distributors from \$0.013 to \$0.05. **Position: OPPOSE Reason:** This bill is a tax break for tobacco distributors. The Indiana Chamber's position is that taxes on tobacco products should be increased, not decreased. This bill runs counter to the Indiana Chamber's position.  
**Contact: Ashton Eller (317) 264-7536**

### **SB 271 CERTIFIED TECHNOLOGY PARKS (Buchanan)**

Increases, from \$100,000 to \$500,000, the annual additional incremental income tax deposit amount that a certified technology park (CTP) captures once it has reached its limit on deposits. It clarifies the calculation of the additional incremental income tax deposit amount in the year in which a CTP reaches its limit on deposits. It also provides that when the corporation certifies a Level 2 CTP the corporation shall make a determination of whether the CTP shall continue to be designated as a Level 2 CTP. Requires the corporation to report to the budget committee certain information pertaining to businesses located in each park on a biennial basis. **Position: SUPPORT Reason:** See HB 1456.  
**Contact: Adam Berry (317) 264-6894**

### **SB 281 BUSINESS PERSONAL PROPERTY TAX EXEMPTION (Freeman)**

Increases the acquisition cost threshold for the business personal property tax exemption from \$80,000 to \$250,000. **Position: SUPPORT Reason:** The Chamber supports the increase of the personal property tax exemption threshold. See HB 1430.  
**Contact: David Ober (317) 264-6887**



### **SB 288 DAMAGES IN WRONGFUL DEATH ACTIONS (Freeman)**

Permits a plaintiff to pursue punitive damages against an individual or a business whose negligence resulted in the wrongful death claim if the act or omission that caused the death constituted a criminal act or certain tortious acts. **Position: OPPOSE Reason:** The Chamber opposes any effort to erode the existing wrongful death statute; especially legislation that would subject employers to punitive damages for unintentional or careless acts by its employees, including minor traffic offenses.  
**Contact: Adam Berry (317) 264-6894**

### **SB 292 INPRS INVESTMENTS (Holdman)**

Requires the board of trustees of the Indiana Public Retirement System to make investment decisions with the sole purpose of maximizing the return on the board's investments. It prohibits the board from making an investment decision

with the purpose of influencing any social or environmental policy or attempting to influence the governance of any corporation. **Position: SUPPORT Reason:** This bill sets out sound fiduciary responsibilities to manage state pension funds without interfering with free markets or the free-enterprise system (unlike HB 1008). It takes into consideration what is best for the state's pensioners.  
**Contact: Greg Ellis (317) 264-6881**

### **SB 300 RESIDENTIAL TAX INCREMENT FINANCING (Rogers)**

Removes the threshold conditions for establishing a residential housing development program and a tax increment allocation area for the program, including the condition that the governing body of each school corporation affected by the program pass a resolution approving the program before the program may go into effect. Also provides that the fiscal body of a county may adopt an ordinance to designate an economic development target area. **Position: SUPPORT Reason:** Housing needs have impeded economic development in many areas. This bill would provide an ability to assist in needed residential development to accommodate potential employees for employers considering local investment. See HB 1082.  
**Contact: David Ober (317) 264-6887**

### **SB 305 INDIANA EDUCATION SCHOLARSHIP ACCOUNT PROGRAM (Buchanan)**

Expands the state's education scholarship account program to allow eligible families to receive an annual grant amount that may be used to pay for tuition and related eligible expenses at an accredited nonpublic school. **Position: SUPPORT Reason:** See HB 1368.  
**Contact: Jason Bearce (317) 264-6880**

### **SB 307 EARLY LEARNING (K. Walker)**

Raises the annual income eligibility for the state's pre-kindergarten program from 127% to 138% of the federal poverty level. **Position: SUPPORT Reason:** Given the implications for both education preparation and workforce participation, increasing access and affordability of high-quality early learning across Indiana is a top Chamber priority. While falling well short of the Chamber's ultimate goal of state support for universal pre-kindergarten, this proposal is an important step in the right direction.  
**Contact: Jason Bearce (317) 264-6880**

### **SB 308 CANNABIS LEGALIZATION (K. Walker)**

Establishes a procedure for the lawful production and sale of cannabis in Indiana. Makes conforming amendments. **Position: OPPOSE Reason:** See HB 1248.  
**Contact: Ashton Eller (317) 264-7536**

### **SB 313 ACCELERATED DEPRECIATION (Rogers)**

Couples Indiana depreciation provisions with federal depreciation provisions under Section 179 of the Internal Revenue Code. **Position: SUPPORT Reason:** This bill eliminates the current

requirement to add back federally allowed depreciation deductions for certain business investments when a taxpayer calculates their Indiana adjusted gross income. It will both promote business investment and simplify a taxpayer's calculation of their taxable income in Indiana.  
**Contact: David Ober (317) 264-6887**

### **SB 324 TORTS INVOLVING COMMERCIAL TRUCKING INDUSTRY (Glick)**

Creates a procedure to bifurcate a trial of a civil action filed against the operator of a commercial motor vehicle and the employer of the operator or the owner of the commercial motor vehicle involved in a motor vehicle accident. Requires certain defendants to file a motion to bifurcate within a specified period of time. It provides that certain evidence may be presented in the first phase of a bifurcated trial. Allows a plaintiff to pursue punitive damages in the second phase of a bifurcated trial. **Position: SUPPORT Reason:** The cost of insurance for transport companies has been skyrocketing, which raises the cost of delivery and the cost to the end consumer. The Chamber supports this bill as a reasonable way to address frivolous suits against trucking companies in the state.  
**Contact: David Ober (317) 264-6887**

### **SB 330 PAYROLL INFORMATION ON PUBLIC FINANCE CONSTRUCTION (Bohacek)**

Requires a contractor in any contractor tier on a public works project or on a tax advantaged construction project to complete a weekly report of wages and hours of the contractor's employees who work on the public works project or the tax advantaged construction project. **Position: OPPOSE Reason:** This is an unnecessary bill that would further burden contractors and add additional costs to public projects.  
**Contact: Ashton Eller (317) 264-7536**

### **SB 339 ATTAINABLE HOMEOWNERSHIP TAX CREDIT (Rogers)**

Establishes a tax credit for a contribution to an affordable housing organization. It requires the Indiana Economic Development Corporation to approve each organization applicant as an organization for which a taxpayer is eligible to claim a credit for a contribution. Provides that the amount of the credit is equal to 50% of the amount of the contribution that is not more than \$20,000 made to the organization. It provides that the credit may be carried forward for five years following the unused credit year. The bill provides (subject to certain conditions) that the total amount of tax credits awarded may not exceed \$7,500,000 in a state fiscal year. Requires the Indiana Department of Revenue (DOR) to post certain information about the credit on a web site used by the DOR to provide information to the public. Also provides for a tax deduction for a taxpayer that has made a contribution that is more than \$20,000 to an organization in an amount equal to the lesser of: (1) 50% of the amount contributed in excess of \$20,000; or (2) \$5,000. **Position: SUPPORT Reason:** Housing needs have impeded economic development in many areas. This bill would provide an incentive for investment in ongoing efforts to increase housing stock around the state. See HB 1082.  
**Contact: David Ober (317) 264-6887**

### **SB 341 TWENTY-FIRST CENTURY SCHOLARS PROGRAM (Becker)**

Changes the eligibility window for students to enroll in the state's 21st Century Scholars program from grades 7-8 to grades 8-9. **Position: SUPPORT IN PART Reason:** Expanding access to Indiana's 21st Century Scholars program is a top Chamber priority given its potential for increasing education attainment and strengthening the state's talent pipeline. While we support expanding the Scholar enrollment period into the ninth grade, a related proposal championed by the Chamber that would auto-enroll eligible students in the program is preferable and ultimately more effective.  
**Contact: Jason Bearce (317) 264-6880**

### **SB 344 NORTHEAST INDIANA STRATEGIC DEVELOPMENT COMMISSION (Holdman)**

Establishes the northeast Indiana strategic development fund administered by the Northeast Indiana Strategic Development Commission (NISDC). Prohibits money in the fund from being used for the purposes of expanding or increasing access to broadband. Adds additional purposes to be carried out by the commission in the development area. Expands the membership of the commission to include two additional voting members to be appointed by the northeast Indiana local economic development organization council. **Position: SUPPORT Reason:** The long-term economic health of Indiana is contingent upon each region of our state addressing their individual weaknesses and investing in their strengths. This bill enables the NISDC to pursue the projects and programs necessary to achieve its statutory goals.  
**Contact: Adam Berry (317) 264-6894**

### **SB 347 WORK SHARING UNEMPLOYMENT BENEFITS PROGRAM (Bassler)**

Establishes a work sharing unemployment insurance program. Requires an employer that desires to participate in the program to submit a work sharing plan for approval by the commissioner of the Indiana Department of Workforce Development. Establishes the work sharing benefit as equal to an affected employee's unemployment benefit reduced by a percentage equal to the percentage of the employee's normal weekly work hours that the employee works under the approved work sharing plan. **Position: SUPPORT Reason:** See HB 1254.  
**Contact: Ashton Eller (317) 264-7536**



### **SB 356 WORKFORCE RETENTION INCENTIVES (Qaddoura)**

Provides that an individual who is enrolled in certain associate degree programs may be eligible for the state's workforce-ready grant in high-demand fields. Establishes the workforce retention and brain gain loan forgiveness program to individuals who meet certain requirements for this purpose. **Position: SUPPORT Reason:** Increasing postsecondary attainment in alignment with Indiana's workforce needs is a top Chamber priority. This proposal provides a pathway for individuals pursuing an



associate degree to pursue targeted training in high-wage, high-demand industries that are closely aligned with Indiana's economic development priorities.

Contact: Jason Bearce (317) 264-6880

### **SB 364 PAID FAMILY AND MEDICAL LEAVE PROGRAM (PoI)**



Requires the Indiana Department of Workforce Development to establish a paid family and medical leave program to provide payments for employees who take family and medical leave. Establishes the family and medical leave fund to be funded with appropriations from the General Assembly and payroll contributions. Specifies requirements for the administration of the program. Provides for the department to approve an employer's use of a private plan to meet the program obligations. **Position: OPPOSE Reason:** See HB 1243.

Contact: Ashton Eller (317) 264-7536

### **SB 366 MINIMUM WAGE (PoI)**



Increases, for any work week beginning on or after July 1, 2023, the minimum wage paid to certain employees from \$7.25 per hour to \$13 per hour. Repeals the prohibition of a local unit establishing, mandating or requiring a minimum wage that exceeds the state or federal minimum wage. Makes conforming amendments and a technical correction.

**Position: OPPOSE Reason:** See HB 1192.

Contact: Ashton Eller (317) 264-7536

### **SB 368 EARLY CHILDHOOD CARE AND EDUCATION PILOT PROGRAM (Donato)**



Establishes the early childhood care and education pilot program, and corresponding state fund, to provide a cost-sharing approach to fund quality early learning/childcare opportunities. As proposed, costs would be split between the state, the child's parent and a participating employer. **Position: SUPPORT Reason:** Increasing accessibility and affordability of high-quality early learning and childcare options across Indiana is a top education and workforce priority for the Chamber. By encouraging cost-sharing between the state's public and private sectors, this pilot program could prove to be a scalable approach for addressing Indiana's childcare deserts and capacity challenges. If successful, this program should be expanded to serve other Indiana counties and communities.

Contact: Jason Bearce (317) 264-6880

### **SB 371 ADVANCED PRACTICE REGISTERED NURSES (Jon Ford)**

Amends the hospital governing board requirements for the manner in which a psychiatric mental health advanced practice registered nurse will interact with other practitioners. Requires the Indiana State Board of Nursing to provide a report to the General Assembly concerning psychiatric mental health advanced practice registered nurses who practice without a practice agreement. Makes conforming changes. **Position: OPPOSE Reason:** The bill removes the practice agreement only for one group of psychiatric

mental health advanced practice registered nurses (APRNs). We believe the practice agreement should be removed for all APRNs. Language in this bill also imposes new restrictions on APRNs that do not exist today and will further limit APRN practice.

Contact: Ashton Eller (317) 264-7536

### **SB 375 CHILD CARE ASSISTANCE (Rogers)**



Includes several provisions aimed at expanding childcare access and affordability, including raising income eligibility for the state's On My Way Pre-K program from 127% to 260% of the federal poverty level and adjusting the state's childcare provider reimbursement model to ensure greater funding parity between rural and urban providers. **Position: SUPPORT Reason:** Given the implications for both education preparation and workforce participation, the Chamber enthusiastically supports measures to expand family access to high-quality early learning programs and to ensure greater funding equity for childcare providers across Indiana.

Contact: Jason Bearce (317) 264-6880

### **SB 380 VARIOUS EDUCATION MATTERS (Raatz)**

Amends the definition of "graduation" for purposes of the high school graduation rate determination. Also allows a school corporation to adopt a policy concerning dress code or disruptive behavior. **Position: SUPPORT IN PART Reason:** The Chamber supports the intent of this bill as it pertains to placing guardrails on the use of graduation waivers, a practice that grants diplomas to high school students who have fallen short of state graduation requirements. Data shows that waivers have become pervasive in some school communities, particularly among low-income and minority students, with the percentage of students "graduating" with a waiver amounting to a quarter or more of a given graduating class. As introduced, SB 380 would eliminate waivers altogether, but the Chamber has urged lawmakers to consider alternative options, including: 1) removing waivers from publicly reported graduation rate calculations and 2) setting a maximum threshold, or "waiver cap," for each graduating class. This flexibility would allow for the limited cases in which a waiver may be appropriate while guarding against its widespread, unchecked usage.

Contact: Jason Bearce (317) 264-6880

### **SB 387 HEALTH CARE (Holdman)**

Authorizes the Indiana Department of Health to assess a public health assessment fee upon nonprofit hospitals (excluding county hospitals). Provides that the fee shall be imposed on total hospital net patient revenues at a rate determined by the state department after review by the budget committee. Requires the rate to be formulated to result in total fee revenue generation of: (1) \$120,000,000 in state fiscal year 2024; and (2) \$230,000,000 in state fiscal year 2025, and each state fiscal year thereafter. Establishes the local public health department fund. Requires the revenue from the fee to be deposited in the fund. Provides that the fund is administered by the state health department. Specifies the purposes for which money in the fund may be used. **Position: OPPOSE Reason:** The Chamber opposes arbitrary fees upon

businesses. The proposed fees would do the opposite of lowering health care costs for Indiana employers. This bill could make health care providers pass along these costs to payers.

**Contact: Ashton Eller (317) 264-7536**

### **SB 390 COMMERCIAL SOLAR AND WIND ENERGY READY COMMUNITIES (Messmer)**

Establishes the Commercial Solar and Wind Energy Ready Communities Development Center within the Indiana Economic Development Corporation (IEDC). It requires the center to provide comprehensive information concerning permits required for commercial solar projects, wind power projects and related business activities in Indiana and to work with permit authorities concerning those projects. The bill requires the center to create and administer a program to certify counties and municipalities as commercial solar energy ready communities and wind energy ready communities. It requires the IEDC to certify a county or municipality as a commercial solar energy ready community or a wind energy ready community if the county or municipality meets certain requirements, including the adoption of a commercial solar regulation or wind power regulation that includes standards that are not more restrictive than the default standards established by Indiana law. . . .

**Position: SUPPORT Reason:** This bill builds on the passage of SB 411 in the 2022 legislative session, which established some state-level guidelines for the development of wind and solar energy. That bill allowed local governments to opt into those standards. This bill creates economic development incentives for those communities that adopt the guidelines and makes appropriations to the fund established for those incentives. The Indiana Chamber Foundations energy study, *Powering Indiana's Economic Future*, has a section that addresses these types of scenarios (pages 166-168). It creates further regulatory certainty in this area of energy development.

**Contact: Greg Ellis (317) 264-6881**

### **SB 393 GRADUATE RETENTION INCENTIVES (Rogers)**

Provides for an exemption from the adjusted gross income tax for up to five years for an individual who graduates from a public or private four-year college or university if the individual accepts a full-time position of employment in Indiana after graduation.

**Position: SUPPORT Reason:** Data show that Indiana ranks 14th nationally in attracting students to its colleges and universities but ranks 40th in retaining those students after graduation. Addressing this “leak” in the state’s talent pipeline is a top Chamber priority, and we welcome proactive incentives, including those aimed at both individuals and higher education institutions, which keep more highly skilled grads living and working in Indiana.

**Contact: Jason Bearce (317) 264-6880**



### **SB 394 PRE-KINDERGARTEN LICENSING (Hunley)**

Provides that the Indiana Department of Education shall establish a program for individuals seeking to teach pre-kindergarten and that the individual needs an associate degree from an accredited

postsecondary educational institution. **Position: SUPPORT IN PART/OPPOSE IN PART Reason:** Supporting the upskilling and training of Indiana’s early learning workforce is key to providing high-quality early childhood education opportunities across the state. While the Chamber supports state investment to increase the number of trained/credentialed pre-kindergarten practitioners, requiring these individuals to have a minimum of an associate degree would only further exacerbate the state’s shortage of early childhood workers. Rather than making degrees a gatekeeper to entering this essential industry, the state should prioritize competency-based approaches to hiring, training and credentialing its early learning workforce.

**Contact: Jason Bearce (317) 264-6880**

### **SB 395 ELIMINATION OF SCHOOL TEXTBOOK FEES (Hunley)**

Requires each public school to provide curricular materials at no cost to each student enrolled in the public school. **Position: SUPPORT Reason:** See HB 1123.

**Contact: Jason Bearce (317) 264-6880**

### **SB 402 READING STANDARDS AND CURRICULUM (Freeman)**

Includes several provisions related to teaching the “science of reading,” including the adoption of state standards and local curriculum, ensuring teacher preparation programs integrate science of reading instructional practices and corresponding proficiency expectations for licensure and certification. **Position: SUPPORT Reason:** The Chamber recognizes that reading and literacy are the foundation of an educated and highly skilled workforce. Adults lacking essential reading and literacy skills face numerous challenges just navigating daily life, let alone securing stable, living-wage employment in a skills-based economy. And, based on the data, we know that reading deficiencies are at the center of the alarming learning loss and achievement gaps in our K-12 schools. The Chamber supports efforts to attack this challenge on multiple fronts with evidence-based instruction and targeted interventions that are grounded in valid “science of reading” research and proven best practices.

**Contact: Jason Bearce (317) 264-6880**

### **SB 404 ACCESS TO TRANSCRIPTS (Deery)**

Prohibits Indiana postsecondary educational institutions from withholding a transcript for a current/former student if the student owes a debt to the institution, provided that the student is making a good-faith effort to pay the outstanding debt.

**Position: SUPPORT Reason:** The Chamber supports common sense measures that reduce barriers to increasing the education attainment level of Hoosiers in alignment with workforce needs. Placing reasonable guardrails on the practice of college transcript holds removes one such barrier that stands in the way of Indiana making good on that promise.

**Contact: Jason Bearce (317) 264-6880**

### **SB 417 VARIOUS TAX MATTERS (Baldwin)**

Repeals the threshold sales amount after which



certain nonprofit organizations are required to collect state sales tax on sales (currently, \$20,000 in annual sales). It provides that all sales by the nonprofit organizations made in furtherance of a nonprofit purpose are exempt from the state sales tax regardless of the amount of annual sales. Authorizes a county to impose a local income tax rate for county staff expenses of the state judicial system in the county. Makes certain changes to provisions that apply to taxpayers who file a combined return for the financial institutions tax. Specifies a three business day grace period following the postmark date of a document during which the Indiana Department of Revenue will consider the document received to be timely filed for purposes of a due date. Removes the threshold conditions for establishing a residential housing development program and a tax increment allocation area for the program, including the condition that each school corporation affected by the program passes a resolution approving the program before it may take effect. **Position:** **SUPPORT Reason:** This bill contains several provisions that are beneficial to business. The elimination of the sales tax exemption threshold for nonprofit organizations is helpful to many organizations, including local chambers of commerce. Additionally, the clarification related to the financial institutions tax codifies current rules and provides certainty to certain taxpayers. The bill also provides a grace period for filing of certain documents. Furthermore, it expands the residential tax increment financing program to address housing constraints. The bill is well designed to make these thoughtfully selected changes in a fiscally sound manner.

**Contact: David Ober (317) 264-6887**

#### **SB 419 STATE TAX MATTERS (Holdman)**

Makes certain changes regarding net operating losses for purposes of determining state adjusted gross income. Provides for successor tax liability for unpaid sales taxes following a business asset sale. Repeals an outdated provision requiring separate exemption certificates for manufacturers and wholesalers. Clarifies the acquisition date for purposes of adding back interest from tax exempt bonds issued by another state in determining Indiana adjusted gross income. Amends provisions regarding the exemption for certain income derived from patents. Makes clarifying changes and technical corrections to the affordable and workforce housing tax credit. Authorizes the Indiana Department of Revenue (DOR) to publish or disclose the status of a governmental or nonprofit entity's sales tax exemption certificate. Provides that a person who knowingly or intentionally sells, purchases, installs, transfers or possesses: (1) an automated sales suppression device or a zipper; or (2) phantom-ware; commits a Level 5 felony. Makes clarifying and technical corrections to provisions under the electronic cigarette tax. **Position:**

**NEUTRAL IN PART/SUPPORT IN PART Reason:** The Chamber is concerned about changes that will impose tax liability on an acquiring business if notice isn't provided to the DOR. This is a clear departure from existing law, which does not impose tax liability on a successor in most cases. The Chamber is also concerned about changes to calculations of the Indiana net operating loss deduction. The increased enforcement and penalties associated with tax cheating software are welcome as are the clarifications related to the e-cigarette tax.

**Contact: David Ober (317) 264-6887**

#### **SB 421 UNEMPLOYMENT BENEFITS (PoI)**

Amends the definition of "wage credits." Specifies the rate for unemployment insurance (UI) benefits for initial claims filed by an individual who is totally unemployed for any week beginning after June 30, 2023. Specifies, for initial claims filed for any week beginning after June 30, 2023: (1) the maximum weekly benefit amount; and (2) an additional weekly benefit for eligible and qualified individuals with dependents. **Position: OPPOSE Reason:** This bill entitles claimants to the Unemployment Insurance Trust Fund an additional benefit paid by the fund. With the economic uncertainty in today's economy, this is not the time to be mandating an increase in UI benefits.

**Contact: Ashton Eller (317) 264-7536**

#### **SB 425 PREGNANCY ACCOMMODATION (PoI)**

Requires an employer to grant an employee's request for a reasonable accommodation for a known limitation related to the employee's pregnancy absent undue hardship on the employer's business. Provides that an employer may not require an employee to take leave under a leave law or policy adopted by the employer if another reasonable accommodation can be provided for known limitations arising from pregnancy, childbirth or related medical conditions. Establishes a civil action for a violation of these provisions. **Position: OPPOSE Reason:** Federal law is already in place. Under the Pregnancy Discrimination Act and the recently passed Pregnant Workers Fairness Act, an employer cannot fire, refuse to hire, demote or take any other adverse action against a woman related to a pregnancy or childbirth or a medical condition related to the same. Under the Americans with Disabilities Act (ADA), pregnant workers may have impairments related to their pregnancies that qualify as disabilities under the ADA and employers must provide reasonable accommodations. Reasonable accommodations would include redistributing marginal or non-essential functions, modifying workplace policies, modifying workplace schedules, allowance for telework, purchasing or modifying equipment while performing tasks and temporary reassignment of work duties. This legislation is redundant.

**Contact: Ashton Eller (317) 264-7536**

#### **SB 435 TWENTY-FIRST CENTURY SCHOLARS PROGRAM ENROLLMENT (Melton)**

Provides that the Indiana Commission for Higher Education and the Indiana Department of Education shall identify income eligible students for automatic enrollment in the 21st Century Scholars program.

**Position: SUPPORT Reason:** See HB 1449.

**Contact: Jason Bearce (317) 264-6880**



#### **SB 437 EDUCATION FUNDING (Qaddoura)**

Contains several provisions that aimed at increasing access, funding and eligibility thresholds for early learning/childcare programs, the state's 21st Century Scholars program, teacher scholarships and student loan forgiveness for medical practitioners. **Position: SUPPORT Reason:** Improving early learning and postsecondary attainment are top education/workforce priorities for the Chamber. Several aspects of this bill have merit and are supported by the Chamber,



albeit with the recognition that similar provisions are contained in other pieces of legislation being considered by lawmakers this session.

**Contact: Jason Bearce (317) 264-6880**

**SB 451 CARBON SEQUESTRATION PILOT PROJECT (Jon Ford)**

Provides that for purposes of the Carbon Sequestration Pilot Project, the title to the pore space is vested in the person who holds in fee simple the surface interest in the land or water, as identified by the property records of the county. It requires the pilot project operator, before the anticipated migration of injected carbon dioxide into pore space, to notify the owner of the pore space in fee simple of the anticipated migration of the carbon dioxide and offer to acquire, lease or occupy the pore space. It provides that if a person who claims ownership of pore space is unable to reach an agreement with the pilot project operator concerning the acquisition, lease or occupancy of the pore space, the person's exclusive remedy is a civil action against the pilot project operator in which the court may not grant injunctive relief or monetary relief that exceeds the fair market value of underground gas storage rights in the region. Monetary recovery may not be limited in a civil action if the claimant pleads and proves direct and tangible physical injury or damage to a person, tangible property or an animal. The bill does not limit monetary recovery by a public utility for any effect of a carbon sequestration pilot project on the sources of the public water supply used by the public utility. **Position: SUPPORT Reason:** This bill has improved language over that of SB 265 in 2022, which we supported. It addresses property rights and liability for carbon sequestration specific to the pilot project established in Terre Haute. This bill is consistent with several recommendations regarding carbon made in the Indiana Chamber Foundation's energy study, *Powering Indiana's Economic Future*. It provides legal safeguards for property owners near the project.

**Contact: Greg Ellis (317) 264-6881**

**SB 471 UNIVERSAL CHILDCARE AND PRE-K (Qaddoura)**

Contains several provisions aimed at expanding access to

childcare and pre-kindergarten programs, including establishing a small business tax credit, increasing the eligibility threshold for the state's On My Way Pre-K program, and creating an early learning capacity-building fund for local school corporations.

**Position: SUPPORT Reason:** Increasing accessibility and affordability of early learning and childcare options across Indiana is top priority for the Chamber and a key driver for improving education attainment and workforce participation.

**Contact: Jason Bearce (317) 264-6880**

**SB 472 ADVANCED RECYCLING (Messmer)**

Defines "advanced recycling" and various terms used in or related to the advanced recycling process. It provides that certain solid waste management provisions do not apply to advanced recycling facilities. **Position: SUPPORT Reason:** This bill would aid the recycling of plastics into raw materials in Indiana. It would help counter supply change shortages of materials while being beneficial to the environment. The streamlining of solid waste regulations makes sense when solid waste becomes a beneficially reused material.

**Contact: Greg Ellis (317) 264-6881**

# Legislative Agenda

## Quick Reference: Position by Bill Number and Title

\* = Chamber Priority Bill    *NIP*=Neutral in Part    • *OIP*=Oppose in Part    • *SIP*=Support in Part

### HOUSE

HB 1001	STATE BUDGET	Support
HB 1002*	EDUCATION AND WORKFORCE MATTERS	Support
HB 1005	HOUSING	Support
HB 1007*	ELECTRIC UTILITY SERVICE	Support
HB 1008	PENSION INVESTMENTS	Oppose
HB 1024	PUBLIC WORKS PROJECTS	Support
HB 1033	LOCAL UNIT WATER INFRASTRUCTURE FUND	Support
HB 1035	TOWNSHIP ASSESSORS	Support
HB 1039	MEDICAL AND ADULT USE CANNABIS	Oppose
HB 1040	REQUIREMENTS FOR ELECTED OFFICIALS	Support
HB 1051	PROPERTY TAX RELIEF	Support
HB 1062	REORGANIZATION OF MUNICIPALITY AND TOWNSHIP	Support
HB 1065	CANNABIS REGULATION	Oppose
HB 1072	AVIATION FUEL INSPECTION FEES	Oppose
HB 1082	RESIDENTIAL TAX INCREMENT FINANCING	Support
HB 1085	TAX INCENTIVE FINANCING	Oppose
HB 1102*	REPEAL OF RIGHT-TO-WORK LAW	Oppose
HB 1123	ELIMINATION OF TEXTBOOK FEES	Support
HB 1124	CIVIL PROCEEDING ADVANCE PAYMENT CONTRACTS	Support
HB 1127	EXEMPTION FROM COVID-19 IMMUNIZATION REQUIREMENTS	Oppose
HB 1133	BAN ON SALE OF FLAVORED TOBACCO AND E-LIQUIDS	Support
HB 1137	EQUAL PAY; WAGE DISCLOSURE PROTECTION	Oppose
HB 1141	CAP ON ASSESSED VALUATION INCREASE FOR HOMESTEADS	Oppose
HB 1160	WORKFORCE TRAINING AND TANF MATTERS	Support
HB 1173	UTILITY SCALE BATTERY ENERGY STORAGE SYSTEMS	Support
HB 1190	CLOSURE OF COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS	Support in Part/Oppose in Part
HB 1192	MINIMUM WAGE	Oppose
HB 1203	ELIMINATION OF TEXTBOOK FEES	Support
HB 1214	TOBACCO AND E-LIQUIDS	Support
HB 1233	COLLEGE SAVINGS TAX CREDIT	Support
HB 1243	PAID FAMILY AND MEDICAL LEAVE PROGRAM	Oppose

HB 1248	CANNABIS	Oppose
HB 1250	DUTY TO NOTIFY WATER UTILITY OF SPILL	Support
HB 1253	OVERTIME COMPENSATION	Oppose
HB 1254*	WORK SHARING UNEMPLOYMENT INSURANCE PROGRAM	Support
HB 1255	ELIMINATION OF TEXTBOOK FEES	Support
HB 1262	EMERGENCY POWERS	Neutral in Part/Oppose in Part
HB 1263	MEDICAL MARIJUANA	Oppose
HB 1266	VOLUNTEER CYBER CIVILIAN CORPS	Support
HB 1270	PILOT PROGRAM TO FUND EDUCATION ATTAINMENT	Support
HB 1278	NONDISCLOSURE AGREEMENTS IN ECONOMIC DEVELOPMENT	Oppose
HB 1280	PROHIBITED ECONOMIC DEVELOPMENT INCENTIVES	Oppose
HB 1281	FINANCIAL LITERACY	Support
HB 1289	FAIR AND OPEN COMPETITION FOR PUBLIC WORKS PROJECTS	Support
HB 1292	PHYSICIAN NONCOMPETE AGREEMENTS	Oppose
HB 1297	DECRIMINALIZATION OF MARIJUANA	Oppose
HB 1301*	CIGARETTE TAXES	Support in Part
HB 1307*	HIGH VALUE WORKFORCE READY CREDIT-BEARING GRANT	Support
HB 1330	ADVANCED PRACTICE REGISTERED NURSES	Support
HB 1343	REVIEW OF OCCUPATIONAL REGULATIONS	Support
HB 1344	RIGHT TO START ACT	Support
HB 1350	FINANCIAL LITERACY	Support
HB 1353	HEALTH CARE STAFFING	Oppose
HB 1355	TOWNSHIP MERGER PILOT PROGRAM	Support
HB 1356	CANNABIS	Oppose
HB 1368	SCHOOL SCHOLARSHIPS	Support
HB 1369	PROPERTY TAX ASSESSMENT APPEALS	Oppose
HB 1375	EMPLOYEE MISCLASSIFICATION	Oppose
HB 1393*	CHILD CARE ASSISTANCE	Support
HB 1394	MINIMUM WAGE	Oppose
HB 1401	ASSESSMENT OF WIND POWER DEVICES	Support
HB 1410	MULTIPLE EMPLOYER WELFARE ARRANGEMENTS	Oppose
HB 1413	PROPERTY TAX INCREASE LIMITS	Oppose
HB 1414	FINANCIAL LITERACY	Support
HB 1430	BUSINESS PERSONAL PROPERTY TAX EXEMPTION	Support
HB 1435	CAP ON ASSESSED VALUATION INCREASES FOR HOMESTEADS	Oppose
HB 1438	PUBLICATION OF LOCAL GOVERNMENT NOTICES	Support
HB 1441	PROPERTY TAX ASSESSMENTS	Oppose in Part
HB 1443	UTILITY PERSONAL PROPERTY	Oppose
HB 1449*	TWENTY-FIRST CENTURY SCHOLARS PROGRAM ENROLLMENT	Support
HB 1455	NEW MARKETS TAX CREDIT	Support
HB 1456	CERTIFIED TECHNOLOGY PARKS	Support

HB 1469	TEACHER COLLECTIVE BARGAINING	Oppose
HB 1470	WORKER MISCLASSIFICATION	Oppose
HB 1489	SEWER AND STORM WATER FEES INCURRED BY TENANTS	Oppose
HB 1490	EMPLOYMENT DISCRIMINATION CLAIMS IN STATE COURT	Oppose
HB 1501	NONACCREDITED NONPUBLIC SECONDARY SCHOOLS	Oppose
HB 1512	SOLID WASTE MATTERS	Support
HB 1517	SOCIAL MEDIA	Neutral in Part/Oppose in Part
HB 1521	INCOME TAX REPLACEMENT	Oppose
HB 1530	PFAS WATER SAFETY STANDARDS	Oppose
HB 1541	UTILITY SERVICE TO RENTAL PREMISES	Support
HB 1554	CONSUMER DATA PROTECTION	Support in Part/Oppose in Part
HB 1556	WATER RIGHTS	Support
HB 1558	SCIENCE OF READING	Support
HB 1559	EMPLOYMENT OF INDIVIDUALS WITH A DISABILITY	Support
HB 1585	SALE OF COLD ALCOHOLIC BEVERAGES	Oppose
HB 1606*	EMPLOYER TAX CREDIT FOR APPRENTICESHIP PROGRAMS	Support
HB 1610	EXEMPTION FROM PRIOR AUTHORIZATION REQUIREMENTS	Oppose
HB 1615	LEGALIZATION OF CANNABIS	Oppose
HB 1616	ASSESSED VALUE	Oppose
HB 1618*	EXEMPTION FOR NEW BUSINESS PERSONAL PROPERTY	Support
HB 1626	ADMINISTRATIVE RULES CONCERNING CARBON DIOXIDE	Support
HB 1633	STUDENT 529 ACCOUNT FUNDING	Support in Part
HB 1635*	VARIOUS EDUCATION MATTERS	Support
HB 1638*	EDUCATION MATTERS	Support
HB 1644	DRIVING PRIVILEGE CARDS	Support
HB 1645	UTILITY RECEIPT TAX ON WATER	Oppose
HJR 3	RIGHT TO UNIONIZE	Oppose

## SENATE

SB 1	BEHAVIORAL HEALTH MATTERS	Support
SB 2*	TAXATION OF PASS THROUGH ENTITIES	Support
SB 3	STATE AND LOCAL TAX REVIEW COMMISSION	Support
SB 4	PUBLIC HEALTH COMMISSION	Support
SB 5*	CONSUMER DATA PROTECTION	Support
SB 7	PHYSICIAN NONCOMPETE AGREEMENTS AND REFERRALS	Oppose
SB 9	ELECTRIC SERVICE RELIABILITY	Oppose
SB 10*	TWENTY-FIRST CENTURY SCHOLARS PROGRAM	Support
SB 16	USE OF CONSUMER REPORTS FOR EMPLOYMENT PURPOSES	Oppose
SB 17	STUDY COMMITTEE ON FAMILY AND MEDICAL LEAVE	Oppose
SB 32	EMPLOYEE MISCLASSIFICATION	Oppose

SB 35	FINANCIAL LITERACY	Support
SB 45	ELIMINATION OF ANNUAL ADJUSTMENTS TO ASSESSED VALUES	Oppose
SB 46	COUNTY OPTION CIRCUIT BREAKER TAX CREDIT	Oppose in Part
SB 68	CORE 40 CURRICULUM	Oppose
SB 70	MARIJUANA	Oppose
SB 78	DISTRIBUTIONS OF PUBLIC SAFETY INCOME TAX REVENUE	Support
SB 82	INTOXICATION AND MARIJUANA	Oppose
SB 86	TOBACCO PRODUCTS TAX	Oppose
SB 91	ANNUAL INSPECTION OF CFOS	Oppose
SB 135	ELIGIBILITY FOR RESIDENT TUITION	Support
SB 143	PROTECTIVE ORDERS AND EMPLOYMENT	Oppose
SB 155	IDEM MATTERS	Support
SB 163	EVIDENCE OF LACK OF SEAT BELT USE	Support
SB 167*	FAFSA	Support
SB 170	INTIMIDATION AGAINST UTILITY WORKERS	Support
SB 176	SMALL MODULAR NUCLEAR REACTORS	Support
SB 180	ALLOCATION OF WASTEWATER UTILITY COSTS	Oppose in Part
SB 182	TOWNSHIP MERGERS	Support
SB 186*	TAX CREDIT FOR EMPLOYER PROVIDED CHILD CARE	Support
SB 189	ASSESSED VALUE GROWTH CAP	Oppose
SB 190*	PHYSICIAN ASSISTANTS	Support
SB 194	COLLECTIVE BARGAINING FOR TEACHERS	Oppose
SB 213	ADVANCED PRACTICE REGISTERED NURSES	Support
SB 237	MEDICAL MARIJUANA	Oppose
SB 238*	CHILD AND DEPENDENT CARE TAX CREDIT	Support
SB 246	EXCESS LIABILITY TRUST FUND	Support
SB 247	CARBON SEQUESTRATION	Oppose
SB 248	DRIVING PRIVILEGE CARDS	Support
SB 251	CAUSE OF DAMAGES FOR BUSINESS DAMAGES	Support
SB 255*	CHILD AND DEPENDENT CARE TAX CREDIT	Support
SB 261*	ECONOMIC DEVELOPMENT DISTRICTS	Support
SB 264	CIGARETTE TAX REVENUE STAMP ALLOWANCE	Oppose
SB 271	CERTIFIED TECHNOLOGY PARKS	Support
SB 281*	BUSINESS PERSONAL PROPERTY TAX EXEMPTION	Support
SB 288	DAMAGES IN WRONGFUL DEATH ACTIONS	Oppose
SB 292	INPRS INVESTMENTS	Support
SB 300	RESIDENTIAL TAX INCREMENT FINANCING	Support
SB 305	INDIANA EDUCATION SCHOLARSHIP ACCOUNT PROGRAM	Support
SB 307	EARLY LEARNING	Support
SB 308	CANNABIS LEGALIZATION	Oppose
SB 313	ACCELERATED DEPRECIATION	Support

SB 324	TORTS INVOLVING COMMERCIAL TRUCKING INDUSTRY	Support
SB 330	PAYROLL INFORMATION ON PUBLIC FINANCE CONSTRUCTION	Oppose
SB 339	ATTAINABLE HOMEOWNERSHIP TAX CREDIT	Support
SB 341	TWENTY-FIRST CENTURY SCHOLARS PROGRAM	Support in Part
SB 344	NORTHEAST INDIANA STRATEGIC DEVELOPMENT COMMISSION	Support
SB 347*	WORK SHARING UNEMPLOYMENT BENEFITS PROGRAM	Support
SB 356*	WORKFORCE RETENTION INCENTIVES	Support
SB 364	PAID FAMILY AND MEDICAL LEAVE PROGRAM	Oppose
SB 366	MINIMUM WAGE	Oppose
SB 368	EARLY CHILDHOOD CARE AND EDUCATION PILOT PROGRAM	Support
SB 371	ADVANCED PRACTICE REGISTERED NURSES	Oppose
SB 375*	CHILD CARE ASSISTANCE	Support
SB 380	VARIOUS EDUCATION MATTERS	Support in Part
SB 387	HEALTH CARE	Oppose
SB 390	COMMERCIAL SOLAR AND WIND ENERGY READY COMMUNITIES	Support
SB 393*	GRADUATE RETENTION INCENTIVES	Support
SB 394	PRE-KINDERGARTEN LICENSING	Support in Part/Oppose in Part
SB 395	ELIMINATION OF SCHOOL TEXTBOOK FEES	Support
SB 402	READING STANDARDS AND CURRICULUM	Support
SB 404	ACCESS TO TRANSCRIPTS	Support
SB 417*	VARIOUS TAX MATTERS	Support
SB 419	STATE TAX MATTERS	Neutral in Part/Support in Part
SB 421	UNEMPLOYMENT BENEFITS	Oppose
SB 425	PREGNANCY ACCOMMODATION	Oppose
SB 435*	TWENTY-FIRST CENTURY SCHOLARS PROGRAM ENROLLMENT	Support
SB 437	EDUCATION FUNDING	Support
SB 451	CARBON SEQUESTRATION PILOT PROJECT	Support
SB 471*	UNIVERSAL CHILD CARE AND PRE-K	Support
SB 472	ADVANCED RECYCLING	Support