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The Corydon Group
YEARS

SESSION – WEEK 5
February 5, 2021

INCPAS Weekly Update

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HB 1373, the CPA exam 120 to sit bill, has passed the House. The bill now moves to the Senate where Sen. Andy Zay (R-Huntington) is the Sponsor. Thank you to Reps VanNatter (R-Kokomo) and Martin Carbaugh (R-Ft. Wayne) for authoring the bill. The bill will be eligible for consideration in the Senate after March 1.

SB 1, the COVID immunity bill, has been fast tracked. The bill passed the Senate and has been heard and passed the House Committee on the Judiciary. The bill was read for the second time yesterday and is eligible for final vote in the House on Monday. The bill provides immunity for entities for claims related to COVID.

SB 234, the withholding tax remittance bill, was not acted on this week. INCPAS lobbyists have been working with Sen. Linda Rogers. (R-Granger) on an amendment that would lessen the impact on small businesses, while still accomplishing to goal of Sen. Rogers to make certain that taxpayer funds are actually being remitted to the DOR. We hope to see an amendment this weekend. The bill is scheduled for amendment on Tuesday.

House Passes Major Law Enforcement Reforms

On Tuesday, February 2nd, the House unanimously passed HB 1006 on a vote of 96-0. The bill, authored by Representative Greg Steuerwald (R-Avon) and over 50 co-authors, will enact policies aimed at police reform and served as a demonstration of bipartisan cooperation. Rep. Steuerwald explained that the cooperative way the legislation was approached is already being noticed and that some states “can’t believe we are going to get this done.” Speaker Todd Huston (R-Fishers) expressed his gratitude, stating “this is the way this body is supposed to work.”

HB 1006 seeks to institute a series of reforms and provide better preparation for Indiana police officers by focusing on training, increased transparency, and added accountability. Elements of the bill focused on mandatory de-escalation training as part of the “use of force” curriculum and restricting the use of chokeholds outside of situations requiring deadly force. Additionally, the bill seeks \$70 million for the Indiana Law Enforcement Academy (ILEA) training facility and its satellite offices.

To increase transparency, HB 1006 establishes requirements for and standardizes the use of both body and car cameras across all police agencies. It also establishes a grant program for local government units and departments to purchase equipment.

To improve accountability, the legislation stipulates that an officer that turns off a body cam with the intent to conceal a crime can be charged with a misdemeanor. Additionally, the bill provides for the decertification of an officer and requires that an officer undergoing a disciplinary action must complete the disciplinary process and may not resign to avoid punishment. To prevent other agencies from unknowingly hiring officers with a disciplinary history, all disciplinary actions taken must be reported to the ILEA, which must maintain and provide records to local agencies prior to hiring officers. Agencies must consult with the ILEA prior to making a hire.

HB 1006 has unprecedented support from law enforcement groups and agencies in Indiana, as well as many other activist organizations that agree it is a step in the right direction in re-establishing trust in law enforcement. The bill will move to the Senate, where it has bipartisan sponsors, including Senate Courts & Criminal Code Committee Chair Michael Young (R-Indianapolis), President Pro Tempore Rodric Bray (R-Martinsville), and Minority Leader Greg Taylor (D-Indianapolis).

Upcoming Deadlines

Feb. 18th – House 2nd Reading Deadline

Feb. 22nd – House 3rd Reading Deadline; Senate 2nd Reading Deadline

Feb. 23rd – Senate 3rd Reading Deadline

HB 1004 Passes House, Seeks to Aid Hospitality Industry

This week the House overwhelmingly passed legislation to assist small businesses, primarily in the hospitality industry, which have been negatively impacted by the COVID-19 pandemic. HB 1004, authored by Representative Shane Lindauer (R-Jasper), passed 93-3 and seeks to appropriate \$30 million for a new relief fund to be administered by the Indiana Economic Development Corporation (IEDC).

To be eligible for a grant of up to \$50,000 from the proposed Hoosier Hospitality Small Business Restart Program, a business must primarily be in the restaurant, passenger transportation, or hotel/motel industries and meet several other criteria, including:

- Having been profitable and established before October 1, 2019;
- Fewer than 100 employees and under \$10 million annual revenue;
- Be in good standing with the Indiana Department of Revenue; and
- Demonstrate a drop in monthly average revenue of 30% or more from 2019-2020.

While targeted to hospitality businesses in Indiana, the IEDC has discretion to assist other businesses on a first-come, first-served basis under the legislation. The specific, targeted nature of the program - and the 'precedent' it sets - were cited by the three conservative Republicans who opposed the bill (and previously have taken issue with the state's emergency efforts to restrict business hours and activities in order to address the pandemic). Last year, Indiana issued more than \$7 million in small business relief grants under a similar model.

HB 1004 now moves to the Senate.

Redistricting Delay & a Special Session?

In addition to the biennial state budget, the other task required of the Indiana General Assembly this year is the redrawing of legislative district maps based on changes in population. This redistricting happens every ten years following the US Census. Speaker Todd Huston (R-Fishers) and President Pro Tempore

Rod Bray (R-Martinsville) announced that they have been notified of a delay in receiving the census data from the US Census Bureau.

The legislative leaders had anticipated receiving the data sometime in March, providing ample time to draw new maps before the legislature adjourns at the end of April. However, with the data delayed until sometime in July, a special session of the legislature will be required.

Child Operated Refreshment Stands OK

Indiana may soon join fourteen other states in allowing children to legally operate refreshment stands. House Bill 1077, authored by Representative Jim Pressel (R-Rolling Prairie), allows any individual who is less than 18 years of age to operate a

refreshment stand on private property or in a public park.

This bill states that the local health department, county, municipality, or homeowners associations cannot adopt any rules that require a license or enforce a fee for these stands.

The House Commerce, Small Business, and Economic Development Committee voted the bill out of committee unanimously.

It will now be eligible for Second Reading as soon as Tuesday, February 9th.

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