General Assembly Overview – A Packed Schedule

Believe it or not, the halfway point of the 2020 General Assembly is already upon us. Of the 902 bills filed:

- 282 bills (31%) are still eligible for action.
  - 113 House bills
  - 169 Senate bills
- Which means, 620 bills (69%) died in the first half of session.
  - 338 House bills
  - 282 Senate bills

Just because a bill is now considered dead does not mean the language in the bill is. Language from dead bills can be amended into bills that are still alive. Bose professionals will monitor all remaining legislation for priority issues.

The past week saw several late nights for legislators and lobbyists alike. Monday contained the Third Reading Deadline for the House and the Second Reading Deadline for the Senate. Then, the Senate wrapped up business of the first half on Tuesday with its Third Reading Deadline. Any bill that did not advance past these deadlines is now considered dead.

“Dead” Legislation:

Speaking of dead legislation, several high-profile bills failed to advance past certain deadlines this week, including:

- What came as a surprise to many, House Bill 1005, one of Governor Eric Holcomb’s priorities in addressing health care price transparency, was not called down for a vote prior to the House Third Reading Deadline. An amendment, authored by Rep. Ryan Hatfield (D-Evansville), adopted on Second Reading placed a large fiscal component into the bill that ultimately led to the bill’s demise. We expect portions of HB 1005 to
Senate passes bill guiding abortion remains be resurrected during the second half of the legislative process.

- **HB 1031** and **Senate Bill 325** – Also known as the legislature’s attempt of regulating the issue of the Lake Michigan shoreline, attempted to define in Indiana code which portions of the Lake Michigan coast were public-owned vs private property.

- **SB 436** – Sen. Mike Young’s (R-Speedway) legislation gained attention because it would have allowed the Indiana attorney general to appoint special prosecutors to prosecute any criminal law a local prosecutor declined to enforce.

- Hopefully, the yearlong debate over the issue of entertainment ticket transferability has come to a close with **HB 1331** failing to advance past the House Third Reading Deadline.

- **SB 268** – A bill that would have established a pilot program for speed cameras in Indiana worksites failed to advance past the Senate Third Reading Deadline.

**Governor’s Priorities:**

Several bills working through the process reflect many of Governor Holcomb’s priorities for Indiana. Halfway through session, the Governor has seen mixed results:

- Two of his priorities have already been approved by the legislative branch. **HB 1007**, which will allocate $291 million to higher education projects, was signed into law last week. On Monday, the House sent **SB 2** to the Governor, which would hold teachers and schools harmless from a recent drop in test scores.

- Regarding health care, the Governor’s priorities are largely moving forward. Besides the before mentioned **HB 1005**, bills ranging from price transparency (**SB 4**), which would establish an all-payer claims data base), ending surprise medical bills (**HB 1004, SB 3**), and raising the smoking age from 18 to 21 (**HB 1006, SB 1**), all advanced out of their respective chambers.
Various other topics such as a ban on drivers using handheld phones (HB 1070), a bill that would make a controversial teacher training requirement on local workforce needs optional rather than required (HB 1003), and legislation improving 2-1-1 call services (SB 267) all received largely unanimous support through the first half.

Lastly, while the bill (SB 342) that would increase accommodations for pregnant women in Indiana businesses is still alive, the Senate voted 34-15 to remove the requirement in favor of a study committee during the interim. Gov. Holcomb supported the requirement as a way to improve Indiana’s infant and maternal mortality rates.

Going forward, Bose Public Affairs will continue to update and highlight the Governor’s priority bills as they move through the process.

**More Legislators to Step Down:**

Since the beginning of session, many legislators have joined an already sizable list of lawmakers whose 2020 General Assembly will be their last:

- The longest-serving lawmaker in the history of the Indiana General Assembly, Rep. Pat Bauer (D-South Bend), announced last week that he will not seek re-election in 2020. Rep. Bauer will conclude his 50th year in the legislature this year and previously served as the House Speaker, Minority Leader, and Ways and Means Committee Chairman.

- House Democrats Rep. Dan Forestal (D-Indianapolis) and Rep. Karlee Macer (D-Speedway) will also step-down after the 2020 session. This was the eighth year in the legislature for both Marion County lawmakers.

- In the Senate, Sen. Victoria Spartz (R-Noblesville) announced she will be stepping down after this year to pursue a position for Congress in Indiana’s 5th Congressional District. The incumbent of the seat, Congresswoman Susan Brooks, announced she will not seek reelection.

These legislators will join a list already including current House Speaker Brian Bosma (R-Indianapolis), Rep. Woody Burton (R-Whiteland), Rep. Ron Bacon (R-Chandler), Rep. David Wolkins (R-Warsaw), and Sen. Mark Stoops (D-Bloomington).

**What's Next?**
The House and Senate will stand adjourned until Monday, February 10 as bills swap chambers. Any remaining bill must now go through the same process again, but in the other chamber. Each chamber has identical deadlines in the second half. Those dates are below:

**Deadlines for all remaining bills:**
Committee Report Deadline: Thursday, February 27, 2020
Second Reading Deadline: Monday, March 2, 2020
Third Reading Deadline: Tuesday, March 3, 2020

After the Third Reading Deadline, bills are sent back to their chamber of origin. If the original chamber disagrees with changes made, a bill will be sent to a conference committee, which is a committee consisting of members from both chambers where they are expected to come to a compromise.

By law, the General Assembly must conclude business by March 14. However, it is widely considered session will end prior to that date.

Both chambers will reconvene for the start of the second half at 1:30 PM on Monday, February 10. To watch session live or follow legislation, go to iga.in.gov.

**Priority Legislation**

**HB 1004 – Balanced Billing for Medical Care**
- The bill passed through the House as an agenda bill for the Republican Caucus to address surprise billing
- It has potential to put some onerous provisions on medical providers, however, House leadership assured provider organizations that this is not the final product of the legislation and fully expect the bill to be negotiated throughout the second half of session

**HB 1005 – Health and Insurance Matters**
- This bill died on the Third Reading Calendar after an unfavorable amendment was added into the bill on Second Reading
- The bill was a caucus agenda item and it is expected that various provisions regarding cost estimates and transparency in this legislation will resurface in the second half of session in other bills
HB 1006 – Regulation of Tobacco Products
- Another agenda bill for the House Republicans, this legislation increases the legal age to buy tobacco in the state to 21
- This includes e-liquids
- The legislation passed to the Senate

HB 1115 – Physician Noncompete Agreements
- This bill made it out of the House with strong support
- Both the ISMA and IHA negotiated the language on this bill to include to major provisions that the groups agreed upon
  - Provider contracts must have buyout provisions moving forward
  - If/when a providers leaves a practice or a facility, that facility is required to inform the patients of that provider for up to two years

SB 3 – Health Care Provider Billing
- This is the Senate version of the surprise billing legislation that is being sent to the House
- This bill is considered to be more favorable for providers as it only requires them to provide good faith estimates upon request of the patient
- There are no penalties if estimate is incorrect and the patient must acknowledge this in writing

SB 4 – All Payer Claims Data Base
- The bill establishes the all payer claims data base advisory committee to assist the IDOI in the create and implementation of the data base
- The bill is a Senate Republican initiative and is being sent over to the House

Click here for the full bill track

For more information

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