

**2010-1-157**

*(Expired 12-31-2010, by P.L.1-2010, SEC.157.)*

**2010-12-2**

*(Expired 7-1-2011, by P.L.12-2010, SEC.2.)*

**2010-27-7**

*(Expired 6-30-2011, by P.L.27-2010, SEC.7.)*

**2010-29-1**

*(Expired 12-31-2010, by P.L.29-2010, SEC.1.)*

**2010-30-3**

SECTION 3. 460 IAC 2-5-1 through 460 IAC 2-5-9 are void. The publisher of the Indiana Administrative Code and Indiana Register shall remove these sections from the Indiana Administrative Code.

**2010-37-1**

SECTION 1. (a) The regulatory flexibility committee created by IC 8-1-2.6-4 shall conduct a study and make recommendations concerning the use of cloud computing technology and the safety and protection of information generated by state agencies. The study must be concluded not later than November 1, 2011.

(b) The study must cover issues regarding potential security risks presented by the use of cloud computing services based on the:

- (1) mission of an agency that might use cloud computing services;
- (2) types of data that an agency might have;
- (3) level of sensitivity of the data;
- (4) potential services to be used; and
- (5) existing and potential security related threats to the state agency.

(c) The regulatory flexibility committee shall submit the findings of the study to the legislative council in an electronic format under IC 5-14-6 not later than November 1, 2011.

(d) This SECTION expires December 31, 2011.

**2010-51-2**

SECTION 2. IC 35-44-3-9.6, as added by this act, applies only to crimes committed after June 30, 2010.

**2010-65-7**

SECTION 7. (a) As used in this SECTION, "bureau" refers to the bureau of motor vehicles created by IC 9-14-1-1.

(b) Notwithstanding IC 9-21-8-58, as added by this act, and IC 9-24-6-2(c)(9), as amended by this act:

- (1) the bureau shall carry out the duties imposed upon the bureau under IC 9-24-6-2(c)(9), as amended by this act, under interim written guidelines approved by the commissioner of the bureau; and
- (2) the department of revenue shall carry out the duties imposed upon the department of revenue under IC 9-21-8-58, as added by

this act, under interim written guidelines approved by the commissioner of the department of revenue.

(c) This SECTION expires on the earlier of the following:

- (1) The date rules are adopted under IC 9-21-8-58, as added by this act, and IC 9-24-6-2(c)(9), as amended by this act.
- (2) December 31, 2011.

**2010-75-34**

SECTION 34. (a) The state seed commissioner shall adopt rules under IC 15-15-1-27(b)(18) that concern IC 15-15-1-32 and IC 15-15-1-33, both as amended by this act, before July 1, 2011.

(b) A rule adopted under this SECTION must take effect on July 1, 2011.

(c) This SECTION expires July 2, 2011.

**2010-78-5**

*(Expired 12-1-2010, by P.L.78-2010, SEC.5.)*

**2010-84-103**

SECTION 103. (a) The definitions in IC 25-8, as amended by this act, apply to this SECTION.

(b) Any license by the:

- (1) state board of barber examiners (IC 25-7-5-1 (before its repeal by this act)); or
- (2) state board of cosmetology examiners (IC 25-8-3-1);

as effective on June 30, 2010, and before July 1, 2010, shall be treated after June 30, 2010, as if the license had been issued by the state board of cosmetology and barber examiners under IC 25-8-3-1, as amended by this act.

(c) On July 1, 2010, all the powers, duties, orders, and liabilities of the:

- (1) state board of barber examiners (IC 25-7-5-1 (before its repeal by this act)); or
- (2) state board of cosmetology examiners (IC 25-8-3-1);

concerning the examination, licensing, and disciplining of a person licensed or an applicant applying for a license under IC 25-7 (before its repeal by this act) or IC 25-8, as amended by this act, are transferred to the state board of cosmetology and barber examiners under IC 25-8-3-1, as amended by this act.

(d) On July 1, 2010, the property and records of the:

- (1) state board of barber examiners (IC 25-7-5-1 (before its repeal by this act)); or
- (2) state board of cosmetology examiners (IC 25-8-3-1);

concerning the examination, licensing, and disciplining of a person licensed or an applicant applying for a license under IC 25-7 (before its repeal by this act) or IC 25-8, as amended by this act, are transferred to the state board of cosmetology and barber examiners under IC 25-8-3-1, as amended by this act.

(e) Any rules adopted by the:

- (1) state board of barber examiners (IC 25-7-5-1 (before its repeal by this act)); or

(2) state board of cosmetology examiners (IC 25-8-3-1); and in effect on June 30, 2010, shall be treated as rules of the state board of cosmetology and barber examiners on July 1, 2010.

(f) Notwithstanding IC 25-8-3-7, the initial terms of office of the members of the board appointed under IC 25-8-3-5 (as amended by this act) are as follows:

(1) One (1) member appointed under IC 25-8-3-5(b)(1), as amended by this act, and one (1) member appointed under IC 25-8-3-5(b)(2), as amended by this act, three (3) years.

(2) One (1) member appointed under IC 25-8-3-5(b)(2), as amended by this act, one (1) member appointed under IC 25-8-3-5(b)(3), as amended by this act, and one (1) member appointed under IC 25-8-3-5(b)(4), as amended by this act, two (2) years.

(3) One (1) member appointed under IC 25-8-3-5(b)(1), as amended by this act, and one (1) member appointed under IC 25-8-3-5(b)(5), as amended by this act, one (1) year.

The governor shall specify the terms of the cosmetologist and barber members described in subdivisions (1), (2), and (3) when making the initial appointments.

(g) The initial terms of the appointed members begin July 1, 2010.

(h) This SECTION expires July 1, 2015.

#### **2010-84-104**

SECTION 104. (a) Any license issued by the controlled substances advisory committee before its abolishment and effective on June 30, 2010, and before July 1, 2010, shall be treated after June 30, 2010, as if the license had been issued by the Indiana board of pharmacy (IC 25-26).

(b) On July 1, 2010, the powers, duties, orders, liabilities, property, and records of the controlled substances advisory committee, before its abolishment, concerning the investigation, licensing, and disciplining of a person licensed or an applicant applying for a license under IC 35-48, as amended by this act, are transferred to the Indiana board of pharmacy (IC 25-26).

(c) This SECTION expires July 1, 2015.

#### **2010-84-105**

*(Expired 12-1-2010, by P.L.84-2010, SEC.105.)*

#### **2010-85-25**

SECTION 25. (a) As used in this SECTION, "application" refers to the application form submitted by the department for Track 2-Corridor Programs of the Federal Railroad Administration's High-Speed Intercity Passenger Rail (HSIPR) Program.

(b) As used in this SECTION, "department" refers to the Indiana department of transportation established under IC 8-23-2-1.

(c) The department may not amend, submit, or resubmit an application for the IN-Chicago Cleveland-HSR Service until the department completes a comprehensive study of a route that provides direct high speed rail passenger service to both South Bend and Fort

Wayne. The department shall complete the study required by this subsection not later than July 1, 2011.

(d) Not later than November 1, 2010, the department shall report to the joint study committee on mass transit and transportation alternatives established under IC 2-5-28-2 on the following:

- (1) The status of the department's study and, if applicable, application.
- (2) The department's participation in planning and promoting high speed rail passenger service in Indiana, including the priority of high speed rail passenger service in the department's long term transportation plan.

(e) This SECTION expires January 1, 2012.

#### **2010-85-26**

SECTION 26. This act applies only to public-private agreements entered into under IC 8-15.5 or IC 8-15.7 after March 14, 2010.

#### **2010-87-42**

SECTION 42. (a) Notwithstanding IC 9-28-5.1-5, as added by this act, the bureau of motor vehicles shall carry out the duties imposed upon the bureau of motor vehicles under IC 9-28-5.1-5, as added by this act, under interim written guidelines approved by the commissioner of the bureau of motor vehicles.

(b) This SECTION expires on the earlier of the following:

- (1) The date rules are adopted under IC 9-28-5.1-5, as added by this act.
- (2) December 31, 2011.

#### **2010-87-43**

SECTION 43. (a) IC 9-18-18-7, as amended by this act, applies to license plates issued or renewed after December 31, 2010.

(b) This SECTION expires June 30, 2015.

#### **2010-91-6**

SECTION 6. (a) Not later than July 1, 2011, the department of education, in cooperation with other appropriate associations, shall develop a uniform job description for school counselors. The job description must allow school corporations flexibility in assigning duties to school counselors based on local needs.

(b) This SECTION expires December 31, 2011.

#### **2010-92-4**

*(Expired 1-1-2011, by P.L.92-2010, SEC.4.)*

#### **2010-93-18**

SECTION 18. (a) Notwithstanding IC 9-18-26-2.5(a)(2), as added by this act, and IC 9-13-2-42(a) and IC 9-18-26-8, both as amended by this act, the secretary of state shall carry out the duties imposed upon the secretary of state under IC 9-18-26-2.5(a)(2), as added by this act, and IC 9-13-2-42(a) and IC 9-18-26-8, both as amended by this act, under interim written guidelines approved by the secretary of state.

- (b) This SECTION expires on the earlier of the following:
- (1) The date rules are adopted under IC 9-18-26-2.5(a)(2), as added by this act, and IC 9-13-2-42(a) and IC 9-18-26-8, both as amended by this act.
  - (2) December 31, 2011.

**2010-93-19**

SECTION 19. (a) Notwithstanding IC 9-28-5.1-5, as added by this act, the bureau of motor vehicles shall carry out the duties imposed upon the bureau of motor vehicles under IC 9-28-5.1-5, as added by this act, under interim written guidelines approved by the commissioner of the bureau of motor vehicles.

- (b) This SECTION expires on the earlier of the following:
- (1) The date rules are adopted under IC 9-28-5.1-5, as added by this act.
  - (2) December 31, 2011.

**2010-94-15**

*(Expired 12-1-2010, by P.L.94-2010, SEC.15.)*

**2010-96-6**

SECTION 6. (a) IC 4-33-12-1, as amended by this act, applies with respect to a person who is admitted to a riverboat in a state fiscal year beginning after June 30, 2010.

- (b) This SECTION expires January 1, 2012.

**2010-97-2**

*(Expired 1-1-2011, by P.L.97-2010, SEC.2.)*

**2010-100-8**

*(Expired 1-1-2011, by P.L.100-2010, SEC.8.)*

**2010-105-17**

*(Expired 12-31-2010, by P.L.105-2010, SEC.17.)*

**2010-106-18**

*(Expired 1-2-2011, by P.L.106-2010, SEC.18.)*

**2010-107-5**

*(Expired 1-1-2011, by P.L.107-2010, SEC.5.)*

**2010-107-6**

*(Expired 1-1-2011, by P.L.107-2010, SEC.6.)*

**2010-107-7**

*(Expired 6-30-2011, by P.L.107-2010, SEC.7.)*

**2010-107-8**

*(Expired 12-31-2010, by P.L.107-2010, SEC.8.)*

**2010-108-11**

*(Expired 7-1-2011, by P.L.108-2010, SEC.11.)*

**2010-109-7**

SECTION 7. The changes, by the amendment of IC 20-43-12-2 by this act, to the amount of state tuition support to which a school corporation is entitled under IC 20-43 in 2010 and 2011 shall be applied before making any reduction in the amount under IC 4-13-2-18, IC 20-43-2-3, and IC 20-43-2-4, or another law.

**2010-109-8**

SECTION 8. (a) Notwithstanding the effective date of IC 20-40-16, as added by this act, a governing body (as defined in IC 20-18-2-5) of a school corporation (as defined in IC 20-18-2-16(a)) may adopt, before July 1, 2010, the resolutions necessary to implement IC 20-40-16, as added by this act. A resolution described in this subsection is effective to the same extent as if it were adopted after June 30, 2010.

(b) This SECTION expires October 1, 2011.

**2010-110-39**

*(Expired 1-1-2011, by P.L.110-2010, SEC.39.)*

**2010-110-40**

*(Expired 6-30-2010, by P.L.110-2010, SEC.40.)*

**2010-113-171**

*(Expired 1-1-2011, by P.L.113-2010, SEC.171.)*

**2010-113-172**

*(Expired 1-1-2011, by P.L.113-2010, SEC.172.)*

**2010-113-173**

*(Expired 1-1-2011, by P.L.113-2010, SEC.173.)*

**2010-113-174**

*(Expired 7-1-2011, by P.L.113-2010, SEC.174.)*

**2010-113-175**

*(Expired 7-1-2011, by P.L.113-2010, SEC.175.)*

**2010-113-176**

*(Expired 1-1-2011, by P.L.113-2010, SEC.176.)*

**2010-113-177**

*(Expired 1-1-2011, by P.L.113-2010, SEC.177.)*

**2010-113-178**

SECTION 178. (a) An entity described in P.L.182-2009(ss), SECTION 479, is ineligible under P.L.182-2009(ss), SECTION 479, to file a property tax exemption application within the time permitted by P.L.182-2009(ss), SECTION 479, unless, in addition to complying with P.L.182-2009(ss), SECTION 479:

(1) the entity that owned, occupied, and predominately used the property for a purpose described in IC 6-1.1-10-16 during the period covered by the exemption application was, during that period, a nonprofit organization that was exempt from federal adjusted gross income taxes under Section 501(c)(3) of the Internal Revenue Code; and

(2) an application for a property tax exemption under IC 6-1.1-10-16 for the property was timely filed and granted for the same or a substantially similar use for one (1) or more preceding years beginning after 1999.

(b) Neither P.L.182-2009(ss), SECTION 479 nor this SECTION permits a property tax exemption for an entity that would not have qualified for the exemption under IC 6-1.1-10-16 had the application been timely filed in conformity with IC 6-1.1-11.

(c) The property tax assessment board of appeals shall deny a property tax exemption application filed within the period specified in P.L.182-2009(ss), SECTION 479 and dismiss any related proceeding initiated under P.L.182-2009(ss), SECTION 479 unless the entity and property also meet the requirements of this SECTION.

(d) This SECTION expires January 1, 2012.

#### **2010-113-179**

*(Expired 1-1-2011, by P.L.113-2010, SEC.179.)*

#### **2010-113-180**

SECTION 180. (a) This SECTION applies to members of the youth advisory council appointed under IC 2-5-29, as amended by this act, after June 30, 2011.

(b) Notwithstanding IC 2-5-29-3, as amended by this act, the initial terms of the members are staggered as follows:

(1) The president pro tempore of the senate and the speaker of the house of representatives shall each designate three (3) members to serve two (2) year terms and two (2) members to serve one (1) year terms.

(2) The minority leader of the senate and the minority leader of the house of representatives shall each designate two (2) members to serve two (2) year terms and three (3) members to serve one (1) year terms.

(3) The governor shall designate one (1) member to serve a two (2) year term and one (1) member to serve a one (1) year term.

(c) A member may be reappointed.

(d) This SECTION expires July 1, 2013.

#### **2010-113-181**

SECTION 181. (a) After June 30, 2010, a reference in any law, rule, contract, or other document or record to the state athletic commission shall be treated as a reference to the gaming commission created by IC 4-33-3-1.

(b) After June 30, 2010, any balance in the athletic commission fund created by IC 25-9-1-1.5 before its repeal by this act is transferred to the athletic fund created by IC 4-33-22-9.

(c) The rules adopted by the state athletic commission before July 1, 2010, and in effect on June 30, 2010, shall be treated after June 30, 2010, as the rules of the Indiana gaming commission.

**2010-113-182**

*(Expired 7-2-2010, by P.L.113-2010, SEC.182.)*

**2010-113-183**

*(Expired 7-2-2010, by P.L.113-2010, SEC.183.)*

**2010-113-184**

*(Expired 1-1-2011, by P.L.113-2010, SEC.184.)*

**2010-113-185**

SECTION 185. (a) If the amendment to Article 10, Section 1 of the Constitution of the State of Indiana agreed to by the One Hundred Fifteenth General Assembly (P.L.147-2008) is agreed to by the One Hundred Sixteenth General Assembly, the amendment shall be submitted to the electors of the state at the 2010 general election in the manner provided for the submission of constitutional amendments under IC 3.

(b) Under Article 16, Section 1 of the Constitution of the State of Indiana, which requires the general assembly to submit constitutional amendments to the electors at the next general election after the general assembly agrees to the amendment referred to it by the last previously elected general assembly, and in accordance with IC 3-10-3, the general assembly prescribes the form in which the public question concerning the ratification of this state constitutional amendment must appear on the 2010 general election ballot as follows:

"PUBLIC QUESTION #1

SHALL PROPERTY TAXES BE LIMITED FOR ALL CLASSES OF PROPERTY by amending the Constitution of the State of Indiana to do the following:

(1) Limit a taxpayer's annual property tax bill to the following percentages of gross assessed value:

- (A) 1% for an owner-occupied primary residence (homestead);
- (B) 2% for residential property, other than an owner-occupied primary residence, including apartments;
- (C) 2% for agricultural land;
- (D) 3% for other real property; and
- (E) 3% for personal property.

The above percentages exclude any property taxes imposed after being approved by the voters in a referendum.

(2) Specify that the General Assembly may grant a property tax exemption in the form of a deduction or credit and exempt a mobile home used as a primary residence to the same extent as real property?"

**2010-113-186**

*(Expired 1-1-2011, by P.L.113-2010, SEC.186.)*

**2010-114-24**

*(Expired 7-2-2010, by P.L.114-2010, SEC.24.)*

**2010-114-25**

*(Expired 8-1-2010, by P.L.114-2010, SEC.25.)*