

2024 Indiana and National Legislation Updates

LWVIN Women's Health Advocates Update on 2024 Legislation

Source: *LWVIN Women's Health Advocates Pam Locker, Joanne Evers, Sabrina Glidden, Betsy Kachmar*

Legislative leaders did not want a lot of drama during this short session. **Out of the 8 Senate bills and the 19 House bills that we had been following, only 3 have made it to the floors of their respective Chambers for a vote.** As members of the Indiana Health Access and Privacy Advocates (HAPA) we sent emails of thanks to the authors of the 5 Senate bills and 11 House bills that we supported.

Bills We Supported That Passed in Their Chambers

HB 1426 Long acting reversible contraceptives was authored by Representative Fleming and co-authored by Ledbetter, M. Bauer, and King. It "requires a hospital that operates a maternity unit to ensure that a woman who is: (1) giving birth in the hospital; and (2) eligible for or receiving Medicaid assistance; has the option, if not medically contraindicated, of having a long-acting reversible subdermal contraceptive implanted after delivery and before the woman is discharged." **It passed on third reading in the House on February 5. The Vote was Yea 94, Nay 4, and 1 Excused.**

SB 10 Community cares initiative grant pilot program was authored by Senators Baldwin, Crider, and Charbonneau and co-authored by 26 more Senators. It "establishes the community cares initiative grant pilot program for the purpose of assisting in the costs of starting or expanding mobile integrated health care programs and mobile crisis teams in Indiana." **It passed on third reading in the Senate on February 6. The Vote was Yea 48, Nay 0, Excused 2.**

BILLS WE OPPOSED THAT PASSED IN THEIR CHAMBERS

SB 128 Human sexuality instruction was authored by Senators Byrne, Raatz, and Garten and co-authored by 7 more Senators. It "provides that, if a school instructs students on human sexuality, the school's governing authority must first approve and publish certain information concerning the instruction in a conspicuous place on the website of the school and requires a school to provide a direct link to that information in a school's written request for consent for instruction on human sexuality." **It passed on third reading in the Senate on February 6. The Vote was Yea 38, Nay 10, Excused 2.**

Upcoming United States Supreme Court Hearings

Mifepristone: The U.S. Supreme Court will hear oral arguments on patient access to mifepristone, the commonly used abortion pill, on March 26. Dozens of 'friend of the court' briefs backing abortion pill access have arrived at the Supreme Court. [HERE](#) is a wealth of up-to-date information on the case.

Idaho Case Regarding Emergency Room Physicians and Abortion: In April the Justices will hear arguments over whether the federal government can require emergency room physicians at hospitals that receive Medicare funding to perform abortions when they are needed to stabilize a patient. The Emergency Medical Treatment and Active Labor Act was passed nearly 40 years ago to ensure that hospitals receiving Medicare funds treat or transfer patients with emergency medical conditions. After the Dobbs decision, the federal government issued new guidance to hospitals saying that the 1986 law requires health-stabilizing treatment for all patients, even if that treatment is an abortion. Read more [HERE](#).

Abortion Statistics

Abortions dropped 100% in Indiana. “On August 21, 2023 Indiana’s total abortion ban formally went into effect; however, due to legal uncertainty, Indiana providers had stopped providing abortions on August 1. Guttmacher’s latest data show that this total ban resulted in an estimated zero abortions provided within the formal health care system in Indiana for the month of August, compared with almost 700 abortions in July. Under this total ban, Indiana residents in need of abortion care are now forced to travel out of state, self-manage their abortion or remain pregnant.” Read this entire article [HERE](#).

There has been a national increase in abortion. “In the first 10 months of 2023, there were an estimated 878,000 abortions in the formal US health care system, 94% as many abortions as were provided in 2020 (930,000) – with 2 months of data yet to be reported....The actual increase in abortions is likely even larger than these numbers suggest because these counts do not include abortions occurring outside the formal health care system, which are likely to have increased substantially following the implementation of state bans and restrictions.” Read an informative article [HERE](#).

Indiana Religious Freedom Restoration Act (RFRA) Lawsuit Against SEA 1 (SS)

On Wednesday, Dec 6, 2023, a three-judge panel of the Indiana Court of Appeals heard the RFRA case. They have yet to issue an opinion.

This case stems from a class action lawsuit filed by the American Civil Liberties Union (ACLU) of Indiana in September 2022 on behalf of Hoosier Jews for Choice, as well as a group of anonymous women who represent a variety of faiths. The lawsuit argued that the new abortion law infringed on their religious beliefs and therefore violates Indiana’s Religious Freedom Restoration Act (RFRA).

A Marion County judge ruled last year the ban likely violates RFRA. Judge Heather Welch’s narrow injunction granted a temporary religious exemption from the state’s abortion ban. The case initially involved only a handful of plaintiffs, and Welch granted the injunction to those plaintiffs before the case was certified as a class-action suit earlier last summer. The state tried to appeal the injunction directly to the Indiana Supreme Court, which denied the direct appeal. Instead, the case is now going through the normal appeals process.

Following the panel’s ruling, the case is likely to be appealed to the state Supreme Court — a lengthy process that could take months before a final decision is made in the lawsuit. (This is a summary of an [Indiana Capital Chronicle](#) article. Read it [HERE](#).)

Doctor Caitlin Bernard

Speaking to an overflow audience Monday evening, January 22, Caitlin Bernard, the Indianapolis OB/GYN who became the center of a national firestorm over abortion in the summer of 2022, was unbowed in her advocacy for reproductive rights and frank about how the country entered a post-Roe era. “We let Roe v. Wade get overturned. That cannot be denied,” Bernard said. “And the reason for that was apathy and an idea that Roe was enough and it was never enough.”

Bernard gave her perspective during a celebration that recognized her work and staunch support of women’s health care and was highlighted by the presentation of the Torchbearer Award from the Our Choice Coalition. The event, held on the 50th anniversary of the Supreme Court issuing its landmark decision of Roe, took place at the Indiana Roof Ballroom in downtown Indianapolis...

Bernard was honored about six months after the state of Indiana blocked her nomination by the Indiana Commission for Women to receive its Torchbearer Award. The Indiana Civil Rights Commission told The Indianapolis Star that Bernard was rejected because of the reprimand she received from the Medical Licensing Board of Indiana in May of 2023.” To read this entire article go [HERE](#).

Elections

The VSCC will continue to monitor these bills still in process.

Please respond to our Take Action requests as bills continue hearings through March 4th for Senate and March 5th for the House.

Bills with Support rating were 6 and 2 crossed over

IN SB0170 - Crimes and election workers. (Crossed Over): Crimes and election workers. Defines "election worker" and makes it a Level 6 felony to: (1) threaten an election worker; or (2) to obstruct, interfere with, or injure an election worker. 2/06/2024: Referred to the House

IN HB1133 - Use of digitally altered media in elections. (Crossed Over): Use of digitally altered media in elections. Defines "fabricated media" as recorded audio, a recorded image, or recorded video of an individual's speech, appearance, or conduct: (1) that has been altered without the individual's consent such.

Bills with a Strong Opposition rating were 3 and 1 crossed over. This is good that 2 bills were not acceptable to the Legislature. We must continue to inform our Legislators that this bill is not going to secure our elections, but can have an inappropriate consequence for a registered voter.

IN HB1264 - Election security. (Crossed Over): Election security. Provides that a political subdivision that conducts or administers an election may not join the membership of, or participate in a program offered by, a person who has directly financed certain elections activities.

Bills with a Neutral rating were 6 and 3 crossed over

IN SB0135 - Redistricting deadline. (Crossed Over): Redistricting deadline. Requires certain redistricting authorities to redistrict or recertify election districts before June 30, 2025, if the election district does not have an office on the ballot during the 2024 general election. 2/06/2024: **First reading: referred to Committee on Elections and Apportionment**

IN HB1376 - School controlled project referendum. (Crossed Over): School controlled project referendum. Provides that a local public question authorizing a school corporation to impose property taxes to pay debt service on bonds or lease rentals on a lease for a specified controlled project may be placed on...2/02/2024: Referred to the Senate. Note HB 1376 is opposed by Education advocates since it would limit school corporations' ability to post a referendum to the General Election.

IN HB1265 - Various elections matters. (Crossed Over): Various elections matters. Modifies the definition of "chute". Defines "scantron" and provides that a scantron complies with certain absentee ballot endorsement requirements if it is endorsed with the initials of certain individuals.

Education

This is a compilation of emails from the last week or so.....

SB1 : IPS considers what programs to continue as federal COVID-19 relief ends (mirrorindy.org)

As you contact legislators concerning SB 1, retaining third graders not passing the Ilearn test, please insist on complete funding. I agree with the premise, literacy is paramount to education. However, they **have not let their "Science of Reading Curriculum" have a chance to be effective**. Senator Raatz, chair of the senate education committee, told me personally that **teachers were more qualified than tests to evaluate student performance, then let them!!** Education legislation is notoriously underfunded. As this will likely pass at least fund it appropriately. i.e., last year's legislation to pay for materials only covered test books and left schools scrambling to pay for musical instruments, lab supplies, etc. Keep up your good work! It does matter! Nan

SB 128 has moved out of senate, on to the house, contact your representative. All curriculum already approved by boards, text books approved by committees which include parents. This is a redundant inflammatory bill. Nan
<https://www.wndu.com/2024/02/01/indiana-bill-seeks-regulate-teacher-lesson-plans-human-sexuality/>

'More time to do our jobs': Indiana lawmakers advance bill to lighten load on school counselors - Indiana Capital Chronicle **The real need is more trained counselors!**

SB 50 Chaplains in Public Schools: (Author: Senator S. Donato). This bill allows a principal or superintendent of a public school, including a charter school, to employ, or approve as a volunteer, a school chaplain if certain credential requirements are met. Provides that a school chaplain may only provide secular support to a student or an employee of the school unless permission is given by: (1) the student receiving services; (2) the employee of the school receiving services; or (3) a parent or guardian of the student receiving services; to provide nonsecular support. Provides that a school chaplain is not required to divulge privileged or confidential communications with a student under certain circumstances. Senator Donato indicated that she would work on a second reading amendment to require compliance with notification to Child Protective Services of child abuse or neglect. In addition, the proposed amendment will clarify that a school board may approve employment of a chaplain upon recommendation from a superintendent or principal. ISBA and the Indiana Urban Schools Association did support this bill because of its "may" provision and the opportunity to have a chaplain as a caring adult work with staff and students within a school building to provide support and encouragement through secular services. This could be voluntary service, or part-time and/or temporary employment as defined by the school corporation to assist, for example, in the aftermath of a crisis situation. The bill passed out of the committee on Wednesday by a 9-4 vote.

What child in crisis is going to say no to a minister? We need trained counselors.

[IPS considers what programs to continue as federal COVID-19 relief ends \(mirrorindy.org\)](https://www.mirrorindy.org/IPS-considers-what-programs-to-continue-as-federal-COVID-19-relief-ends)

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Most Critical Bills Impacting Education

January 25th Summary: Again, it is time to take action and calls are the most effective. Bills are coming out of committee and being heard in their house of origin. So, HB bills call your representative, SB bills call your senator. And again, thank you! (Check LWVIN website for current status: Use Resources >IGA- Bills)

Oppose: Roll Back of Child Labor Regulations

- *HB 1093 Employment of Minors. Passed out of committee before the full House 1/23.*
- *From Capital Chronicle: Supporters noted the bill mirrors existing federal law and a key amendment is largely aimed at Amish children who don't go to school past eighth grade. But opponents stressed the need for child labor laws and keeping children in school. House Bill 1093 repeals provisions restricting how long and when minors between 16 and 18 can work. It also specifies that a prohibition on kids aged 16 to 18 working in a hazardous occupation doesn't apply to youth performing farm labor. An amendment was added with language from House Bill 1062 that a child who is at least 14 and has completed eighth grade can work during traditional work hours with parent approval.*
- *Shawn Christ, Indiana State AFL-CIO: "We believe that children should focus on improving their education and obtaining skills transferrable to the workplace. The removal of the work hour restrictions for children who are 16 to 17 makes them vulnerable to potential abuse of being overworked by unscrupulous employers at the expense of their education." Statehouse File https://www.thestatehousefile.com/politics/house-bill-seeks-to-loosen-rules-about-when-and-how-much-teens-can-work/article_e2628120-b659-11ee-9496-531dd1c84eae.html*

- *According to U.S. News & World Report, “A movement to weaken American child labor protections at the state level began in 2022. By June 2023, Arkansas, Iowa, New Jersey and New Hampshire had enacted this kind of legislation, and lawmakers in at least another eight states had introduced similar measures.”*

Oppose: Bills that Advance the Choice Scholarship Program (Vouchers) or Educational Savings Accounts (ESA)

SB 255 Education accounts (ESA). Discussed in the Appropriations. The Sen. Mishler, the chair acknowledged this bill will be brought back in 2025. <https://indianacapitalchronicle.com/2024/01/19/indiana-senator-eyes-2025-for-school-choice-overhaul/>

SB 143 Education matters. Expands access the educational saving accounts program to all students. Currently only available to disabled students.

Article from Indiana Coalition of Public Education explaining SB 225 & SB 143

<https://indianacoalitionforpubliced.org/2024/01/15/vics-statehouse-notes-377-not-a-good-start/>

➤ **Problems with SB 255 and SB 143**

1)Tutors and providers on the list approved by the Indiana Treasurer do not have to have criminal background checks, unlike all teachers and even volunteers in public schools. 2) Extremist homeschool parents could teach hate, discrimination and autocracy on the taxpayer’s dime. No one would know. 3) This would be the end of high standards for education in Indiana. Taking the ILEARN test is the only requirement, but there are no consequences to the home school or to the student for a low score. The two-decade push for higher standards in Indiana schools would be over. 4) There is no supervision and no accountability for the parents running the home school using your tax dollars. They have to select providers from a list approved by the Indiana Treasurer, but the rest of the unaccredited home school has no oversight by anyone. 5) This radical change will jolt the Indiana education system so much that highly sought young teachers will choose to go to other states, adding to our teacher shortage. 6)The non-partisan Legislative Services Agency estimates state expenditures would go up by \$46.5 million. *(The above information is from Indiana Coalition of Public Education. LWVIN is a member.)*

HB 1408 Indiana education scholarship account program. Puts voucher money into educational accounts.

Oppose: Bills that Undermine Fundamental Rights

Senate Bill 46 Parental rights. Assigned to Judiciary Committee. Specifies that parent does not have a right to access certain medical care on behalf of their child, and the child does not have a right to access such care. This bill allows the state to circumvent certain parent rights if the state does not agree. The goal is to restrict the rights of the parents of trans children so they have no standing to advocate for their child’s needs.

SB 32 Tax and Fiscal Policy Committee. Prohibits public libraries from providing services that are not a core public function of the library, unless the specific function or service is included as a line-item request in the public library’s budget.

HB 1221 Material that is obscene or harmful to minors. Expands “Don’t Say Gay” restrictions that were passed in 2023 to grade 12.

SB 191 Transparency and freedom of expression. This is a “divisive concepts” bill. The goal is to restrict/suppress some content, topics, and speech and label it as divisive. It is an infringement of free speech and targets equity and inclusion. Bill prohibits any employee of a school or university from offering training on diversity. Considers creating equitable educational opportunities such as reduced fees to be favoritism. Requires all course syllabi to be publicly posted.

SB 202 State educational institution matters. Seeks to impose new rules on diversity and free expression on college campuses. Aims to eliminate or suppress equity, inclusion, diversity, and restrain any accountability of educational institutions to require diversity.

Oppose: Bills that Override Local Control

SB 270 Various education matters. Requires any school that passes a school referendum for raising funds to share those funds with charter schools. Stricter language would mean that more public schools would be forced to sell buildings to charter schools for \$1.00.

SB 211 Various education matters. Ends collective bargaining.

House Bill 1376 Election day for school referenda. Restricts school referendum tax levy and school safety referendum tax levy to be placed on the ballot only during a general election.