



PREVAILED	Roll Call No. _____
FAILED	Ayes _____
WITHDRAWN	Noes _____
RULED OUT OF ORDER	

# HOUSE MOTION \_\_\_\_\_

MR. SPEAKER:

I move that Engrossed Senate Bill 170 be amended to read as follows:

- 1 Delete the title and insert the following:
- 2 A BILL FOR AN ACT to amend the Indiana Code concerning state
- 3 and local administration and to make an appropriation.
- 4 Page 3, between lines 22 and 23, begin a new paragraph and insert:
- 5 "SECTION 3. IC 8-15.7-14-5, AS AMENDED BY P.L.85-2010,
- 6 SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 7 JULY 1, 2024]: Sec. 5. (a) Subject to ~~subsection~~ **subsections (b) and**
- 8 **(c)**, the department may exercise any of its powers under IC 8-15-3 as
- 9 necessary or desirable for the performance of its duties and the
- 10 execution of its powers under this article. In connection with or in
- 11 anticipation of the exercise by the authority of any powers granted to
- 12 the authority by this article, the department may authorize the authority
- 13 to exercise all or part of the powers of the department under this article
- 14 as necessary or desirable to accomplish the purposes of this article.
- 15 (b) For purposes of subsection (a):
- 16 (1) the department's or the authority's use of the power of eminent
- 17 domain to acquire property or interests in property for a project
- 18 under this article; and
- 19 (2) the rights of property owners who are affected by the
- 20 authority's use of the power of eminent domain for a project under
- 21 this article;

1 are governed by IC 8-15-3, IC 8-23-7, IC 32-24, and any other  
2 applicable provision of the Indiana Code as in effect on January 1,  
3 2010, and are not affected by amendments to those statutes enacted  
4 after December 31, 2009, **and before July 1, 2024.**

5 **(c) The department may not exercise the power of eminent**  
6 **domain to acquire property or interests in property for a project**  
7 **under this article after June 30, 2024.**

8 SECTION 4. IC 8-21-9-16 IS AMENDED TO READ AS  
9 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 16. **After June 30,**  
10 **2024,** the department may **not** acquire by appropriation, under the  
11 provisions of the eminent domain law of the state, any land, including  
12 lands under water and riparian rights, property, rights, rights-of-way,  
13 franchises, easements or other property necessary or proper for the  
14 construction or the efficient operation of any airport or airport facility.  
15 The department is empowered to exercise such powers of eminent  
16 domain as may be conferred upon the authority by an Act of Congress  
17 of the United States now in force, or which may hereafter be enacted.  
18 Title to the property condemned shall be taken in the name of the state  
19 of Indiana. Nothing herein shall authorize the department to acquire by  
20 appropriation property or facilities belonging to any public utility or to  
21 a common carrier engaged in interstate commerce, which property or  
22 facilities are required for the proper and convenient operation of such  
23 public utility or common carrier, unless provision is made for the  
24 restoration, relocation or duplication of such property or facilities  
25 elsewhere at the sole cost of the authority excepting, however, cases in  
26 which such equipment or facilities are located within the limits of  
27 existing highways or public thoroughfares.

28 SECTION 5. IC 8-23-5-9, AS ADDED BY P.L.99-2008, SECTION  
29 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1,  
30 2024]: Sec. 9. (a) The department may establish the approximate  
31 locations, using the recommended widths established by the  
32 department in the department's approved design manual for equivalent  
33 classification of roads, of rights-of-way for additions to the state  
34 highway system.

35 (b) If the department establishes the approximate locations and  
36 widths of rights-of-way for an addition to the state highway system  
37 under subsection (a), the department shall conduct a public hearing in  
38 at least one (1) county in which a right-of-way for the addition is  
39 located. The department shall publish notice of a hearing conducted  
40 under this subsection in two (2) newspapers of general circulation in  
41 the county in which the hearing will be conducted at least ten (10) days  
42 before the hearing. If only one (1) newspaper is published in the  
43 county, publication in that newspaper is sufficient. Notice of the  
44 hearing shall be given by mail to all owners of real property identified  
45 within the rights-of-way shown on the map prepared under subsection  
46 (c).

1 (c) If the department establishes the approximate locations and  
2 widths of rights-of-way for an addition to the state highway system  
3 under subsection (a), the department shall prepare a map showing the  
4 approximate location and width of each right-of-way for the proposed  
5 addition. The map must display the following:

- 6 (1) Existing highways in the area of the addition.
- 7 (2) Property lines and owners of record of property to be acquired  
8 for the rights-of-way.
- 9 (3) Other information determined necessary by the department.

10 The department shall approve the map, with changes (if applicable), at  
11 the public hearing conducted under subsection (b). The department  
12 shall record the approval and a copy of the approved map in the office  
13 of the recorder of each county in which land to be acquired for the  
14 addition is located.

15 (d) The department shall:

- 16 (1) publish notice of a recording under subsection (c) in two (2)  
17 newspapers of general circulation in each county in which an  
18 approval is recorded; however, if only one (1) newspaper is  
19 published in the county, publication in that newspaper is  
20 sufficient; and
- 21 (2) not more than sixty (60) days after an approval is recorded,  
22 send notice of the recording by certified mail to all owners of  
23 record of real property to be acquired for rights-of-way for the  
24 addition.

25 (e) The owner of property to be acquired for a right-of-way must  
26 give at least sixty (60) days notice by registered mail to the department  
27 before developing or otherwise improving the property. However, the  
28 owner may perform normal or emergency repairs to existing structures  
29 on the property without giving notice to the department.

30 (f) Not more than forty-five (45) days after receiving a notice under  
31 subsection (e), the department shall respond by providing notice to the  
32 property owner of the department's intent to acquire the property. The  
33 department shall

- 34 ~~(1) purchase or~~
  - 35 ~~(2) exercise the right of eminent domain to acquire;~~
- 36 the property not more than one hundred eighty (180) days after  
37 responding under this subsection. ~~If the department does not purchase~~  
38 ~~the property or acquire the property by eminent domain within one~~  
39 ~~hundred eighty (180) days after responding under this subsection, the~~  
40 ~~department may subsequently acquire the property through the exercise~~  
41 ~~of the right of eminent domain under IC 32-24.~~

42 (g) An owner of property to be acquired for a right-of-way may not  
43 receive damages for any development or improvement for which the  
44 owner is required to give notice to the department under subsection (e)  
45 unless the department fails to purchase ~~or exercise the right of eminent~~  
46 ~~domain to acquire~~ the property under subsection (f).

1 (h) The state or a county or municipality in which an addition to the  
2 state highway system is located may acquire a right-of-way needed for  
3 the addition at any time. For purposes of this subsection, the fair  
4 market value of the property shall be determined as follows:

5 (1) If the property is purchased, the fair market value on the date  
6 of purchase.

7 (2) If the property is acquired by **a county or municipality**  
8 **through** eminent domain, the fair market value on the date on  
9 which the complaint in condemnation was filed.

10 However, if the property is agricultural land, the fair market value shall  
11 be determined under IC 32-24-1.

12 (i) The department shall adopt guidelines to determine whether a  
13 project constitutes an addition to the state highway system for purposes  
14 of this section. In adopting guidelines under this subsection, the  
15 department shall consider the following:

16 (1) The need for additional capacity.

17 (2) The estimated cost of the project.

18 (3) Whether the project is new construction or maintenance.

19 (j) As used in this section, "owner" does not include a utility.

20 (k) At the same time and in the same manner as the notice is sent  
21 under subsection (d)(2), the department shall notify the owner of  
22 property to be acquired for a right-of-way of the following:

23 (1) With respect to damage that occurs to the property as a result  
24 of entry onto the land for a purpose set forth in IC 8-23-7-26:

25 (A) a description of the owner's right to compensation for the  
26 damage from the department; and

27 (B) the procedure that the owner must follow to obtain the  
28 compensation.

29 (2) The name, mailing address, and telephone number of an  
30 individual or office within the department to which the owner  
31 may direct questions concerning the rights and procedures  
32 described in subdivision (1).

33 SECTION 6. IC 8-23-7-30 IS AMENDED TO READ AS  
34 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 30. The authority given  
35 the department under this chapter to acquire lands by purchase ~~or by~~  
36 ~~the exercise of the right of eminent domain~~ may not be construed to  
37 prohibit a municipality from:

38 (1) acquiring at its own expense, either by grant, purchase, or  
39 condemnation, the necessary right-of-way required by the  
40 department for the maintenance, construction, or improvement of  
41 a street of the municipality as a part of a highway under the  
42 control of the department; or

43 (2) entering into an agreement to pay all or any part of the costs  
44 of the necessary right-of-way.

45 SECTION 7. IC 8-23-17-25 IS AMENDED TO READ AS  
46 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 25. All agencies shall,

1 to the greatest extent practicable, be guided by the following policies:

2 (1) The agency shall make every reasonable effort to acquire  
3 expeditiously real property by negotiation. **After June 30, 2024,**  
4 **the department may not acquire real property by the exercise**  
5 **of the power of eminent domain. Nothing in this section or**  
6 **section 26, 27, 29, or 34 of this chapter may be construed to**  
7 **authorize the department to exercise the power of eminent**  
8 **domain after June 30, 2024.**

9 (2) Real property shall be appraised before the initiation of  
10 negotiations, and the owner or a designated representative shall  
11 be given an opportunity to accompany the appraiser during the  
12 inspection of the property.

13 (3) Before the initiation of negotiations for real property, the  
14 agency concerned shall establish an amount that it believes to be  
15 just compensation and shall make a prompt offer to acquire the  
16 property for the full amount established. The amount may not be  
17 less than the agency's approved appraisal of the fair market value  
18 of the property. A decrease or increase in the fair market value of  
19 real property before the date of valuation caused by the public  
20 improvement for which the property is acquired, or by the  
21 likelihood that the property would be acquired for the  
22 improvement, other than that due to physical deterioration within  
23 the reasonable control of the owner, will be disregarded in  
24 determining the compensation for the property. The agency  
25 concerned shall provide the owner of real property to be acquired  
26 with a written statement of, and summary of the basis for, the  
27 amount it established as just compensation. Where appropriate  
28 the just compensation for the real property acquired and for  
29 damages to remaining real property shall be separately stated.

30 (4) An owner is not required to surrender possession of real  
31 property before the agency concerned pays the agreed purchase  
32 price, or deposits with the court in eminent domain proceedings  
33 for the benefit of the owner, the amount of the award of the  
34 appraisers in the eminent domain proceeding for the property.

35 (5) The construction or development of a public improvement  
36 shall be so scheduled that, to the greatest extent practicable, a  
37 person lawfully occupying real property is not required to move  
38 from a dwelling (assuming an adequate replacement dwelling will  
39 be available) or to move a business or farm operation without at  
40 least ninety (90) days written notice from the agency concerned  
41 of the date by which the move is required.

42 (6) If the agency permits an owner or tenant to occupy the real  
43 property acquired on a rental basis for a short term or for a period  
44 subject to termination by the agency on short notice, the amount  
45 of rent required may not exceed the fair rental value of the  
46 property to a short-term occupier.

- 1 (7) The agency may not advance the time of condemnation, or  
 2 defer negotiations or condemnation and the deposit of funds in  
 3 court for the use of the owner, or take any other action coercive in  
 4 nature, to compel an agreement on the price to be paid for the  
 5 property.  
 6 (8) If any interest in real property is to be acquired by exercise of  
 7 the power of eminent domain, the agency concerned shall institute  
 8 formal condemnation proceedings. An agency may not  
 9 intentionally make it necessary for an owner to institute legal  
 10 proceedings to prove the fact of the taking of the owner's real  
 11 property.  
 12 (9) If the acquisition of only part of a property would leave its  
 13 owner with an uneconomic remnant, the agency concerned shall  
 14 offer to acquire the entire property.

15 SECTION 8. IC 8-23-18-2 IS AMENDED TO READ AS  
 16 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 2. **(a) This subsection**  
 17 **applies to negotiations beginning before July 1, 2024.** Whenever the  
 18 department is unable to agree with an owner of real property or a right  
 19 described in section 1 of this chapter upon the damages sustained by  
 20 the owner or upon the purchase price of the real property in fee or the  
 21 right, interest, or easement sought to be acquired, the department may  
 22 proceed in the name of the state in the exercise of the right of eminent  
 23 domain to condemn and acquire the real property or right.

24 **(b) This subsection applies to negotiations beginning after June**  
 25 **30, 2024. The department may not proceed in the name of the state**  
 26 **in the exercise of the right of eminent domain to condemn and**  
 27 **acquire real property or a right described in section 1 of this**  
 28 **chapter if the department is unable to agree with the owner of the**  
 29 **real property or the right upon:**

- 30 **(1) the damages sustained by the owner; or**  
 31 **(2) the purchase price of the real property in fee or the right,**  
 32 **interest, or easement sought to be acquired.**

33 SECTION 9. IC 8-23-18-5 IS AMENDED TO READ AS  
 34 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 5. If a right of  
 35 redemption exists in the owner of ~~a~~ **an** interest in real property  
 36 described in section 4 of this chapter that is asserted in the time and  
 37 manner allowed and permitted by law, it shall be treated as any other  
 38 private interest in real property acquired for public use by the  
 39 department. However, if the county or municipality has placed any  
 40 improvements upon the real property after acquiring the real property,  
 41 the department shall pay the reasonable value of the improvements. ~~If~~  
 42 ~~the reasonable value of the improvements cannot be determined by~~  
 43 ~~agreement, the department may proceed in the name of the state in the~~  
 44 ~~exercise of the right of eminent domain to condemn and acquire the~~  
 45 ~~real property:~~

46 SECTION 10. IC 8-23-20-25.6, AS AMENDED BY P.L.201-2023,

1 SECTION 115, IS AMENDED TO READ AS FOLLOWS  
 2 [EFFECTIVE JULY 1, 2024]: Sec. 25.6. (a) As used in this section,  
 3 "market area" means a point within the same county as the prior  
 4 location of an outdoor advertising sign.

5 (b) This section applies only to an outdoor advertising sign located  
 6 along the interstate and primary system, as defined in 23 U.S.C. 131(t)  
 7 on June 1, 1991, or any other highway where control of outdoor  
 8 advertising signs is required under 23 U.S.C. 131.

9 (c) If an outdoor advertising sign is no longer visible or becomes  
 10 obstructed, or must be moved or removed, due to a noise abatement or  
 11 safety measure, grade changes, construction, directional sign, highway  
 12 widening, or aesthetic improvement made by any agency of the state  
 13 along the interstate and primary system or any other highway, the  
 14 owner or operator of the outdoor advertising sign, to the extent allowed  
 15 by federal or state law, may:

16 (1) elevate a conforming outdoor advertising sign; or

17 (2) relocate a conforming or nonconforming outdoor advertising  
 18 sign to a point within the market area, if the new location of the  
 19 outdoor advertising sign complies with the applicable spacing  
 20 requirements and is located in land zoned for commercial or  
 21 industrial purposes or unzoned areas used for commercial or  
 22 industrial purposes.

23 (d) Except as provided in subsection (j), if within one (1) year of an  
 24 action being filed under IC 32-24, an owner can demonstrate that the  
 25 owner has made good faith efforts to relocate a conforming or  
 26 nonconforming outdoor advertising sign to a conforming location  
 27 within the market area, but the owner has not obtained a new  
 28 conforming location, the outdoor advertising sign will be treated as if  
 29 it cannot be relocated within the market area. Notwithstanding  
 30 subsection (e) and IC 8-23-20.5, if an outdoor advertising sign cannot  
 31 be elevated or relocated to a conforming location and elevation within  
 32 the market area, the removal or relocation of the outdoor advertising  
 33 sign constitutes a taking of a property interest and the owner must be  
 34 compensated under section 27 of this chapter.

35 (e) The county or municipality, under IC 36-7-4, may, if necessary,  
 36 provide for the elevation or relocation by ordinance for a special  
 37 exception to the zoning ordinance of the county or municipality.

38 (f) The elevated outdoor advertising sign or outdoor advertising sign  
 39 to be relocated, to the extent allowed by federal or state law, may be  
 40 modified:

41 (1) to elevate the sign to make the entire advertising content of the  
 42 sign visible;

43 (2) to an angle to make the entire advertising content of the sign  
 44 visible; and

45 (3) in size or material type, at the expense of:

46 (A) the owner, if the modification in size or material type of

- 1 the outdoor advertising sign is by choice of the owner; or  
 2 (B) the department, if the modification in size or material type  
 3 of the outdoor advertising sign is required for the outdoor  
 4 advertising sign to comply with IC 22-13.
- 5 (g) This section does not exempt an owner or operator of a sign from  
 6 submitting to the department any application or fee required by law.
- 7 (h) **After June 30, 2024, the department may not file an eminent**  
 8 **domain action to acquire an outdoor advertising sign under**  
 9 **IC 32-24.** At least twelve (12) months before the filing of an eminent  
 10 domain action **permitted under this subsection** to acquire an outdoor  
 11 advertising sign under IC 32-24, the department must provide written  
 12 notice to the representative of the sign owner identified on the outdoor  
 13 advertising sign permit that is on file with the Indiana department of  
 14 transportation that a project has been planned that may impact the  
 15 outdoor advertising sign.
- 16 (i) If the agency fails to provide notice required by subsection (h)  
 17 within twelve (12) months of an action being filed against an owner  
 18 under IC 32-24, the owner may receive reasonable compensation for  
 19 losses associated with the failure to receive timely notice. However,  
 20 failure to send notice required by subsection (h) is not a basis of an  
 21 objection to a proceeding under IC 32-24-1-8.
- 22 (j) Notwithstanding subsection (d), if an action that has been filed  
 23 under IC 32-24 is pending as of July 1, 2023, and:  
 24 (1) the parties have not entered into a final settlement agreement;  
 25 or  
 26 (2) no final judgment has been entered by the trier of fact;  
 27 the owner may relocate the outdoor advertising sign under this section  
 28 and IC 8-23-20.5.
- 29 SECTION 11. IC 8-23-20-27, AS ADDED BY P.L.97-2022,  
 30 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 31 JULY 1, 2024]: Sec. 27. (a) This section applies to a taking of an  
 32 outdoor advertising sign through:  
 33 (1) the power of eminent domain under IC 32-24; or  
 34 (2) a change that prohibits a conforming outdoor advertising sign  
 35 from being elevated or relocated under section 25.6 of this  
 36 chapter.
- 37 **However, the department may not acquire an outdoor advertising**  
 38 **sign through the power of eminent domain after June 30, 2024.**
- 39 (b) As used in this section, "condemnor" means:  
 40 (1) any person authorized by Indiana law to exercise the power of  
 41 eminent domain; and  
 42 (2) an agency of the state that must provide compensation to the  
 43 owner of a conforming outdoor advertising sign under section  
 44 25.6 of this chapter.
- 45 (c) As used in this section, "outdoor advertising sign" means a sign  
 46 that is located along the interstate and primary system, as defined in 23



1 U.S.C. 131(t) on June 1, 1991, or any other highway where control of  
2 outdoor advertising signs is required under 23 U.S.C. 131.

3 (d) A condemnor that acquires an outdoor advertising sign and its  
4 associated rights under this section shall pay full and just compensation  
5 to the owner of the outdoor advertising sign in an amount equal to the  
6 fair market value of the interests associated with the outdoor  
7 advertising sign, including, but not limited to, leasehold interests and  
8 access rights.

9 (e) An appraiser shall calculate the fair market value by considering  
10 all valuation approaches based upon the standards governing  
11 recognized valuation approaches to fair market value.

12 SECTION 12. IC 14-13-1-43 IS ADDED TO THE INDIANA  
13 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
14 [EFFECTIVE UPON PASSAGE]: **Sec. 43. The commission shall**  
15 **name the maintenance facility for White River State Park in honor**  
16 **of State Representative Randy Lyness.**

17 SECTION 13. IC 16-18-2-143, AS AMENDED BY P.L.1-2010,  
18 SECTION 69, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
19 UPON PASSAGE]: Sec. 143. (a) "Fund", for purposes of IC 16-26-2,  
20 has the meaning set forth in IC 16-26-2-2.

21 (b) "Fund", for purposes of IC 16-31-8.5, has the meaning set forth  
22 in IC 16-31-8.5-2.

23 (c) "Fund", for purposes of IC 16-41-39.4, refers to the childhood  
24 lead poisoning prevention fund established by IC 16-41-39.4-3.1.

25 (d) "Fund", for purposes of IC 16-41-39.8, refers to the lead trust  
26 fund established by IC 16-41-39.8-7.

27 (e) "Fund", for purposes of IC 16-46-5, has the meaning set forth in  
28 IC 16-46-5-3.

29 (f) "Fund", for purposes of IC 16-46-12, has the meaning set forth  
30 in IC 16-46-12-1.

31 (g) "Fund", for purposes of IC 16-41-42.2, has the meaning set forth  
32 in IC 16-41-42.2-2.

33 (h) "Fund", for purposes of IC 16-35-8, has the meaning set forth in  
34 IC 16-35-8-2.

35 **(i) "Fund", for purposes of IC 16-46-17.5, has the meaning set**  
36 **forth in IC 16-46-17.5-1.**

37 SECTION 14. IC 16-18-2-296.4 IS ADDED TO THE INDIANA  
38 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
39 [EFFECTIVE UPON PASSAGE]: **Sec. 296.4. "Psilocybin", for**  
40 **purposes of IC 16-46-17.5, has the meaning set forth in**  
41 **IC 16-46-17.5-2.**

42 SECTION 15. IC 16-46-17.5 IS ADDED TO THE INDIANA  
43 CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS  
44 [EFFECTIVE UPON PASSAGE]:

45 **Chapter 17.5. Therapeutic Psilocybin Research**

46 **Sec. 1. As used in this chapter, "fund" refers to the therapeutic**

1       psilocybin research fund established by section 3 of this chapter.  
2       **Sec. 2. (a)** As used in this chapter, "psilocybin" means a  
3 naturally occurring psychedelic prodrug compound that is  
4 produced by fungi, including members of the genus psilocybe.  
5       **(b)** The term includes psilocin.  
6       **Sec. 2.5.** As used in this chapter, "research institution" refers to  
7 an organization that meets all of the following:  
8       **(1)** Has an academic institution that operates an institutional  
9 review board (IRB) that oversees research.  
10       **(2)** Publishes the results of previous clinical trials in peer  
11 reviewed publications.  
12       **(3)** Has access to a clinical research center and the center's  
13 resources, including research dedicated medical staff.  
14       **Sec. 3.** The therapeutic psilocybin research fund is established  
15 for the purpose of providing financial assistance to research  
16 institutions in Indiana to study, in accordance with the  
17 requirements established in section 6 of this chapter, the use of  
18 psilocybin to treat mental health and other medical conditions.  
19       **Sec. 4. (a)** The fund shall be administered by the state  
20 department.  
21       **(b)** The expenses of administering the fund shall be paid from  
22 money in the fund.  
23       **Sec. 5. (a)** The fund consists of:  
24       **(1)** money received from state or federal grants or programs;  
25 and  
26       **(2)** gifts, money, and donations received from any other  
27 source, including transfers from other funds or accounts.  
28       **(b)** The treasurer of state shall invest the money in the fund not  
29 currently needed to meet the obligations of the fund in the same  
30 manner as other public money may be invested. Interest that  
31 accrues from these investments shall be deposited in the fund.  
32       **(c)** Money in the fund at the end of a state fiscal year does not  
33 revert to the state general fund.  
34       **(d)** Money in the fund is continuously appropriated for purposes  
35 of this chapter.  
36       **Sec. 6. (a)** A research institution in Indiana may apply to the  
37 state department to receive financial assistance from the fund to  
38 conduct one **(1)** or more clinical studies to evaluate the efficacy of  
39 psilocybin as an alternative treatment for mental health and other  
40 medical conditions, including the following:  
41       **(1)** Posttraumatic stress disorder, with a focus on treating the  
42 disorder in combat veterans and first responders.  
43       **(2)** Anxiety.  
44       **(3)** Depression.  
45       **(4)** Bipolar disorder.  
46       **(5)** Chronic pain.  
47       **(6)** Migraines.

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- (7) Alcohol use disorder.
- (8) Tobacco use disorder.
- (b) In conducting a clinical study under this section, a research institution that receives a grant under this chapter shall do the following:**
  - (1) Include veterans and first responders in the study sample.
  - (2) Evaluate and determine whether psilocybin is an effective treatment for mental health and other medical conditions described in subsection (a).
  - (3) Compare the efficacy of psilocybin as a treatment for mental health and other medical conditions described in subsection (a) with the efficacy of other current treatment options for mental health and other medical conditions described in subsection (a).
  - (4) Before entering the study, require each participant to undergo a mental health evaluation.

**Sec. 7. After a research institution that receives a grant under this chapter completes and finalizes a study under this chapter, a research institution shall prepare and submit a report summarizing the results of the study and any recommendations for legislation to the following:**

- (1) The interim study committee on public health, behavioral health, and human services established by IC 2-5-1.3-4 in an electronic format under IC 5-14-6.
- (2) The state department.
- (3) The division of mental health and addiction.

**Sec. 8. Not later than July 1, 2024, the state department shall establish a process to administer the fund and process applications under this chapter.**

**SECTION 16. IC 26-3-8-0.5 IS REPEALED [EFFECTIVE JULY 1, 2024]. Sec. 0.5: As used in this chapter, "electronic mail" means the transmission, by use of a computer or through other electronic means, of information or a communication that is sent to a person identified by a unique address.**

**SECTION 17. IC 26-3-8-3, AS AMENDED BY P.L.144-2014, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 3. As used in this chapter, "last known address" means the postal address or electronic mail address provided to the owner by the renter:**

- (1) for the purposes of the latest rental agreement; or
- (2) in a written notice of a change of postal address or electronic mail address after the latest rental agreement.

**SECTION 18. IC 26-3-8-7, AS AMENDED BY P.L.93-2023, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 7. As used in this chapter, "personal property" means movable property not affixed to land. The term includes goods,**

1 wares, merchandise, household items, ~~motor vehicles, and~~ trailers. ~~and~~  
2 ~~watercraft.~~

3 SECTION 19. IC 26-3-8-12, AS AMENDED BY P.L.93-2023,  
4 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
5 JULY 1, 2024]: Sec. 12. (a) After a renter has been in default  
6 continuously for at least five (5) days, an owner may begin enforcement  
7 of the owner's lien under this chapter.

8 (b) An owner enforcing the owner's lien under this chapter may:  
9 (1) deny the renter access to the self-service storage facility,  
10 including access to the rented space; and  
11 (2) move the renter's personal property from the rented space to  
12 another storage space pending the redemption, sale, or other  
13 disposition of the personal property under this chapter.

14 (c) An owner enforcing the owner's lien shall send the renter, by  
15 ~~electronic mail or~~ verified mail and addressed to the last known address  
16 of the renter, a written notice that includes:

- 17 (1) an itemized statement of the owner's claim showing the  
18 amount due at the time of the notice and the date when the  
19 amount became due;
- 20 (2) a demand for payment of the amount due before a specified  
21 time at least thirty (30) days after the date of the mailing of the  
22 notice;
- 23 (3) a statement that the contents of the renter's rented space are  
24 subject to the owner's lien;
- 25 (4) a statement advising the renter that the owner has denied the  
26 renter access to the rented space, if the owner has done this under  
27 subsection (b);
- 28 (5) a statement advising the renter that the owner has removed the  
29 renter's personal property from the rented space to another  
30 suitable storage space, if the owner has done this under subsection  
31 (b);
- 32 (6) the name, street address, and telephone number of the owner  
33 or of any other person the renter may contact to respond to the  
34 notice; and
- 35 (7) a conspicuous statement that unless the owner's claim is paid  
36 within the time stated under subdivision (2), the personal property  
37 ~~(A)~~ will
  - 38 ~~(i)~~ be advertised to be sold in a manner permitted under  
39 section 15 of this chapter ~~or~~
  - 40 ~~(ii)~~ be otherwise disposed of;
  - 41 at a specified place (if applicable) and time, which must be at  
42 least sixty (60) days after the renter's default. ~~or~~
  - 43 ~~(B)~~ will be disposed of in the manner described in subsection  
44 ~~(d)~~; if:
    - 45 ~~(i)~~ the renter's personal property stored in the rented space  
46 is a motor vehicle; trailer; or watercraft; and

1 (ii) the owner chooses to dispose of the renter's motor  
 2 vehicle, trailer, or watercraft in the manner permitted under  
 3 subsection (d):

4 (d) If:

5 (1) the renter's personal property stored in the rented space is a  
 6 motor vehicle, trailer, or watercraft; and

7 (2) the renter does not pay the owner's claim within the time  
 8 specified in subsection (c)(2);

9 as an alternative to conducting a sale under section 15 of this chapter;  
 10 the owner may cause the renter's motor vehicle, trailer, or watercraft to  
 11 be towed or removed from the self-service storage facility.

12 (e) (d) Any sale or other disposition of the personal property  
 13 undertaken by the owner to enforce the owner's lien must be conducted  
 14 in the same manner, and at the same place (if applicable) and time,  
 15 specified by the owner in the notice given under subsection (c)(7).

16 SECTION 20. IC 26-3-8-14, AS AMENDED BY P.L.144-2014,  
 17 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 18 JULY 1, 2024]: Sec. 14. (a) After the expiration of the time stated in  
 19 the owner's notice under section 12(c)(2) of this chapter, if the personal  
 20 property has not been otherwise disposed of in a manner described in  
 21 section ~~12(c)(7)(A)(ii) or 12(c)(7)(B)~~ **12(c)(7)** of this chapter, an owner  
 22 enforcing the owner's lien shall prepare for a sale of the personal  
 23 property under this section.

24 (b) ~~Except as otherwise permitted under subsection (c);~~ The owner  
 25 shall cause an advertisement of sale to be published one (1) time before  
 26 the date of the sale in a newspaper of general circulation in the county  
 27 in which the self-service storage facility is located. The advertisement  
 28 must include:

29 (1) a statement that the personal property stored in the renter's  
 30 rented space will be sold to satisfy the owner's lien;

31 (2) the address of the self-service storage facility, the number or  
 32 other designation (if any) of the space where the personal property  
 33 is located, and the name of the renter; **and**

34 (3) the **time, place, and** manner of the sale. **and**

35 (4) the ~~time and place of the sale;~~ as applicable.

36 (c) ~~As an alternative to the publication described in subsection (b);~~  
 37 the owner may advertise the sale in any other commercially reasonable  
 38 manner that is likely to attract at least three (3) independent bidders to  
 39 the sale. An advertisement by an alternative method permitted under  
 40 this section must include the information required under subsection  
 41 (b)(1) through (b)(4):

42 (d) (c) The sale must be held at least ten (10) days after

43 (1) the publication under subsection (b). ~~or~~

44 (2) the first publication, transmission, or communication of an  
 45 advertisement under subsection (c);

46 as applicable. If, after the publication ~~transmission;~~ or other

1 ~~communication~~ of notice under this section, the sale of the personal  
2 property is not consummated, the owner shall notify the renter in  
3 writing at the renter's last known address of the other disposition the  
4 owner intends for the property.

5 SECTION 21. IC 26-3-8-15, AS AMENDED BY P.L.141-2021,  
6 SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
7 JULY 1, 2024]: Sec. 15. (a) Any sale of the personal property under  
8 this chapter shall be held

9 ~~(1)~~ at the self-service storage facility or, if that facility is not a  
10 suitable place for a sale, at the suitable place nearest to where the  
11 property is held or stored. ~~or~~

12 ~~(2) through a publicly accessible Internet web site.~~

13 (b) The owner may buy the personal property at any sale under this  
14 chapter.

15 (c) An owner may satisfy the owner's lien from the proceeds of a  
16 sale under this chapter. If the proceeds of a sale under this chapter  
17 exceed the amount of the owner's lien, the owner shall hold the balance  
18 for delivery, upon demand, to the renter. If the renter does not claim the  
19 balance of the proceeds within one (1) year after the sale, the balance  
20 shall be treated as unclaimed property under IC 32-34-1.5.

21 SECTION 22. IC 26-3-8-16, AS AMENDED BY P.L.144-2014,  
22 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
23 JULY 1, 2024]: Sec. 16. ~~(a)~~ This chapter does not impair the power of  
24 the parties to a rental agreement to create rights, duties, or obligations  
25 that do not arise from this chapter. The rights provided to an owner by  
26 this chapter are in addition to all other rights provided by law to a  
27 creditor against a debtor.

28 ~~(b) A rental agreement may specify a limit on the value of personal~~  
29 ~~property that may be stored in a renter's rented space. If a rental~~  
30 ~~agreement specifies a limit on the value of stored personal property~~  
31 ~~under this subsection, the limit specified in the rental agreement is~~  
32 ~~considered the maximum value of the renter's personal property stored~~  
33 ~~in the renter's rented space.~~

34 SECTION 23. IC 32-24-1-1 IS AMENDED TO READ AS  
35 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 1. As used in section  
36 5 of this chapter, "condemnor" means any person authorized by Indiana  
37 law to exercise the power of eminent domain. **After June 30, 2024, the**  
38 **term does not include the Indiana department of transportation.**

39 SECTION 24. IC 32-24-1-5.8, AS AMENDED BY P.L.11-2014,  
40 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
41 JULY 1, 2024]: Sec. 5.8. (a) **Subject to subsection (e)**, this section  
42 applies only to:

43 (1) the Indiana department of transportation when the department  
44 seeks to acquire a parcel of land or a property right for the  
45 construction, reconstruction, improvement, maintenance, or repair  
46 of a:

1 (A) state highway; or  
 2 (B) toll road project or toll bridge; and  
 3 (2) any other person that may exercise the power of eminent  
 4 domain when the person seeks to acquire a parcel of land or a  
 5 property right for the construction, reconstruction, improvement,  
 6 maintenance, or repair of a feeder road for an Indiana department  
 7 of transportation project described in subdivision (1) if the  
 8 construction, reconstruction, improvement, maintenance, or repair  
 9 of the feeder road begins not later than five (5) years from the  
 10 conclusion of the project.

11 (b) If:  
 12 (1) the Indiana department of transportation or other person  
 13 described in subsection (a)(2) submits a written acquisition offer  
 14 to the owner of a parcel of real estate under section 5 of this  
 15 chapter; and

16 (2) the owner rejects the offer;  
 17 the department or other person shall file a complaint under this article  
 18 to acquire the parcel by the exercise of eminent domain not more than  
 19 three (3) years after the date the department or other person submitted  
 20 the written acquisition offer to the owner.

21 (c) If the Indiana department of transportation or other person fails  
 22 to meet the requirements described in subsection (b) concerning a  
 23 parcel of real estate, the department or other person may not initiate an  
 24 action under this article to acquire the parcel through the power of  
 25 eminent domain for the same or a substantially similar project for at  
 26 least three (3) years after the date the three (3) year period described in  
 27 subsection (b) expires.

28 (d) A court shall expedite the hearing of an action initiated under  
 29 subsection (b). A party to the action is entitled to an expedited appeal  
 30 of the court's final determination, under rules to be adopted by the  
 31 supreme court.

32 **(e) After June 30, 2024, the department may not file an eminent**  
 33 **domain action to acquire real property under this article.**

34 SECTION 25. IC 32-24-1-13 IS AMENDED TO READ AS  
 35 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 13. (a) **This section**  
 36 **applies to a cause of action filed before July 1, 2024.**

37 (b) The Indiana department of transportation or any state board,  
 38 agency, or commission that succeeds the department in respect to the  
 39 duties to locate, relocate, construct, reconstruct, repair, or maintain the  
 40 public highways of Indiana, having the right to exercise the power of  
 41 eminent domain for the public use, in its action for condemnation is not  
 42 required to prove that an offer of purchase was made to the property  
 43 owner in an action under this article.

44 (b) (c) The court shall on the return day fixed at the time of the  
 45 filing of the complaint appoint appraisers as provided by law and fix a  
 46 day not later than ten (10) days after the date of the court's order for the

1 appraisers to appear, qualify, and file their report of appraisal.  
 2 ~~(e)~~ **(d)** If the appraisers appointed by the court fail to appear,  
 3 qualify, and file their report of appraisal as ordered by the court, the  
 4 court shall discharge the appraisers and appoint new appraisers in the  
 5 same manner as provided in subsection ~~(b)~~: **(c)**.  
 6 SECTION 26. IC 36-7-40-15 IS ADDED TO THE INDIANA  
 7 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
 8 [EFFECTIVE JULY 1, 2024]: **Sec. 15. The board shall name a low**  
 9 **barrier homeless shelter funded under this chapter in honor of**  
 10 **State Representative Dennis Zent.**  
 11 SECTION 27. [EFFECTIVE JULY 1, 2024] **(a) There is**  
 12 **appropriated to the Indiana department of transportation one**  
 13 **million dollars (\$1,000,000) for the department's use in**  
 14 **constructing a pedestrian bridge over U.S. Highway 41 in the city**  
 15 **of Evansville at Washington Avenue in the state fiscal year**  
 16 **beginning July 1, 2024, and ending June 30, 2025.**  
 17 **(b) This SECTION expires July 1, 2026."**  
 18 Renumber all SECTIONS consecutively.  
 (Reference is to ESB 170 as printed February 26, 2024.)

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Representative Moed