
HOUSE BILL No. 1635

AM163514 has been incorporated into February 14, 2023 printing.

Synopsis: Various education matters.

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HB 1635—LS 7285/DI 147



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First Regular Session of the 123rd General Assembly (2023)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2022 Regular Session of the General Assembly.

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HOUSE BILL No. 1635

A BILL FOR AN ACT to amend the Indiana Code concerning education.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 20-26-5-43 IS ADDED TO THE INDIANA
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2023]: **Sec. 43. Each school corporation shall**
4 **publish on the school corporation's website the graduation rate for**
5 **each high school in the school corporation.**
6 SECTION 2. IC 20-26-13-5, AS AMENDED BY P.L.192-2018,
7 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
8 JULY 1, 2023]: Sec. 5. (a) As used in this chapter, "graduation" means
9 the successful completion by a student of:
10 (1) a sufficient number of academic credits, or the equivalent of
11 academic credits; and
12 (2) the graduation examination (before July 1, 2022), a
13 postsecondary readiness competency established by the state
14 board under IC 20-32-4-1.5(c), or a waiver process required
15 under IC 20-32-3 through IC 20-32-5.1;
16 resulting in the awarding of an Indiana diploma **or an alternative**
17 **diploma described in IC 20-32-4-14.**

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1 (b) The term does not include the granting of a general educational
 2 development diploma under IC 20-20-6 (before its repeal) or
 3 IC 22-4.1-18.

4 SECTION 3. IC 20-26-13-10, AS AMENDED BY P.L.32-2021,
 5 SECTION 53, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 6 JULY 1, 2023]: Sec. 10. (a) Except as provided in section 11 of this
 7 chapter, the four (4) year graduation rate for a cohort in a high school
 8 is the percentage determined under STEP FIVE of the following
 9 formula:

10 STEP ONE: Determine the grade 9 enrollment at the beginning
 11 of the reporting year three (3) years before the reporting year for
 12 which the graduation rate is being determined.

13 STEP TWO: Add:

14 (A) the number determined under STEP ONE; and

15 (B) the number of students who:

16 (i) have enrolled in the high school after the date on
 17 which the number determined under STEP ONE was
 18 determined; and

19 (ii) have the same expected graduation year as the
 20 cohort.

21 STEP THREE: Subtract from the sum determined under STEP
 22 TWO the number of students who have left the cohort for any of
 23 the following reasons:

24 (A) Transfer to another public or nonpublic school.

25 (B) Except as provided in IC 20-33-2-28.6 and subsection
 26 (b), removal by the student's parents under IC 20-33-2-28 to
 27 provide instruction equivalent to that given in the public
 28 schools.

29 (C) Withdrawal because of a long term medical condition
 30 or death.

31 (D) Detention by a law enforcement agency or the
 32 department of correction.

33 (E) Placement by a court order or the department of child
 34 services.

35 (F) Enrollment in a virtual school.

36 (G) Leaving school, if the student attended school in
 37 Indiana for less than one (1) school year and the location of
 38 the student cannot be determined.

39 (H) Leaving school, if the location of the student cannot be
 40 determined and the student has been reported to the Indiana
 41 clearinghouse for information on missing children and
 42 missing endangered adults.

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1 (I) Withdrawing from school before graduation, if the
2 student is a high ability student (as defined in IC 20-36-1-3)
3 who is a full-time student at an accredited institution of
4 higher education during the semester in which the cohort
5 graduates.

6 (J) Withdrawing from school before graduation pursuant to
7 providing notice of withdrawal under section 17 of this
8 chapter.

9 (K) Participating in the high school equivalency pilot
10 program under IC 20-30-8.5, unless the student fails to
11 successfully complete the high school equivalency pilot
12 program in the two (2) year period. This clause expires June
13 30, 2024.

14 **STEP FOUR: Determine the result of:**

15 (A) the total number of students determined under STEP
16 TWO who have graduated during the current reporting year
17 or a previous reporting year; **minus**

18 (B) the amount by which the number of students who
19 graduated through a waiver process required under
20 IC 20-32-3 through IC 20-32-5.1 exceeds:

- 21 (i) six percent (6%) of the total number of students
- 22 determined under clause (A) before July 1, 2027; or
- 23 (ii) three percent (3%) of the total number of
- 24 students determined under clause (A) after June 30,
- 25 2027.

26 **STEP FIVE: Divide:**

- 27 (A) the number determined under STEP FOUR; by
- 28 (B) the remainder determined under STEP THREE.

29 (b) This subsection applies to a high school in which:

- 30 (1) for a:
 - 31 (A) cohort of one hundred (100) students or less, at least ten
 - 32 percent (10%) of the students left a particular cohort for a
 - 33 reason described in subsection (a) STEP THREE clause
 - 34 (B); or
 - 35 (B) cohort of more than one hundred (100) students, at least
 - 36 five percent (5%) of the students left a particular cohort for
 - 37 a reason described in subsection (a) STEP THREE clause
 - 38 (B); and
 - 39 (2) the students described in subdivision (1)(A) or (1)(B) are not
 - 40 on track to graduate with their cohort.

41 A high school must submit a request to the state board in a manner
42 prescribed by the state board requesting that the students described in

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1 this subsection be included in the subsection (a) STEP THREE
 2 calculation. The state board shall review the request and may grant or
 3 deny the request. The state board shall deny the request unless the high
 4 school demonstrates good cause to justify that the students described
 5 in this subsection should be included in the subsection (a) STEP
 6 THREE calculation. If the state board denies the request the high
 7 school may not subtract the students described in this subsection under
 8 subsection (a) STEP THREE.

9 SECTION 4. IC 20-28-5-27, AS ADDED BY P.L.168-2022,
 10 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 11 JULY 1, 2023]: Sec. 27. (a) In an effort to fill a vacant teaching
 12 position, offer a new program or class, or supplement a program
 13 currently being offered, the governing body of a school corporation **or**
 14 **the equivalent authority for a nonpublic school** may issue an adjunct
 15 teacher permit to an individual if the following minimum requirements
 16 are met:

17 (1) The individual has at least four (4) years of experience in the
 18 content area in which the individual intends to teach.

19 (2) The school corporation **or nonpublic school** conducts an
 20 expanded criminal history check and expanded child protection
 21 index check concerning the individual as required under
 22 IC 20-26-5-10.

23 (3) The individual has not been convicted of a felony listed in
 24 section 8(c) of this chapter or described in section 8(d) of this
 25 chapter or the individual's conviction has been reversed, vacated,
 26 or set aside on appeal.

27 However, the governing body **or equivalent authority** may establish
 28 stricter requirements than the requirements prescribed by this
 29 subsection.

30 (b) If a governing body of a school corporation **or the equivalent**
 31 **authority for a nonpublic school** issues an adjunct teacher permit to
 32 an individual under subsection (a):

33 (1) the school corporation **or nonpublic school** may enter into
 34 an employment agreement for employment with the individual
 35 as a part-time or full-time teacher of the school corporation **or**
 36 **nonpublic school;**

37 (2) the individual who holds the adjunct permit may teach in any
 38 content area, **including a career and technical education**
 39 **content area**, in which the school corporation **or nonpublic**
 40 **school** allows the individual to teach based on the individual's
 41 experience described in subsection (a);

42 (3) the individual must be assigned a teacher mentor for support

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- 1 in pedagogy; and
- 2 (4) the individual must complete the following training within
- 3 the first ninety (90) days of employment:
- 4 (A) IC 20-26-5-34.2 (bullying prevention).
- 5 (B) IC 20-28-3-4.5 (training on child abuse and neglect).
- 6 (C) IC 20-28-3-6 (youth suicide awareness and prevention
- 7 training).
- 8 (D) IC 20-28-3-7 (training on human trafficking).
- 9 (c) An adjunct teacher may not provide special education
- 10 instruction.
- 11 (d) The salary of an adjunct teacher under an employment
- 12 agreement described in IC 20-28-6-7.3 is not subject to the
- 13 requirements under IC 20-28-9-1.5 or a local compensation plan
- 14 established by a school corporation as described in IC 20-28-9-1.5.
- 15 (e) Except as otherwise provided in a collective bargaining
- 16 agreement entered into or renewed before July 1, 2022, an employment
- 17 agreement entered into under this section is not subject to a collective
- 18 bargaining agreement entered into under IC 20-29.
- 19 (f) It is not an unfair practice for a school corporation to enter into
- 20 an employment agreement under this section.
- 21 (g) Each school corporation that hires an adjunct teacher under
- 22 this section shall report to the department the following information:
- 23 (1) The number of adjunct teachers who hold a permit issued
- 24 under this section that the school corporation has hired each
- 25 school year, disaggregated by the grade level and subject area
- 26 taught by the adjunct teacher.
- 27 (2) The following information for each adjunct teacher described
- 28 in subdivision (1):
- 29 (A) The name of the adjunct teacher.
- 30 (B) The subject matter the adjunct teacher is permitted to
- 31 teach.
- 32 (C) A description of the adjunct teacher's experience
- 33 described in subsection (a)(1).
- 34 (D) The adjunct teacher's total salary and any other
- 35 compensation paid to the adjunct teacher during the school
- 36 year.
- 37 (E) The number of previous adjunct teaching employment
- 38 agreements the adjunct teacher has entered into with the
- 39 school corporation or any other school corporation.
- 40 (h) A school corporation shall post a vacant adjunct teacher
- 41 position on the department's online adjunct teacher portal established
- 42 under IC 20-19-3-25.

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1 (i) A school corporation may notify the parents of students
2 enrolled in the school corporation of a vacant adjunct teacher position.

3 (j) The governing body of a school corporation shall announce any
4 vacant adjunct teacher positions at meetings of the governing body.

5 SECTION 5. IC 20-28-6-4, AS AMENDED BY P.L.168-2022,
6 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
7 JULY 1, 2023]: Sec. 4. (a) This section does not apply to:

- 8 (1) a teacher employed as a substitute teacher; or
- 9 (2) an individual who holds an adjunct teacher permit issued by
10 the governing body of a school corporation **or the equivalent**
11 **authority for a nonpublic school** under IC 20-28-5-27.

12 (b) A teacher employed in a public school must be employed on
13 a uniform teacher's contract or a supplemental service teacher's
14 contract.

15 SECTION 6. IC 20-28-6-7.3, AS ADDED BY P.L.168-2022,
16 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
17 JULY 1, 2023]: Sec. 7.3. (a) An employment agreement entered into

18 between a school corporation **or nonpublic school** and an individual
19 who holds an adjunct teacher permit issued by the governing body of
20 a school corporation **or the equivalent authority for a nonpublic**
21 **school** under IC 20-28-5-27 must:

- 22 (1) be in writing;
- 23 (2) be signed by both parties; and
- 24 (3) contain the following:
 - 25 (A) The total salary and any other compensation to be paid
 - 26 to the adjunct teacher during the school year.
 - 27 (B) The method and frequency of salary payments.
 - 28 (C) The number of classes the adjunct teacher is to teach.
 - 29 (D) The classes and subject matter areas that the adjunct
 - 30 teacher will be teaching.
 - 31 (E) An expiration date that is not later than the end of the
 - 32 school year.

33 (b) An employment agreement under this section is a public record
34 open to inspection.

35 (c) An adjunct teacher may enter into employment agreements
36 with more than one (1) school corporation **or nonpublic school**.

37 SECTION 7. IC 20-30-10-2, AS AMENDED BY P.L.286-2013,
38 SECTION 98, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
39 JULY 1, 2023]: Sec. 2. (a) **Subject to section 2.7 of this chapter**, the

40 state board shall adopt the following:
41 (1) College/technology preparation curriculum models that may
42 include all or part of the college preparation curriculum models

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1 developed by the department under section 1 of this chapter.
 2 (2) Teacher and staff training to implement the
 3 college/technology preparation curriculum models.

4 (b) The college/technology preparation curriculum models that the
 5 state board adopts under subsection (a) must meet the conditions listed
 6 in section 3 of this chapter.

7 SECTION 8. IC 20-30-10-2.5, AS ADDED BY P.L.192-2018,
 8 SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 9 JULY 1, 2023]: Sec. 2.5. (a) In adopting Core 40 curriculum models
 10 under this chapter, the state board shall consider math course
 11 requirements other than Algebra II. Any math course requirements
 12 adopted for the Core 40 curriculum models must be at a level of
 13 difficulty that aligns with postsecondary preparation.

14 (b) If a school offers a math course developed under subsection
 15 (a), a parent of a student and the student who intends to enroll in the
 16 course must provide consent to the school to enroll in the course. The
 17 consent form used by the school, which shall be developed by the state
 18 board in collaboration with the commission for higher education, must
 19 notify the parent and the student that enrollment in the course may
 20 affect the student's ability to attend a particular postsecondary
 21 educational institution or enroll in a particular course at a particular
 22 postsecondary educational institution because the course does not align
 23 with academic requirements established by the postsecondary
 24 educational institution.

25 (c) **Subject to section 2.7 of this chapter**, the state board shall
 26 adopt rules under IC 4-22-2 to establish:

- 27 (1) math course requirements; and
 28 (2) science course requirements;

29 for the Core 40 curriculum models adopted under this chapter.

30 SECTION 9. IC 20-30-10-2.7 IS ADDED TO THE INDIANA
 31 CODE AS A **NEW SECTION TO READ AS FOLLOWS**
 32 [EFFECTIVE JULY 1, 2023]: **Sec. 2.7. (a) The state board shall:**

33 **(1) develop algebra I, algebra II, and geometry courses that**
 34 **include:**

- 35 **(A) real world application; and**
 36 **(B) project based and inquiry based learning; and**
 37 **(2) implement the courses described in subdivision (1) not**
 38 **later than the 2025-2026 school year.**

39 **(b) The state board may adopt rules under IC 4-22-2 to**
 40 **implement this section.**

41 **(c) This section expires July 1, 2027.**

42 SECTION 10. IC 20-32-4-1.5, AS AMENDED BY P.L.216-2021,

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1 SECTION 30, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
2 JULY 1, 2023]: Sec. 1.5. (a) This subsection expires July 1, 2022.
3 Except as provided in subsection (f) and sections 4, 5, 6, 7, 8, 9, and 10
4 of this chapter, each student is required to meet:

- 5 (1) the academic standards tested in the graduation examination;
- 6 (2) the Core 40 course and credit requirements adopted by the
7 state board under IC 20-30-10; and
- 8 (3) any additional requirements established by the governing
9 body;

10 to be eligible to graduate.

11 (b) Except as provided in subsection (f) and sections 4, 4.1, 5, 6,
12 7, 8, 9, and 10 of this chapter, beginning with the class of students who
13 expect to graduate during the 2022-2023 school year, each student
14 shall:

- 15 (1) demonstrate college or career readiness through a pathway
16 established by the state board, in consultation with the
17 department of workforce development and the commission for
18 higher education;
- 19 (2) meet the Core 40 course and credit requirements adopted by
20 the state board under IC 20-30-10; and
- 21 (3) meet any additional requirements established by the
22 governing body;

23 to be eligible to graduate.

24 (c) The state board shall establish graduation pathway
25 requirements under subsection (b)(1) in consultation with the
26 department of workforce development and the commission for higher
27 education. A graduation pathway requirement may include the
28 following postsecondary readiness competencies approved by the state
29 board:

- 30 (1) International baccalaureate exams.
- 31 (2) Nationally recognized college entrance assessments.
- 32 (3) Advanced placement exams.
- 33 (4) Assessments necessary to receive college credit for dual
34 credit courses.
- 35 (5) Industry recognized certificates.
- 36 (6) The Armed Services Vocational Aptitude Battery.
- 37 (7) Cambridge International exams.
- 38 (8) Any other competency approved by the state board.

39 (d) If the state board establishes a nationally recognized college
40 entrance exam as a graduation pathway requirement, the nationally
41 recognized college entrance exam must be offered to a student at the
42 school in which the student is enrolled and during the normal school

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1 day.

2 (e) When an apprenticeship is established as a graduation pathway
3 requirement, the state board shall establish as an apprenticeship only
4 an apprenticeship program registered under the federal National
5 Apprenticeship Act (29 U.S.C. 50 et seq.) or another federal
6 apprenticeship program administered by the United States Department
7 of Labor.

8 (f) Notwithstanding subsection (a), a school corporation, charter
9 school, or state accredited nonpublic school may voluntarily elect to
10 use graduation pathways described in subsection (b) in lieu of the
11 graduation examination requirements specified in subsection (a) prior
12 to July 1, 2022.

13 (g) The state board, in consultation with the department of
14 workforce development and the commission for higher education, shall
15 approve college and career pathways relating to career and technical
16 education, including sequences of courses leading to student
17 concentrators.

18 (h) After June 30, 2021, the department may provide funding for
19 students of accredited schools to take not more than three (3)
20 Cambridge International exams per student. The department is also
21 authorized to use funds to provide professional development training
22 for teachers who teach Cambridge International courses.

23 **(i) If the state board establishes an Armed Services Vocational
24 Aptitude Battery as a graduation pathway, the state board shall
25 require a student who elects the pathway to enlist in the military as
26 a condition of meeting the pathway requirements.**

27 SECTION 11. IC 20-32-4-14, AS AMENDED BY P.L.113-2021,
28 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
29 JULY 1, 2023]: Sec. 14. (a) The state board shall create an alternate
30 diploma for students with significant cognitive disabilities. The
31 diploma must be:

- 32 (1) standards-based; and
33 (2) aligned with Indiana's requirements for an Indiana diploma.

34 ~~(b) Not more than one percent (1%) of students of a cohort may
35 receive the alternate diploma established by the state board under
36 subsection (a):~~

37 ~~(c) (b)~~ The alternate diploma must comply with the federal Every
38 Student Succeeds Act (ESSA) (20 U.S.C. 6311).

39 ~~(d) (c)~~ Not later than December 1, 2021, the state board shall
40 adopt rules under IC 4-22-2 that are necessary to carry out this section.

41 SECTION 12. IC 20-33-2-13, AS AMENDED BY P.L.242-2017,
42 SECTION 46, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

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1 JULY 1, 2023]: Sec. 13. (a) A school corporation shall record or
2 include the following information in the official high school transcript
3 for a student in high school:

- 4 (1) Attendance records.
- 5 (2) The student's latest statewide assessment program test
- 6 results.
- 7 (3) Any secondary level and postsecondary level certificates of
- 8 achievement earned by the student.
- 9 ~~(4) Immunization information from the immunization record the~~
- 10 ~~student's school keeps under IC 20-34-4-1.~~
- 11 ~~(5)~~ (4) Any dual credit courses taken that are included in the
- 12 core transfer library under IC 21-42-5-4.

13 (b) A school corporation may include information on a student's
14 high school transcript that is in addition to the requirements of
15 subsection (a).

16 SECTION 13. IC 20-34-4-3, AS AMENDED BY HEA 1013-2023,
17 SECTION 191, IS AMENDED TO READ AS FOLLOWS
18 [EFFECTIVE JULY 1, 2023]: Sec. 3. (a) Each school shall notify each
19 parent of a student who enrolls in the school of the requirement that the
20 student must be immunized and that the immunization is required for
21 the student's continued enrollment, attendance, or residence at the
22 school unless:

- 23 (1) the parent or student provides the appropriate documentation
- 24 of immunity; or
- 25 (2) IC 20-34-3-2 or IC 20-34-3-3 applies.

26 (b) A school that enrolls grade 6 students shall provide each parent
27 of a student who is entering grade 6 with information prescribed by the
28 Indiana department of health under subsection (c) concerning the link
29 between cancer and the human papillomavirus (HPV) infection and
30 that an immunization against the human papillomavirus (HPV)
31 infection is available.

32 (c) The Indiana department of health shall provide a school
33 described in subsection (b) with the information concerning cancer and
34 the human papillomavirus (HPV) infection required in subsection (b).
35 The information must include the following:

- 36 (1) The latest scientific information on the immunization against
- 37 the human papillomavirus (HPV) infection and the
- 38 immunization's effectiveness against causes of cancer.
- 39 (2) That a pap smear is still critical for the detection of
- 40 precancerous changes in the cervix to allow for treatment before
- 41 cervical cancer develops.
- 42 (3) Information concerning the means in which the human

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1 papillomavirus (HPV) infection is contracted.
 2 (4) A statement that any questions or concerns concerning
 3 immunizing the child against human papillomavirus (HPV)
 4 could be answered by contacting a health care provider.
 5 (d) The Indiana department of health shall provide the department
 6 of education with material concerning immunizations and
 7 immunization preventable diseases for distribution to parents and
 8 guardians. The department of education shall provide these materials
 9 to schools to be provided to students' parents and guardians. These
 10 materials may be distributed by a school by posting the required
 11 information on the school's website.
 12 **(e) Any notification or materials provided or distributed by the**
 13 **Indiana department of health or a school to a parent of a student**
 14 **regarding required or recommended immunizations for the**
 15 **student must clearly delineate or label immunizations that are**
 16 **required and immunizations that are only recommended.**
 17 SECTION 14. [EFFECTIVE JULY 1, 2022 (RETROACTIVE)]
 18 **(a) The definitions in IC 20 apply throughout this SECTION.**
 19 **(b) Notwithstanding IC 20-31-8 and 511 IAC 6.2-10, the state**
 20 **board shall assign to a school or school corporation a "null" or "no**
 21 **letter grade" for the 2022-2023 school year. However, the most**
 22 **recent results of the school's ILEARN assessment must be included**
 23 **on the school's website.**
 24 **(c) Notwithstanding IC 20-31-8 and 511 IAC 6.3-1, the state**
 25 **board shall assign an adult high school a "null" or "no letter**
 26 **grade" category for the 2022-2023 school year.**
 27 **(d) This SECTION expires January 1, 2026.**
 28 SECTION 15. [EFFECTIVE JULY 1, 2024] **(a) The definitions**
 29 **in IC 20 apply throughout this SECTION.**
 30 **(b) The department shall develop a proposal for a revised**
 31 **school performance designation utilizing an "A" through "F"**
 32 **grading scale that is based on data contained in the Indiana**
 33 **Graduates Prepared to Succeed (GPS) dashboard described in**
 34 **IC 20-31-8-5.5.**
 35 **(c) Not later than December 1, 2024, the department shall**
 36 **submit the proposal developed under subsection (b) to the general**
 37 **assembly in an electronic format under IC 5-14-6.**
 38 **(d) This SECTION expires July 1, 2024.**
 39 SECTION 16. **An emergency is declared for this act.**

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