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# HOUSE BILL No. 1003

AM100319 has been incorporated into January 30, 2026 printing.

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**Synopsis:** Boards and commissions.

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HB 1003—LS 6756/DI 92



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Reprinted  
January 30, 2026

Second Regular Session of the 124th General Assembly (2026)

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 2025 Regular Session of the General Assembly.

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## HOUSE BILL No. 1003

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration and to make an appropriation.

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

- 1 SECTION 1. IC 2-5-1.3-13, AS AMENDED BY P.L.186-2025,  
2 SECTION 270, IS AMENDED TO READ AS FOLLOWS  
3 [EFFECTIVE UPON PASSAGE]: Sec. 13. (a) A study committee shall  
4 study the issues assigned by the legislative council that are within the  
5 subject matter for the study committee, as described in section 4 of this  
6 chapter.  
7 (b) In addition to the issues assigned under subsection (a), the  
8 interim study committee on roads and transportation shall advise the  
9 bureau of motor vehicles regarding the suitability of a special group (as  
10 defined in IC 9-13-2-170) to receive a special group recognition license  
11 plate for the special group (as defined in IC 9-13-2-170) for the first  
12 time under IC 9-18.5-12-4 and the suitability of a special group (as  
13 defined in IC 9-13-2-170) to continue participating in the special group  
14 recognition license plate program under IC 9-18.5-12-5.  
15 (c) In addition to the issues assigned under subsection (a), the  
16 interim study committee on corrections and criminal code shall review  
17 current trends with respect to criminal behavior, sentencing,

HB 1003—LS 6756/DI 92



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- 1 incarceration, and treatment and may:
- 2 (1) identify particular needs of the criminal justice system that
- 3 can be addressed by legislation; and
- 4 (2) prepare legislation to address the particular needs found by
- 5 the committee.
- 6 (d) In each even-numbered year, in addition to the issues assigned
- 7 under subsection (a), the interim study committee on courts and the
- 8 judiciary shall review, consider, and make recommendations
- 9 concerning all requests for new courts, new judicial officers, and
- 10 changes in jurisdiction of existing courts. A request under this
- 11 subsection must include at least the following information to receive
- 12 full consideration by the committee:
- 13 (1) The level of community support for the change, including
- 14 support from the local fiscal body.
- 15 (2) The results of a survey that shall be conducted by the county
- 16 requesting the change, sampling members of the bar, members
- 17 of the judiciary, and local officials to determine needs and
- 18 concerns of existing courts.
- 19 (3) Whether the county is already using a judge or magistrate
- 20 from an overserved area of the judicial district.
- 21 (4) The relative severity of need based on the most recent
- 22 weighted caseload measurement system report published by the
- 23 office of judicial administration.
- 24 (5) Whether the county is using any problem solving court as
- 25 described in IC 33-23-16-11, and, if so, the list of problem
- 26 solving courts established in the county, and any evaluation of
- 27 the impact of the problem solving courts on the overall judicial
- 28 caseload.
- 29 (6) A description of the:
- 30 (A) county's population growth in the ten (10) years before
- 31 the date of the request; and
- 32 (B) projected population growth in the county for the ten
- 33 (10) years after the date of the request, to the extent
- 34 available;
- 35 and any documentation to support the information provided
- 36 under this subdivision.
- 37 (7) A description of the county's use of pre-incarceration
- 38 diversion services and post-incarceration reentry services in an
- 39 effort to decrease recidivism.
- 40 (8) If the request is a request for a new court or new courts, an
- 41 acknowledgment from the county fiscal body (as defined in
- 42 IC 36-1-2-6) with the funding sources and estimated costs the

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HB 1003—LS 6756/DI 92



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1 county intends to pay toward the county's part of the operating  
2 costs associated with the new court or new courts.

3 The office of judicial administration shall post the list of required  
4 information provided under this subsection on its website.

5 (e) In each even-numbered year, in addition to the issues assigned  
6 under subsection (a), the interim study committee on courts and the  
7 judiciary shall review the most recent weighted caseload measurement  
8 system report published by the office of judicial administration and do  
9 the following:

10 (1) Identify each county in which the number of courts or  
11 judicial officers exceeds the number used by the county in that  
12 report year.

13 (2) Determine the number of previous report years in which the  
14 number of courts or judicial officers in a county identified in  
15 subdivision (1) exceeded the number used by the county in that  
16 particular report year.

17 (3) Make a recommendation on whether the number of courts or  
18 judicial officers in the county should be decreased.

19 The office of judicial administration shall post a list of the number of  
20 courts or judicial officers used in each county for each report year, and  
21 the number of years in which the number of courts or judicial officers  
22 in the county has exceeded the number used by the county, on its  
23 website.

24 (f) In addition to studying the issues assigned under subsection (a),  
25 the interim study committee on child services shall:

26 (1) review the annual reports submitted by:

27 (A) each local child fatality review team under  
28 IC 16-49-3-7;

29 (B) the statewide child fatality review committee under  
30 IC 16-49-4-11; and

31 (C) the department of child services under IC 31-25-2-24;  
32 during the immediately preceding twelve (12) month period, and  
33 may make recommendations regarding changes in policies or  
34 statutes to improve child safety; and

35 (2) report to the legislative council before November 1 of each  
36 interim, in an electronic format under IC 5-14-6, the results of:

37 (A) the committee's review under subdivision (1); and

38 (B) the committee's study of any issue assigned to the  
39 committee under subsection (a).

40 (g) In each even-numbered year, in addition to the issues assigned  
41 under subsection (a), the interim study committee on government shall  
42 do the following:

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HB 1003—LS 6756/DI 92



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- 1 (1) Determine whether a group has met in the immediately  
 2 preceding two (2) years.  
 3 (2) Review reports submitted to the committee in accordance  
 4 with IC 1-1-15.5-4.  
 5 (3) Identify all interstate compacts that have been fully  
 6 operational for at least two (2) years to which the state is a party.  
 7 (4) Consider whether to:  
 8 (A) remain a party to; or  
 9 (B) withdraw from;  
 10 each interstate compact.  
 11 (5) If the committee determines that the state should withdraw  
 12 from an interstate compact, identify the steps needed to  
 13 withdraw.  
 14 (6) Report before November 1 to the legislative council, in an  
 15 electronic format under IC 5-14-6 the committee's:  
 16 (A) recommendations for proposed legislation to repeal  
 17 groups:  
 18 (i) **after determining that the groups** have not met  
 19 during the immediately preceding two (2) years; **and or**  
 20 (ii) after reviewing a group's report under subdivision  
 21 (2); and  
 22 (B) findings and recommendations regarding the interstate  
 23 compacts.  
 24 As used in this subsection, "group" refers to an authority, a board, a  
 25 commission, a committee, a council, a delegate, a foundation, a panel,  
 26 or a task force that is established by statute, has at least one (1)  
 27 legislator assigned to it, and is not staffed by the legislative services  
 28 agency.  
 29 **(h) In each odd-numbered year, in addition to the issues**  
 30 **assigned under subsection (a), the interim study committee on**  
 31 **government shall:**  
 32 **(1) identify each group that has been operational for at least**  
 33 **two (2) state fiscal years;**  
 34 **(2) review the statutory duties and recent activities of each**  
 35 **group identified under subdivision (1);**  
 36 **(3) for each group identified under subdivision (1), determine**  
 37 **whether the group should be:**  
 38 **(A) retained because the group has ongoing statutory**  
 39 **duties and it remains the most appropriate group to**  
 40 **fulfill those duties;**  
 41 **(B) repealed because the group has fulfilled its statutory**  
 42 **duties;**



1                   **(C) repealed because the group's statutory duties could**  
 2                   **be more efficiently fulfilled after transferring them to**  
 3                   **another group or state agency; or**  
 4                   **(D) repealed because the group's statutory duties are**  
 5                   **redundant because the duties also belong to another**  
 6                   **group or state agency; and**  
 7                   **(4) report before November 1 to the legislative council, in an**  
 8                   **electronic format under IC 5-14-6, the committee's findings**  
 9                   **and recommendations regarding the groups evaluated under**  
 10                   **this subsection.**

11                   **As used in this subsection, "group" refers to an authority, a board,**  
 12                   **a commission, a committee, a council, a delegate, a foundation, a**  
 13                   **panel, or a task force that is established by statute and not staffed**  
 14                   **by the legislative services agency.**

15                   ~~(h)~~ **(i)** In 2026 and 2027, in addition to the issues assigned under  
 16                   subsections (a) and (f), the interim study committee on child services  
 17                   shall review the report submitted by the child welfare task force under  
 18                   IC 2-5-55.7-8. This subsection expires December 31, 2027.

19                   SECTION 2. IC 2-5-36-9, AS AMENDED BY P.L.221-2025,  
 20                   SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 21                   JULY 1, 2027]: Sec. 9. The commission shall do the following:

- 22                   (1) Study and evaluate the following:
- 23                   (A) Access to services for vulnerable youth.
  - 24                   (B) Availability of services for vulnerable youth.
  - 25                   (C) Duplication of services for vulnerable youth.
  - 26                   (D) Funding of services available for vulnerable youth.
  - 27                   (E) Barriers to service for vulnerable youth.
  - 28                   (F) Communication and cooperation by agencies  
 29                   concerning vulnerable youth.
  - 30                   (G) Implementation of programs or laws concerning  
 31                   vulnerable youth.
  - 32                   (H) The consolidation of existing entities that serve  
 33                   vulnerable youth.
  - 34                   (I) Data from state agencies relevant to evaluating progress,  
 35                   targeting efforts, and demonstrating outcomes.
  - 36                   (J) Crimes of sexual violence against children.
  - 37                   (K) The impact of social networking websites, cellular  
 38                   telephones and wireless communications devices, digital  
 39                   media, and new technology on crimes against children.
- 40                   (2) Review and make recommendations concerning pending  
 41                   legislation.
- 42                   (3) Promote information sharing concerning vulnerable youth

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- 1 across the state.
- 2 (4) Promote best practices, policies, and programs.
- 3 (5) Cooperate with:
- 4 (A) other child focused commissions;
- 5 (B) the judicial branch of government;
- 6 (C) the executive branch of government;
- 7 (D) stakeholders; and
- 8 (E) members of the community.
- 9 (6) Create and provide staff support to a statewide juvenile
- 10 justice oversight body to carry out the following duties described
- 11 in section 9.3 of this chapter:
- 12 (A) Develop a plan to collect and report statewide juvenile
- 13 justice data.
- 14 (B) Establish procedures and policies related to the use of:
- 15 (i) a validated risk screening tool and a validated risk
- 16 and needs assessment tool;
- 17 (ii) a detention tool to inform the use of secure
- 18 detention;
- 19 (iii) a plan to determine how information from the tools
- 20 described in this clause is compiled and shared and
- 21 with whom the information will be shared; and
- 22 (iv) a plan to provide training to judicial officers on the
- 23 implementation of the tools described in this clause.
- 24 (C) Develop criteria for the use of diagnostic assessments
- 25 as described in IC 31-37-19-11.7.
- 26 (D) Develop a statewide plan to address the provision of
- 27 broader behavioral health services to children in the
- 28 juvenile justice system.
- 29 (E) Develop a plan for the provision of transitional services
- 30 for a child who is a ward of the department of correction as
- 31 described in IC 31-37-19-11.5.
- 32 (F) Develop a plan for grant programs described in section
- 33 9.3 of this chapter.
- 34 The initial appointments and designations to the statewide
- 35 juvenile justice oversight body described in this subdivision
- 36 shall be made not later than May 31, 2022. The chief justice of
- 37 the supreme court shall designate the chair of the statewide
- 38 juvenile justice oversight body and shall make the initial
- 39 appointments and designations to the statewide juvenile justice
- 40 oversight body, which may incorporate members of an existing
- 41 committee or subcommittee formed under the commission. The
- 42 initial meeting of the oversight body shall be held not later than

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- 1 July 1, 2022.
- 2 (7) Create and provide staff support to a statewide youth, family,
- 3 and caregiver engagement initiative to carry out the following
- 4 duties:
- 5 (A) Provide staff support and funding for commission
- 6 activities provided by a:
- 7 (i) youth member of the commission appointed under
- 8 section 4 of this chapter; or
- 9 (ii) youth, family, or caregiver member of a
- 10 commission committee, task force, or subcommittee
- 11 who has been appointed as a community member.
- 12 (B) Develop a statewide plan to support, encourage, and
- 13 expand the engagement of youth, families, and caregivers
- 14 in state policymaking impacting youth and children.
- 15 (C) Provide and support educational:
- 16 (i) opportunities;
- 17 (ii) convenings; and
- 18 (iii) experiences;
- 19 that facilitate increased youth, family, and caregiver
- 20 participation.
- 21 (D) Support the efforts of other state agencies and
- 22 community organizations that seek to support, encourage,
- 23 and expand the engagement of youth, families, and
- 24 caregivers in policy decisions impacting youth and children.
- 25 (E) Solicit direct feedback from youth, families, and
- 26 caregivers to inform commission recommendations
- 27 concerning:
- 28 (i) points of complexity and inefficiency in child
- 29 serving systems;
- 30 (ii) duplication of services and potential points of
- 31 consolidation; and
- 32 (iii) improving time to permanency and reducing the
- 33 trauma of systems involvement.
- 34 (8) Submit a report not later than September 1 of each year
- 35 regarding the commission's work during the previous year. The
- 36 report shall be submitted to the legislative council, the governor,
- 37 and the chief justice of Indiana. The report to the legislative
- 38 council must be in an electronic format under IC 5-14-6.
- 39 **(9) Perform the duties of the commission set forth in**
- 40 **IC 31-26-4.**
- 41 SECTION 3. IC 2-5-53.5 IS ADDED TO THE INDIANA CODE
- 42 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE

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HB 1003—LS 6756/DI 92



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1 UPON PASSAGE]:

2 **Chapter 53.5. Agricultural Promotion and Regulation Task**  
 3 **Force**

4 **Sec. 1. As used in this chapter, "task force" refers to the**  
 5 **agricultural promotion and regulation task force established by**  
 6 **section 2 of this chapter.**

7 **Sec. 2. The agricultural promotion and regulation task force**  
 8 **is established as a temporary task force which serves the general**  
 9 **assembly. The task force shall operate under IC 2-5-1.2.**

10 **Sec. 3. (a) The task force consists of the following sixteen (16)**  
 11 **voting members and two (2) nonvoting members:**

12 **(1) Two (2) voting members of the senate appointed by the**  
 13 **president pro tempore of the senate. However, one (1)**  
 14 **member must include the chairperson of the senate**  
 15 **agriculture committee.**

16 **(2) One (1) voting member of the senate appointed by the**  
 17 **minority leader of the senate.**

18 **(3) Two (2) voting members of the house appointed by the**  
 19 **speaker of the house of representatives. However, one (1)**  
 20 **member must include the chairperson of the house**  
 21 **agriculture and rural affairs committee.**

22 **(4) One (1) voting member of the house of representatives**  
 23 **appointed by the minority leader of the house of**  
 24 **representatives.**

25 **(5) The dean of the Purdue University School of Agriculture**  
 26 **or the dean's designee, who is a voting member.**

27 **(6) The dean of the College of Veterinary Medicine of**  
 28 **Purdue University or the dean's designee, who is a voting**  
 29 **member.**

30 **(7) Eight (8) voting members appointed by the governor as**  
 31 **follows:**

32 **(A) One (1) member representing the Indiana Farm**  
 33 **Bureau, Inc.**

34 **(B) One (1) member representing the Agribusiness**  
 35 **Council of Indiana.**

36 **(C) One (1) member engaged in poultry production.**

37 **(D) One (1) member engaged in dairying.**

38 **(E) One (1) member engaged in swine production.**

39 **(F) One (1) member engaged in beef-type cattle**  
 40 **production.**

41 **(G) One (1) member engaged in corn production.**

42 **(H) One (1) member engaged in soybean production.**

HB 1003—LS 6756/DI 92



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- 1           **(8) The director of the Indiana state department of**  
 2           **agriculture who serves ex officio and is a nonvoting member.**  
 3           **(9) The governor's senior policy adviser, or the adviser's**  
 4           **designee, who is a nonvoting member.**  
 5           **(b) The members appointed under subsection (a) serve at the**  
 6           **pleasure of the appointing authority.**  
 7           **Sec. 4. The legislative council shall appoint either the**  
 8           **chairperson of the senate agriculture committee or the chairperson**  
 9           **of the house agriculture and rural affairs committee as the**  
 10           **chairperson of the task force for the duration of the task force.**  
 11           **Sec. 5. A vacancy on the task force shall be filled by the**  
 12           **appointing authority.**  
 13           **Sec. 6. Nine (9) voting members of the task force constitute a**  
 14           **quorum.**  
 15           **Sec. 7. The affirmative vote of a majority of the voting**  
 16           **members appointed to the task force is required for the task force**  
 17           **to take action on any measure, including final reports.**  
 18           **Sec. 8. The task force shall meet at least four (4) times. A**  
 19           **meeting of the task force shall be called by the chairperson.**  
 20           **Sec. 9. (a) The task force shall study the following:**  
 21           **(1) Whether changing the Indiana state department of**  
 22           **agriculture into a regulatory agency compromises the**  
 23           **department's advocacy role for the agriculture industry.**  
 24           **(2) Whether changes are needed:**  
 25           **(A) to the Indiana state department of agriculture; or**  
 26           **(B) to any other state entity that:**  
 27           **(i) promotes;**  
 28           **(ii) regulates; or**  
 29           **(iii) provides advice concerning;**  
 30           **agriculture in Indiana;**  
 31           **to improve the state's future promotional and regulatory**  
 32           **functions in the agricultural industry.**  
 33           **(3) Current and future challenges and opportunities in the**  
 34           **agricultural industry.**  
 35           **(4) The interrelationship of all agricultural state entities,**  
 36           **including any informational or regulatory gaps or overlaps**  
 37           **between the state entities.**  
 38           **(b) If the task force determines that the transfer of**  
 39           **administration and functions of a state entity from Purdue**  
 40           **University is appropriate, the task force shall study the following:**  
 41           **(1) Whether employment issues will arise from transferring**  
 42           **administration, employees, or functions of a state entity**

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- 1 described in this subsection from Purdue University to
- 2 another state entity.
- 3 (2) Whether issues will arise from the transfer of any:
- 4 (A) property;
- 5 (B) records;
- 6 (C) funds; or
- 7 (D) accounts;
- 8 from Purdue University to another state entity.
- 9 (3) The feasibility of transferring administration and
- 10 functions of the state entities described in this subsection
- 11 from Purdue University to another state entity.

12 **Sec. 10. The task force shall request information and testimony**  
 13 **from:**

- 14 (1) agricultural associations, organizations, and businesses;
- 15 and
- 16 (2) heads or designees of state entities that:
- 17 (A) promote;
- 18 (B) regulate; or
- 19 (C) provide advice concerning;
- 20 agriculture in Indiana.

21 **Sec. 11. The task force shall:**

- 22 (1) develop recommendations in a report concerning the
- 23 issues set forth in section 9 of this chapter; and
- 24 (2) submit the report to the legislative council in an
- 25 electronic format under IC 5-14-6 not later than November
- 26 1, 2026.

27 **Sec. 12. The legislative services agency shall staff the task**  
 28 **force.**

29 **Sec. 13. (a) Each member of the task force who is not a state**  
 30 **employee is entitled to receive the same per diem, mileage, and**  
 31 **travel allowances paid to individuals who serve as legislative and**  
 32 **lay members, respectively, of interim study committees established**  
 33 **by the legislative council.**

34 **(b) Each member of the task force who is a state employee is**  
 35 **entitled to reimbursement for traveling expenses as provided under**  
 36 **IC 4-13-1-4 and other expenses actually incurred in connection**  
 37 **with the member's duties as provided in the state policies and**  
 38 **procedures established by the Indiana department of**  
 39 **administration and approved by the budget agency.**

40 **(c) Each member of the task force who is a member of the**  
 41 **general assembly is entitled to receive the same per diem, mileage,**  
 42 **and travel allowances paid to members of the general assembly**

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1 serving on interim study committees established by the legislative  
2 council.

3 (d) Per diem, mileage, and travel allowances paid under this  
4 chapter shall be paid from appropriations made to the legislative  
5 council or the legislative services agency.

6 Sec. 14. The task force's expenses shall be paid from  
7 appropriations to the legislative council or the legislative services  
8 agency.

9 Sec. 15. This chapter expires June 30, 2027.

10 SECTION 4. IC 4-1-2-1, AS AMENDED BY P.L.13-2008,  
11 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
12 JULY 1, 2027]: Sec. 1. It is the intent of this chapter that state offices  
13 be open and able to conduct public business at all times during an eight  
14 and one-half (8 1/2) hour working day. Each employee shall work for  
15 a full seven and one-half (7 1/2) hours each working day and provision  
16 for a one (1) hour lunch period shall be provided each employee. Lunch  
17 hours of employees shall be staggered to permit the conduct of business  
18 at all times during a working day. Breaks shall be provided as set forth  
19 in IC 5-10-6-2. It shall be lawful for state offices to close their doors for  
20 business from the close of the working day each Friday or in the event  
21 Friday is a legal holiday, then from the close of the working day on the  
22 Thursday which immediately precedes such legal holiday, until the  
23 commencement of the working day on the next following Monday, or  
24 in the event Monday is a legal holiday, then until the commencement  
25 of the working day on the Tuesday which immediately follows such  
26 legal holiday; provided, however, that the state library may be kept  
27 open until noon Saturdays in the discretion of the Indiana library and  
28 historical board.

29 SECTION 5. IC 4-3-29 IS ADDED TO THE INDIANA CODE AS  
30 A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE UPON  
31 PASSAGE]:

32 **Chapter 29. Governor's Workforce Cabinet**

33 **Sec. 1. As used in this chapter, "applicable federal program"**  
34 **refers to the federal human resource programs for which the**  
35 **cabinet has authority to make recommendations as listed in section**  
36 **4 of this chapter.**

37 **Sec. 2. As used in this chapter, "cabinet" refers to the**  
38 **governor's workforce cabinet established by section 3 of this**  
39 **chapter.**

40 **Sec. 3. The governor's workforce cabinet is established under**  
41 **the applicable state and federal programs to do the following:**

- 42 (1) Review the services and use of funds and resources under

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1 applicable state and federal programs and advise the  
2 governor, general assembly, commission for higher  
3 education, and state board of education on methods of  
4 coordinating the services and use of funds and resources  
5 consistent with the laws and regulations governing the  
6 particular applicable state and federal programs.

7 (2) Advise the governor, general assembly, commission for  
8 higher education, and state board of education on:

9 (A) the development and implementation of state and  
10 local standards and measures; and

11 (B) the coordination of the standards and measures;  
12 concerning the applicable federal programs.

13 (3) Perform the duties as set forth in federal law of the  
14 particular advisory bodies for applicable federal programs  
15 described in section 4 of this chapter.

16 (4) Identify the workforce needs in Indiana and recommend  
17 to the governor, general assembly, commission for higher  
18 education, and state board of education goals to meet the  
19 investment needs.

20 (5) Recommend to the governor, general assembly,  
21 commission for higher education, and state board of  
22 education goals for the development and coordination of the  
23 talent development system in Indiana.

24 (6) Prepare and recommend to the governor, general  
25 assembly, commission for higher education, and state board  
26 of education a strategic plan to accomplish the goals  
27 developed under subdivisions (4) and (5).

28 (7) Monitor and direct the implementation of and evaluate  
29 the effectiveness of the strategic plan described in  
30 subdivision (6).

31 (8) Advise the governor, general assembly, commission for  
32 higher education, and state board of education on the  
33 coordination of federal, state, and local education and  
34 training programs and on the allocation of state and federal  
35 funds in Indiana to promote effective services, service  
36 delivery, and innovative programs.

37 (9) Review and approve regional workforce development  
38 board plans, and work with regional workforce development  
39 boards to determine appropriate metrics for workforce  
40 programming at the state and local levels.

41 (10) Carry out other policy duties and tasks as assigned by  
42 the governor.

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1           **Sec. 4. (a) The cabinet shall serve as the state advisory body**  
2 **required under the following federal laws:**

3           **(1) The Workforce Innovation and Opportunity Act of 2014**  
4 **under 29 U.S.C. 3101 et seq., including reauthorizations of**  
5 **WIOA.**

6           **(2) The Wagner-Peyser Act under 29 U.S.C. 49 et seq.**

7           **(3) The Carl D. Perkins Vocational and Technical Education**  
8 **Improvement Act of 2006 under 20 U.S.C. 2301 et seq.**

9           **(4) The Adult Education and Family Literacy Act under 20**  
10 **U.S.C. 9201 et seq.**

11           **(b) In addition, the cabinet may be designated to serve as the**  
12 **state advisory body required under any of the following federal**  
13 **laws upon approval of the particular state agency directed to**  
14 **administer the particular federal law:**

15           **(1) The National and Community Service Act of 1990 under**  
16 **42 U.S.C. 12501 et seq.**

17           **(2) Part A of Title IV of the Social Security Act under 42**  
18 **U.S.C. 601 et seq.**

19           **(3) The employment and training programs established**  
20 **under the Food Stamp Act of 1977 under 7 U.S.C. 2011 et**  
21 **seq.**

22           **Sec. 5. (a) The membership of the governor's workforce**  
23 **cabinet established by section 3 of this chapter consists of at least**  
24 **thirty-one (31) members as follows:**

25           **(1) A chairperson appointed by the governor.**

26           **(2) The secretary of career connections and talent, serving as**  
27 **a nonvoting member.**

28           **(3) The commissioner of the department of workforce**  
29 **development.**

30           **(4) The secretary of commerce or the secretary of**  
31 **commerce's designee, serving as a nonvoting member.**

32           **(5) The commissioner of the Indiana commission for higher**  
33 **education.**

34           **(6) The secretary of education.**

35           **(7) The president of Ivy Tech Community College.**

36           **(8) The president of Vincennes University.**

37           **(9) One (1) member representing a research university**  
38 **appointed by the governor.**

39           **(10) One (1) member representing a comprehensive**  
40 **university or an independent college appointed by the**  
41 **governor.**

42           **(11) A member appointed by the governor who is an**

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- 1           **apprenticeship coordinator of a joint labor-management**
- 2           **apprenticeship program approved by the United States**
- 3           **Department of Labor, Employment and Training**
- 4           **Administration, Office of Apprenticeship.**
- 5           **(12) A member representing high school career and technical**
- 6           **education educators or directors appointed by the governor**
- 7           **in consultation with the Indiana Association of Career and**
- 8           **Technical Education Districts.**
- 9           **(13) Either:**
  - 10           **(A) a member representing manufacturing appointed by**
  - 11           **the governor in consultation with the Indiana**
  - 12           **Manufacturers Association; or**
  - 13           **(B) an employee of the Indiana Manufacturers**
  - 14           **Association appointed by the governor.**
- 15           **(14) A member representing a minority business enterprise**
- 16           **appointed by the governor.**
- 17           **(15) A member representing a women's business enterprise**
- 18           **appointed by the governor.**
- 19           **(16) A member representing a veteran owned business**
- 20           **appointed by the governor.**
- 21           **(17) A member representing the nonunion and construction**
- 22           **trades appointed by the governor in consultation with the**
- 23           **Associated Builders and Contractors, Inc., and the Indiana**
- 24           **Builders Association.**
- 25           **(18) Either:**
  - 26           **(A) a business owner appointed by the governor in**
  - 27           **consultation with the Indiana Chamber of Commerce;**
  - 28           **or**
  - 29           **(B) an employee of the Indiana Chamber of Commerce**
  - 30           **appointed by the governor.**
- 31           **(19) A small business owner appointed by the governor in**
- 32           **consultation with the National Federation of Independent**
- 33           **Businesses.**
- 34           **(20) A member of a community-based organization**
- 35           **appointed by the governor.**
- 36           **(21) Three (3) at-large business owners appointed by the**
- 37           **governor, one (1) of whom is a business owner who employs**
- 38           **less than fifty (50) employees. One (1) member appointed**
- 39           **under this subdivision shall be from an organization**
- 40           **representing technology.**
- 41           **(22) A school principal, appointed by the governor.**
- 42           **(23) A school superintendent, appointed by the governor.**

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- 1           **(24) The commissioner of the department of correction,**
- 2           **serving as a nonvoting member.**
- 3           **(25) The secretary of family and social services, serving as a**
- 4           **nonvoting member.**
- 5           **(26) A member of the house of representatives appointed by**
- 6           **the speaker of the house of representatives.**
- 7           **(27) A member of the senate appointed by the president pro**
- 8           **tempore of the senate.**
- 9           **(28) Any additional members designated and appointed by**
- 10          **the governor.**

11           **(b) The members appointed under subsection (a)(13) through**  
 12           **(a)(21) must be geographically diverse.**

13           **Sec. 6. The cabinet shall meet at the call of the chairperson.**

14           **Sec. 7. (a) Except as otherwise provided in this section,**  
 15           **members appointed to the cabinet serve four (4) year terms. The**  
 16           **terms of members who are not members of the general assembly**  
 17           **expire as follows:**

18           **(1) For a member appointed under section 5(a)(9) through**  
 19           **5(a)(17) of this chapter, December 31, 2028, and every fourth**  
 20           **year thereafter.**

21           **(2) For a member appointed under section 5(a)(18) through**  
 22           **5(a)(23) of this chapter or under section 5(a)(28) of this**  
 23           **chapter, December 31, 2030, and every fourth year**  
 24           **thereafter.**

25           **The governor must rotate appointments described in section**  
 26           **5(a)(9) and 5(a)(10) of this chapter so that the same research**  
 27           **university, comprehensive university, or independent college is not**  
 28           **represented on the cabinet for two (2) consecutive terms.**

29           **(b) The members of the general assembly appointed under**  
 30           **section 5(a)(26) or 5(a)(27) of this chapter serve two (2) year terms**  
 31           **that expire June 30 of an odd-numbered year. The appropriate**  
 32           **appointing authority shall fill a vacancy among the legislative**  
 33           **members of the cabinet.**

34           **(c) The chairperson appointed under section 5 of this chapter**  
 35           **serves at the pleasure of the governor.**

36           **(d) For members appointed by the governor, the governor**  
 37           **shall promptly make an appointment to fill any vacancy on the**  
 38           **cabinet, but only for the duration of the unexpired term.**

39           **Sec. 8. (a) Except as provided in subsection (b) and subject to**  
 40           **the approval of the chairperson, the state personnel department,**  
 41           **and the budget agency, the cabinet may employ professional,**  
 42           **technical, and clerical personnel necessary to carry out the duties**

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1 imposed by this chapter using the following:

2 (1) Funds available under applicable federal and state  
3 programs.

4 (2) Appropriations by the general assembly for this purpose.

5 (3) Funds in the state technology advancement and retention  
6 account established by IC 4-12-12-1.

7 (4) Other funds (other than federal funds) available to the  
8 cabinet for this purpose.

9 (b) The chairperson may contract for services necessary to  
10 implement this chapter.

11 (c) The cabinet is subject to:

12 (1) the allotment system administered by the budget agency;  
13 and

14 (2) financial oversight by the office of management and  
15 budget.

16 Sec. 9. (a) Any member of the cabinet who is not a state  
17 employee is entitled to the minimum salary per diem provided by  
18 IC 4-10-11-2.1(b). Such a member is also entitled to reimbursement  
19 for mileage, traveling expenses under IC 4-13-1-4, and other  
20 expenses actually incurred in connection with the member's duties  
21 as provided in the state policies and procedures established by the  
22 Indiana department of administration and approved by the budget  
23 agency.

24 (b) Any member of the cabinet who is a state employee is  
25 entitled to reimbursement for traveling expenses under IC 4-13-1-4  
26 and other expenses actually incurred in connection with the  
27 member's duties as provided in the state policies and procedures  
28 established by the Indiana department of administration and  
29 approved by the budget agency.

30 (c) Any member of the cabinet who is a member of the general  
31 assembly is entitled to receive the same per diem, mileage, and  
32 travel allowances paid to members of the general assembly serving  
33 on interim study committees established by the legislative council.  
34 Per diem, mileage, and travel allowances paid under this  
35 subsection shall be paid from appropriations made to the  
36 legislative council or the legislative services agency.

37 (d) Expenses paid under subsections (a) and (b) shall be paid  
38 from appropriations made to the cabinet.

39 Sec. 10. (a) The cabinet shall adopt bylaws and rules governing  
40 the cabinet's organization and operation, including bylaws and  
41 rules governing the establishment of advisory committees  
42 considered necessary by the cabinet, scheduling of cabinet



1 meetings, and other activities necessary to implement this chapter.

2 (b) The cabinet's meetings and advisory committee meetings  
3 are subject to IC 5-14-1.5 (open door law).

4 Sec. 11. The state shall certify to:

5 (1) the United States Secretary of Labor the establishment  
6 and membership of the cabinet before the beginning of each  
7 period of two (2) program years for which a job training  
8 plan is submitted under this chapter; and

9 (2) any other appropriate United States Secretary charged  
10 with administering a particular applicable federal program  
11 the establishment and membership of the cabinet.

12 SECTION 6. IC 4-4-16-2, AS AMENDED BY P.L.83-2005,  
13 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
14 JULY 1, 2026]: Sec. 2. (a) The Indiana main street council is  
15 established. The council consists of:

16 (1) the secretary of agriculture and rural development or a person  
17 designated by the secretary, who shall serve as chairman; and

18 (2) at least seven (7) but not more than ten (10) persons  
19 appointed by the secretary, who represent organizations  
20 concerned with the purposes of the program established by this  
21 chapter and who represent all geographic regions of the state.

22 (b) Members appointed to the council by the secretary shall serve  
23 for a term of three (3) years, beginning on July 1 after their  
24 appointment. However, a member appointed to fill a vacancy on the  
25 council shall serve for the remainder of the unexpired term.

26 (c) The council shall:

- 27 (1) develop and direct policy;
- 28 (2) coordinate administrative techniques; and
- 29 (3) provide assistance;

30 to carry out the purposes of the Indiana main street program.

31 (d) Each member of the council who is not a state employee is  
32 entitled to the minimum salary per diem provided by IC 4-10-11-2.1(b).  
33 Each member is entitled to reimbursement for traveling expenses and  
34 other expenses actually incurred in connection with the member's  
35 duties, as provided in the state travel policies and procedures  
36 established by the department of administration and approved by the  
37 state budget agency.

38 (e) **This section expires December 31, 2026.**

39 SECTION 7. IC 4-4-16-3, AS AMENDED BY P.L.83-2005,  
40 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
41 JULY 1, 2027]: Sec. 3. (a) To carry out the purposes described in  
42 section 1 of this chapter, the office of rural affairs acting for and on

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1 behalf of the Indiana main street council and the Indiana main street  
2 program; may:

- 3 (1) execute contractual agreements;
- 4 (2) receive money from any source;
- 5 (3) expend money for an activity appropriate to the purposes of  
6 this chapter; and
- 7 (4) execute agreements and cooperate with:
  - 8 (A) any other state or federal department or agency;
  - 9 (B) Indiana political subdivisions; or
  - 10 (C) any private person or corporation.

11 **(b) The office of rural affairs shall:**

- 12 **(1) develop and direct policy;**
- 13 **(2) coordinate administrative techniques; and**
- 14 **(3) provide assistance;**

15 **to carry out the purposes of the Indiana main street program.**

16 SECTION 8. IC 4-13.6-1-11 IS AMENDED TO READ AS  
17 FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 11. "Professional  
18 services" mean the services of:

- 19 (1) a person registered or certified under ~~IC 25-4~~; **IC 25-4-1 or**  
20 **IC 25-4-2;**
- 21 (2) a person licensed under ~~IC 25-31~~; **IC 25-4-3;** or
- 22 (3) a person who performs services or studies that:
  - 23 (A) relate to the design or the feasibility of a building,  
24 structure, or improvement; and
  - 25 (B) are recognized in the industry as professional in nature.

26 SECTION 9. IC 4-15-12-8 IS REPEALED [EFFECTIVE JULY 1,  
27 2027]. Sec. 8. (a) There is created the affirmative action advisory  
28 committee to assist in the effective implementation of the affirmative  
29 action policy. The committee is composed of eight (8) members. The  
30 governor shall appoint the members of the committee with the advice  
31 of the affirmative action officer. The members serve at the pleasure of  
32 the governor.

33 (b) A member of the committee is entitled to reimbursement for  
34 traveling expenses and other expenses actually incurred in connection  
35 with the member's duties, as provided in the state travel policies and  
36 procedures established by the department of administration and  
37 approved by the budget agency. A member who is not an officer or  
38 employee of the state is entitled to the minimum salary per diem as  
39 provided in IC 4-10-11-2.1(b) while performing the member's duties.

40 (c) The committee shall select from its membership a chairperson  
41 and vice chairperson to serve for one (1) year from the date of  
42 selection. They may be reelected at the pleasure of the committee. In

HB 1003—LS 6756/DI 92



1 any instance where the chairperson or vice chairperson does not serve  
2 the chairperson's or vice chairperson's full term; the committee shall  
3 select another to serve in the chairperson's or vice chairperson's own  
4 right a full term.

5 (d) The affirmative action advisory committee shall:

6 (1) provide liaison activities with the affirmative action officer  
7 with respect to problems and suggestions concerning the  
8 affirmative action policy;

9 (2) advise the affirmative action officer and the governor of  
10 recommended changes in the implementation of the affirmative  
11 action policy and improved guidelines for state agency  
12 programs; and

13 (3) advise the governor and the affirmative action officer  
14 concerning the effectiveness and status of the total  
15 implementation of the affirmative action policy.

16 (e) The affirmative action advisory committee may review the  
17 affirmative action programs of state agencies for effectiveness and  
18 improvements.

19 SECTION 10. IC 4-22-2-0.3, AS ADDED BY P.L.220-2011,  
20 SECTION 45, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
21 JULY 1, 2027]: Sec. 0.3. (a) The adoption of any rule by a state agency  
22 without the approval of the fire prevention and building safety  
23 commission established under IC 22-12-2-1 (before its repeal)  
24 before July 1, 1987, is legalized and validated.

25 (b) The adoption of any rule by the fire prevention and  
26 building safety commission before July 1, 2027, is legalized and  
27 validated and considered a rule of the department of homeland  
28 security after June 30, 2027.

29 SECTION 11. IC 4-22-2.6-4, AS AMENDED BY P.L.213-2025,  
30 SECTION 56, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
31 JULY 1, 2027]: Sec. 4. (a) To readopt a rule, an agency must conduct  
32 a review of the rule to consider the continued need for the rule and  
33 whether the rule, if readopted, will meet each of the standards in  
34 IC 4-22-2-19.5 and (if applicable) the requirements for fees, fines, and  
35 civil penalties in IC 4-22-2-19.6.

36 (b) In the review, the agency shall reexamine previous cost benefit,  
37 economic impact, fiscal impact, and regulatory burden statements  
38 prepared by the agency for the rule under IC 4-3-22-13, IC 4-22-2-22.7,  
39 IC 4-22-2-22.8, IC 4-22-2-28, IC 4-22-2.1-5, or an executive order and  
40 revise the statements to reflect any change in circumstances that affect  
41 the analysis. The agency shall identify any alternative methods of  
42 achieving the purpose of the rule that are less costly or less intrusive,

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1 or that would otherwise minimize the economic impact of the proposed  
 2 rule on small businesses (as defined in IC 4-22-2.1-4) and other  
 3 regulated entities. The agency also shall consider the following:

4 (1) The nature of any complaints or comments received from the  
 5 public, including small businesses (as defined in IC 4-22-2.1-4),  
 6 concerning the rule or the rule's implementation by the agency.

7 (2) The complexity of the rule, including any difficulties  
 8 encountered by:

9 (A) the agency in administering the rule; or

10 (B) small businesses (as defined in IC 4-22-2.1-4) or other  
 11 regulated persons in complying with the rule.

12 (3) The degree to which technology, economic conditions, or  
 13 other factors have changed in the area affected by the rule since  
 14 the last time the rule was reviewed.

15 **(c) In the review, the agency shall compare the requirements**  
 16 **within the rule to similar requirements in Illinois, Kentucky,**  
 17 **Michigan, Ohio, and any additional states designated by the office**  
 18 **of management and budget for comparison.**

19 **(d) The agency shall prepare written findings concerning the**  
 20 **agency's determinations under this section. The written findings shall**  
 21 **include the following:**

22 **(1) A statement identifying whether the program or subject**  
 23 **matter covered by the rule is still carried out by the agency.**

24 **(2) The rationale for the agency's determination under**  
 25 **subsection (a) for the continued need for the rule.**

26 **(3) The rationale for the agency's determination under**  
 27 **subsection (a) that the rule, if readopted, will meet each of**  
 28 **the standards in IC 4-22-2-19.5 and (if applicable) the**  
 29 **requirements for fees, fines, and civil penalties in**  
 30 **IC 4-22-2-19.6.**

31 **(4) Either of the following:**

32 **(A) Any revisions to previously prepared cost benefit,**  
 33 **economic impact, fiscal impact, or regulatory burden**  
 34 **statements prepared by the agency for the rule under:**

35 **(i) IC 4-3-22-13;**

36 **(ii) IC 4-22-2-22.7;**

37 **(iii) IC 4-22-2-22.8;**

38 **(iv) IC 4-22-2-28; or**

39 **(v) IC 4-22-2.1-5;**

40 **if those previously prepared statements were published**  
 41 **by the Indiana Register.**

42 **(B) If the rule did not have a prior cost benefit,**

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**economic impact, fiscal impact, or regulatory burden statement prepared by the agency for the rule under:**

- (i) IC 4-3-22-13;**
- (ii) IC 4-22-2-22.7;**
- (iii) IC 4-22-2-22.8;**
- (iv) IC 4-22-2-28; or**
- (v) IC 4-22-2.1-5;**

**published in the Indiana Register, a copy of an updated regulatory burden statement that meets the requirements of IC 4-22-2-22.7.**

**(5) Any alternative methods of achieving the purpose of the rule that are less costly or less intrusive, or that would otherwise minimize the economic impact of the proposed rule on small businesses (as defined in IC 4-22-2.1-4) and other regulated entities.**

**(6) The nature of any complaints or comments received from the public, including small businesses (as defined in IC 4-22-2.1-4), concerning the rule or the rule's implementation by the agency.**

**(7) Any difficulties encountered by:**

- (A) the agency in administering the rule; or**
- (B) small businesses (as defined in IC 4-22-2.1-4) or other regulated persons in complying with the rule.**

**(8) The degree to which technology, economic conditions, or other factors have changed in the area affected by the rule since the last time the rule was adopted, readopted, or amended.**

**(9) Whether the federal government or any of the states covered by subsection (c) have less restrictive requirements than the rule, and, if so, the evidence or unique circumstances that justify why the more restrictive requirements in the rule are necessary.**

**(10) The last time the substantive content of the rule was amended.**

**(11) Whether the substantive content in the rule would be more appropriately integrated into the Indiana Code as opposed to remaining as a separate administrative rule. In making such a determination, the agency shall consider the frequency of updates to the rule since its initial promulgation. If the substantive content of the rule has not been modified in the prior eight (8) years, the agency must present specific facts that justify keeping the substantive**

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1 content in an administrative rule rather than the Indiana  
2 Code.

3 (e) The written findings in subsection (d) must be submitted in  
4 a form that can be easily loaded into commonly used business  
5 analysis software and published in the Indiana Register using the  
6 format jointly developed by the publisher, the office of  
7 management and budget, and the budget agency. The office of  
8 management and budget may provide more stringent requirements  
9 for rules with fiscal impacts and costs above a threshold amount  
10 determined by the office of management and budget.

11 SECTION 12. IC 4-22-2.6-5, AS AMENDED BY P.L.93-2024,  
12 SECTION 24, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
13 JULY 1, 2027]: Sec. 5. (a) If an agency elects to readopt a rule  
14 under this chapter, the agency shall submit a copy of the written  
15 findings under section 4 of this chapter to the office of management  
16 and budget and the legislative council not later than the first  
17 regular business day in July of the year preceding the year in  
18 which the rule expires under this chapter.

19 (a) (b) If an agency elects to readopt a rule under this chapter, the  
20 agency shall submit a notice of proposed readoption to the publisher  
21 not later than the first regular business day in September of the year  
22 preceding the year in which the rule expires under this chapter for  
23 publication in the Indiana Register. A separate notice must be  
24 published for each board or other person or entity with rulemaking  
25 authority.

26 (b) (c) The notice must include the following:

27 (1) A general description of the subject matter of all rules  
28 proposed to be readopted.

29 (2) A listing of rules that are proposed to be readopted, listed by  
30 their titles and subtitles only.

31 (3) A written public comment period of thirty (30) days and  
32 instructions on how to submit written comments to the agency.

33 (4) A request for comments on whether specific rules should be  
34 reviewed through the regular rulemaking process under  
35 IC 4-22-2-23 through IC 4-22-2-36 (as modified by IC 13-14-9,  
36 when applicable).

37 (5) A summary of The agency's written findings under section  
38 4 of this chapter.

39 (6) Any other information required by the publisher.

40 (c) (d) The agency shall submit the material in the form required  
41 by IC 4-22-2-20. The agency need not resubmit the documents required  
42 by IC 4-22-2-21 if the publisher received a copy of the documents

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1 when the rule was previously adopted or amended. The publisher shall  
 2 review the material submitted under this section and determine the date  
 3 that the publisher intends to include the material in the Indiana  
 4 Register. After:

- 5 (1) establishing the intended publication date; and
- 6 (2) receiving the material as required by this section;

7 the publisher shall provide an electronic mail authorization to proceed  
 8 to the agency and publish the material on the intended publication date.

9 SECTION 13. IC 4-23-6 IS REPEALED [EFFECTIVE JULY 1,  
 10 2027]. (Commission on Forensic Sciences).

11 SECTION 14. IC 4-23-6.5-4, AS AMENDED BY P.L.56-2023,  
 12 SECTION 30, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 13 JULY 1, 2027]: Sec. 4. (a) The board consists of seven (7) members.  
 14 The board must include the following:

- 15 (1) The commissioner of the Indiana department of health or the  
 16 commissioner's designee.
- 17 ~~(2) The chairman of the commission on forensic sciences or the~~  
 18 ~~chairman's designee.~~
- 19 ~~(3) (2) The superintendent of the state police department or the~~  
 20 ~~superintendent's designee.~~
- 21 ~~(4) (3) Four (4) county coroners appointed by the governor, who~~  
 22 ~~shall consider appointing coroners who are women or members~~  
 23 ~~of minority groups.~~

24 **(4) An attorney appointed by the governor.**

25 (b) Not more than two (2) of the county coroner members of the  
 26 board may be from the same political party.

27 SECTION 15. IC 4-23-7-2, AS AMENDED BY P.L.84-2012,  
 28 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 29 JULY 1, 2027]: Sec. 2. (a) The management and control of the Indiana  
 30 library and historical department is hereby vested in a board which  
 31 shall be known as the Indiana library ~~and historical~~ board, and which  
 32 shall consist of five (5) members, who shall be appointed by the  
 33 governor.

34 (b) All members shall be appointed for terms of four (4) years. A  
 35 person may not be appointed as a member of the Indiana library ~~and~~  
 36 ~~historical~~ board unless the person is a citizen of high standing and  
 37 probity and has a known and active interest in library or historical  
 38 work. The members of the board shall be appointed as follows:

- 39 (1) One (1) member of the library ~~and historical~~ board shall be  
 40 appointed on recommendation of the state board of education.
- 41 (2) One (1) member must be appointed on the recommendation  
 42 of the Indiana Library Federation.

HB 1003—LS 6756/DI 92



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1 (3) At least one (1) member shall be appointed on  
2 recommendation of the Indiana historical society.

3 (4) At least one (1) member must be a public library trustee  
4 appointed on the recommendation of the Indiana Library Trustee  
5 Association.

6 (c) The members of the board shall serve without compensation,  
7 but shall be entitled to receive their actual expenses necessarily  
8 incurred in attending the meetings and transacting the business of the  
9 board, and in participating in such other activities as may be in the  
10 interest of the department.

11 (d) Any vacancy which may occur in the membership of the board  
12 for any cause shall be filled by appointment by the governor for the  
13 unexpired term.

14 (e) The board may prepare plans subject to the approval of the  
15 governor and advise with the proper officials in the construction of  
16 alterations and additions to the building and provide necessary  
17 equipment and furnishings within the appropriations of funds for these  
18 purposes.

19 (f) The board may receive and administer any state or federal aid  
20 which may become available for the improvement and development of  
21 library and historical services in Indiana.

22 SECTION 16. IC 4-23-7-2.1, AS AMENDED BY P.L.42-2018,  
23 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
24 JULY 1, 2027]: Sec. 2.1. (a) The Indiana library ~~and historical~~ board  
25 shall elect one (1) of its members as president, another as secretary,  
26 and such other officers as it determines, each of whom shall hold office  
27 for a term of one (1) year.

28 (b) The board may designate the director of the state library as the  
29 executive secretary of the board with duties as prescribed by the board.

30 SECTION 17. IC 4-23-7-5, AS AMENDED BY P.L.42-2018,  
31 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
32 JULY 1, 2027]: Sec. 5. Subject to the provisions of this chapter, the  
33 Indiana library ~~and historical~~ board shall formulate policies for the  
34 care, management, and expansion of the Indiana library and historical  
35 department so that the department is operated according to the most  
36 approved standards of library and historical service.

37 SECTION 18. IC 4-23-7-5.2 IS AMENDED TO READ AS  
38 FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 5.2. The Indiana library  
39 ~~and historical~~ board may accept gifts, bequests, and devises of personal  
40 and real property for the maintenance, use, or benefit of the Indiana  
41 library and historical department under such terms and conditions and  
42 with such obligations, liabilities, and burdens as in the judgment of the

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1 board and the governor is in the best interest of the Indiana library and  
 2 historical department; however, no obligation, liability, or burden shall  
 3 be assumed that is in excess of appropriations made by law for the  
 4 payment of such obligations, liabilities, and burdens.

5 SECTION 19. IC 4-23-7-5.3, AS AMENDED BY P.L.1-2009,  
 6 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 7 JULY 1, 2027]: Sec. 5.3. (a) The Indiana library ~~and historical~~ board  
 8 may, on the recommendation of the director of the state library, sell,  
 9 lease, exchange, or otherwise dispose of library materials under:

10 (1) IC 5-22-21; or

11 (2) IC 5-22-22.

12 (b) The Indiana library ~~and historical~~ board may, on the  
 13 recommendation of the director of the state library and in accordance  
 14 with policies and procedures adopted by the board, sell, donate, or  
 15 exchange library materials to or with other public or nonprofit libraries  
 16 or historical societies.

17 (c) The Indiana library ~~and historical~~ board may, on the  
 18 recommendation of the director of the state library, adopt policies and  
 19 procedures for evaluating a proposal to:

20 (1) accept gifts of;

21 (2) sell;

22 (3) exchange; or

23 (4) otherwise dispose of;

24 library materials described in IC 4-23-7.1-3.

25 SECTION 20. IC 4-23-7-5.4 IS AMENDED TO READ AS  
 26 FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 5.4. (a) The library and  
 27 historical department fund is established as a dedicated fund to be  
 28 administered by the Indiana library ~~and historical~~ board. The monies  
 29 in the fund may be expended by the board exclusively for the  
 30 maintenance, use, or benefit of the Indiana library and historical  
 31 department.

32 (b) The proceeds from the sale of items as directed by law or by  
 33 the Indiana library ~~and historical~~ board, from gifts of money or the  
 34 proceeds from the sale of gifts donated to the fund, and from  
 35 investment earnings from any portion of the fund, shall be deposited in  
 36 the fund.

37 (c) All monies accruing in the fund are hereby appropriated  
 38 continuously for the purposes specified in this section.

39 (d) No portion of the fund shall revert to the general fund of the  
 40 state at the end of a fiscal year; however, if the fund is abolished, its  
 41 contents shall revert to the general fund of the state.

42 SECTION 21. IC 4-23-7.1-1, AS AMENDED BY P.L.42-2018,

**HB 1003—LS 6756/DI 92**



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1 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 2 JULY 1, 2027]: Sec. 1. As used in this chapter:  
 3 (1) "Agency" means any state administration, agency, authority,  
 4 board, bureau, commission, committee, council, department,  
 5 division, institution, office, service, or other similar body of state  
 6 government.  
 7 (2) "Board" means the Indiana library ~~and historical~~ board  
 8 established by IC 4-23-7-2.  
 9 (3) "Department" means the Indiana library and historical  
 10 department established by IC 4-23-7-1.  
 11 (4) "Director" means director of the Indiana state library.  
 12 (5) "Historical bureau" means the Indiana historical bureau  
 13 established by IC 4-23-7.2-2.  
 14 (6) "Public library" has the meaning set forth in IC 36-12-1-5.  
 15 (7) "State library" means the Indiana state library established by  
 16 IC 4-23-7-3.  
 17 (8) "Statewide library card program" refers to the program  
 18 established by section 5.1 of this chapter.

19 SECTION 22. IC 4-23-7.1-4 IS AMENDED TO READ AS  
 20 FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 4. The state library  
 21 shall initiate or participate in plans or programs for historical or library  
 22 development in Indiana that are considered appropriate by the Indiana  
 23 library ~~and historical~~ board.

24 SECTION 23. IC 4-23-7.1-23 IS AMENDED TO READ AS  
 25 FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 23. The enumeration  
 26 of the specific powers and duties in this chapter does not exclude the  
 27 state library from engaging in any other activity, not contrary to law,  
 28 that the Indiana library ~~and historical~~ board may consider appropriate  
 29 in the development of library service to state government, to the  
 30 libraries and library profession of Indiana, and to the citizens of the  
 31 state.

32 SECTION 24. IC 4-23-7.1-32, AS AMENDED BY P.L.84-2012,  
 33 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 34 JULY 1, 2027]: Sec. 32. Any book or other library material, unless  
 35 restricted because of its value, physical condition, historical  
 36 importance, demand, requirement for research, or legal or contractual  
 37 restriction, belonging to or in custody of the state library may be  
 38 borrowed for use outside of the library by any resident of the state or  
 39 any library in accordance with policies adopted by the Indiana library  
 40 ~~and historical~~ board.

41 SECTION 25. IC 4-23-7.1-39.1 IS REPEALED [EFFECTIVE  
 42 JULY 1, 2017]. ~~Sec. 39.1: (a) The state library advisory council is~~

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1 established for the purpose of advising the board and the state librarian  
2 concerning:

- 3 (1) general policies of the state library;  
4 (2) plans or programs for library development and interlibrary  
5 cooperation;  
6 (3) library research;  
7 (4) professional development for librarians;  
8 (5) standards and rules for library services;  
9 (6) administration and distribution of state and federal funds;  
10 and  
11 (7) other matters as requested by the board and the state  
12 librarian.

13 (b) The advisory council consists of not more than fifteen (15)  
14 members.

15 (c) The board shall appoint the members of the advisory council;  
16 with nominations for appointment from library organizations and the  
17 state librarian.

18 (d) Members of the advisory council shall serve two (2) year  
19 terms. However, the board shall stagger the terms of the initial  
20 appointees.

21 (e) Notwithstanding subsection (d), if a member misses a majority  
22 of the advisory council's meetings in a calendar year, the board may  
23 remove the member and appoint a new member to serve the remainder  
24 of the term of the member removed under this subsection.

25 (f) A member of the advisory council is not entitled to  
26 compensation, per diem, or reimbursement for expenses.

27 (g) A quorum of the members must be present for the advisory  
28 council to take any official action. A quorum of the advisory council  
29 consists of a majority of the members appointed to the advisory  
30 council. An affirmative vote by a majority of the members present is  
31 needed for the advisory council to make a recommendation or take any  
32 official action.

33 SECTION 26. IC 4-23-7.2-1, AS AMENDED BY P.L.42-2018,  
34 SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
35 JULY 1, 2027]: Sec. 1. The following definitions apply throughout this  
36 chapter:

- 37 (1) "Agency" means any state administration, agency, authority,  
38 board, bureau, commission, committee, council, department,  
39 division, institution, office, service, or other similar body of state  
40 government.  
41 (2) "Board" means the Indiana library and historical board  
42 established by IC 4-23-7-2.

HB 1003—LS 6756/DI 92



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- 1 (3) "Department" means the Indiana library and historical  
2 department established by IC 4-23-7-1.
- 3 (4) "Deputy director" means the deputy director of the Indiana  
4 historical bureau.
- 5 (5) "Director" means director of the library.
- 6 (6) "Historical bureau" means the Indiana historical bureau  
7 established by section 2 of this chapter.
- 8 (7) "Library" means the Indiana state library established by  
9 IC 4-23-7-3.
- 10 SECTION 27. IC 4-23-12 IS REPEALED [EFFECTIVE JULY 1,  
11 2027]. (Indiana Commission for Arts and Humanities in Education).
- 12 SECTION 28. IC 4-23-24.1 IS REPEALED [EFFECTIVE JULY  
13 1, 2027]. (Dr. Martin Luther King Jr. Indiana Holiday Commission).
- 14 SECTION 29. IC 4-23-25 IS REPEALED [EFFECTIVE JULY 1,  
15 2027]. (Indiana Commission for Women).
- 16 SECTION 30. IC 4-23-26 IS REPEALED [EFFECTIVE JUNE 1,  
17 2027]. (Advisory Committee for Children With Special Health Needs).
- 18 SECTION 31. IC 4-23-27 IS REPEALED [EFFECTIVE JULY 1,  
19 2027]. (Children's Health Policy Board).
- 20 SECTION 32. IC 4-23-28 IS REPEALED [EFFECTIVE JULY 1,  
21 2027]. (Commission on Hispanic/Latino Affairs).
- 22 SECTION 33. IC 4-23-31 IS REPEALED [EFFECTIVE JULY 1,  
23 2027]. (Commission on the Social Status of Black Males).
- 24 SECTION 34. IC 4-23-32 IS REPEALED [EFFECTIVE JULY 1,  
25 2027]. (Native American Indian Affairs Commission).
- 26 SECTION 35. IC 4-23-36 IS ADDED TO THE INDIANA CODE  
27 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE  
28 JULY 1, 2027]:
- 29 **Chapter 36. Indiana Cultural Commission**
- 30 **Sec. 1. As used in this chapter, "commission" refers to the**  
31 **Indiana cultural commission established by section 3 of this**  
32 **chapter.**
- 33 **Sec. 2. As used in this chapter, "Native American Indian"**  
34 **means an individual who is at least one (1) of the following:**
- 35 (1) An Alaska native as defined in 43 U.S.C. 1602(b).  
36 (2) An Indian as defined in 25 U.S.C. 450b(d).  
37 (3) A native Hawaiian as defined in 20 U.S.C. 7517(1).
- 38 **Sec. 3. The Indiana cultural commission is established.**
- 39 **Sec. 4. (a) The commission consists of fifteen (15) members**  
40 **appointed as follows:**
- 41 (1) Two (2) members of the house of representatives  
42 appointed as follows:

HB 1003—LS 6756/DI 92



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- 1 (A) One (1) member appointed by the speaker of the  
2 house of representatives.
- 3 (B) One (1) member appointed by the minority leader of  
4 the house of representatives.
- 5 (2) Two (2) members of the senate appointed as follows:
- 6 (A) One (1) member appointed by the president pro  
7 tempore of the senate.
- 8 (B) One (1) member appointed by the minority leader of  
9 the senate.
- 10 (3) One (1) individual who is not a member of the general  
11 assembly appointed by the speaker of the house of  
12 representatives.
- 13 (4) One (1) individual who is not a member of the general  
14 assembly appointed by the president pro tempore of the  
15 senate.
- 16 (5) The secretary of the family and social services  
17 administration, or the secretary's designee.
- 18 (6) The commissioner of the Indiana department of health,  
19 or the commissioner's designee.
- 20 (7) The secretary of education, or the secretary's designee.
- 21 (8) The commissioner of the department of correction, or the  
22 commissioner's designee.
- 23 (9) The director of the civil rights commission, or the  
24 director's designee.
- 25 (10) Four (4) individuals appointed by the governor in  
26 accordance with subsection (b).
- 27 (b) The following apply to members of the commission  
28 appointed by the governor under subsection (a)(10):
- 29 (1) The appointed individuals may not be members of the  
30 general assembly or state employees.
- 31 (2) The appointed individuals must represent the following:
- 32 (A) African Americans.
- 33 (B) The Hispanic/Latino community.
- 34 (C) Women.
- 35 (D) Native American Indians.
- 36 (c) If a legislative member of the commission ceases to be a  
37 member of the legislative chamber from which the member was  
38 appointed, the member ceases to be a member of the commission.
- 39 (d) A member of the commission:
- 40 (1) serves at the pleasure of the member's appointing  
41 authority; and
- 42 (2) may be removed at any time by the appointing authority.

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1 (e) If a vacancy on the commission occurs, the appointing  
 2 authority who appointed the former member whose position has  
 3 become vacant shall appoint an individual to fill the vacancy. An  
 4 individual appointed to fill a vacancy serves on the commission for  
 5 the remainder of the unexpired term of the individual's  
 6 predecessor.

7 Sec. 5. (a) A member of the commission may be reappointed  
 8 for successive terms.

9 (b) The following members serve a two (2) year term that  
 10 expires June 30 of an odd-numbered year:

11 (1) A member of the general assembly appointed to the  
 12 commission under section 4 of this chapter.

13 (2) A member appointed to the commission under section  
 14 4(a)(3) or 4(a)(4) of this chapter.

15 (c) A member appointed to the commission under section  
 16 4(a)(10) of this chapter serves a term that expires December 31,  
 17 2028, and each fourth year thereafter.

18 Sec. 6. (a) The commission shall meet:

19 (1) at the call of the chairperson as necessary to fulfill its  
 20 duties under this chapter; and

21 (2) at least once quarterly in each calendar year.

22 (b) The chairperson shall designate the following  
 23 subcommittees to meet at least two (2) times each year:

24 (1) African American affairs.

25 (2) Hispanic/Latino affairs.

26 (3) Women and families.

27 (4) Native American Indian affairs.

28 Each subcommittee shall submit an annual report on its activities  
 29 to the full commission.

30 (c) A subcommittee designated under this section is comprised  
 31 of at least three (3) members of the commission appointed by the  
 32 chairperson.

33 Sec. 7. (a) At the first official meeting of the commission each  
 34 year, the members shall elect:

35 (1) a member to serve as the chairperson of the commission;  
 36 and

37 (2) a member to serve as the vice chairperson of the  
 38 commission.

39 (b) A member elected to serve as chairperson or vice  
 40 chairperson of the commission shall serve for a term of one (1)  
 41 year. The term of office expires at the first commission meeting  
 42 held in the following year.

HB 1003—LS 6756/DI 92



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1 (c) A vacancy in the office of chairperson or vice chairperson  
2 must be filled by a member of the commission selected by vote of  
3 the remaining members of the commission.

4 Sec. 8. Eight (8) members of the commission constitute a  
5 quorum for conducting commission business. The affirmative vote  
6 of at least eight (8) members is required for the commission to take  
7 official action on any measure. A member of the commission may  
8 participate in a meeting by electronic means in accordance with  
9 IC 5-14-1.5-3.6 as long as at least five (5) members of the  
10 commission are physically present at the meeting.

11 Sec. 9. (a) Each member of the commission who is not a state  
12 employee is entitled to the minimum salary per diem provided by  
13 IC 4-10-11-2.1(b). The member is also entitled to reimbursement  
14 for mileage and traveling expenses as provided under IC 4-13-1-4,  
15 and other expenses actually incurred in connection with the  
16 member's duties as provided in the state policies and procedures  
17 established by the Indiana department of administration and  
18 approved by the budget agency.

19 (b) Each member of the commission who is a state employee is  
20 entitled to reimbursement for traveling expenses as provided under  
21 IC 4-13-1-4 and other expenses actually incurred in connection  
22 with the member's duties as provided in the state policies and  
23 procedures established by the Indiana department of  
24 administration and approved by the budget agency.

25 (c) Each member of the commission who is a member of the  
26 general assembly is entitled to receive the same per diem, mileage,  
27 and travel allowances paid to members of the general assembly  
28 serving on interim study committees established by the legislative  
29 council. Per diem, mileage, and travel allowances paid under this  
30 subsection shall be paid from appropriations made to the  
31 legislative council or the legislative services agency.

32 (d) Expenses paid under subsections (a) and (b) shall be paid  
33 from appropriations made to the civil rights commission.

34 Sec. 10. The commission shall do the following:

35 (1) Identify, study, and research issues affecting  
36 underrepresented and minority groups, including the groups  
37 described in section 6(b) of this chapter, in the following  
38 areas:

- 39 (A) Health care.
- 40 (B) Economic and business development.
- 41 (C) Employment.
- 42 (D) Education.

HB 1003—LS 6756/DI 92



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- 1 (E) Social and family development.  
 2 (F) Housing.  
 3 (G) Civil rights.  
 4 (H) The justice system.  
 5 (I) Any other aspect of society identified by the  
 6 commission.
- 7 (2) Promote cooperation and understanding between  
 8 communities throughout Indiana.
- 9 (3) Assess the needs of underrepresented and minority  
 10 groups and identify recommendations to resolve those needs.
- 11 (4) Promote full participation of underrepresented and  
 12 minority groups in all aspects of society.
- 13 (5) Identify legal and social barriers to underrepresented and  
 14 minority groups.
- 15 (6) Identify measures that could facilitate easier access to  
 16 state and local government services by underrepresented and  
 17 minority groups.
- 18 (7) Make recommendations to appropriate governmental  
 19 agencies regarding issues of preservation and excavation of  
 20 Native American Indian historical and archeological sites,  
 21 including the reburial of remains of Native American  
 22 Indians, that are consistent with IC 14-21-1-25.5.
- 23 (8) Monitor legislation, policies, and other legal  
 24 developments in order to make recommendations to the  
 25 general assembly and the governor that support the  
 26 commission's purposes.
- 27 (9) Gather, study, and disseminate information on  
 28 underrepresented and minority groups through publications,  
 29 public hearings, conferences, and other means.
- 30 (10) Before November 1 of each year, submit an annual  
 31 report on the commission's activities to:
- 32 (A) the governor; and  
 33 (B) the legislative council in an electronic format under  
 34 IC 5-14-6.
- 35 **Sec. 10.5. (a) The commission shall commemorate the birthday**  
 36 **of Dr. Martin Luther King Jr. with programs or activities that:**
- 37 (1) honor Dr. King's life and works; and  
 38 (2) reflect Dr. King's philosophy and dream of freedom,  
 39 justice, and racial equality through nonviolent social change.
- 40 (b) The commission may do the following:
- 41 (1) Sponsor, promote, or engage in activities on dates other  
 42 than the Dr. King holiday that honor Dr. Martin Luther

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1 King Jr. or that relate to the philosophy and principles  
2 advocated by Dr. King.

3 (2) Coordinate the commission's activities and projects with  
4 the Dr. Martin Luther King Jr. federal holiday commission,  
5 community organizations, local municipalities, and other  
6 entities that the commission determines to be appropriate.

7 Sec. 11. The commission may study topics that are not  
8 described in section 10 of this chapter as assigned by the legislative  
9 council.

10 Sec. 12. The commission may do the following:

11 (1) Designate and appoint members to subcommittees in  
12 accordance with section 6 of this chapter.

13 (2) Transact business and enter into contracts that support  
14 the commission's purposes.

15 (3) Apply for, receive, and disburse gifts, contributions, and  
16 grants of funds or in-kind services.

17 (4) Adopt, rescind, and amend bylaws to regulate the  
18 conduct of the commission's business.

19 (5) Assign duties to the commission's officers under the  
20 commission's bylaws.

21 Sec. 13. The commission may not study or make any  
22 recommendation on the following issues:

23 (1) Negotiations between a Native American Indian tribe and  
24 the state or federal government concerning tribal  
25 sovereignty.

26 (2) Gaming on tribal land.

27 Sec. 14. (a) The civil rights commission shall provide staff and  
28 administrative support for the commission.

29 (b) Except as provided in section 9(c) of this chapter, expenses  
30 incurred under this chapter shall be paid from funds appropriated  
31 to the civil rights commission.

32 Sec. 15. (a) The Indiana cultural commission special fund is  
33 established to provide money for special projects of the  
34 commission.

35 (b) The treasurer of state shall administer the fund.

36 (c) Expenses of administering the fund must be paid from  
37 money in the fund.

38 (d) The fund consists of gifts, contributions, and money  
39 donated to the commission.

40 (e) The treasurer of state shall invest money in the fund not  
41 needed to meet the obligations of the fund in the same manner as  
42 other public funds may be invested.

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1 (f) Money in the fund is continuously appropriated for the  
2 purposes described in subsection (a).

3 Sec. 16. (a) As used in this section, "license plate revenue"  
4 refers to money attributable to license plate sales under IC 9-18.5  
5 that was paid to the Native American Indian affairs commission  
6 (before its repeal) or to the commission under IC 9-18.5-22-4.

7 (b) The commission and the civil rights commission shall assist  
8 members of the Native American Indian community in establishing  
9 a nonprofit corporation to:

10 (1) advocate for the Native American Indians residing in  
11 Indiana; and

12 (2) promote events, programming, and services for the  
13 benefit of Native American Indians residing in Indiana.

14 (c) Not later than thirty (30) days after executive director of  
15 the civil rights commission determines that the:

16 (1) nonprofit corporation described in subsection (b) has  
17 been established; and

18 (2) officers of the corporation are in place and prepared to  
19 fulfill their official duties;

20 the executive director shall inform the bureau of motor vehicles  
21 that the nonprofit corporation has been established and is  
22 prepared to receive revenue under IC 9-18.5-22-4 in the ensuing  
23 calendar year.

24 (d) Before January 1 of the calendar year following the  
25 calendar year in which a nonprofit corporation described in  
26 subsection (b) is established under this section, the commission  
27 shall transfer any remaining license plate revenue under its control  
28 to the treasurer of the nonprofit corporation.

29 SECTION 36. IC 4-31-11-7 IS AMENDED TO READ AS  
30 FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 7. A member of a  
31 development committee is not entitled to the minimum salary per diem  
32 provided by IC 4-10-11-2.1(b) ~~However, a member is entitled to or~~  
33 reimbursement for traveling expenses and other expenses actually  
34 incurred in connection with the member's duties. ~~as provided in the~~  
35 state travel policies and procedures established by the department of  
36 administration and approved by the budget agency.

37 SECTION 37. IC 5-1.5-2-2, AS AMENDED BY P.L.259-2019,  
38 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
39 JULY 1, 2027]: Sec. 2. (a) There is established a board of directors to  
40 govern the bank. The powers of the bank are vested in this board.

41 (b) The board is composed of:

42 (1) the treasurer of state, who shall be the chairman ex officio, or

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- 1 the treasurer of state's designee;  
 2 (2) the public finance director appointed under IC 5-1.2-3-6, who  
 3 shall be the director ex officio, or the public finance director's  
 4 designee; ~~and~~  
 5 (3) ~~five (5) directors~~ **one (1) director** appointed by the governor;  
 6 **(4) two (2) directors appointed by the president pro tempore**  
 7 **of the senate; and**  
 8 **(5) two (2) directors appointed by the speaker of the house of**  
 9 **representatives.**  
 10 (c) Each of the five (5) directors appointed ~~by the governor; under~~  
 11 **subsection (b)(3) through (b)(5):**  
 12 (1) must be a resident of Indiana;  
 13 (2) must have substantial expertise in the buying, selling, and  
 14 trading of municipal securities, in municipal administration or in  
 15 public facilities management;  
 16 (3) serves for a term of three (3) years and until the director's  
 17 successor is appointed and qualified;  
 18 (4) is eligible for reappointment;  
 19 (5) is entitled to receive the same minimum salary per diem as  
 20 is provided in IC 4-10-11-2.1(b) while performing the director's  
 21 duties. Such a director is also entitled to the same reimbursement  
 22 for traveling expenses and other expenses, actually incurred in  
 23 connection with the director's duties as is provided in the state  
 24 travel policies and procedures, established by the department of  
 25 administration and approved by the budget agency; and  
 26 (6) may be removed ~~by the governor~~ for cause **by the**  
 27 **appropriate appointing authority.**  
 28 (d) Any vacancy on the board, other than by expiration of term,  
 29 shall be filled by ~~appointment of the governor~~ **the appropriate**  
 30 **appointing authority** for the unexpired term only.  
 31 SECTION 38. IC 5-2-2 IS REPEALED [EFFECTIVE JULY 1,  
 32 2027]. (Law Enforcement Academy Building Commission).  
 33 SECTION 39. IC 5-13-9-12, AS ADDED BY P.L.213-2025,  
 34 SECTION 63, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 35 JULY 1, 2027]: Sec. 12. (a) As used in this section, "board" refers to  
 36 the Indiana local government investment pool board established by  
 37 subsection (c).  
 38 (b) As used in this section, "investment pool" refers to the local  
 39 government investment pool established by section 11(b) of this  
 40 chapter.  
 41 (c) The Indiana local government investment pool board is  
 42 established as a continuing board under the executive branch of state

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HB 1003—LS 6756/DI 92



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1 government. The purpose of the board is to establish policies for the  
2 investment of funds contributed to the investment pool.

3 (d) The board consists of the following seven (7) members:

4 (1) The treasurer of state, **or the treasurer of state's designee.**

5 (2) The director of the Indiana department of financial  
6 institutions.

7 (3) Two (2) members with practical experience with financial  
8 institutions, local government or public finance, or financial  
9 investments domiciled in Indiana, appointed by the president pro  
10 tempore of the senate.

11 (4) Two (2) members with practical experience with financial  
12 institutions, local government or public finance, or financial  
13 investments domiciled in Indiana, appointed by the speaker of  
14 the house of representatives.

15 (5) One (1) member with practical experience with financial  
16 institutions, local government or public finance, or financial  
17 investments domiciled in Indiana, appointed by the governor.

18 (e) A member appointed under subsection (d)(3), (d)(4), or (d)(5)  
19 serves a term of four (4) years and may be reappointed by the  
20 appointing authority.

21 (f) A member appointed under subsection (d)(1) or (d)(2) who  
22 ceases to hold the office or qualification described in that subsection  
23 ceases to be a member of the board.

24 (g) ~~The governor shall designate one (1) of the members as~~  
25 ~~chairperson.~~ **The treasurer of state, or the treasurer of state's**  
26 **designee, shall serve as the chairperson of the board.** The  
27 chairperson has one (1) vote on all matters voted on by the members.

28 (h) A member of the board who is appointed under subsection  
29 (d)(3), (d)(4), or (d)(5) serves a term that ends June 30 of the  
30 odd-numbered year four (4) years after appointment.

31 (i) The board shall meet at least four (4) times a year and at the  
32 call of the chairperson.

33 (j) Five (5) members of the board constitute a quorum. The  
34 affirmative votes of four (4) members are required to take any action.

35 (k) Each member of the board who is not a state employee is  
36 entitled to the minimum salary per diem provided by IC 4-10-11-2.1(b)  
37 for each day that the member is engaged in the official business of the  
38 board. The member is also entitled to reimbursement for mileage,  
39 traveling expenses, and other expenses actually incurred in connection  
40 with the member's duties, as provided in the state travel policies and  
41 procedures established by the Indiana department of administration and  
42 approved by the budget agency.

HB 1003—LS 6756/DI 92



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1 (l) The expenses of the board shall be paid from the investment  
2 pool.

3 (m) The board shall establish policies regarding how the treasurer  
4 of state shall administer and invest the funds in the investment pool.  
5 The policies must provide the following:

6 (1) There is not a minimum time for which funds paid into the  
7 investment pool must be retained by the investment pool.

8 (2) There is not a limit on the number of accounts that the state  
9 or a unit of government participating in the investment pool may  
10 establish within the investment pool.

11 (3) The investment pool shall be audited at least annually by an  
12 independent auditing firm, with an electronic or paper copy of  
13 the audit provided to the state and each unit of government  
14 participating in the pool.

15 (4) Not less than fifty percent (50%) of funds available for  
16 investment shall be deposited in banks qualified to hold deposits  
17 of participating local government entities.

18 (n) The board may select and direct the treasurer of state to  
19 contract with accountants, attorneys, regulated investment advisors,  
20 money managers, and other finance and investment professionals to  
21 make investments and provide for the public accounting and legal  
22 compliance necessary to ensure and maintain the safety, liquidity, and  
23 yield of the investment pool.

24 SECTION 40. IC 5-16-3-2, AS AMENDED BY P.L.187-2021,  
25 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
26 JULY 1, 2027]: Sec. 2. The department of homeland security shall  
27 provide a safe depository for all blueprints and specifications filed as  
28 provided in section 1 of this chapter and retain them for inspection and  
29 loan under the conditions and restrictions as the ~~fire prevention and  
30 building safety commission~~ **department of homeland security** shall  
31 determine by rule. The ~~fire prevention and building safety commission~~  
32 **department of homeland security** may designate the librarian of the  
33 state of Indiana as the custodian of any blueprints and specifications  
34 filed with it, at any time, and it shall be the duty of the state librarian  
35 to safely preserve the same in the state archives as public documents.

36 SECTION 41. IC 5-16-10-1, AS AMENDED BY P.L.2-2006,  
37 SECTION 31, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
38 JULY 1, 2027]: Sec. 1. As used in this chapter, the following terms  
39 have the following meanings:

40 (1) "Affiliate" means a parent, descendant, spouse, spouse of a  
41 descendant, brother, sister, spouse of a brother or sister,  
42 employee, director, officer, partner, limited liability company

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1 manager or member, joint venturer, a corporation subject to  
2 common control with the architect, engineer or construction  
3 manager, a shareholder or corporation who controls the architect,  
4 engineer or construction manager, or a corporation controlled by  
5 the architect, engineer, or construction manager.

6 (2) "Architect" means the person registered under IC 25-4-1.

7 (3) "Construction manager" means a person designated as a  
8 construction manager by contract who provides professional  
9 management services, which contribute to the control of time  
10 and the cost and quality of a public construction project, and  
11 who performs those services concurrent with architectural and  
12 engineering services rendered during the design and construction  
13 phases of a construction project.

14 (4) "Engineer" means the person registered under ~~IC 25-31-1~~  
15 **IC 25-4-3**.

16 (5) "Person" means a natural person, a partnership, a limited  
17 liability company, or a corporation.

18 (6) "Public construction project" means the construction,  
19 remodeling, rehabilitation, or repair of any building or other  
20 facility of a unit of local government, whether the building or  
21 facility is owned by the unit or leased by the unit with an option  
22 to purchase under IC 36-1-10 or any other law. However, "public  
23 construction project" does not mean highway or bridge  
24 construction.

25 (7) "Unit of local government" includes any county, city, town,  
26 township, and any other political subdivision, commission, or  
27 agency created under law. However, the term does not include  
28 a school corporation or lessor corporation qualifying under  
29 IC 20-47-2 or IC 20-47-3.

30 SECTION 42. IC 5-16-10-3 IS AMENDED TO READ AS  
31 FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 3. The limitations  
32 expressed in section 2 of this chapter should not be interpreted to  
33 permit any person who is not a registered architect under IC 25-4-1 or  
34 a registered engineer under ~~IC 25-31-1~~ **IC 25-4-3** to do any act which  
35 constitutes the practice of architecture or engineering nor to prevent  
36 any unit of local government from employing any person who is a  
37 registered architect under IC 25-4-1 or a registered engineer under  
38 ~~IC 25-31-1~~ **IC 25-4-3** to perform services which constitute the practice  
39 of architecture or engineering.

40 SECTION 43. IC 5-16-11.1-2, AS AMENDED BY P.L.57-2013,  
41 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
42 JULY 1, 2027]: Sec. 2. As used in this chapter, "professional services"

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1 means those services that are:  
 2 (1) within the scope of practice specified by IC 25-4 for  
 3 architecture, ~~IC 25-31~~ **IC 25-4** for professional engineering, or  
 4 IC 25-21.5 for surveying; or  
 5 (2) performed by any licensed architect, professional engineer,  
 6 or professional surveyor in connection with the architect's,  
 7 engineer's, or surveyor's professional employment or practice.  
 8 SECTION 44. IC 5-16-13-16, AS ADDED BY P.L.70-2023,  
 9 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 10 JULY 1, 2027]: Sec. 16. (a) As used in this section, "adequate welding  
 11 standards" means specifications, guidelines, tests, and other methods  
 12 used to ensure that all structural steel welds meet, at minimum, the  
 13 codes and standards for such welds established in the welding code and  
 14 under rules adopted by the ~~fire prevention and building safety~~  
 15 ~~commission under IC 22-13-2-2.~~ **department of homeland security.**  
 16 (b) As used in this section, "certified welding inspector" means a  
 17 person who has been certified by the American Welding Society to  
 18 inspect structural steel welding projects and conduct welder  
 19 qualification tests.  
 20 (c) As used in this section, "structural steel welding" means  
 21 structural welds, weld repair, the structural system, and the welding of  
 22 all primary steel members of a structure in accordance with the welding  
 23 code. The term does not include welding that is required by the  
 24 American Society of Mechanical Engineers to have its own  
 25 certification.  
 26 (d) As used in this section, "welding code" refers to the American  
 27 Welding Society structural steel welding code D1.1, as in effect on July  
 28 1, 2023.  
 29 (e) A contractor whose workers are welding the structural steel on  
 30 a public works project shall ensure that all of the following occur:  
 31 (1) The workers performing the structural steel welding have  
 32 been tested by, and hold a valid certification from, a facility that,  
 33 or an individual who, has been accredited by the American  
 34 Welding Society to test and certify welders and welding  
 35 inspectors.  
 36 (2) All structural steel welds performed for the project meet  
 37 adequate welding standards and are listed in the project's job  
 38 specifications.  
 39 (3) All structural steel welding inspections listed in the project's  
 40 job specifications are completed by a certified welding inspector.  
 41 SECTION 45. IC 5-28-15-13, AS AMENDED BY P.L.146-2018,  
 42 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

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HB 1003—LS 6756/DI 92



1 JULY 1, 2027]: Sec. 13. (a) There is established in each enterprise  
 2 zone an urban enterprise association (U.E.A.). The ~~twelve (12)~~ **ten (10)**  
 3 members of the U.E.A. shall be chosen as follows:

4 ~~(1) The governor shall appoint the following:~~

5 ~~(A) One (1) state legislator whose district includes all or~~  
 6 ~~part of the enterprise zone:~~

7 ~~(B) One (1) representative of the corporation, who is not a~~  
 8 ~~voting member of the U.E.A.:~~

9 ~~(2) (1) The executive of the municipality in which the zone is~~  
 10 ~~located shall appoint the following:~~

11 ~~(A) One (1) representative of the plan commission having~~  
 12 ~~jurisdiction over the zone, if any exists.~~

13 ~~(B) One (1) representative of the municipality's department~~  
 14 ~~that performs planning or economic development functions.~~

15 ~~(C) Two (2) representatives of businesses located in the~~  
 16 ~~zone, one (1) of whom shall be from a manufacturing~~  
 17 ~~concern, if any exists in the zone.~~

18 ~~(D) One (1) resident of the zone.~~

19 ~~(E) One (1) representative of organized labor from the~~  
 20 ~~building trades that represent construction workers.~~

21 ~~(3) (2) The legislative body of the municipality in which the zone~~  
 22 ~~is located shall appoint, by majority vote, the following:~~

23 ~~(A) One (1) member of the municipality's legislative body~~  
 24 ~~whose district includes all or part of the zone.~~

25 ~~(B) One (1) representative of a business located in the zone.~~

26 ~~(C) Two (2) residents of the zone, who must not be~~  
 27 ~~members of the same political party.~~

28 (b) Members of the U.E.A. serve four (4) year terms. The  
 29 appointing authority shall fill any vacancy for the balance of the  
 30 vacated term.

31 (c) Members may be dismissed only by the appointing authority  
 32 and only for just cause.

33 (d) The members shall elect a chairperson, a vice chairperson, and  
 34 a secretary by majority vote. This election shall be held every two (2)  
 35 years in the same month as the first meeting or whenever a vacancy  
 36 occurs. The U.E.A. shall meet at least once every three (3) months. The  
 37 secretary shall notify members of meetings at least two (2) weeks in  
 38 advance of meetings. The secretary shall provide a list of members to  
 39 each member and shall notify members of any changes in membership.

40 SECTION 46. IC 5-30-1-5, AS ADDED BY P.L.74-2005,  
 41 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 42 JULY 1, 2027]: Sec. 5. "Design criteria developer" means a person

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HB 1003—LS 6756/DI 92



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1 registered under IC 25-4 as an architect or ~~IC 25-31~~ **IC 25-4-3** as a  
 2 professional engineer who is responsible for preparing the design  
 3 criteria package for the public agency for a design-build project.

4 SECTION 47. IC 5-30-1-7, AS ADDED BY P.L.74-2005,  
 5 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 6 JULY 1, 2027]: Sec. 7. "Design services" means services that are:

- 7 (1) within the scope of practice specified by IC 25-4 for  
 8 architecture or ~~IC 25-31~~ **IC 25-4** for professional engineering; or  
 9 (2) performed by a registered architect or professional engineer  
 10 in connection with the architect's or engineer's professional  
 11 employment or practice.

12 SECTION 48. IC 5-30-4-1, AS AMENDED BY P.L.166-2011,  
 13 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 14 JULY 1, 2027]: Sec. 1. (a) Before entering into a design-build contract,  
 15 a public agency must appoint a technical review committee of at least  
 16 three (3) individuals.

17 (b) The members of the technical review committee must include  
 18 the following:

- 19 (1) A representative of the public agency.  
 20 (2) At least two (2) of the following, but not more than one (1)  
 21 under each clause:  
 22 (A) An architect registered under IC 25-4.  
 23 (B) A professional engineer registered under ~~IC 25-31~~  
 24 **IC 25-4-3**.  
 25 (C) A qualified contractor under IC 4-13.6 or an individual  
 26 employed by the qualified contractor.

27 (c) A member of the technical review committee who is an  
 28 architect or a professional engineer may be:

- 29 (1) an employee of the public agency; or  
 30 (2) an outside consultant retained by the public agency for the  
 31 specific purpose of evaluating proposals submitted under this  
 32 article.

33 (d) The design criteria developer may serve as:

- 34 (1) a full member; or  
 35 (2) a nonvoting adviser;

36 of the committee.

37 SECTION 49. IC 5-32-2-8, AS ADDED BY P.L.128-2014,  
 38 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 39 JULY 1, 2027]: Sec. 8. "Engineer" refers to a person registered under  
 40 ~~IC 25-31-1~~ **IC 25-4-3**.

41 SECTION 50. IC 6-9-7-7, AS AMENDED BY P.L.236-2023,  
 42 SECTION 93, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE



1 JULY 1, 2027]: Sec. 7. (a) The county treasurer shall establish an  
 2 innkeeper's tax fund. The treasurer shall deposit in that fund all money  
 3 received under section 6 of this chapter that is attributable to an  
 4 innkeeper's tax rate that is not more than five percent (5%).

5 (b) Money in the innkeeper's tax fund shall be distributed as  
 6 follows:

7 (1) Forty percent (40%) shall be distributed to the commission  
 8 to carry out its purposes, including making any distributions or  
 9 payments to the Lafayette - West Lafayette Convention and  
 10 Visitors Bureau, Inc.

11 (2) Ten percent (10%) shall be distributed to a community  
 12 development corporation that serves a metropolitan area in the  
 13 county that includes:

14 (A) Lafayette; and

15 (B) West Lafayette;

16 for the community development corporation's use in tourism,  
 17 recreation, and economic development activities.

18 (3) Ten percent (10%) shall be distributed to Historic  
 19 Prophetstown to be used by Historic Prophetstown for carrying  
 20 out its purposes.

21 (4) Ten percent (10%) shall be distributed to the Wabash River  
 22 Enhancement Corporation to assist the Wabash River  
 23 Enhancement Corporation in carrying out its purposes.

24 (5) The following amounts shall be distributed to the department  
 25 of natural resources for the development of projects in the state  
 26 park on the Wabash River, including its tributaries:

27 (A) For distributions in calendar year 2023, ten percent  
 28 (10%).

29 (B) For distributions in calendar year 2024, nine percent  
 30 (9%).

31 (C) For distributions in calendar year 2025, eight percent  
 32 (8%).

33 (D) For distributions in calendar year 2026, seven percent  
 34 (7%).

35 (E) For distributions in calendar year 2027, six percent  
 36 (6%).

37 (F) For distributions in calendar year 2028, five percent  
 38 (5%).

39 (G) For distributions in calendar year 2029, four percent  
 40 (4%).

41 (H) For distributions in calendar year 2030, three percent  
 42 (3%).

HB 1003—LS 6756/DI 92



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- 1 (I) For distributions in calendar year 2031, two percent
- 2 (2%).
- 3 (J) For distributions in calendar year 2032, one percent
- 4 (1%).
- 5 (K) For distributions after calendar year 2032, zero percent
- 6 (0%).
- 7 The department of natural resources is not required to provide
- 8 additional state resources to the state park described in this
- 9 subdivision as a result of the reduction of revenue set forth in
- 10 this subdivision.
- 11 (6) The following amounts shall be distributed to the county
- 12 fiscal body for the purposes set forth in subsection (c):
- 13 (A) For distributions in calendar year 2023, zero percent
- 14 (0%).
- 15 (B) For distributions in calendar year 2024, one percent
- 16 (1%).
- 17 (C) For distributions in calendar year 2025, two percent
- 18 (2%).
- 19 (D) For distributions in calendar year 2026, three percent
- 20 (3%).
- 21 (E) For distributions in calendar year 2027, four percent
- 22 (4%).
- 23 (F) For distributions in calendar year 2028, five percent
- 24 (5%).
- 25 (G) For distributions in calendar year 2029, six percent
- 26 (6%).
- 27 (H) For distributions in calendar year 2030, seven percent
- 28 (7%).
- 29 (I) For distributions in calendar year 2031, eight percent
- 30 (8%).
- 31 (J) For distributions in calendar year 2032, nine percent
- 32 (9%).
- 33 (K) For distributions after calendar year 2032, ten percent
- 34 (10%).
- 35 (7) Twenty percent (20%) shall be distributed as determined by
- 36 the county fiscal body.
- 37 (c) Amounts distributed to the county fiscal body under subsection
- 38 (b)(6) may only be used for tourism or quality of life purposes,
- 39 including:
- 40 (1) mixed use development projects;
- 41 (2) quality public spaces;
- 42 (3) multiple transportation options;

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- 1 (4) multiple housing options;
- 2 (5) revitalization of historic, blighted, or vacant properties;
- 3 (6) arts, culture, and creativity; and
- 4 (7) recreation and green spaces.
- 5 (d) An advisory commission consisting of the following members
- 6 is established:
- 7 (1) The director of the department of natural resources or the
- 8 director's designee.
- 9 (2) The public finance director or the public finance director's
- 10 designee.
- 11 (3) A member appointed by the ~~Native American Indian affairs~~
- 12 **Indiana cultural** commission.
- 13 (4) A member appointed by Historic Prophetstown.
- 14 (5) A member appointed by the community development
- 15 corporation described in subsection (b)(2).
- 16 (6) A member appointed by the Wabash River Enhancement
- 17 Corporation.
- 18 (7) A member appointed by the commission.
- 19 (8) A member appointed by the county fiscal body.
- 20 (9) A member appointed by the town board of the town of
- 21 Battleground.
- 22 (10) A member appointed by the mayor of the city of Lafayette.
- 23 (11) A member appointed by the mayor of the city of West
- 24 Lafayette.
- 25 (e) The following apply to the advisory commission:
- 26 (1) The governor shall appoint a member of the advisory
- 27 commission as chairman of the advisory commission.
- 28 (2) Six (6) members of the advisory commission constitute a
- 29 quorum. The affirmative votes of at least six (6) advisory
- 30 commission members are necessary for the advisory commission
- 31 to take official action other than to adjourn or to meet to hear
- 32 reports or testimony.
- 33 (3) The advisory commission shall make recommendations
- 34 concerning the use of any proceeds of bonds issued to finance
- 35 the development of Prophetstown State Park.
- 36 (4) Members of the advisory commission who are state
- 37 employees:
- 38 (A) are not entitled to any salary per diem; and
- 39 (B) are entitled to reimbursement for traveling expenses as
- 40 provided under IC 4-13-1-4 and to reimbursement for other
- 41 expenses actually incurred in connection with the member's
- 42 duties as provided in the state policies and procedures

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1 established by the Indiana department of administration and  
2 approved by the budget agency.

3 (f) The Indiana finance authority may issue bonds for the  
4 development of Prophetstown State Park under IC 5-1.2-6.

5 SECTION 51. IC 8-1-1.1-1 IS AMENDED TO READ AS  
6 FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 1. As used in this  
7 chapter:

8 "Council" means the advisory council to the office of utility  
9 consumer counselor created under section 7 of this chapter **(before its  
10 repeal)**.

11 "Counselor" means the consumer counselor established under  
12 section 2 of this chapter.

13 "Deputy consumer counselor" means the deputy consumer  
14 counselor for Washington affairs that may be established under section  
15 9.1 of this chapter.

16 "Utility" means any public utility, municipally owned utility or  
17 subscriber owned utility under the jurisdiction of the commission.

18 SECTION 52. IC 8-1-1.1-7 IS REPEALED [EFFECTIVE JULY  
19 1, 2027]. Sec. 7: (a) There is created the advisory council to the office  
20 of the utility consumer counselor. The council consists of nine (9)  
21 members. Each Indiana congressional district must be represented by  
22 at least one (1) individual appointed under this section who is a  
23 resident of that congressional district. However, the reduction in  
24 membership of the council from ten (10) members to nine (9) shall be  
25 accomplished as the terms of members end and new members are  
26 appointed. Until the expiration of the term of a member who is serving  
27 on the council on January 1, 2014, and resides in the same  
28 congressional district as another member, the council consists of ten  
29 (10) members.

30 (b) Members of the council, including those filling vacancies  
31 occurring in the council membership, shall be appointed by the  
32 governor. All members shall be appointed to a term of four (4) years,  
33 except those who have been appointed to fill a vacancy in the council  
34 whose term will be the unexpired portion of the term. All members  
35 shall serve until their successor has been duly appointed and qualified.

36 (c) The membership shall be representative of the various sectors  
37 of Indiana economy, including, but not limited to: agriculture, business  
38 and industry, labor, and local government.

39 (d) The members shall annually elect of themselves a chairman.

40 (e) Members are entitled to receive per diem and travel expense  
41 reimbursement at the standard rates provided for state employees for  
42 expenses they incur in the performance of their duties under this

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HB 1003—LS 6756/DI 92



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1 chapter subject to the approval of the consumer counselor.

2 SECTION 53. IC 8-1-30.3-5.5, AS ADDED BY P.L.160-2020,  
3 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
4 JULY 1, 2027]: Sec. 5.5. (a) For purposes of this section, an individual,  
5 or the company employing the individual, is qualified to perform an  
6 appraisal if the individual is:

- 7 (1) an engineer registered under ~~IC 25-3-1~~; **IC 25-4-3**; or  
8 (2) an appraiser licensed under IC 25-34.1-8.

9 (b) For purposes of this section, an individual performing an  
10 appraisal, or the company employing the individual, is disinterested if:

- 11 (1) the fee for the appraisal services is fixed before the  
12 individual performs the appraisal;  
13 (2) the individual is not an employee of one (1) of the parties to  
14 the acquisition;  
15 (3) the individual is not a state or municipal employee; and  
16 (4) the:

- 17 (A) individual; and  
18 (B) company, if applicable;

19 do not have affiliated interests (as defined in IC 8-1-2-49) in one  
20 (1) of the parties to the acquisition.

21 (c) An appraisal under section 5(c)(2) of this chapter must be  
22 performed by three (3) qualified and disinterested appraisers,  
23 including:

- 24 (1) at least one (1) appraiser qualified under subsection (a)(1);  
25 and  
26 (2) at least one (1) appraiser qualified under subsection (a)(2).

27 (d) If the three (3) appraisers performing an appraisal for purposes  
28 of section 5(c)(2) of this chapter cannot agree as to an appraised value,  
29 the appraisal is sufficient for purposes of section 5(c)(2) of this chapter  
30 if the appraisal is signed by two (2) of the appraisers.

31 SECTION 54. IC 8-1.5-2-4, AS AMENDED BY P.L.229-2019,  
32 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
33 JULY 1, 2027]: Sec. 4. Whenever the municipal legislative body or the  
34 municipal executive determines to sell or otherwise dispose of  
35 nonsurplus municipally owned utility property, it shall provide for the  
36 following in a writing that shall be made available, upon request, for  
37 inspection and copying at the offices of the municipality's municipally  
38 owned utility in accordance with IC 5-14-3:

39 (1) The appointment, as follows, of three (3) residents of Indiana  
40 to serve as appraisers:

- 41 (A) One (1) disinterested person who is an engineer  
42 licensed under ~~IC 25-31-1~~. **IC 25-4-3**.

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HB 1003—LS 6756/DI 92



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- 1 (B) One (1) disinterested appraiser licensed under  
 2 IC 25-34.1.  
 3 (C) One disinterested person who is either:  
 4 (i) an engineer licensed under ~~IC 25-31-1~~; **IC 25-4-3**;  
 5 or  
 6 (ii) an appraiser licensed under IC 25-34.1.  
 7 (2) The appraisal of the property.  
 8 (3) The time that the appraisal is due.

9 It is sufficient for purposes of this section that the municipal legislative  
 10 body or municipal executive provides for the appointment in written  
 11 contracts with the appraisers or the firms with whom the appraisers are  
 12 employed.

13 SECTION 55. IC 8-10-9-6 IS AMENDED TO READ AS  
 14 FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 6. (a) The district shall  
 15 be governed by a board of directors consisting of ~~seven (7)~~ **five (5)**  
 16 members, four (4) of whom are appointed by the executive of the city  
 17 in which the district is formed ~~two (2) of whom are appointed by the~~  
 18 ~~governor~~, and one (1) of whom is appointed by the legislative body of  
 19 the city in which the district is formed.

20 (b) Members of the board serve terms of three (3) years. A  
 21 member's term may be extended by any partial term to which the  
 22 member was appointed to fill a vacancy.

23 (c) ~~Five (5)~~ **Three (3)** members of the board of directors must be  
 24 qualified electors of the city in which the district is formed. Two (2)  
 25 members need not be residents of the city in which the district is  
 26 formed but shall be representatives of property owners of land that  
 27 borders waterways within the district. One (1) of the two (2) members  
 28 shall be among the members appointed by the mayor. ~~and one (1) shall~~  
 29 ~~be among the members appointed by the governor.~~

30 (d) The appointing authority shall fill all vacancies of members  
 31 appointed by that authority.

32 SECTION 56. IC 8-14-11-1 IS REPEALED [EFFECTIVE JULY  
 33 1, 2027]. ~~Sec. 1: As used in this chapter, "board" refers to the local~~  
 34 ~~bridge grant board established by section 9 of this chapter.~~

35 SECTION 57. IC 8-14-11-9 IS REPEALED [EFFECTIVE JULY  
 36 1, 2027]. ~~Sec. 9: (a) The local bridge grant board is established to~~  
 37 ~~receive and review applications for grants under this chapter. The~~  
 38 ~~board consists of the following members:~~

- 39 (1) ~~The director of the department, or the director's designee.~~  
 40 (2) ~~Six (6) persons appointed by the governor, no more than~~  
 41 ~~three (3) of whom may be of the same political party, as follows:~~  
 42 (A) ~~Two (2) members of a county executive.~~

HB 1003—LS 6756/DI 92



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- 1 (B) One (1) county highway engineer.
- 2 (C) One (1) mayor of a city.
- 3 (D) One (1) member of a town board of trustees.
- 4 (E) One (1) person with substantial experience or education
- 5 in the design or construction of bridges.

6 A member appointed under clause (A), (B), (C), or (D) who  
 7 ceases to hold the office described in that clause ceases to be a  
 8 member of the board.

9 (b) The governor shall designate a member of the board to serve  
 10 as chairman.

11 (c) Members of the board who are appointed by the governor serve  
 12 for terms of four (4) years. The governor shall fill a vacancy on the  
 13 board by appointing a new member to serve the remainder of the  
 14 unexpired term.

15 (d) A member of the board, other than the director of the  
 16 department, is entitled to the minimum salary per diem provided by  
 17 IC 4-10-11-2.1(b). Each member of the board is entitled to  
 18 reimbursement for traveling expenses and other expenses actually  
 19 incurred in connection with the member's duties, as provided in the  
 20 state travel policies and procedures established by the department of  
 21 administration and approved by the budget agency.

22 (e) Four (4) members of the board constitute a quorum. The  
 23 affirmative votes of four (4) members of the board are required for the  
 24 board to take any action.

25 SECTION 58. IC 8-14-11-10 IS REPEALED [EFFECTIVE JULY  
 26 1, 2027]. Sec. 10: The department shall provide staff support to the  
 27 board.

28 SECTION 59. IC 8-14-11-11 IS AMENDED TO READ AS  
 29 FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 11. The **board**  
 30 **department** shall establish criteria to be used in evaluating  
 31 applications for grants from the fund. These criteria:

- 32 (1) must be consistent with the purposes of the federal local
- 33 bridge program (23 U.S.C. 144(n));
- 34 (2) must be based on good engineering practices; and
- 35 (3) must provide for an equitable distribution of grants to
- 36 counties located throughout Indiana.

37 SECTION 60. IC 8-14-11-12 IS AMENDED TO READ AS  
 38 FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 12. (a) The executive  
 39 of a county may apply to the **board department** for a grant from the  
 40 fund to be used to pay up to eighty percent (80%) of the cost of  
 41 construction or reconstruction of one (1) or more local bridges. At the  
 42 time of the application, the county executive shall notify the

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1 department of local government finance that the county has made the  
2 application.

- 3 (b) The application must include the following:
- 4 (1) A description of the construction or reconstruction projects
- 5 for which the grant application is made.
- 6 (2) The estimated cost of the projects.
- 7 (3) The amount of funding the county will provide for the
- 8 projects, which must be at least twenty percent (20%) of the
- 9 estimated cost of the projects. This amount may include the
- 10 value of labor and materials to be provided by the county.
- 11 (4) Any other information that the ~~board or the~~ department
- 12 considers necessary.

13 SECTION 61. IC 8-14-11-13 IS AMENDED TO READ AS  
14 FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 13. Within thirty (30)  
15 days after a county applies for a grant under section 12 of this chapter,  
16 the department of local government finance shall submit to the  
17 department a financial report that includes the following information:

- 18 (1) The amount of money available to the county for the
- 19 construction and reconstruction of local bridges.
- 20 (2) Any other information required by the ~~board or the~~
- 21 department for the processing of grant applications.

22 SECTION 62. IC 8-14-11-14 IS AMENDED TO READ AS  
23 FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 14. The ~~board~~  
24 **department** shall use the criteria established under section 11 of this  
25 chapter and the report submitted under section 13 of this chapter to  
26 evaluate an application for a grant from the fund. The ~~board~~  
27 **department** shall notify a county that makes a grant application of the  
28 ~~board's department's~~ approval or disapproval of the application within  
29 sixty (60) days of the date of the application. The ~~board's department's~~  
30 decision to approve or disapprove a grant application is final.

31 SECTION 63. IC 8-14-11-15 IS AMENDED TO READ AS  
32 FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 15. The ~~board~~  
33 **department** and each county for which a grant has been approved  
34 under this chapter shall enter into an agreement specifying the purposes  
35 for which the grant may be used. The terms of the agreement must be  
36 consistent with the purposes of this chapter.

37 SECTION 64. IC 8-17-5-2 IS AMENDED TO READ AS  
38 FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 2. The county highway  
39 engineer must be a registered engineer, licensed by the ~~state board of~~  
40 ~~registration for professional engineers, Indiana board of registration~~  
41 **for design professionals**, experienced in highway engineering and  
42 construction and a resident of Indiana during the engineer's

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1 employment.

2 SECTION 65. IC 8-17-5-9, AS AMENDED BY P.L.9-2024,  
 3 SECTION 297, IS AMENDED TO READ AS FOLLOWS  
 4 [EFFECTIVE JULY 1, 2027]: Sec. 9. The auditor of each county that  
 5 employs a full-time county highway engineer shall annually certify that  
 6 employment to the state comptroller. The certification must include:  
 7 (1) the name and address of the county highway engineer; and  
 8 (2) the serial number of the engineer's certificate of registration  
 9 issued by the ~~state board of registration for professional~~  
 10 ~~engineers.~~ **Indiana board of registration for design**  
 11 **professionals.**

12 SECTION 66. IC 8-23-9-60, AS ADDED BY P.L.70-2023,  
 13 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 14 JULY 1, 2027]: Sec. 60. (a) As used in this section, "adequate welding  
 15 standards" means specifications, guidelines, tests, and other methods  
 16 used to ensure that all structural steel welds meet, at minimum, the  
 17 codes and standards for such welds established in the welding code and  
 18 under rules adopted by the ~~fire prevention and building safety~~  
 19 ~~commission under IC 22-13-2-2.~~ **department of homeland security.**

20 (b) As used in this section, "certified welding inspector" means a  
 21 person who has been certified by the American Welding Society to  
 22 inspect structural steel welding projects and conduct welder  
 23 qualification tests.

24 (c) As used in this section, "structural steel welding" means  
 25 structural welds, weld repair, the structural system, and the welding of  
 26 all primary steel members of a structure in accordance with the welding  
 27 code. The term does not include welding that is required by the  
 28 American Society of Mechanical Engineers to have its own  
 29 certification.

30 (d) As used in this section, "welding code" refers to the American  
 31 Welding Society structural steel welding code D1.1, as in effect on July  
 32 1, 2023.

33 (e) A contractor whose workers are welding the structural steel on  
 34 a project shall ensure that all of the following occur:  
 35 (1) The workers performing the structural steel welding have  
 36 been tested by, and hold a valid certification from, a facility that,  
 37 or an individual who, has been accredited by the American  
 38 Welding Society to test and certify welders and welding  
 39 inspectors.  
 40 (2) All structural steel welds performed for the project meet  
 41 adequate welding standards and follow the project's special  
 42 provisions.

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1 (3) All structural steel welding inspections listed in the project's  
 2 special provisions are completed by a certified welding  
 3 inspector.  
 4 (f) If the department reasonably suspects a contractor has violated  
 5 this section, the department shall require the contractor to remedy the  
 6 violation not later than thirty (30) days after the department notifies the  
 7 contractor of the violation. The notification to the contractor must be  
 8 signed by the commissioner and sent by a method that enables the  
 9 department to verify receipt of the notice by the contractor. During the  
 10 thirty (30) day period, the contractor may continue to work on the  
 11 project. If the contractor fails to remedy the violation within the thirty  
 12 (30) day period, the department shall find the contractor not  
 13 responsible and determine the length of time the contractor is  
 14 considered not responsible by the department.  
 15 (g) In making the determination of the length of time a contractor  
 16 is not responsible under subsection (f), the department shall consider  
 17 the severity of the violation. The period during which a contractor is  
 18 considered not responsible:  
 19 (1) may not exceed forty-eight (48) months; and  
 20 (2) begins on the date of substantial completion of the project.  
 21 (h) A finding by the department under subsection (f) that a  
 22 contractor is not responsible may not be used by another state agency  
 23 or a political subdivision in making a determination as to whether the  
 24 contractor is responsible for purposes of that state agency's or political  
 25 subdivision's award of a public works contract to that contractor.  
 26 SECTION 67. IC 9-18.5-14-1, AS ADDED BY P.L.198-2016,  
 27 SECTION 327, IS AMENDED TO READ AS FOLLOWS  
 28 [EFFECTIVE JULY 1, 2027]: Sec. 1. The bureau shall design and  
 29 issue a kids first trust license plate. The kids first trust license plate  
 30 shall be designed and issued as a special group recognition license  
 31 plate under IC 9-18.5-12. The final design of the plate must be  
 32 approved by the ~~board (as defined in IC 31-26-4-2)~~ **commission on**  
 33 **improving the status of children in Indiana.**  
 34 SECTION 68. IC 9-18.5-22-1, AS ADDED BY P.L.198-2016,  
 35 SECTION 327, IS AMENDED TO READ AS FOLLOWS  
 36 [EFFECTIVE JULY 1, 2027]: Sec. 1. The bureau shall, with the advice  
 37 of the ~~Native American Indian affairs commission established under~~  
 38 ~~IC 4-23-32~~, **Indiana cultural commission established under**  
 39 **IC 4-23-36**, design and issue an Indiana Native American trust license  
 40 plate as a special group recognition license plate under IC 9-18.5-12.  
 41 SECTION 69. IC 9-18.5-22-4, AS AMENDED BY P.L.118-2022,  
 42 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

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1 JULY 1, 2027]: Sec. 4. (a) The Indiana Native American trust fund is  
2 established.

3 (b) The treasurer of state shall invest the money in the Indiana  
4 Native American trust fund not currently needed to meet the  
5 obligations of the Indiana Native American trust fund in the same  
6 manner as other public trust funds are invested. Interest that accrues  
7 from these investments shall be deposited in the Indiana Native  
8 American trust fund.

9 (c) The bureau shall administer the Indiana Native American trust  
10 fund. Expenses of administering the Indiana Native American trust  
11 fund shall be paid from money in the Indiana Native American trust  
12 fund.

13 (d) The bureau shall distribute at least one (1) time each month the  
14 money from the fund to the Native American Indian affairs commission  
15 established under IC 4-23-32, as follows:

16 **(1) Before January 1 of the calendar year following the**  
17 **calendar year in which a nonprofit corporation is established**  
18 **under IC 4-23-36-16, to the Indiana cultural commission**  
19 **established under IC 4-23-36.**

20 **(2) After December 31 of the calendar in which a nonprofit**  
21 **corporation is established under IC 4-23-36-16, to the**  
22 **treasurer of the nonprofit corporation.**

23 (e) Money in the fund at the end of a state fiscal year does not  
24 revert to the state general fund.

25 (f) ~~The Native American Indian affairs commission may use~~  
26 ~~money received under this section for any lawful purpose of the Native~~  
27 ~~American Indian affairs commission. The Indiana cultural~~  
28 ~~commission or the nonprofit corporation described in subsection~~  
29 ~~(d) may use money received under this section for any lawful~~  
30 ~~purpose that impacts, studies, supports, or relates to the Indiana~~  
31 ~~Native American community.~~

32 SECTION 70. IC 9-27-5-2, AS AMENDED BY P.L.56-2023,  
33 SECTION 60, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
34 JULY 1, 2027]: Sec. 2. The director of the state department of  
35 toxicology may solicit and receive aid from the following:

- 36 (1) The office of traffic safety.  
37 (2) The state police department.  
38 ~~(3) The commission on forensic sciences.~~  
39 ~~(4) (3) The Indiana Coroners Association.~~  
40 ~~(5) (4) The Indiana department of health.~~  
41 ~~(6) (5) The Indiana State Medical Association.~~  
42 ~~(7) (6) Other agencies that may, in the director's opinion, make~~

HB 1003—LS 6756/DI 92



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1 a contribution to the effectiveness of the study.

2 SECTION 71. IC 9-27-6-5 IS REPEALED [EFFECTIVE JULY 1,  
3 2027]. Sec. 5: (a) As used in this section, "advisory board" refers to the  
4 driver education advisory board established by subsection (b):

5 (b) The driver education advisory board is established to advise  
6 the commissioner in the administration of the policies of the  
7 commission and the bureau regarding driver education:

8 (c) The advisory board is composed of seven (7) individuals  
9 appointed by the commissioner as follows:

10 (1) Three (3) members must be driver education professionals  
11 endorsed by the bureau under section 8 of this chapter. In the  
12 selection of individuals for membership under this subdivision;  
13 consideration must be given to driver education instruction  
14 performed in urban and rural areas:

15 (2) One (1) member must be a traffic safety advocate:

16 (3) One (1) member must be a representative of the bureau:

17 (4) One (1) member must be a representative of higher  
18 education:

19 (5) One (1) member must be a representative of the insurance  
20 industry:

21 (d) A member of the advisory board serves a two (2) year term. A  
22 member may not be appointed to more than two (2) consecutive full  
23 terms. Each member serves until the member's successor is appointed  
24 and qualified:

25 (e) A member of the advisory board may be removed for good  
26 cause:

27 (f) A vacancy on the advisory board shall be filled by the  
28 appointment by the commissioner of an individual to fill the position  
29 to which the vacating member was appointed under subsection (c) for  
30 the vacating member's unexpired term:

31 (g) The advisory board shall:

32 (1) consult with and advise the commissioner in the  
33 administration of the policies of the commission and the bureau  
34 regarding driver education; and

35 (2) suggest rules regarding the education and training of persons  
36 to operate or drive motor vehicles or to prepare a person for an  
37 examination or validation for a driver's license:

38 (h) A member of the advisory board is not subject to liability in a  
39 civil action for bodily injury or property damage arising from or  
40 thought to have arisen from an action taken in good faith as a member  
41 of the advisory board:

42 SECTION 72. IC 9-27-7-6 IS REPEALED [EFFECTIVE JULY 1,

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HB 1003—LS 6756/DI 92



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1 2027]. Sec. 6: (a) The commissioner shall appoint a five (5) member  
 2 advisory board consisting of at least three (3) active motorcyclists to  
 3 serve in an advisory capacity to the program:

4 (b) A member of the advisory board serves a three (3) year term.  
 5 A member may not be appointed to more than two (2) consecutive full  
 6 terms. Each member serves until the member's successor is appointed  
 7 and qualified:

8 (c) A member of the advisory board may be removed for good  
 9 cause:

10 (d) A vacancy on the advisory board shall be filled by the  
 11 appointment by the commissioner of an individual to fill the position  
 12 to which the vacating member was appointed under subsection (a) for  
 13 the vacating member's unexpired term:

14 (e) A member of the advisory board is not subject to liability in a  
 15 civil action for bodily injury or property damage arising from or  
 16 thought to have arisen from an action taken in good faith as a member  
 17 of the advisory board:

18 SECTION 73. IC 10-13-2-9 IS AMENDED TO READ AS  
 19 FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 9. (a) The  
 20 superintendent shall adopt rules necessary to accomplish the purposes  
 21 of this chapter.

22 (b) In formulating the rules, the superintendent shall have the  
 23 advice and assistance of the criminal justice advisory committee  
 24 established by section 10 of this chapter:

25 SECTION 74. IC 10-13-2-10 IS REPEALED [EFFECTIVE JULY  
 26 1, 2027]. Sec. 10: (a) The criminal justice advisory committee is  
 27 established:

28 (b) The committee consists of the following persons or their  
 29 designated representatives:

30 (1) The superintendent, who shall act as chairman:

31 (2) The attorney general:

32 (3) The executive director of the criminal justice planning  
 33 agency:

34 (4) The commissioner of corrections:

35 (5) One (1) county sheriff serving in the sheriff's second or  
 36 subsequent term of office:

37 (6) One (1) chief of police with at least two (2) years of  
 38 experience as chief:

39 (7) One (1) prosecuting attorney in the prosecuting attorney's  
 40 second or subsequent term of office:

41 (8) One (1) judge of a court of general criminal jurisdiction:

42 (9) The executive director of the law enforcement training

HB 1003—LS 6756/DI 92



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- 1 academy.
- 2 (10) A criminologist or forensic scientist.
- 3 (c) A member of the committee:
- 4 (1) must be appointed by the governor on a nonpartisan basis;
- 5 and
- 6 (2) shall serve at the pleasure of the governor.
- 7 (d) A member of the committee serves without compensation
- 8 except per diem as provided by law.
- 9 (e) The committee shall meet as often as is considered necessary
- 10 by the superintendent to formulate or revise rules for the statewide
- 11 operation of the criminal justice data division.
- 12 SECTION 75. IC 10-13-3-4 IS REPEALED [EFFECTIVE JULY
- 13 1, 2027]. Sec. 4: As used in this chapter, "council" means the security
- 14 and privacy council established by section 34 of this chapter.
- 15 SECTION 76. IC 10-13-3-34 IS REPEALED [EFFECTIVE JULY
- 16 1, 2027]. Sec. 34: (a) There is established a security and privacy
- 17 council that consists of nine (9) members selected under subsections
- 18 (b) and (c):
- 19 (b) The following six (6) members shall be appointed by and shall
- 20 serve at the pleasure of the governor:
- 21 (1) A prosecuting attorney.
- 22 (2) The police chief of a city.
- 23 (3) The sheriff of a county.
- 24 (4) A criminal court judge.
- 25 (5) Two (2) citizens who are not law enforcement officers.
- 26 (c) The following persons, or their designees, also are members of
- 27 the council:
- 28 (1) The superintendent.
- 29 (2) The attorney general.
- 30 (3) The commissioner of the department of correction.
- 31 (d) Members of the council are not entitled to receive
- 32 compensation but are entitled to receive a per diem and mileage on
- 33 those days in which they are engaged in the business of the council. Per
- 34 diem and mileage paid shall be that amount paid to state employees.
- 35 SECTION 77. IC 10-14-3-9, AS AMENDED BY P.L.85-2015,
- 36 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 37 JULY 1, 2027]: Sec. 9. (a) The agency shall prepare and maintain a
- 38 current state emergency operations plan. The plan may provide for the
- 39 following:
- 40 (1) Prevention and minimization of injury and damage caused by
- 41 disaster.
- 42 (2) Prompt and effective response to disaster.

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HB 1003—LS 6756/DI 92



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- 1 (3) Emergency relief.
- 2 (4) Identification of areas particularly vulnerable to disaster.
- 3 (5) Recommendations for:
- 4 (A) zoning;
- 5 (B) building;
- 6 (C) other land use controls;
- 7 (D) safety measures for securing mobile homes or other
- 8 nonpermanent or semipermanent structures; and
- 9 (E) other preventive and preparedness measures designed
- 10 to eliminate or reduce disaster or its impact;
- 11 that must be disseminated to ~~both the fire prevention and~~
- 12 ~~building safety commission and~~ local authorities.
- 13 (6) Assistance to local officials in designing local emergency
- 14 action plans.
- 15 (7) Authorization and procedures for the erection or other
- 16 construction of temporary works designed to protect against or
- 17 mitigate danger, damage, or loss from flood, conflagration, or
- 18 other disaster.
- 19 (8) Preparation and distribution to the appropriate state and local
- 20 officials of state catalogs of federal, state, and private assistance
- 21 programs.
- 22 (9) Organization of manpower and chains of command.
- 23 (10) Coordination of federal, state, and local disaster activities.
- 24 (11) Coordination of the state disaster plan with the disaster
- 25 plans of the federal government.
- 26 (12) Other necessary matters.
- 27 (b) The agency shall take an integral part in the development and
- 28 revision of local and interjurisdictional disaster plans prepared under
- 29 section 17 of this chapter. The agency shall employ or otherwise secure
- 30 the services of professional and technical personnel capable of
- 31 providing expert assistance to political subdivisions, a political
- 32 subdivision's disaster agencies, and interjurisdictional planning and
- 33 disaster agencies. These personnel:
- 34 (1) shall consult with subdivisions and government agencies on
- 35 a regularly scheduled basis;
- 36 (2) shall make field examinations of the areas, circumstances,
- 37 and conditions to which particular local and interjurisdictional
- 38 disaster plans are intended to apply; and
- 39 (3) may suggest revisions.
- 40 (c) In preparing and revising the state disaster plan, the agency
- 41 shall seek the advice and assistance of local government, business,
- 42 labor, industry, agriculture, civic and volunteer organizations, and

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HB 1003—LS 6756/DI 92



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1 community leaders. In advising local and interjurisdictional agencies,  
 2 the agency shall encourage local and interjurisdictional agencies to  
 3 seek advice from the sources specified in this subsection.

4 (d) The state disaster plan or any part of the plan may be  
 5 incorporated in rules of the agency or by executive orders.

6 (e) The agency shall do the following:

7 (1) Determine requirements of the state and political  
 8 subdivisions for food, clothing, and other necessities in the event  
 9 of an emergency.

10 (2) Procure and pre-position supplies, medicines, materials, and  
 11 equipment.

12 (3) Adopt standards and requirements for local and  
 13 interjurisdictional disaster plans.

14 (4) Provide for mobile support units.

15 (5) Assist political subdivisions, political subdivisions' disaster  
 16 agencies, and interjurisdictional disaster agencies to establish  
 17 and operate training programs and public information programs.

18 (6) Make surveys of industries, resources, and facilities in  
 19 Indiana, both public and private, necessary to carry out this  
 20 chapter.

21 (7) Plan and make arrangements for the availability and use of  
 22 any private facilities, services, and property, and if necessary and  
 23 if the private facilities, services, or property is used, provide for  
 24 payment for the use under agreed upon terms and conditions.

25 (8) Establish a register of persons with types of training and  
 26 skills important in emergency prevention, preparedness,  
 27 response, and recovery.

28 (9) Establish a register of mobile and construction equipment  
 29 and temporary housing available for use in a disaster emergency.

30 (10) Prepare, for issuance by the governor, executive orders,  
 31 proclamations, and regulations necessary or appropriate in  
 32 coping with disaster.

33 (11) Cooperate with the federal government and any public or  
 34 private agency or entity in achieving any purpose of this chapter  
 35 and in implementing programs for disaster prevention,  
 36 preparation, response, and recovery.

37 (12) Do other things necessary, incidental, or appropriate to  
 38 implement this chapter.

39 (f) The agency shall ascertain the rapid and efficient  
 40 communications that exist in times of disaster emergencies. The agency  
 41 shall consider the desirability of supplementing these communications  
 42 resources or of integrating these resources into a comprehensive

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HB 1003—LS 6756/DI 92



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1 intrastate or state-federal telecommunications or other communications  
 2 system or network. In studying the character and feasibility of any  
 3 system, the agency shall evaluate the possibility of multipurpose use of  
 4 the system for general state and local governmental purposes. The  
 5 agency shall make appropriate recommendations to the governor.

6 (g) The agency shall assist political subdivisions in implementing  
 7 the intrastate mutual aid compact created by section 10.8 of this  
 8 chapter.

9 SECTION 78. IC 10-18-1-1 IS REPEALED [EFFECTIVE JULY  
 10 1, 2027]. ~~Sec. 1. As used in this chapter, "commission" refers to the~~  
 11 ~~Indiana war memorials commission established by section 2 of this~~  
 12 ~~chapter.~~

13 SECTION 79. IC 10-18-1-1.5 IS ADDED TO THE INDIANA  
 14 CODE AS A NEW SECTION TO READ AS FOLLOWS  
 15 [EFFECTIVE JULY 1, 2027]: **Sec. 1.5. As used in this chapter,**  
 16 **"department" refers to the Indiana department of veterans' affairs**  
 17 **established by IC 10-17-1-2.**

18 SECTION 80. IC 10-18-1-1.6 IS ADDED TO THE INDIANA  
 19 CODE AS A NEW SECTION TO READ AS FOLLOWS  
 20 [EFFECTIVE JULY 1, 2027]: **Sec. 1.6. (a) On July 1, 2027, all**  
 21 **powers, duties, agreements, and liabilities of the Indiana war**  
 22 **memorials commission are transferred to the department.**

23 **(b) On July 1, 2027, all records and property of the Indiana**  
 24 **war memorials commission, including appropriations and other**  
 25 **funds under the control or supervision of the Indiana war**  
 26 **memorials commission, are transferred to the department.**

27 **(c) After June 30, 2027, a reference to the Indiana war**  
 28 **memorials commission in a statute, rule, or other document is**  
 29 **considered a reference to the department.**

30 **(d) The rules adopted by the Indiana war memorials**  
 31 **commission before July 1, 2027, are considered, after June 30,**  
 32 **2027, rules of the department.**

33 SECTION 81. IC 10-18-1-2, AS AMENDED BY P.L.149-2016,  
 34 SECTION 39, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 35 JULY 1, 2027]: ~~Sec. 2. (a) The Indiana war memorials commission is~~  
 36 ~~established.~~

37 ~~(b) The commission consists of nine (9) members. Each Indiana~~  
 38 ~~congressional district must be represented by at least one (1) member~~  
 39 ~~who is:~~

40 ~~(1) a resident of that congressional district;~~

41 ~~(2) a veteran of service in the armed forces of the United States~~  
 42 ~~of America in time of war;~~

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- 1           (3) a citizen of Indiana at the time of the service; and  
 2           (4) appointed:  
 3               (A) in the manner;  
 4               (B) for the terms;  
 5               (C) to have the powers; and  
 6               (D) to perform the duties;  
 7           as provided in this chapter.  
 8           (e) (a) The **department**: commission:  
 9               (1) as the commission and in the commission's name; may  
 10              prosecute and defend suits; and  
 11              (2) has all other duties, rights, and powers that are:  
 12                 (A) necessary to implement this chapter; and  
 13                 (B) not inconsistent with this chapter.  
 14           (d) The members of the commission are not liable in their  
 15           individual capacity, except to the state, for any act done or omitted in  
 16           connection with the performance of their duties under this chapter.  
 17           (e) (b) A suit against the **commission department** must be  
 18           brought in a court with jurisdiction in Marion County. Notice or  
 19           summons of the suit shall be served upon the **director of the**  
 20           **department**. president, vice president, or secretary of the commission.  
 21           In a suit against the commission, it is not necessary to name the  
 22           individual members of the commission as either plaintiff or defendant.  
 23           Commission members may sue and be sued in the name of the Indiana  
 24           war memorials commission.  
 25           (f) The commission shall:  
 26               (1) report to the governor through the adjutant general; and  
 27               (2) be under the adjutant general for administrative supervision.  
 28           SECTION 82. IC 10-18-1-3 IS REPEALED [EFFECTIVE JULY  
 29           1, 2027]. Sec. 3: (a) The governor shall appoint members of the  
 30           commission for a term of three (3) years; subject to removal as  
 31           provided in this section.  
 32           (b) The commissioners:  
 33               (1) must be persons of high standing and character; and  
 34               (2) serve without compensation, except for reimbursement for  
 35               any reasonable expenses necessarily incurred by the  
 36               commissioners in the performance of their duties.  
 37           (c) The commissioners shall be selected without regard to their  
 38           political affiliations. However, not more than six (6) of the  
 39           commissioners at any time may be members of the same political party.  
 40           (d) The governor may, for just cause, based upon written charges  
 41           specifying alleged misconduct, remove any member of the commission;  
 42           after notice to the member and a public hearing.

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(e) The governor shall appoint a qualified person to fill the unexpired term of a member who does not complete the member's term.

SECTION 83. IC 10-18-1-4 IS REPEALED [EFFECTIVE JULY 1, 2027]. Sec. 4: (a) The governor shall execute a certificate of appointment that makes reference to this chapter and sets forth the term of appointment for each member of the commission. The governor shall deposit the certificates of appointment in the office of the secretary of state, who shall record the certificates in a book kept for that purpose.

(b) The secretary of state shall notify each person appointed as a commissioner of the person's appointment. The person's acceptance of the appointment shall be signified by subscribing to an oath, to be endorsed on the certificate of appointment:

(1) to support the Constitution of the United States and the Constitution of the State of Indiana; and

(2) to faithfully and honestly discharge the person's duty under the law as a commissioner.

(c) The secretary of state shall deliver the certificate, when recorded, to the person named in the certificate. The certificate constitutes the commission of the person named as a member of the commission for the term specified.

(d) If a person appointed fails to qualify under this section within ten (10) days after notice of the person's appointment, the governor shall appoint another qualified person as a commissioner.

SECTION 84. IC 10-18-1-5 IS REPEALED [EFFECTIVE JULY 1, 2027]. Sec. 5: The commission shall elect the following:

(1) One (1) member of the commission to serve as president.

(2) One (1) member of the commission to serve as vice president.

(3) One (1) qualified person who is not a member of the commission to serve as secretary of the commission.

The commission shall elect officers each year. Officers shall hold their respective offices for one (1) year or during the pleasure of the commission:

SECTION 85. IC 10-18-1-6 IS REPEALED [EFFECTIVE JULY 1, 2027]. Sec. 6: (a) The president and vice president of the commission shall, before entering upon the discharge of their duties, give bond to the approval of the governor, each in the sum of ten thousand dollars (\$10,000), conditioned for the faithful performance of the duties as may be imposed upon them by law.

(b) The officers and any other officers required to give a bond under this chapter may furnish as surety any surety company authorized to transact business in Indiana that meets the approval of the

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1 commission, and the premium on any bond shall be paid as a part of the  
2 expenses of the commission.

3 SECTION 86. IC 10-18-1-7 IS REPEALED [EFFECTIVE JULY  
4 1, 2027]. Sec. 7: (a) The president shall do the following:

- 5 (1) Preside over the meetings of the commission.
- 6 (2) Sign all vouchers approved by the commission under this  
7 chapter.
- 8 (3) Sign all contracts and agreements in the name of the  
9 commission that have been authorized by the commission. The  
10 secretary shall attest to contracts signed by the president.

11 (b) If the president is absent or unable to act, the vice president  
12 shall perform the president's duties.

13 SECTION 87. IC 10-18-1-8 IS REPEALED [EFFECTIVE JULY  
14 1, 2027]. Sec. 8: (a) The secretary appointed by the commission shall

15 take an oath to faithfully perform the duties of the secretary's office:

- 16 (b) The secretary shall do the following:
- 17 (1) Keep a record of the proceedings of the commission.
- 18 (2) Make a record of contracts and obligations.
- 19 (3) Furnish each contractor with a copy of the contractor's  
20 contract that:
- 21 (A) is endorsed "approved by order of the commission";
- 22 (B) lists the date of the approval; and
- 23 (C) is signed by the secretary.

24 A contract is not valid until endorsed and delivered by the  
25 secretary:

- 26 (4) Certify all vouchers ordered by the commission.
- 27 (5) Keep a set of books to show the financial condition of the  
28 commission.
- 29 (6) Make quarterly statements as provided in this chapter of the  
30 costs and expenditures of the commission; a complete list of  
31 vouchers; and for what purpose and to whom paid. The reports  
32 shall be filed with the state comptroller as provided in this  
33 chapter and are open to the inspection and use of the general  
34 assembly.

35 (c) The secretary shall give a bond in the sum of ten thousand  
36 dollars (\$10,000) for the faithful performance of the secretary's duties.

37 (d) The contracts for any purpose connected with the Indiana  
38 World War Memorial shall be recorded by the secretary in a book kept  
39 for that purpose. The secretary shall retain on file all vouchers and  
40 other valuable papers of value to the commission; to the contractor; and  
41 to the public.

42 SECTION 88. IC 10-18-1-9 IS AMENDED TO READ AS

HB 1003—LS 6756/DI 92



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1 FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 9. (a) The ~~commission~~  
2 **department** may employ a superintendent.

3 (b) The superintendent shall give bond in an amount and with  
4 surety to be approved by the ~~commission.~~ **department.**

5 (c) The superintendent's duties and compensation shall be  
6 prescribed by the **department.** ~~commission.~~

7 SECTION 89. IC 10-18-1-10 IS AMENDED TO READ AS  
8 FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 10. (a) The ~~commission~~  
9 **department** shall employ an individual who is responsible for the care  
10 and preservation of all personal property owned by the ~~commission~~  
11 **department** that has historic significance.

12 (b) The individual employed by the ~~commission~~ **department**  
13 under subsection (a) must meet the qualifications set by the division of  
14 state museums and historic sites of the department of natural resources.

15 SECTION 90. IC 10-18-1-11, AS AMENDED BY P.L.9-2024,  
16 SECTION 319, IS AMENDED TO READ AS FOLLOWS  
17 [EFFECTIVE JULY 1, 2027]: Sec. 11. (a) The ~~commission~~  
18 **department** shall do the following:

19 (1) Keep a record of the commission's proceedings.

20 (2) Make a quarterly report for public use that includes the  
21 following:

22 (A) A detailed account of the expenditures of the  
23 ~~commission.~~ **department to administer this chapter.**

24 (B) A summary of ~~the commission's proceedings~~ that  
25 includes:

26 (i) a statement of all contracts let;

27 (ii) the name of the person to whom the contracts were  
28 let; and

29 (iii) the amount of each contract.

30 (b) The report required under subsection (a) must be filed with the  
31 state comptroller.

32 (c) Reports created and filed under this section are public records.

33 SECTION 91. IC 10-18-1-12 IS REPEALED [EFFECTIVE JULY  
34 1, 2027]. Sec. ~~12:~~ (a) The ~~commission~~ may adopt rules that set forth:

35 ~~(1) the time, place, and method of calling and conducting~~  
36 ~~meetings; and~~

37 ~~(2) the manner and method of the conduct of business, including:~~

38 ~~(A) the government and regulation of the commission's~~  
39 ~~employees; and~~

40 ~~(B) the management of the ground and premises under the~~  
41 ~~commission's care and control;~~

42 as the commission considers prudent and not inconsistent with this

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HB 1003—LS 6756/DI 92



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1 chapter and other statutes.

2 (b) ~~The commission shall meet at the call of the commission's~~  
 3 ~~president or at the time set forth in the commission's rules. A majority~~  
 4 ~~of the members constitutes a quorum for the transaction of business.~~  
 5 ~~However, all official action of the commission must receive the~~  
 6 ~~approval in a meeting of a majority of all the members of the~~  
 7 ~~commission.~~

8 SECTION 92. IC 10-18-1-13 IS AMENDED TO READ AS  
 9 FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 13. (a) ~~The commission~~  
 10 ~~shall designate one (1) of its members to~~ **department shall** do the  
 11 following:

12 (1) Assume general charge of and preserve all Indiana battle  
 13 flags.

14 (2) Have custody of all battle and organization flags in the  
 15 possession of the state that were used by any of the military  
 16 organizations of the state:

17 (A) in any of the wars or campaigns in which the United  
 18 States has been engaged; and

19 (B) in which Indiana veterans have participated.

20 (3) In the preservation of the battle flags, as far as possible, see  
 21 that the name and the branch of service in which the  
 22 organization served are attached to or preserved with the flag.

23 (4) Collect data in reference to each organization or military unit  
 24 whose flag is in the possession of the ~~commission~~ **department**  
 25 and place the data with the flag or banner of each of the  
 26 organizations or military units.

27 (b) ~~The commission~~ **department** shall do the following:

28 (1) Collect Indiana battle flags not in the possession of the state  
 29 from the United States, patriotic societies, or individuals.

30 (2) Reinforce, collect the data for, and otherwise prepare all  
 31 battle flags for preservation.

32 (3) Collect, systematize, and prepare a brief history of each flag  
 33 and index and catalogue each flag.

34 (4) Collect, purchase, and procure all necessary materials for the  
 35 preservation of the flags.

36 (5) For the purpose of collecting and preparing the necessary  
 37 data, reinforcing the flags, and performing other duties required  
 38 by this chapter:

39 (A) with the approval of the budget agency, employ and fix  
 40 the compensation of employees as may be necessary; and

41 (B) purchase material of any character that is required in  
 42 carrying out this chapter.

HB 1003—LS 6756/DI 92



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1 SECTION 93. IC 10-18-1-14, AS AMENDED BY P.L.30-2013,  
 2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 3 JULY 1, 2027]: Sec. 14. (a) The Indiana battle flags fund is established  
 4 to restore and preserve Indiana battle flags.

5 (b) The ~~department~~ ~~commission~~:

6 (1) shall administer the fund; and

7 (2) may spend the money in the fund for the purposes of the  
 8 fund.

9 (c) The expenses of administering the fund shall be paid from  
 10 money in the fund.

11 (d) The treasurer of state shall invest the money in the fund not  
 12 currently needed to meet the obligations of the fund in the same  
 13 manner as other public funds may be invested. Interest that accrues  
 14 from these investments shall be deposited in the fund.

15 (e) All money accruing to the fund is appropriated continuously  
 16 for the purposes of the fund.

17 (f) Money in the fund at the end of a fiscal year does not revert to  
 18 the state general fund.

19 SECTION 94. IC 10-18-1-15 IS AMENDED TO READ AS  
 20 FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 15. (a) All flag cases  
 21 completed shall be in the custody of the ~~department~~ ~~commission~~. The  
 22 superintendent shall have the cases cleaned periodically as necessary.

23 (b) The ~~department~~ ~~commission~~ may determine the method and  
 24 manner in which the flags shall be preserved.

25 SECTION 95. IC 10-18-1-16 IS AMENDED TO READ AS  
 26 FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 16. (a) Out-lot five (5)  
 27 and out-lot thirty-six (36), in Indianapolis, according to the original plat  
 28 of the city, are dedicated and set apart as grounds for the Indiana War  
 29 Memorial subject to the provisions of this chapter.

30 (b) Out-lots five (5) and thirty-six (36) dedicated in subsection (a),  
 31 together with all or any part of squares five (5) and sixteen (16) or any  
 32 part of those squares, in Indianapolis, according to the original plat of  
 33 the city, that are acquired, dedicated, and set apart and added to the real  
 34 estate dedicated in subsection (a) by:

35 (1) the state; or

36 (2) Indianapolis, by Marion County, or Indianapolis and Marion  
 37 County jointly and then conveyed by the city, county, or city and  
 38 county jointly by proper deed, grant, or contract to the state;

39 for War Memorial and other public purposes constitutes and shall be  
 40 referred to as "Memorial Place". The permanent name of "Memorial  
 41 Place" shall be selected by the ~~department~~ ~~commission~~.

42 (c) A necessity is declared to exist to limit:

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HB 1003—LS 6756/DI 92



1 (1) the kind, character, and height of buildings upon; and  
 2 (2) the use of real estate and buildings that are located within  
 3 three hundred (300) feet of the outside boundaries of;  
 4 Memorial Place as constituted in this chapter. The **department**  
 5 **commission** may acquire, by purchase, donation, or condemnation, the  
 6 right to limit the kind, character, and height of buildings upon and the  
 7 use of real estate and buildings on real estate within three hundred  
 8 (300) feet of the outside boundaries of Memorial Place.

9 (d) The **department commission** shall erect and maintain in  
 10 Indianapolis, upon or within grounds dedicated or acquired under this  
 11 chapter, as the **department commission** considers best, a suitable  
 12 structure or structures:

13 (1) to commemorate the valor and sacrifice of the soldiers,  
 14 sailors, and marines of the United States and of all others who  
 15 rendered faithful, loyal, heroic, and self-sacrificing service at  
 16 home and overseas in World War I;

17 (2) to provide a place or places of meeting and headquarters for  
 18 organizations of soldiers, sailors, and marines or any other  
 19 patriotic societies or associations;

20 (3) to keep records, archives, documents, flags, mementos, and  
 21 relics; and

22 (4) for other public meetings and other public purposes;  
 23 to inculcate a true understanding and appreciation of the duties,  
 24 benefits, and privileges of American citizenship and inspire patriotism  
 25 and respect for the law to the end that peace may prevail, good will be  
 26 promoted, justice be administered and established, public order  
 27 maintained, and liberty and freedom under the law perpetuated.

28 SECTION 96. IC 10-18-1-17 IS AMENDED TO READ AS  
 29 FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 17. (a) If squares five  
 30 (5) and sixteen (16) or any part of those squares in Indianapolis,  
 31 according to the original plat of the city, are acquired, dedicated, and  
 32 set apart and added to the real estate dedicated in this chapter by the  
 33 state for war memorial and other public purposes by Indianapolis, by  
 34 Marion County, or by the city and county jointly by proper deed,  
 35 contract, or grant, by which the city or county, or the city and county  
 36 jointly, convey the real estate or any part of the real estate to the state  
 37 for war memorial and other public purposes, the **department**  
 38 **commission** may accept from the city, the county, or the city and  
 39 county jointly the deed, grant, or contract by which the real estate or  
 40 any part of the real estate is conveyed to the state for war memorial and  
 41 other public purposes, subject to the terms, conditions, and provisions  
 42 contained in the deed, grant, or contract.

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1 (b) The ~~department commission~~ may agree that, to the extent that  
2 the city, the county, or the city and county jointly appropriate and use  
3 money in the acquisition of the real estate or any part of the real estate,  
4 the real estate and interests in the real estate and the memorial  
5 structures erected on the real estate (to the extent of the money so  
6 appropriated and used by the city, by the county, or by the county and  
7 city jointly) shall be a city war memorial, a county war memorial, or a  
8 joint war memorial.

9 (c) If the real estate or any part of the real estate is acquired and  
10 conveyed to the state, the ~~department commission~~ may erect structures  
11 on outlots five (5) and thirty-six (36) dedicated in this chapter or upon  
12 any part of the real estate so dedicated or acquired as provided in this  
13 chapter as the ~~department commission~~ considers best.

14 (d) The ~~department commission~~ shall develop any part or all of  
15 the real estate described in this chapter that has been dedicated or  
16 acquired as provided in this chapter as a memorial place, together with  
17 square twenty-five (25), known as University Square in Indianapolis,  
18 according to the original plat of the city, to secure a harmonious and  
19 unified architectural and aesthetic effect of the entire series of grounds  
20 used and dedicated for memorial purposes. The grounds must include  
21 square twenty-five (25), known as University Square, which shall be  
22 and constitute a part of the memorial park, and shall be used as a public  
23 park.

24 (e) The ~~department commission~~ may sell buildings and  
25 improvements situated on outlots five (5) and sixteen (16) when they  
26 come under the ~~commission's department's~~ jurisdiction, custody, and  
27 control or remove the buildings and improvements as the ~~department~~  
28 ~~commission~~ considers best. The ~~department commission~~ may contract  
29 with Indianapolis, with Marion County, or with the county and city  
30 jointly, concerning the use and rents of the buildings and improvements  
31 on squares five (5) and sixteen (16) until it is necessary to remove the  
32 buildings for the purpose of erecting the memorial structure or  
33 structures. The ~~department commission~~ may contract with the city or  
34 county or the city and county jointly with reference to the sale of  
35 buildings and improvements upon the real estate that may be acquired  
36 and conveyed to the state by the city or county or by the city and county  
37 jointly for War Memorial and other public purposes. The contracts  
38 must provide how the proceeds from the rent or sale of buildings and  
39 improvements shall be applied.

40 SECTION 97. IC 10-18-1-18, AS AMENDED BY P.L.17-2005,  
41 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
42 JULY 1, 2027]: Sec. 18. The ~~department commission~~ may do the

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HB 1003—LS 6756/DI 92



- 1 following:
- 2 (1) Make and execute contracts and other instruments that may
- 3 be required in connection with the erection and maintenance of
- 4 a suitable structure or structures upon or within Memorial Place.
- 5 (2) Adopt rules for the following:
- 6 (A) The proper management, government, and use of
- 7 Memorial Place and the structures situated on Memorial
- 8 Place.
- 9 (B) The government of employees.
- 10 (3) Acquire by condemnation the right to limit the kind,
- 11 character, and height of buildings upon and the use of real estate
- 12 or buildings located within three hundred (300) feet of the
- 13 outside boundaries.
- 14 (4) Adopt reasonable rules as are proper to limit the kind,
- 15 character, and height of buildings located or erected within three
- 16 hundred (300) feet of the outside boundaries of Memorial Place
- 17 and the use of the buildings or real estate. A building constructed
- 18 or maintained or business conducted in violation of any rule may
- 19 be abated as a nuisance in an action begun and prosecuted by the
- 20 **department. commission.**
- 21 (5) Receive donations, gifts, devises, and bequests and use them
- 22 in connection with the purposes of this chapter.
- 23 (6) Establish a nonprofit corporation to do the following:
- 24 (A) Promote public support for the purposes of the
- 25 **department commission** and this chapter.
- 26 (B) Preserve and promote the historical and educational
- 27 activities of the ~~commission.~~ **department.**
- 28 (C) Operate for the benefit of the purposes of the
- 29 **department commission** and this chapter.
- 30 The corporation is subject to audit by the state board of accounts
- 31 as if it were a state agency.
- 32 (7) Transfer money donated to the **department commission** for
- 33 the purposes described in subdivision (6) to a corporation
- 34 established under subdivision (6).
- 35 (8) Transfer:
- 36 (A) artifacts;
- 37 (B) images; or
- 38 (C) documents of cultural heritage, historical, or museum
- 39 relevance;
- 40 under the ~~commission's~~ **department's** control to a corporation
- 41 established under subdivision (6) without complying with
- 42 IC 5-22-21 and IC 5-22-22.

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HB 1003—LS 6756/DI 92



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1 SECTION 98. IC 10-18-1-20 IS AMENDED TO READ AS  
 2 FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 20. The **department**  
 3 **commission** shall adopt rules **under IC 4-22-2** for the government of  
 4 the monument and Monument Circle. ~~The rules are binding and~~  
 5 ~~effective when approved by the governor.~~

6 SECTION 99. IC 10-18-1-21 IS AMENDED TO READ AS  
 7 FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 21. (a) The  
 8 **department: commission:**

9 (1) has general control of the State Soldiers' and Sailors'  
 10 Monument Circle; and

11 (2) may employ a superintendent.

12 (b) The superintendent may, with the advice and consent of the  
 13 **department commission**, appoint engineers, elevator operators,  
 14 electricians, and watchmen as are actually required, all of whom are  
 15 subject to removal at any time by the **department commission** for any  
 16 reason satisfactory to the ~~commission: department.~~

17 (c) The superintendent:

18 (1) has direct charge and supervision of the monument and  
 19 Monument Circle, subject to the orders of the **department;**  
 20 ~~commission;~~ and

21 (2) may require watchmen to act as elevator operators and  
 22 elevator operators to act as watchmen.

23 (d) The superintendent and the engineers, watchmen, and elevator  
 24 operators have police powers with all powers of a constable.

25 SECTION 100. IC 10-18-1-22, AS AMENDED BY P.L.9-2024,  
 26 SECTION 320, IS AMENDED TO READ AS FOLLOWS  
 27 [EFFECTIVE JULY 1, 2027]: Sec. 22. (a) The superintendent shall  
 28 execute a bond in the penal sum of five thousand dollars (\$5,000), to  
 29 be approved by the **department. commission:**

30 (b) The superintendent shall:

31 (1) on the first day of each month, make a sworn statement to the  
 32 state comptroller of all receipts and expenditures, with vouchers  
 33 attached for the preceding month, on account of the monument;  
 34 and

35 (2) at the same time, pay over to the treasurer of state all money  
 36 received by the superintendent from all sources in the operation  
 37 of the monument for the preceding month.

38 The state comptroller shall draw a warrant on the treasurer of state,  
 39 payable to the superintendent, engineers, elevator operators, and  
 40 watchmen, for the amounts due them as salaries and to the  
 41 superintendent for a total of expenditures other than salaries incurred  
 42 in the management of the monument and Monument Circle as shown

HB 1003—LS 6756/DI 92



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1 by the vouchers.  
2 SECTION 101. IC 10-18-1-25 IS AMENDED TO READ AS  
3 FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 25. A person who  
4 intentionally damages or removes any of the property of the state on  
5 Monument Circle is liable for the payment of a penalty not less than  
6 twice the sum necessary to repair the damage or restore the lost  
7 property. The penalty may be collected by the ~~department commission~~  
8 in a civil action.

9 SECTION 102. IC 10-18-1-26 IS AMENDED TO READ AS  
10 FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 26. (a) The  
11 ~~department commission~~ may do the following:

- 12 (1) Make or sell the following:
  - 13 (A) Pictures, models, books, and other representations of
  - 14 the monuments and grounds.
  - 15 (B) Souvenirs.
- 16 (2) Establish and maintain souvenir shops on property that the
- 17 ~~department commission~~ manages.
- 18 (3) Hire and pay salaries for full-time or part-time employees for
- 19 the souvenir shops.
- 20 (4) Contract with a nonprofit organization or corporation for the
- 21 continuous management of the souvenir shops.
- 22 (5) Report annually to the governor on the activities, revenues,
- 23 expenditures, and profits of the souvenir shops.

24 (b) Notwithstanding section 27 of this chapter, the following apply  
25 to the profits from souvenir shop sales:

- 26 (1) The souvenir shop fund is established. The souvenir shop
- 27 fund shall be administered by the ~~department. commission.~~
- 28 (2) Profits from the sales at souvenir shops established under
- 29 subsection (a) shall be deposited in the souvenir shop fund.
- 30 (3) The treasurer of state shall invest the money in the souvenir
- 31 shop fund not currently needed to meet the obligations of the
- 32 fund in the same manner as other public funds may be invested.
- 33 (4) The expenses of administering the souvenir shop fund shall
- 34 be paid from money in the fund.
- 35 (5) The ~~department commission~~ may spend the money in the
- 36 souvenir shop fund for the following purposes:
  - 37 (A) Maintenance or repair of properties managed by the
  - 38 ~~department. commission.~~
  - 39 (B) Maintenance, repair, and acquisition of the following:
    - 40 (i) Battle flags.
    - 41 (ii) Appropriate artifacts.
    - 42 (iii) Appropriate memorabilia.

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1 (6) All money accruing to the souvenir shop fund is appropriated  
2 continuously for the purposes listed in subdivision (5).

3 (7) Money in the souvenir shop fund at the end of a state fiscal  
4 year does not revert to the state general fund.

5 (c) A person may not make or sell pictures, models, books, or  
6 other representations of the monuments or grounds unless the person  
7 is authorized to do so by the **department**. ~~commission~~.

8 SECTION 103. IC 10-18-1-28 IS AMENDED TO READ AS  
9 FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 28. The superintendent  
10 of the State Soldiers' and Sailors' Monument and of Monument Circle  
11 and those serving under the superintendent who are appointed by the  
12 **department** ~~commission~~ have police powers and may make arrests or  
13 do other things as may be needed to enforce the laws for the protection  
14 and care of the monuments and Monument Circle.

15 SECTION 104. IC 10-18-1-29 IS AMENDED TO READ AS  
16 FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 29. The **department**  
17 ~~commission~~ may grant the use for public purposes of any structures or  
18 any parts of structures erected by the ~~commission~~ **department** under  
19 this chapter without rent or charge or for only a nominal rental:

20 (1) to any organizations of soldiers, sailors, and marines and  
21 others as a place for their meeting and headquarters and for the  
22 keeping of records, archives, documents, flags, mementos, and  
23 relics; and

24 (2) for other public meetings and other public purposes not  
25 inconsistent with the purpose of this chapter;

26 for the time and upon the terms and conditions as the ~~commission~~  
27 **department** determines.

28 SECTION 105. IC 10-18-1-30 IS AMENDED TO READ AS  
29 FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 30. (a) The  
30 **department** ~~commission~~ may not enter into a contract for:

31 (1) the purchase or sale of property, material, or supplies; or

32 (2) the performance of work or labor, except for salaries of  
33 employees;

34 if the work and labor or materials and supplies cost more than ten  
35 thousand dollars (\$10,000) without first giving notice of its intention  
36 to purchase or sell the materials or supplies or to contract for the work  
37 or labor by publication in a newspaper of general circulation printed  
38 and published in the English language in Indianapolis for two (2)  
39 successive weeks before the time fixed for the letting of the contract or  
40 the sale of the property.

41 (b) A contract under this section must be in writing. The other  
42 contracting party shall furnish bond for the faithful performance of the

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1 contract in an amount fixed by the **department commission** and with  
 2 surety to the **department's commission's** approval, conditioned upon  
 3 the faithful performance of the contract. However, if the **department**  
 4 **commission** decides to purchase a patented article or material or an  
 5 article or material of a special type, character, or design of construction  
 6 or make that may be purchased from only one (1) person, firm, limited  
 7 liability company, or corporation, their agents or representatives, or for  
 8 which there is a fixed, standard price, the **department commission** is  
 9 not required to take or receive competitive bids. However, the  
 10 **department commission** shall publish in the manner set forth under  
 11 subsection (a) the number and character of the article or kind and  
 12 quality of material proposed to be purchased, the unit price, and the  
 13 total sum to be paid.

14 (c) A contract made in violation of this section is void.

15 SECTION 106. IC 10-18-1-32 IS AMENDED TO READ AS  
 16 FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 32. The **department,**  
 17 **commission,** with the approval of the governor, may let a contract for  
 18 the erection of additional structures on the site of the Indiana World  
 19 War Memorial, in accordance with plans and specifications adopted by  
 20 the ~~commission,~~ **department,** with the approval of the governor, to any  
 21 competent and reliable contractor.

22 SECTION 107. IC 10-18-1-33 IS AMENDED TO READ AS  
 23 FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 33. (a) The  
 24 **department commission** shall commemorate the valor of those loyal  
 25 citizens of this state who served with the armed forces of the United  
 26 States during World War II and the Korean Conflict by placing their  
 27 names in the archives of the World War Memorial located at  
 28 Indianapolis.

29 (b) The names must be placed in the archives in the same manner  
 30 as those honored by Indiana who served in World War I.

31 SECTION 108. IC 10-18-1-34 IS AMENDED TO READ AS  
 32 FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 34. (a) The  
 33 **department commission** shall commemorate the valor of those loyal  
 34 citizens of Indiana who served with the armed forces of the United  
 35 States during the Vietnam conflict by placing their names in the  
 36 archives of the World War Memorial located at Indianapolis.

37 (b) The names must be placed in the archives in the same manner  
 38 as those honored by Indiana who served in World War I, World War II,  
 39 and the Korean Conflict.

40 SECTION 109. IC 10-18-1-38, AS AMENDED BY P.L.158-2013,  
 41 SECTION 169, IS AMENDED TO READ AS FOLLOWS  
 42 [EFFECTIVE JULY 1, 2027]: Sec. 38. It is a Level 6 felony for a

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HB 1003—LS 6756/DI 92



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1 member of the commission or the architect, secretary, superintendent  
2 or any other person in the employ of the **department commission** to:

3 (1) knowingly be interested in or derive any profit from any  
4 contract, employment, or purchase connected with the Indiana  
5 World War Memorial or with any action of the **department;**  
6 **commission;** or

7 (2) knowingly be interested in any claim against the **department**  
8 **commission** or the state growing out of the erection or  
9 maintenance of the Indiana World War Memorial;

10 other than for the compensation for their services or for their expenses  
11 as provided in this chapter.

12 SECTION 110. IC 10-18-2-18 IS AMENDED TO READ AS  
13 FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 18. In the establishment  
14 and maintenance of a county world war memorial, a county executive  
15 or a board of trustees of a joint county and city world war memorial has  
16 all the powers and duties conferred upon the **Indiana department of**  
17 **veterans' affairs Indiana War Memorials Commission** under  
18 IC 10-18-1, in so far as the powers and duties are not inconsistent with  
19 this chapter. However, a county executive or board may not employ a  
20 secretary.

21 SECTION 111. IC 10-18-3-18 IS REPEALED [EFFECTIVE  
22 JULY 1, 2027]. Sec. 18. (a) ~~The governor may appoint a commission~~  
23 ~~known as the memorial art commission:~~

24 (b) ~~The commission must consist of not more than seven (7)~~  
25 ~~qualified persons who serve without pay. However, members are to be~~  
26 ~~paid necessary expenses as certified by the governor to the state~~  
27 ~~comptroller.~~

28 (c) ~~The commission shall consider the artistic qualities of a plan~~  
29 ~~for a proposed memorial:~~

30 (d) ~~A memorial consisting of a building, monument, statue, tablet,~~  
31 ~~picture, arch, or work of art of any kind may not be erected without~~  
32 ~~first:~~

33 (1) ~~submitting the plans to the memorial art commission; and~~  
34 (2) ~~securing criticism and advice from the commission with~~  
35 ~~respect to the memorial.~~

36 ~~If a state art commission is established by law, it is ex officio the~~  
37 ~~memorial art commission:~~

38 SECTION 112. IC 10-18-4-19 IS AMENDED TO READ AS  
39 FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 19. In the establishment  
40 and maintenance of a World War memorial, a city's board of public  
41 works or the board of trustees of a joint county and city World War  
42 memorial has all the powers and duties conferred upon the **Indiana**

HB 1003—LS 6756/DI 92



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1 ~~department of veterans' affairs Indiana war memorials commission~~  
 2 under IC 10-18-1 to the extent the powers and duties conferred in  
 3 IC 10-18-1 are not inconsistent with this chapter. However, this chapter  
 4 does not authorize a city's board of public works or a board of trustees  
 5 of a joint county and city World War memorial to employ a secretary.

6 SECTION 113. IC 10-19-7-3, AS AMENDED BY P.L.238-2025,  
 7 SECTION 40, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 8 JULY 1, 2027]: Sec. 3. (a) The state fire marshal appointed under  
 9 IC 22-14-2-2 shall manage the department's administration of the  
 10 following:

- 11 (1) IC 22-11.
- 12 (2) IC 22-12.
- 13 (3) IC 22-13.
- 14 (4) IC 22-14.
- 15 (5) IC 22-15.

16 (b) In carrying out the duties under subsection (a), the state fire  
 17 marshal shall ~~do the following~~:

- 18 ~~(1) Provide department staff to support the fire prevention and~~  
 19 ~~building safety commission established by IC 22-12-2-1.~~
- 20 ~~(2) partner with state agencies, including the Indiana department~~  
 21 ~~of health and state educational institutions, to develop public~~  
 22 ~~safety education and outreach programs.~~

23 (c) The state fire marshal may not exercise any powers or perform  
 24 any duties specifically assigned to ~~either of the following~~:

- 25 ~~(1) The fire prevention and building safety commission.~~
- 26 ~~(2) the state building commissioner.~~

27 (d) The state fire marshal may delegate the state fire marshal's  
 28 authority to the appropriate department staff.

29 SECTION 114. IC 11-12-4-1, AS AMENDED BY P.L.56-2023,  
 30 SECTION 82, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 31 JULY 1, 2027]: Sec. 1. (a) The department shall adopt under IC 4-22-2  
 32 minimum standards for county jails governing:

- 33 (1) general physical and environmental conditions;
- 34 (2) services and programs to be provided to confined persons;
- 35 (3) procedures for the care and control of confined persons that  
 36 are necessary to ensure the health and safety of confined persons,  
 37 the security of the jail, and public safety; and
- 38 (4) the restraint of pregnant inmates. Rules adopted under this  
 39 subdivision must be consistent with IC 11-10-3.5.

40 However, the department may not adopt any standard that prohibits the  
 41 placement of more than one (1) prisoner in a prisoner cell that has  
 42 thirty-five (35) square feet or more of floor space per prisoner.

HB 1003—LS 6756/DI 92



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1 (b) The standards must be sufficiently flexible to foster the  
 2 development of new and improved practices and to accommodate local  
 3 needs and circumstances. The standards must be consistent with the  
 4 laws of Indiana and the rules of the Indiana department of health and  
 5 the ~~fire prevention and building safety commission~~. **department of**  
 6 **homeland security**.

7 (c) The commissioner shall select a committee of not less than five  
 8 (5) county sheriffs to consult with the department before and during the  
 9 drafting of the proposed minimum standards. County sheriffs shall be  
 10 selected from the various classes of counties to ensure that densely,  
 11 moderately, and sparsely populated counties are represented. Each  
 12 county sheriff is entitled to the minimum salary per diem as provided  
 13 in IC 4-10-11-2.1 for each day engaged in the official business of the  
 14 committee and to reimbursement for traveling and other expenses, as  
 15 provided in the state travel policies and procedures established by the  
 16 Indiana department of administration and approved by the budget  
 17 agency.

18 (d) At least sixty (60) days before setting the date for a public  
 19 hearing under IC 4-22-2, the department shall forward copies of the  
 20 proposed minimum standards to each county sheriff and each board of  
 21 county commissioners and shall solicit their views and suggestions.

22 SECTION 115. IC 12-7-2-34, AS AMENDED BY P.L.42-2024,  
 23 SECTION 75, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 24 JULY 1, 2027]: Sec. 34. "Commission" means the following:

25 (1) For purposes of IC 12-10-2, the meaning set forth in  
 26 IC 12-10-2-1.

27 (2) For purposes of IC 12-12-2, the meaning set forth in  
 28 IC 12-12-2-1.

29 (3) For purposes of ~~IC 12-13-14~~, the meaning set forth in  
 30 ~~IC 12-13-14-1~~.

31 (4) For purposes of ~~IC 12-15-30.5~~, the meaning set forth in  
 32 ~~IC 12-15-30.5-2~~.

33 (5) (3) For purposes of IC 12-15-33, the meaning set forth in  
 34 IC 12-15-33-1.

35 (6) (4) For purposes of IC 12-21-7.1, the meaning set forth in  
 36 IC 12-21-7.1-1.

37 (7) (5) For purposes of IC 12-28-1, the meaning set forth in  
 38 IC 12-28-1-3.

39 SECTION 116. IC 12-7-2-44, AS AMENDED BY P.L.6-2012,  
 40 SECTION 81, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 41 JULY 1, 2027]: Sec. 44. "Council" means the following:

42 (1) For purposes of IC 12-9-4, the meaning set forth in

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HB 1003—LS 6756/DI 92



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- 1 IC 12-9-4-1.
- 2 (2) For purposes of IC 12-12-8, the meaning set forth in
- 3 IC 12-12-8-2.5.
- 4 ~~(3) For purposes of IC 12-13-4, the meaning set forth in~~
- 5 ~~IC 12-13-4-1.~~
- 6 ~~(4) (3) For purposes of IC 12-12.7-2, the meaning set forth in~~
- 7 ~~IC 12-12.7-2-2.~~
- 8 ~~(5) (4) For purposes of IC 12-21-4, the meaning set forth in~~
- 9 ~~IC 12-21-4-1.~~
- 10 SECTION 117. IC 12-7-2-87.8, AS AMENDED BY
- 11 P.L.210-2015, SECTION 5, IS AMENDED TO READ AS FOLLOWS
- 12 [EFFECTIVE JULY 1, 2027]: Sec. 87.8. "Food retailer", for purposes
- 13 of IC 12-13-14, has the meaning set forth in ~~IC 12-13-14-1(f).~~
- 14 **IC 12-13-14-1.**
- 15 SECTION 118. IC 12-7-2-142, AS AMENDED BY P.L.171-2011,
- 16 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 17 JULY 1, 2027]: Sec. 142. "Political subdivision", for purposes of the
- 18 following statutes, has the meaning set forth in IC 36-1-2-13:
- 19 (1) IC 12-8.
- 20 ~~(2) IC 12-13-4.~~
- 21 ~~(3) (2) IC 12-32-1.~~
- 22 SECTION 119. IC 12-8-2.5-11, AS ADDED BY P.L.160-2012,
- 23 SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 24 JULY 1, 2027]: Sec. 11. (a) A member who is not a state employee is
- 25 **not** entitled to ~~both~~ **either** of the following:
- 26 (1) The minimum salary per diem provided by
- 27 IC 4-10-11-2.1(b).
- 28 (2) Reimbursement for travel expenses and other expenses
- 29 actually incurred in connection with the member's duties. ~~as~~
- 30 ~~provided in the state travel policies and procedures established~~
- 31 ~~by the Indiana department of administration and approved by the~~
- 32 ~~budget agency.~~
- 33 (b) A member who is a state employee is entitled to
- 34 reimbursement for travel expenses and other expenses actually incurred
- 35 in connection with the member's duties, as provided in the state travel
- 36 policies and procedures established by the Indiana department of
- 37 administration and approved by the budget agency.
- 38 (c) A member who is a member of the general assembly is entitled
- 39 to receive the same per diem, mileage, and travel allowances paid to
- 40 members of the general assembly serving on interim study committees
- 41 established by the legislative council.
- 42 SECTION 120. IC 12-11-14-10, AS ADDED BY P.L.12-2016,

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HB 1003—LS 6756/DI 92



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1 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
2 JULY 1, 2027]: Sec. 10. (a) The ABLE board of the authority is  
3 established. The board consists of the following:

4 (1) The following four (4) ex officio members:

5 (A) The treasurer of state.

6 (B) The secretary of family and social services.

7 (C) The budget director.

8 (D) The executive director of the Indiana housing and  
9 community development authority.

10 (2) Five (5) ~~appointed~~ members ~~who~~:

11 ~~(A) are appointed by the governor; and~~

12 ~~(B) consist of the following:~~ **appointed as follows:**

13 ~~(i)~~ **(A)** One (1) member **appointed by the governor**  
14 who has significant experience in actuarial analysis,  
15 accounting, investment management, or other areas of  
16 finance that are relevant to the authority.

17 ~~(ii)~~ **(B)** One (1) member **appointed by the speaker of**  
18 **the house of representatives** who has significant legal  
19 expertise and knowledge of estate planning.

20 ~~(iii)~~ **(C)** One (1) member **appointed by the president**  
21 **pro tempore of the senate** who is a representative of  
22 a statewide organization that advocates on behalf of  
23 individuals with disabilities.

24 ~~(iv)~~ **(D)** One (1) member **appointed by the speaker of**  
25 **the house of representatives** who is an individual  
26 with a disability.

27 ~~(v)~~ **(E)** One (1) member **appointed by the president**  
28 **pro tempore of the senate** who is a family member of  
29 an individual with a disability.

30 (b) A certificate of appointment or reappointment of each member  
31 shall be filed with the authority, and this certificate is conclusive  
32 evidence of the due and proper appointment of the member.

33 (c) Not more than three (3) of the appointed members of the board  
34 may belong to the same political party.

35 (d) An appointed member serves a four (4) year term. An  
36 appointed member shall hold over after the expiration of the member's  
37 term until the member's successor is appointed and qualified.

38 (e) The ~~governor~~ **appointing authority** may reappoint an  
39 appointed member of the board.

40 (f) A vacancy shall be filled for the balance of an unexpired term  
41 in the same manner as the original appointment.

42 (g) The treasurer of state shall serve as chairperson of the board.

HB 1003—LS 6756/DI 92



1 The board shall annually elect one (1) of its ex officio members as vice  
 2 chairperson and may elect any other officer the board desires. The  
 3 board shall meet at the call of the chairperson and as provided in the  
 4 bylaws of the authority.

5 (h) The **governor appointing authority** may remove an appointed  
 6 member for misfeasance, malfeasance, willful neglect of duty, or other  
 7 cause.

8 (i) An appointed member of the board is not entitled to the  
 9 minimum salary per diem provided by IC 4-10-11-2.1(b). However,  
 10 each appointed member is entitled to reimbursement for traveling  
 11 expenses and other expenses actually incurred in connection with the  
 12 member's duties.

13 (j) An ex officio member of the board is entitled to reimbursement  
 14 for traveling expenses and other expenses actually incurred in  
 15 connection with the member's duties.

16 (k) An ex officio member of the board may designate a person to  
 17 serve as an ex officio member of the board in the absence of the ex  
 18 officio member.

19 (l) The majority of the members of the board constitute a quorum  
 20 for the purposes of conducting the board's business and exercising the  
 21 board's powers and for all other purposes. Vacant positions may not be  
 22 counted when determining whether a majority of the members is  
 23 present.

24 (m) The affirmative vote of a majority of all the members of the  
 25 board who are present is necessary for the authority to take action. A  
 26 vacancy in the membership of the board does not impair the right of a  
 27 quorum to exercise all the rights and perform all the duties of the  
 28 authority. An action taken by the board under this article may be  
 29 authorized by:

- 30 (1) resolution at any regular or special meeting; or
- 31 (2) unanimous consent of all the members who have not
- 32 abstained.

33 A resolution takes effect immediately upon adoption and need not be  
 34 published or posted.

35 SECTION 121. IC 12-13-14-1, AS AMENDED BY P.L.210-2015,  
 36 SECTION 36, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 37 JULY 1, 2027]: Sec. 1. (a) As used in this chapter, "automated teller  
 38 machine" means an electronic hardware device owned or operated by  
 39 or on behalf of a financial institution or retailer that is capable of  
 40 dispensing currency and responding to balance inquiries through the  
 41 use of a magnetic stripe card issued by or on behalf of the division for  
 42 distribution of assistance through an EBT system as described in this

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HB 1003—LS 6756/DI 92



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- 1 chapter.
- 2 (b) As used in this chapter, "commission" refers to the electronic  
3 benefits transfer commission established by this chapter.
- 4 (c) (b) As used in this chapter, "Department" refers to the United  
5 States Department of Health and Human Services.
- 6 (d) (c) As used in this chapter, "EBT program" means an  
7 electronic benefits transfer program.
- 8 (e) (d) As used in this chapter, "financial institution" means a  
9 bank, trust company, savings institution, credit union, or any other  
10 organization:
- 11 (1) whose principal business activity is providing banking or  
12 financial services to the public; and
- 13 (2) that is organized, supervised, and authorized to do business  
14 in Indiana under IC 28 or Title 12 of the United States Code.
- 15 (f) (e) As used in this chapter, "food retailer" means a retailer that:
- 16 (1) sells food items to consumers; and
- 17 (2) has been authorized under 7 CFR 278 to participate in SNAP.
- 18 (g) (f) As used in this chapter, "person" includes any individual or  
19 entity described in IC 6-2.5-1-3.
- 20 (h) (g) As used in this chapter, "point of sale terminal" means an  
21 electronic hardware device that is:
- 22 (1) used at a retailer's place of business where consumers pay for  
23 goods or services; and
- 24 (2) capable of:
- 25 (A) initiating a request for authorization of a purchase of  
26 tangible personal property;
- 27 (B) disbursing currency from an account;
- 28 (C) initiating a balance inquiry for an account; or
- 29 (D) distributing assistance through an EBT system as  
30 described in this chapter.
- 31 (i) (h) As used in this chapter, "primary business" means more  
32 than fifty percent (50%) of the gross retail income (as defined in  
33 IC 6-2.5-1-5) attributable to the location or premises where the  
34 business is located.
- 35 (j) (i) As used in this chapter, "retailer" means a person that, in the  
36 ordinary course of business:
- 37 (1) sells or transfers tangible personal property; or
- 38 (2) provides or performs services for compensation;  
39 to consumers.
- 40 (k) (j) As used in this chapter, "Secretary" refers to the Secretary  
41 of the United States Department of Agriculture.
- 42 SECTION 122. IC 12-13-14-3 IS REPEALED [EFFECTIVE

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HB 1003—LS 6756/DI 92



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1 JULY 1, 2027]. Sec. 3: (a) The electronic benefits transfer commission  
2 is established:

3 (b) The commission consists of eight (8) members appointed by  
4 the secretary of family and social services as follows:

5 (1) Two (2) employees of the office of the secretary of family  
6 and social services:

7 (2) Two (2) members of the Indiana Grocers and Convenience  
8 Store Association, nominated by the chief executive officer of  
9 the Indiana Grocers and Convenience Store Association for  
10 consideration by the secretary of family and social services:

11 (3) Two (2) members of the Indiana Bankers Association;  
12 nominated by the chief executive officer of the Indiana Bankers  
13 Association for consideration by the office of the secretary of  
14 family and social services:

15 (4) Two (2) persons representing recipients of SNAP benefits or  
16 TANF benefits: One (1) person shall be nominated by the  
17 Indiana Food and Nutrition Network, and one (1) person shall be  
18 nominated by the Indiana Coalition for Human Services for  
19 consideration by the secretary of family and social services:

20 (c) The terms of office shall be for three (3) years. The members  
21 serve at the will of the secretary of family and social services. A  
22 vacancy on the commission shall be filled by the secretary of family  
23 and social services in the same manner the original appointment was  
24 made:

25 (d) The secretary of family and social services shall appoint the  
26 initial chairperson from among the members of the commission. The  
27 commission shall meet on the call of the chairperson. When the  
28 chairperson's term expires, the commission shall elect a new  
29 chairperson from among the membership of the commission:

30 (e) The division shall provide staff needed for the commission to  
31 operate under this chapter:

32 (f) The commission members are not eligible for per diem  
33 reimbursement or reimbursement for expenses incurred for travel to  
34 and from commission meetings:

35 SECTION 123. IC 12-13-16-3 IS REPEALED [EFFECTIVE  
36 JULY 1, 2027]. Sec. 3: As used in this chapter, "advisory committee"  
37 refers to the 211 advisory committee established by section 9 of this  
38 chapter:

39 SECTION 124. IC 12-13-16-8, AS ADDED BY P.L.73-2020,  
40 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
41 JULY 1, 2027]: Sec. 8. (a) The 211 services fund is established to  
42 make 211 services available throughout Indiana. The fund shall be

HB 1003—LS 6756/DI 92



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- 1 administered by the office of the secretary.
- 2 (b) The fund consists of the following:
- 3 (1) All money appropriated to the fund by the general assembly.
- 4 (2) Funds received from the federal government for the support
- 5 of 211 services in Indiana.
- 6 (3) Investment earnings, including interest, on money in the
- 7 fund.
- 8 (4) Money from any other source, including gifts and grants.
- 9 (c) The office of the secretary ~~after consulting with the committee,~~
- 10 shall annually prepare a plan for the expenditure of the money in the
- 11 fund. The plan must include a strategy or plan to provide information
- 12 concerning, and referrals for, human services in accordance with
- 13 section 7 of this chapter.
- 14 (d) Money in the fund may be spent for the following purposes:
- 15 (1) The creation of a structure for a statewide 211 resources data
- 16 base.
- 17 (2) The development and implementation of a statewide 211
- 18 resources data base described in subdivision (1). Permissible
- 19 expenditures under this subdivision include expenditures for
- 20 planning, training, accreditation, and system evaluation.
- 21 (3) Collecting, organizing, and maintaining information from
- 22 state agencies, departments, and programs that provide human
- 23 services, for access by a provider of 211 services.
- 24 (4) Providing grants for any of the following purposes to a
- 25 provider of 211 services:
- 26 (A) The design, development, and implementation of 211
- 27 services in the provider's 211 service area. Funds provided
- 28 under this clause may be used for planning, public
- 29 awareness, training, accreditation, and evaluation.
- 30 (B) The provision of 211 services on an ongoing basis after
- 31 the design, development, and implementation of 211
- 32 services in the provider's service area.
- 33 (C) The provision of 211 services on a twenty-four (24)
- 34 hour per day, seven (7) day per week basis.
- 35 (e) The expenses of administering the fund shall be paid from
- 36 money in the fund.
- 37 (f) The treasurer of state shall invest the money in the fund not
- 38 currently needed to meet the obligations of the fund in the same
- 39 manner as other public money may be invested.
- 40 (g) Money in the fund at the end of a state fiscal year does not
- 41 revert to the state general fund.

42 SECTION 125. IC 12-13-16-9 IS REPEALED [EFFECTIVE

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HB 1003—LS 6756/DI 92



1 JULY 1, 2027]. Sec. 9: (a) The 211 advisory committee is established:  
 2 The advisory committee includes the following members appointed by  
 3 the governor or the governor's designee:

4 (1) Two (2) members, each of whom represents a different  
 5 Indiana United Way entity:

6 (2) Two (2) members, each of whom represents a different local  
 7 service agency that receives referrals from 211:

8 (3) Seven (7) members representing the types of human services  
 9 provided under this chapter:

10 (4) One (1) individual representing the Indiana Association of  
 11 Rehabilitation Facilities:

12 (b) The initial members of the advisory committee serve the  
 13 following terms:

14 (1) Three (3) members serve a term of one (1) year:

15 (2) Five (5) members serve a term of two (2) years:

16 (3) Five (5) members serve a term of four (4) years:

17 Members appointed to the advisory committee thereafter serve terms  
 18 of four (4) years:

19 (c) The governor or the governor's designee shall appoint the  
 20 chairperson of the advisory committee:

21 (d) The advisory committee shall do the following:

22 (1) Provide input and consultation regarding implementation and  
 23 administration of 211 services by the office of the secretary to  
 24 ensure compliance with any requirements or obligations under  
 25 this chapter:

26 (2) Advise the office of the secretary and make  
 27 recommendations concerning the use of and goals for 211  
 28 services:

29 (e) The office of the secretary shall staff the advisory committee:  
 30 The expenses of the advisory committee shall be paid by the office of  
 31 the secretary:

32 (f) Each member of the advisory committee who is not a state  
 33 employee is entitled to the minimum salary per diem provided by  
 34 IC 4-10-11-2.1(b). The member is also entitled to reimbursement for  
 35 traveling expenses as provided under IC 4-13-1-4 and other expenses  
 36 actually incurred in connection with the member's duties as provided  
 37 in the state policies and procedures established by the Indiana  
 38 department of administration and approved by the budget agency:

39 (g) Each member of the advisory committee who is a state  
 40 employee is entitled to reimbursement for traveling expenses as  
 41 provided under IC 4-13-1-4 and other expenses actually incurred in  
 42 connection with the member's duties as provided in the state policies

HB 1003—LS 6756/DI 92



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1 and procedures established by the Indiana department of administration  
2 and approved by the budget agency:

3 SECTION 126. IC 12-17.2-2-2, AS AMENDED BY P.L.56-2023,  
4 SECTION 117, IS AMENDED TO READ AS FOLLOWS  
5 [EFFECTIVE JULY 1, 2027]: Sec. 2. The division may do the  
6 following:

7 (1) Prescribe forms for reports, statements, notices, and other  
8 documents required by this article or by the rules adopted under  
9 this article.

10 (2) Increase public awareness of this article and the rules  
11 adopted under this article by preparing and publishing manuals  
12 and guides explaining this article and the rules adopted under  
13 this article.

14 (3) Facilitate compliance with and enforcement of this article  
15 through the publication of materials under subdivision (2).

16 (4) Prepare reports and studies to advance the purpose of this  
17 article.

18 (5) Seek the advice and recommendations of state agencies  
19 whose information and knowledge would be of assistance in  
20 writing, revising, or monitoring rules developed under this  
21 article. These agencies, including the office of the attorney  
22 general, Indiana department of health, division of mental health  
23 and addiction, bureau of criminal identification and  
24 investigation, and ~~fire prevention and building safety~~  
25 ~~commission~~, **department of homeland security**, shall upon  
26 request supply necessary information to the division.

27 (6) Make the directory of licensees available to the public for a  
28 charge not to exceed the cost of reproducing the directory.

29 (7) Charge a reasonable processing fee for each license  
30 application and renewal as follows:

31 (A) For a child care center license, a fee of two dollars (\$2)  
32 per licensed child capacity.

33 (B) For a child care center new inquiry application packet,  
34 a fee not to exceed five dollars (\$5).

35 (C) For a child care home license new inquiry application  
36 packet, a fee not to exceed five dollars (\$5).

37 (D) For a child care home annual inspection, a fee not to  
38 exceed twenty-five dollars (\$25).

39 (8) Exercise any other regulatory and administrative powers  
40 necessary to carry out the functions of the division.

41 SECTION 127. IC 12-17.2-2-4, AS AMENDED BY P.L.56-2023,  
42 SECTION 118, IS AMENDED TO READ AS FOLLOWS

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HB 1003—LS 6756/DI 92



1 [EFFECTIVE JULY 1, 2027]: Sec. 4. (a) The division shall adopt rules  
 2 under IC 4-22-2 concerning the licensing and inspection of child care  
 3 centers and child care homes after consultation with the following:

4 (1) Indiana department of health.

5 (2) ~~Fire prevention and building safety commission.~~  
 6 **Department of homeland security.**

7 (b) The rules adopted under subsection (a) shall be applied by the  
 8 division and state fire marshal in the licensing and inspection of  
 9 applicants for a license and licensees under this article.

10 SECTION 128. IC 12-17.2-2-9, AS AMENDED BY  
 11 P.L.187-2021, SECTION 44, IS AMENDED TO READ AS  
 12 FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 9. (a) A program  
 13 operated to serve migrant children that is exempted under section 8(6)  
 14 of this chapter and is certified by the United States Department of  
 15 Health and Human Services shall be:

16 (1) granted a provisional license by the division, for a limited  
 17 period not to exceed one (1) year and that is subject to review  
 18 every three (3) months, if the division determines that the  
 19 program reasonably complies with the rules adopted by the  
 20 division; and

21 (2) inspected by the department of homeland security.

22 (b) The division and the ~~fire prevention and building safety~~  
 23 ~~commission~~ **department of homeland security** shall adopt rules under  
 24 IC 4-22-2 that apply only to programs operated to serve migrant  
 25 children that take into consideration the fact that the programs:

26 (1) operate in donated space;

27 (2) provide services for children from migrant worker families;  
 28 and

29 (3) are operated during a single period of less than one hundred  
 30 twenty (120) consecutive days during a calendar year.

31 (c) This section does not prohibit a program operated to serve  
 32 migrant children from applying for a license under this article.

33 SECTION 129. IC 12-17.2-2-10, AS AMENDED BY  
 34 P.L.225-2013, SECTION 5, IS AMENDED TO READ AS FOLLOWS  
 35 [EFFECTIVE JULY 1, 2027]: Sec. 10. (a) The division may grant a  
 36 variance or waiver of a rule governing a provider. A variance or waiver  
 37 granted under this section must promote statewide practices and must  
 38 protect the rights of persons affected by this article.

39 (b) The division may grant a variance to a rule if a provider does  
 40 the following:

41 (1) Submits to the division a written request for the variance in  
 42 the form and manner specified by the division.

HB 1003—LS 6756/DI 92



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- 1 (2) Documents that compliance with an alternative method of
- 2 compliance approved by the division will not be adverse to the
- 3 health, safety, or welfare of a child receiving services from the
- 4 applicant for the variance, as determined by the division.
- 5 (c) A variance granted under subsection (b) must be conditioned
- 6 upon compliance with the alternative method approved by the division.
- 7 Noncompliance constitutes the violation of a rule of the division and
- 8 may be the basis for revoking the variance.
- 9 (d) The division may grant a waiver of a rule if a provider does the
- 10 following:
- 11 (1) Submits to the division a written request for the waiver in the
- 12 form and manner specified by the division.
- 13 (2) Documents that compliance with the rule specified in the
- 14 application for the waiver will create an undue hardship on the
- 15 applicant for the waiver, as determined by the division.
- 16 (3) Documents that the applicant for the waiver will be in
- 17 substantial compliance with the rules adopted by the division
- 18 after the waiver is granted, as determined by the division.
- 19 (4) Documents that noncompliance with the rule specified in the
- 20 application for a waiver will not be adverse to the health, safety,
- 21 or welfare of a child receiving services from the applicant for the
- 22 waiver, as determined by the division.
- 23 (e) Except for a variance or waiver of a rule governing child care
- 24 homes, a variance or waiver of a rule under this section that conflicts
- 25 with a building rule or fire safety rule adopted by the ~~fire prevention~~
- 26 ~~and building safety commission~~ **department of homeland security** is
- 27 not effective until the variance or waiver is approved by the ~~fire~~
- 28 ~~prevention and building safety commission~~ **department of homeland**
- 29 **security or, with the approval of the department of homeland**
- 30 **security, the state building commissioner.**
- 31 SECTION 130. IC 12-17.2-2-12 IS AMENDED TO READ AS
- 32 FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 12. (a) If the division
- 33 determines that a waiver or variance expiring under section 11 of this
- 34 chapter will continue to serve the public interest, the division may do
- 35 the following:
- 36 (1) Renew the waiver or variance without modifications.
- 37 (2) Renew and modify the waiver or variance as needed to
- 38 promote statewide practices and to protect the rights of persons
- 39 affected by this article.
- 40 (b) Before taking an action under subsection (a), the division may
- 41 require a licensee under this article to do the following:
- 42 (1) Apply for the renewal of a waiver or variance on the form

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HB 1003—LS 6756/DI 92



- 1 specified by the division.
- 2 (2) Provide the information required by the division.
- 3 (c) Except for a waiver or variance of a rule governing child care  
4 homes or foster homes, before taking an action under subsection (a),  
5 the division must obtain the approval of the ~~fire prevention and~~  
6 ~~building safety commission~~ **department of homeland security** for the  
7 action if either of the following occurs:
- 8 (1) The ~~fire prevention and building safety commission~~  
9 **department of homeland security** substantially changes a  
10 building rule or fire safety rule affected by the waiver or variance  
11 after the date the ~~commission~~ **department of homeland**  
12 **security** last approved the waiver or variance.
- 13 (2) The division substantially modifies any part of a waiver or  
14 variance that conflicts with a building rule or fire safety rule  
15 adopted by the ~~fire prevention and building safety commission~~  
16 **department of homeland security**.
- 17 SECTION 131. IC 12-17.2-2-14.2, AS ADDED BY P.L.2-2014,  
18 SECTION 68, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
19 JULY 1, 2027]: Sec. 14.2. (a) As used in this section, "program" refers  
20 to the paths to QUALITY program established by subsection (b).
- 21 (b) The paths to QUALITY program is established. The program  
22 is a voluntary child care facility quality rating and improvement system  
23 implemented by the division in partnership with the following  
24 organizations under the trademark "Paths to QUALITY":
- 25 (1) Indiana Association for the Education of Young Children.  
26 (2) Indiana Association for Child Care Resource and Referral.  
27 (3) Indiana Head Start Collaboration Office.  
28 (4) Department of education established by IC 20-19-3-1.  
29 (5) Early Childhood Alliance.  
30 (6) 4C of Southern Indiana.
- 31 (c) The program shall use four (4) levels at which a child care  
32 facility participating in the program may be rated, with Level 4  
33 indicating the highest level of quality child care.
- 34 (d) The office of the secretary shall adopt rules under IC 4-22-2 to  
35 administer the paths to QUALITY program rating system. The rules  
36 must include procedures that outline eligibility and application  
37 procedures for the program, the establishment of procedures relating  
38 to the rating process, and the establishment or alteration of standards  
39 used in the rating process.
- 40 (e) ~~The office of the secretary shall adopt rules under IC 4-22-2 to~~  
41 ~~establish the steering council of the program to make recommendations~~  
42 ~~to the division on program issues and resources. Rules adopted under~~

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HB 1003—LS 6756/DI 92



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1 this subsection must require that council members be appointed from  
 2 partner organizations that assist in the implementation of the program  
 3 and serve to coordinate the program plan.

4 SECTION 132. IC 12-17.2-3.5-10 IS AMENDED TO READ AS  
 5 FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 10. (a) A facility where  
 6 a provider operates a child care program must have two (2) exits that:

7 (1) do not require passage through a:

8 (A) garage; or

9 (B) storage area;

10 where hazardous materials are stored;

11 (2) are not windows;

12 (3) are on different sides of the facility;

13 (4) are not blocked; and

14 (5) are operable from the inside without the use of a key or any  
 15 special knowledge.

16 (b) A provider shall:

17 (1) conduct monthly documented fire drills:

18 (A) in accordance with the rules of the ~~fire prevention and~~  
 19 ~~building safety commission; department of homeland~~  
 20 ~~security; and~~

21 (B) that include complete evacuation of all:

22 (i) children; and

23 (ii) adults who provide child care;

24 in the facility;

25 (2) maintain documentation of all fire drills conducted during the  
 26 immediately preceding twelve (12) month period, including:

27 (A) the date and time of the fire drill;

28 (B) the name of the individual who conducted the fire drill;

29 (C) the weather conditions at the time of the fire drill; and

30 (D) the amount of time required to fully evacuate the  
 31 facility; and

32 (3) maintain a two and one-half (2 1/2) pound or greater ABC  
 33 multiple purpose fire extinguisher:

34 (A) on each floor of the facility; and

35 (B) in the kitchen area of the facility;

36 in each facility where the provider operates a child care program.

37 SECTION 133. IC 12-17.2-5-2 IS AMENDED TO READ AS  
 38 FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 2. The ~~fire prevention~~  
 39 ~~and building safety commission~~ **department of homeland security**  
 40 must provide consultation regarding the licensure of child care homes  
 41 to the division upon request.

42 SECTION 134. IC 12-17.2-5-6.5, AS AMENDED BY

HB 1003—LS 6756/DI 92



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1 P.L.134-2024, SECTION 8, IS AMENDED TO READ AS FOLLOWS  
 2 [EFFECTIVE JULY 1, 2027]: Sec. 6.5. To qualify for a license to  
 3 operate a class II child care home under this chapter, a person must do  
 4 the following:

5 (1) Provide all child care services on the first story of the child  
 6 care home unless the class II child care home meets the  
 7 exceptions to the first story requirements contained in the  
 8 Indiana building code adopted by the ~~fire prevention and~~  
 9 ~~building safety commission~~ **department of homeland security**  
 10 in effect at the time the class II child care home provider applies  
 11 for licensure.

12 (2) Provide a smoke detection system that is:

13 (A) hard wired to the building's electrical system; and

14 (B) wired in a manner that activates all of the detector  
 15 devices in the building when one (1) detector device is  
 16 activated.

17 (3) Provide a fire extinguisher in each room that is used to  
 18 provide child care services.

19 (4) Meet:

20 (A) the exit requirements for an E-3 building occupancy  
 21 classification under the Indiana building code adopted by  
 22 the ~~fire prevention and building safety commission~~,  
 23 **department of homeland security**, except for any  
 24 illumination requirements, in effect at the time the class II  
 25 child care home provider initially applies for licensure; and  
 26 (B) the illumination requirements established in section  
 27 6.3(b)(3) of this chapter.

28 (5) Provide a minimum of thirty-five (35) square feet for each  
 29 child.

30 (6) Conduct fire drills required under article 37 of the Indiana  
 31 fire prevention code adopted by the ~~fire prevention and building~~  
 32 ~~safety commission~~ **department of homeland security** in effect  
 33 at the time the class II child care home provider applies for  
 34 licensure.

35 (7) Apply for a license before July 1, 1996, or after June 30,  
 36 2001.

37 (8) Comply with rules adopted by the division of family  
 38 resources for class II child care homes.

39 (9) Complete the training course taught or approved by the  
 40 division concerning safe sleeping practices for a child within the  
 41 person's care as described in IC 12-17.2-2-1(10).

42 SECTION 135. IC 12-17.2-5-36 IS AMENDED TO READ AS

HB 1003—LS 6756/DI 92



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1 FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 36. The ~~fire prevention~~  
 2 ~~and building safety commission~~ **department of homeland security**  
 3 may not adopt rules that classify a child care home as an E building  
 4 occupancy classification.

5 SECTION 136. IC 12-17.2-6-5, AS AMENDED BY  
 6 P.L.187-2021, SECTION 46, IS AMENDED TO READ AS  
 7 FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 5. (a) As used in this  
 8 section, "primary use of the building" means the occupancy  
 9 classification that is:

- 10 (1) most closely related to the intended use of the building; and  
 11 (2) determined by the rules of the ~~fire prevention and building~~  
 12 ~~safety commission~~ **department of homeland security** in effect  
 13 at the time that the child care ministry is first registered.

14 (b) The state fire marshal shall inspect a child care ministry  
 15 registered under section 2 of this chapter to ensure that the child care  
 16 ministry complies with the requirements of subsection (c).

17 (c) Except as provided in the following, a registered child care  
 18 ministry shall comply with all rules of the ~~fire prevention and building~~  
 19 ~~safety commission~~ **department of homeland security** applicable to the  
 20 primary use of the building:

- 21 (1) A registered child care ministry with an occupant load of at  
 22 least fifty (50) shall do either of the following:

23 (A) Install and maintain a fire alarm system in compliance  
 24 with the rules of the ~~fire prevention and building safety~~  
 25 ~~commission.~~ **department of homeland security.**

26 (B) Provide a notice on a form prescribed by the department  
 27 of homeland security to the parents of each child who  
 28 attends the ministry stating that the ministry does not have  
 29 the same level of fire safety protection as a licensed child  
 30 care center.

- 31 (2) Each registered child care ministry with an occupant load of  
 32 less than fifty (50) shall do either of the following:

33 (A) Install and maintain in good operating condition at least  
 34 one (1) battery operated smoke detector in each room and  
 35 corridor used by the ministry.

36 (B) Provide a notice on a form prescribed by the department  
 37 of homeland security to the parents of each child who  
 38 attends the ministry stating that the ministry does not have  
 39 the same level of fire safety protection as a licensed child  
 40 care center.

- 41 (3) Each registered child care ministry shall comply with the  
 42 rules of the ~~fire prevention and building safety commission~~

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HB 1003—LS 6756/DI 92



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

1            **department of homeland security** concerning fire drills.  
 2 For purposes of this subsection, occupant load is determined by  
 3 dividing the total square footage of the area used by the child care  
 4 ministry by thirty-five (35) and rounding any result that is not a whole  
 5 number up to the next whole number.

6            (d) The state fire marshal shall make an inspection of a child care  
 7 ministry registered under section 2 of this chapter at least annually.

8            (e) During an inspection, the state fire marshal shall inspect the  
 9 structure in which the child care ministry is conducted for fire safety  
 10 and life safety with respect to the structure's primary use.

11            SECTION 137. IC 12-17.6-2-7, AS AMENDED BY P.L.53-2014,  
 12 SECTION 111, IS AMENDED TO READ AS FOLLOWS  
 13 [EFFECTIVE JULY 1, 2027]: Sec. 7. (a) The office shall contract with  
 14 an independent organization to evaluate the program.

15            (b) The office shall report the results of each evaluation to the  
 16 ~~(1) children's health policy board established by IC 4-23-27-2;~~  
 17 ~~and~~  
 18 ~~(2) interim study committee on public health, behavioral health,~~  
 19 ~~and human services established by IC 2-5-1.3-4 in an electronic~~  
 20 ~~format under IC 5-14-6.~~

21            (c) This section does not modify the requirements of other statutes  
 22 relating to the confidentiality of medical records.

23            SECTION 138. IC 12-17.6-2-12, AS AMENDED BY  
 24 P.L.53-2014, SECTION 112, IS AMENDED TO READ AS  
 25 FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 12. Not later than April  
 26 1, the office shall provide a report describing the program's activities  
 27 during the preceding calendar year to the:

28            (1) budget committee;  
 29            (2) legislative council; **and**  
 30            ~~(3) children's health policy board established by IC 4-23-27-2;~~  
 31            ~~and~~  
 32            ~~(4) (3) interim study committee on public health, behavioral~~  
 33            ~~health, and human services established by IC 2-5-1.3-4 in an~~  
 34            ~~electronic format under IC 5-14-6.~~

35 A report provided under this section to the legislative council must be  
 36 in an electronic format under IC 5-14-6.

37            SECTION 139. IC 12-17.6-4-2, AS AMENDED BY  
 38 P.L.103-2009, SECTION 1, IS AMENDED TO READ AS FOLLOWS  
 39 [EFFECTIVE JULY 1, 2027]: Sec. 2. (a) The benefit package provided  
 40 under the program shall focus on age appropriate preventive, primary,  
 41 and acute care services.

42            (b) The office shall offer health insurance coverage for the

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HB 1003—LS 6756/DI 92



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

1 following basic services:  
 2 (1) Inpatient and outpatient hospital services.  
 3 (2) Physicians' services provided by a physician (as defined in 42  
 4 U.S.C. 1395x(r)).  
 5 (3) Laboratory and x-ray services.  
 6 (4) Well-baby and well-child care, including:  
 7 (A) age appropriate immunizations; and  
 8 (B) periodic screening, diagnosis, and treatment services  
 9 according to a schedule developed by the office.  
 10 The office may offer services in addition to those listed in this  
 11 subsection if appropriations to the program exist to pay for the  
 12 additional services.  
 13 (c) The office shall offer health insurance coverage for the  
 14 following additional services if **the office determines that** the  
 15 coverage for the services has an actuarial value equal to or greater than  
 16 the actuarial value of the services provided by the benchmark program:  
 17 ~~determined by the children's health policy board established by~~  
 18 ~~IC 4-23-27-2:~~  
 19 (1) Prescription drugs.  
 20 (2) Mental health services.  
 21 (3) Vision services.  
 22 (4) Hearing services.  
 23 (5) Dental services.  
 24 (d) Notwithstanding subsections (b) and (c), the office may not  
 25 impose treatment limitations or financial requirements on the coverage  
 26 of services for a mental illness if similar treatment limitations or  
 27 financial requirements are not imposed on coverage for services for  
 28 other illnesses. Coverage for mental illness under the program must  
 29 include the following:  
 30 (1) Inpatient mental health services and substance abuse services  
 31 provided in an institution that:  
 32 (A) treats mental disease; and  
 33 (B) has more than sixteen (16) beds;  
 34 unless coverage is prohibited by federal law.  
 35 (2) Psychiatric residential treatment services.  
 36 (3) Community mental health rehabilitation services.  
 37 (4) Outpatient mental health services and substance abuse  
 38 services, with no greater limitations on the number of units per  
 39 rolling year than are required under the Medicaid program.  
 40 However, the office may require prior authorization for the services  
 41 specified in subdivisions (1) through (4).  
 42 SECTION 140. IC 12-17.6-4-5 IS AMENDED TO READ AS

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HB 1003—LS 6756/DI 92



1 FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 5. (a) It is a violation  
2 of IC 27-4-1-4 if an insurer, or an insurance producer or insurance  
3 broker compensated by the insurer, knowingly or intentionally refers  
4 an insured or the dependent of an insured to the program for health  
5 insurance coverage when the insured already receives health insurance  
6 coverage through an employer's health care plan that is underwritten by  
7 the insurer.

8 (b) The office shall ~~coordinate with the children's health policy~~  
9 ~~board under IC 4-23-27~~ to evaluate the need for mechanisms that  
10 minimize the incentive for an employer to eliminate or reduce health  
11 care coverage for an employee's dependents.

12 SECTION 141. IC 12-30-7-9 IS AMENDED TO READ AS  
13 FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 9. (a) The county  
14 executive shall appoint a board of managers for the health center. The  
15 board of managers shall be composed of eleven (11) county residents  
16 appointed on the basis of the residents' recognized interest in and  
17 demonstrated knowledge of the problems of the health center and the  
18 proper care and treatment of the patients and residents. The board of  
19 managers must be composed of any combination of the following:

- 20 (1) Physicians holding unlimited licenses to practice medicine in
- 21 Indiana.
- 22 (2) Licensed registered nurses, pharmacists licensed under
- 23 IC 25-26-13, or licensed dentists.
- 24 (3) Individuals appointed from business, industry, and the health
- 25 professions, or consumer representatives.
- 26 (4) Social workers.
- 27 (5) Dietitians.
- 28 (6) Professional engineers (as defined in ~~IC 25-31-1-2~~;
- 29 **IC 25-4-0.5-10**).
- 30 (7) Any other resident of the county the board of commissioners
- 31 considers qualified.

32 (b) Not more than six (6) members of the board of managers may  
33 be members of the same political party.

34 SECTION 142. IC 13-11-2-177.7, AS ADDED BY P.L.176-2023,  
35 SECTION 27, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
36 JULY 1, 2027]: Sec. 177.7. "Qualified environmental professional", for  
37 purposes of IC 13-23-13, means the following:

- 38 (1) A registered professional engineer (as defined in
- 39 ~~IC 25-31-1-2~~; **IC 25-4-0.5-10**).
- 40 (2) A licensed professional geologist (as defined in
- 41 IC 25-17.6-1-6.5).
- 42 (3) A certified hazardous materials manager (CHMM) as

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1 certified by the Institute of Hazardous Material Management.  
2 (4) A professional soil scientist registered under IC 25-31.5-4-1.  
3 SECTION 143. IC 13-18-3-12, AS AMENDED BY P.L.113-2014,  
4 SECTION 70, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
5 JULY 1, 2027]: Sec. 12. The board shall adopt rules providing that  
6 whenever a person submits plans to a unit concerning the design or  
7 construction of:

- 8 (1) a sanitary sewer or public water main, if:
  - 9 (A) a professional engineer who is registered under
  - 10 ~~IC 25-31~~ **IC 25-4-3** prepared the plans;
  - 11 (B) the unit provided for review of the plans by a qualified
  - 12 engineer and subsequently approved the plans; and
  - 13 (C) all other requirements specified in rules adopted by the
  - 14 board are met; or
- 15 (2) a sanitary sewer extension for and within a subdivision, if:
  - 16 (A) a qualified professional surveyor who is registered
  - 17 under IC 25-21.5 prepared the plans;
  - 18 (B) the subdivision is being laid out or having been laid out
  - 19 by the professional surveyor subject to IC 25-21.5-7;
  - 20 (C) the unit provided for review of the plans by a qualified
  - 21 engineer and subsequently approved the plans; and
  - 22 (D) all other requirements specified in rules adopted by the
  - 23 board are met;

24 the plans are not required to be submitted to any state agency for a  
25 permit, permission, or review, unless required by federal law.

26 SECTION 144. IC 13-20-13-5, AS AMENDED BY P.L.37-2012,  
27 SECTION 33, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
28 JULY 1, 2027]: Sec. 5. A person that obtains a certificate of  
29 registration under section 3 of this chapter must do the following:

- 30 (1) Report annually to the department on the following:
  - 31 (A) The number of passenger tire equivalents received at
  - 32 the waste tire storage site or by the waste tire processing
  - 33 operation.
  - 34 (B) The number and manner of disposal of the passenger
  - 35 tire equivalents.
- 36 (2) Maintain contingency plans to protect public health and the
- 37 environment.
- 38 (3) If the person operates a waste tire storage site, maintain
- 39 financial assurance acceptable to the department necessary for
- 40 waste tire removal, in an amount specified in rules adopted by
- 41 the board under section 11(b)(3) of this chapter.
- 42 (4) Maintain a copy of the certificate of registration at the site.

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1 (5) Comply with applicable rules and requirements established  
 2 by the ~~fire prevention and building safety commission~~  
 3 **department of homeland security** for indoor waste tire storage  
 4 sites.

5 (6) Retain a copy of manifests received from a waste tire  
 6 transporter under IC 13-20-14 for at least one (1) year and make  
 7 a copy of the manifests available to the department upon request.

8 SECTION 145. IC 13-23-2-1 IS AMENDED TO READ AS  
 9 FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 1. A unit of local  
 10 government may not enact or enforce an ordinance that is in conflict  
 11 with any of the following:

12 (1) This article.

13 (2) Rules adopted by the ~~fire prevention and building safety~~  
 14 ~~commission~~ **department of homeland security** under this  
 15 article.

16 (3) Rules adopted by the board under this article.

17 SECTION 146. IC 13-23-3-2 IS AMENDED TO READ AS  
 18 FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 2. (a) To obtain a  
 19 certificate under section 1 of this chapter, a person must:

20 (1) take an examination that is approved;

21 (2) achieve a passing score on the examination that is  
 22 established; and

23 (3) pay any reasonable fees necessary to offset the costs incurred  
 24 by the ~~state fire marshal~~ **department** in administering the  
 25 examination and certification procedures that are established;  
 26 under rules adopted by the ~~fire prevention and building safety~~  
 27 ~~commission~~ **board**.

28 (b) An examination described under subsection (a) must cover the  
 29 following subjects:

30 (1) Relevant rules adopted by ~~the~~

31 ~~(A) board; and~~

32 ~~(B) fire prevention and building safety commission;~~

33 **the board** concerning underground storage tanks.

34 (2) Any other subjects approved under rules adopted by the ~~fire~~  
 35 ~~prevention and building safety commission~~ **board**.

36 (c) The ~~fire prevention and building safety commission~~ **board**  
 37 shall adopt rules establishing the following:

38 (1) The number of times a person who fails an examination  
 39 described under this section may take the examination again.

40 (2) The period of time a person who fails an examination  
 41 described under this section must wait before taking the  
 42 examination again.

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1 (d) The ~~state fire marshal department~~ may, ~~under rules adopted~~  
 2 ~~by the fire prevention and building safety commission~~, certify a person:

- 3 (1) under section 1 of this chapter; and  
 4 (2) by reciprocity;

5 if the person is licensed or certified by another state that has  
 6 certification requirements that are substantially similar to the  
 7 requirements established under this section.

8 SECTION 147. IC 14-10-1-1, AS AMENDED BY P.L.78-2019,  
 9 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 10 UPON PASSAGE]: Sec. 1. The natural resources commission is  
 11 established. The commission consists of twelve (12) members as  
 12 follows:

- 13 (1) The commissioner of the Indiana department of  
 14 transportation or the commissioner's designee.  
 15 (2) The commissioner of the department of environmental  
 16 management or the commissioner's designated deputy.  
 17 (3) The director of the office of tourism development or the  
 18 director's designee (before July 1, 2020) or the director of the  
 19 Indiana destination development corporation or the director's  
 20 designee (after June 30, 2020).  
 21 (4) The director of the department.  
 22 (5) The chairperson of the advisory council established by  
 23 IC 14-9-6-1.  
 24 (6) The president of the Indiana academy of science or the  
 25 president's designee.  
 26 (7) Six (6) citizen members appointed by the governor. ~~at least~~  
 27 ~~two (2) of whom must have knowledge, experience, or education~~  
 28 ~~in the environment or in natural resource conservation. Not more~~  
 29 ~~than three (3) citizen members may be of the same political~~  
 30 ~~party.~~

31 SECTION 148. IC 14-27-7.5-9 IS AMENDED TO READ AS  
 32 FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 9. (a) The owner of a  
 33 high hazard structure shall:

- 34 (1) have a professional engineer licensed under ~~IC 25-31~~  
 35 **IC 25-4-3** make an engineering inspection of the high hazard  
 36 structure at least one (1) time every two (2) years;  
 37 (2) submit a report of the inspection in a form approved by the  
 38 department to the department. The report must include at least  
 39 the following information:  
 40 (A) An evaluation of the structure's condition, spillway  
 41 capacity, operational adequacy, and structural integrity.  
 42 (B) A determination of whether deficiencies exist that could

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- 1                   lead to the failure of the structure, and recommendations for
- 2                   maintenance, repairs, and alterations to the structure to
- 3                   eliminate deficiencies, including a recommended schedule
- 4                   for necessary upgrades to the structure.
- 5           (b) If after an inspection under subsection (a) the licensed
- 6           professional engineer who conducted the inspection determines that
- 7           maintenance, repairs, or alterations to a high hazard structure are
- 8           necessary to remedy deficiencies in the structure, the owner shall
- 9           perform the recommended maintenance, repairs, or alterations.
- 10          (c) The department shall issue a notice of violation under section
- 11          11 of this chapter to the owner of a high hazard structure who fails to:
- 12               (1) have the structure inspected under subsection (a);
- 13               (2) perform recommended maintenance, repairs, or alterations to
- 14               the structure under subsection (b); or
- 15               (3) biennially submit the inspection report prepared under
- 16               subsection (a).
- 17          (d) The department may make an engineering inspection of a high
- 18          hazard structure to ensure compliance with this chapter.
- 19          SECTION 149. IC 14-33-14-8 IS AMENDED TO READ AS
- 20          FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 8. (a) As used in this
- 21          section, "cost index source" refers to the Engineering News Record
- 22          Construction Cost Index, as published by McGraw Hill Construction
- 23          or its successor.
- 24          (b) Before January 1, 2006, the board of a district may elect to
- 25          adjust the annual cost of maintenance of the works of improvement as
- 26          stated in the plan, as calculated in subsection (d), if the following
- 27          conditions are met:
- 28               (1) The board has at a meeting adopted a resolution that sets
- 29               forth:
- 30                   (A) the annual cost of maintenance of the works of
- 31                   improvement as stated in the plan, and the year when the
- 32                   annual cost was stated in the plan; and
- 33                   (B) the new, adjusted annual cost of maintenance of the
- 34                   works of improvement.
- 35               (2) The calculation under subsection (d) has been verified by
- 36               either the state conservation engineer for the Natural Resources
- 37               Conservation Service of the United States Department of
- 38               Agriculture or a professional engineer licensed under
- 39               ~~IC 25-31-1~~. **IC 25-4-3**.
- 40               (3) The board has provided a copy of the resolution to the
- 41               department of local government finance (established by
- 42               IC 6-1.1-30-1.1) within sixty (60) days of adoption.

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1 (c) If the board of a district adopts a resolution under section  
2 (b)(1), a copy of the resolution must be included in the district's annual  
3 report, and a copy of the annual report must be provided to the local  
4 circuit court and the department of natural resources.

5 (d) The annual cost of maintenance of the works of improvement  
6 as stated in the plan of a district may be adjusted to an amount not to  
7 exceed the amount determined as follows:

8 STEP ONE: Determine the cost index from the cost index source  
9 for the most recent year.

10 STEP TWO: Determine the cost index from the cost index  
11 source for the year that the annual cost of maintenance of the  
12 works of improvement was stated in the plan.

13 STEP THREE: Divide the number determined in STEP ONE by  
14 the number determined in STEP TWO.

15 STEP FOUR: Multiply the result of STEP THREE by the annual  
16 cost of maintenance of the works of improvement that is stated  
17 in the plan.

18 SECTION 150. IC 14-34-3-3 IS AMENDED TO READ AS  
19 FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 3. An application for  
20 a surface coal mining and reclamation permit must include the  
21 following:

- 22 (1) The names and addresses of the following:
  - 23 (A) The permit applicant.
  - 24 (B) Every legal owner of record of the property (surface and  
25 mineral) to be mined.
  - 26 (C) The holders of record of any leasehold interest in the  
27 property.
  - 28 (D) Any purchaser of record of the property under a real  
29 estate contract.
  - 30 (E) The operator if the operator is a person different from  
31 the applicant.
  - 32 (F) If a person in clauses (A) through (E) is a business  
33 entity other than a single proprietor, the names and  
34 addresses of the principals, officers, and resident agent.
- 35 (2) The names and addresses of the owners of record of all  
36 surface and subsurface areas adjacent to any part of the permit  
37 area.
- 38 (3) A statement of each current or previous surface coal mining  
39 permit in the United States held by the applicant, including each  
40 pending application, the permit identification, and the state that  
41 issued that permit or holds the pending application.
- 42 (4) If the applicant is a partnership, a corporation, an association,

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- 1 or other business entity, the following where applicable:
- 2 (A) The names and addresses of every officer, partner, or
- 3 director or person performing a function similar to a
- 4 director of the applicant.
- 5 (B) The name and address of each person owning, of record,
- 6 at least ten percent (10%) of any class of voting stock of the
- 7 applicant.
- 8 (C) A list of all names under which the applicant, partner,
- 9 or principal shareholder previously operated a surface coal
- 10 mining operation within the United States within:
- 11 (i) the five (5) years preceding the date of submission
- 12 of the application; or
- 13 (ii) any additional period that the director establishes.
- 14 (5) A statement of whether the applicant or a subsidiary, an
- 15 affiliate, or a person controlled by or under common control with
- 16 the applicant has:
- 17 (A) ever held a federal or state coal mining permit that in:
- 18 (i) the five (5) years preceding the date of submission
- 19 of the application; or
- 20 (ii) any additional period that the director establishes;
- 21 was suspended or revoked or is in the process of revocation;
- 22 or
- 23 (B) had a mining bond or similar security deposited in lieu
- 24 of bond forfeited;
- 25 and if so, a brief explanation of the facts involved and
- 26 identification of the state in which this action occurred.
- 27 (6) A copy of the applicant's advertisement to be published under
- 28 IC 14-34-4-1. The advertisement must include the following:
- 29 (A) The names of the property owners involved.
- 30 (B) A description of the exact location and boundaries of
- 31 the proposed site sufficient so that the proposed surface coal
- 32 mining operation is readily locatable by local residents.
- 33 (C) The location where the application is available for
- 34 public inspection.
- 35 (7) A description of the following:
- 36 (A) The type and method of surface coal mining operation
- 37 that exists or is proposed.
- 38 (B) The engineering techniques proposed or used.
- 39 (C) The equipment used or proposed to be used.
- 40 (8) The anticipated or actual starting and termination dates of
- 41 each phase of the surface coal mining operation and the number
- 42 of acres of land to be affected.

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- 1 (9) An accurate map or plan, to an appropriate scale, clearly
- 2 showing the following:
- 3 (A) The land to be affected as of the date of the application.
- 4 (B) The area of land within the permit area upon which the
- 5 applicant has the legal right to enter and commence surface
- 6 coal mining operations, including the following:
- 7 (i) A statement of those documents upon which the
- 8 applicant bases the applicant's legal right to enter and
- 9 commence surface coal mining operations on the area
- 10 affected.
- 11 (ii) Whether that right is the subject of pending court
- 12 litigation.
- 13 (10) The name of the watershed and location of the surface
- 14 stream or tributary into which surface and pit drainage will be
- 15 discharged.
- 16 (11) A determination of the probable hydrologic consequences
- 17 of surface coal mining and reclamation operations, both on and
- 18 off the mine site, with respect to the following:
- 19 (A) The hydrologic regime.
- 20 (B) The quantity and quality of water in surface and ground
- 21 water systems, including the dissolved and suspended solids
- 22 under seasonal flow conditions.
- 23 (C) The collection of sufficient data for the mine site and
- 24 surrounding areas so that an assessment can be made of the
- 25 probable cumulative impacts of all anticipated mining in the
- 26 area upon the hydrology of the area and particularly upon
- 27 water availability.
- 28 However, this determination is not required until the time that
- 29 hydrologic information on the general area before mining is
- 30 made available from an appropriate federal or state agency. The
- 31 permit may not be approved until the information is available
- 32 and is incorporated into the application.
- 33 (12) When requested by the director, the climatological factors
- 34 that are peculiar to the locality of the land to be affected,
- 35 including the following:
- 36 (A) The average seasonal precipitation.
- 37 (B) The average direction and velocity of prevailing winds.
- 38 (C) The seasonal temperature ranges.
- 39 (13) Accurate maps to an appropriate scale clearly showing the
- 40 land affected on the date of application and the same information
- 41 that is set forth on topographical maps of the United States
- 42 Geological Survey of a scale of 1:24,000 or 1:25,000 or larger,

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- 1 including all manmade features and archeological and historical
- 2 sites known by the division of historic preservation and
- 3 archeology. The map or plan must show the following:
- 4 (A) All boundaries of the land to be affected.
- 5 (B) The boundary lines and names of present owners of
- 6 record of all surface areas abutting the permit area.
- 7 (C) The location of all buildings within one thousand
- 8 (1,000) feet of the permit area.
- 9 (14) Cross section maps or plans of the land to be affected,
- 10 including the actual area to be mined, prepared by or under the
- 11 direction of and certified by an engineer licensed under ~~IC 25-31~~
- 12 **IC 25-4-3** or a geologist licensed under IC 25-17.6 with
- 13 assistance from experts in related fields such as land surveying
- 14 and landscape architecture. The maps or plans must show
- 15 pertinent elevation and location of test borings or core samplings
- 16 and depict the following:
- 17 (A) The nature and depth of the various strata of overburden
- 18 as required by the commission in the commission's rules.
- 19 (B) The location and quality of subsurface water if
- 20 encountered.
- 21 (C) The nature and thickness of each coal or rider seam
- 22 above the coal seam to be mined.
- 23 (D) The nature of the stratum immediately beneath the coal
- 24 seam to be mined.
- 25 (E) All mineral crop lines and the strike and dip of the coal
- 26 to be mined within the area of land to be affected.
- 27 (F) Existing or previous surface coal mining limits.
- 28 (G) The location and extent of known workings of each
- 29 underground coal mine, including mine openings to the
- 30 surface.
- 31 (H) The location of aquifers as required by the commission
- 32 in the commission's rules.
- 33 (I) The estimated elevation of the water table.
- 34 (J) The location of spoil, waste, or refuse areas and topsoil
- 35 preservation areas.
- 36 (K) The location of all impoundments for waste or erosion
- 37 control.
- 38 (L) Each settling or water treatment facility.
- 39 (M) Constructed or natural drainageways and the location
- 40 of each discharge to a surface body of water on the area of
- 41 land to be affected or adjacent to the land to be affected.
- 42 (N) Profiles at appropriate cross sections of the anticipated

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- 1 final surface configuration that will be achieved under the
- 2 operator's proposed reclamation plan.
- 3 (15) A statement of the result of test borings or core samplings
- 4 from the permit area, including the following:
  - 5 (A) Logs of the drill holes.
  - 6 (B) The thickness of the coal seam found and an analysis of
  - 7 the chemical properties of that coal.
  - 8 (C) The sulfur content of each coal seam.
  - 9 (D) Chemical analysis of potentially acid or toxic forming
  - 10 sections of the overburden.
  - 11 (E) A chemical analysis down to and including the deeper
  - 12 of the following:
    - 13 (i) The stratum lying immediately underneath the
    - 14 lowest coal seam to be mined.
    - 15 (ii) An aquifer below the lowest coal seam to be mined
    - 16 that may be adversely impacted by mining.
  - 17 The director may waive the requirement as to the specific
  - 18 application of this clause if the director determines in
  - 19 writing the requirements are unnecessary.
  - 20 (16) For the land in the permit application that a reconnaissance
  - 21 inspection suggests may be prime farmland and to confirm the
  - 22 exact location of the prime farmland, a soil survey in accordance
  - 23 with the standards established by the United States Secretary of
  - 24 Agriculture.
  - 25 (17) A reclamation plan that meets the requirements of section
  - 26 12 of this chapter.
  - 27 (18) Proof that the applicant is self-insured or has a public
  - 28 liability insurance policy issued by an insurance company
  - 29 authorized to do business in Indiana in force for the surface coal
  - 30 mining and reclamation operations for which the permit is
  - 31 sought. The policy must provide for personal injury and property
  - 32 damage protection in an amount adequate to compensate each
  - 33 person injured as a result of the surface coal mining and
  - 34 reclamation operation. If a permit is granted, the permittee shall
  - 35 maintain the policy in full force and effect for the duration of the
  - 36 permit or a renewal.
  - 37 (19) A blasting plan that outlines the procedures the operator
  - 38 will use to comply with IC 14-34-12.
  - 39 (20) A listing of all notices of violations, and their final
  - 40 resolution, of:
    - 41 (A) IC 13-4.1 (before its repeal);
    - 42 (B) this article; and

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1 (C) a:  
 2 (i) federal statute or regulation; or  
 3 (ii) state statute or rule enacted or adopted in response  
 4 to a federal statute or regulation;  
 5 pertaining to air or water environmental protection;  
 6 incurred by the applicant or a subsidiary, an affiliate, or a person  
 7 controlled by or under common control with the applicant in  
 8 connection with any surface coal mining operation during the  
 9 three (3) year period before the date of application.  
 10 SECTION 151. IC 14-34-10-2 IS AMENDED TO READ AS  
 11 FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 2. (a) As used in this  
 12 section, "higher or better uses" means postmining land uses that have  
 13 a higher:  
 14 (1) economic value; or  
 15 (2) nonmonetary benefit;  
 16 to the landowner or the community than the premining land uses.  
 17 (b) In addition to other standards a permittee must meet under  
 18 rules of the commission, a permittee shall do the following:  
 19 (1) Place markers on the site to readily identify the permit area.  
 20 (2) Conduct the surface coal mining operation in a manner that  
 21 maximizes the use and conservation of the solid fuel resource  
 22 that is recovered so that re-affecting the land in the future through  
 23 surface coal mining is minimized.  
 24 (3) Restore the land affected to a condition capable of supporting  
 25 the uses that the land was capable of supporting before mining  
 26 or higher or better uses of which there is a reasonable likelihood  
 27 if:  
 28 (A) those uses do not:  
 29 (i) present an actual or a probable hazard to public  
 30 health or safety; or  
 31 (ii) pose an actual or a probable threat of water  
 32 diminution or pollution; and  
 33 (B) the permit applicant's declared proposed land use  
 34 following reclamation:  
 35 (i) is not impractical or unreasonable;  
 36 (ii) is not inconsistent with applicable land use policies  
 37 and plans;  
 38 (iii) does not involve unreasonable delay in  
 39 implementation; or  
 40 (iv) does not violate federal, state, or local law.  
 41 (4) Except as provided in subdivisions (5) and (6) and section 4  
 42 of this chapter with respect to all surface coal mining operations

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1 backfill, compact where advisable to ensure stability or prevent  
2 the leaching of toxic materials, and grade to restore the  
3 approximate original contour of the land with all highwalls, spoil  
4 piles, and depressions eliminated. Small depressions are allowed  
5 if needed to retain moisture to assist revegetation or as otherwise  
6 authorized under this article.

- 7 (5) In a surface coal mining operation that:
  - 8 (A) is carried out at the same location over a substantial  
9 time;
  - 10 (B) transects the coal deposit and the thickness of the coal  
11 deposit relative to the volume of the overburden that is  
12 large; and
  - 13 (C) has overburden and other spoil and waste materials at  
14 a particular point in the permit area or otherwise available  
15 from the entire permit area that is insufficient, giving due  
16 consideration to volumetric expansion, to restore the  
17 approximate original contour;

18 the operator, at a minimum, shall backfill, grade, and compact,  
19 where advisable, using all available overburden and other spoil  
20 and waste materials to attain the lowest practicable grade but not  
21 more than the angle of repose to provide adequate drainage and  
22 to cover all acid-forming and other toxic materials to achieve an  
23 ecologically sound land use compatible with the surrounding  
24 region.

- 25 (6) If in surface coal mining:
  - 26 (A) the volume of overburden is large relative to the  
27 thickness of the coal deposit; and
  - 28 (B) the operator demonstrates that due to volumetric  
29 expansion the amount of overburden and other spoil and  
30 waste materials removed in the course of the mining  
31 operation is more than sufficient to restore the approximate  
32 original contour;

33 the operator shall, after restoring the approximate contour,  
34 backfill, grade, and compact, where advisable, the excess  
35 overburden and other spoil and waste materials to attain the  
36 lowest grade but not more than the angle of repose and to cover  
37 all acid-forming and other toxic materials to achieve an  
38 ecologically sound land use compatible with the surrounding  
39 region. The overburden or spoil shall be shaped and graded in a  
40 way that prevents slides, erosion, and water pollution and  
41 revegetated in accordance with the requirements of this article.

42 (7) Stabilize and protect all surface areas, including spoil piles,

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1 affected by the surface coal mining and reclamation operation to  
 2 effectively control erosion and attendant air and water pollution.  
 3 (8) Remove the topsoil from the land in a separate layer and:  
 4 (A) replace the topsoil on the backfill area; or  
 5 (B) if the topsoil is not used immediately;  
 6 (i) segregate the topsoil in a separate pile from other  
 7 spoil; and  
 8 (ii) if the topsoil is not replaced on a backfill area  
 9 within a time short enough to avoid deterioration of the  
 10 topsoil, maintain a successful cover by quick growing  
 11 plants or other means so that the topsoil is preserved  
 12 from wind and water erosion, remains free of any  
 13 contamination by other acid or toxic material, and is in  
 14 a usable condition for sustaining vegetation when  
 15 restored during reclamation.  
 16 However, if the topsoil is of insufficient quantity or of poor  
 17 quality to sustain vegetation or if other strata are more suitable  
 18 for vegetation requirements, the operator shall remove,  
 19 segregate, and preserve, in a like manner, the strata that are best  
 20 able to support vegetation.  
 21 (9) Restore the topsoil or the best available subsoil that is best  
 22 able to support vegetation.  
 23 (10) For all prime farmland as identified in IC 14-34-3-3(16),  
 24 comply with the specifications for soil removal, storage,  
 25 replacement, and reconstruction established by rules of the  
 26 commission and do the following:  
 27 (A) Segregate the A horizon of the natural soil unless it is  
 28 shown that other available soil materials will create a final  
 29 soil that has a greater productive capacity, stockpile this  
 30 material, if not used immediately, separately from other  
 31 spoil, and provide needed protection from wind and water  
 32 erosion or contamination by other acid or toxic material.  
 33 (B) Segregate the B horizon of the natural soil, or  
 34 underlying C horizons or other strata, or a combination of  
 35 those horizons or other strata that are texturally and  
 36 chemically suitable for plant growth and equal to or more  
 37 favorable for plant growth than the B horizon, in sufficient  
 38 quantities to create in the regraded final soil a root zone of  
 39 comparable depth and quality to that existing in the natural  
 40 soil, stockpile this material, if not used immediately,  
 41 separately from other spoil, and provide needed protection  
 42 from wind and water erosion or contamination by other acid

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- 1 or toxic material.
- 2 (C) Replace and regrade the root zone material described in
- 3 clause (B) with proper compaction and uniform depth over
- 4 the regraded spoil material.
- 5 (D) Redistribute and grade in a uniform manner the surface
- 6 soil horizon described in clause (A).
- 7 (11) Create, if authorized in the approved surface coal mining
- 8 and reclamation plan, permanent impoundments of water on
- 9 mining sites. The permittee may create the permanent
- 10 impoundment only after the permittee demonstrates the
- 11 following:
- 12 (A) The size of the impoundment is adequate for the
- 13 intended purposes.
- 14 (B) The impoundment dam construction will be designed to
- 15 achieve necessary stability with an adequate margin of
- 16 safety compatible with that of structures constructed under
- 17 16 U.S.C. 1006.
- 18 (C) The quality of impounded water will be suitable, on a
- 19 permanent basis, for the intended use and discharges from
- 20 the impoundment will not degrade the water quality below
- 21 water quality standards established under applicable federal
- 22 and state law in the receiving stream.
- 23 (D) The level of water will be reasonably stable.
- 24 (E) Final grading will provide adequate safety and access
- 25 for proposed water users.
- 26 (F) The water impoundments will not result in the
- 27 diminution of the quality or quantity of water used by
- 28 adjacent or surrounding landowners for agricultural,
- 29 industrial, recreational, or domestic uses.
- 30 (12) Conduct an augering operation associated with surface coal
- 31 mining in a manner that maximizes the recoverability of mineral
- 32 reserves remaining after the surface coal mining and reclamation
- 33 operation is complete and seal all auger holes with an
- 34 impervious and noncombustible material to prevent drainage
- 35 except where the director determines that the resulting
- 36 impoundment of water in those auger holes may create a hazard
- 37 to the environment or the public health or safety. The director
- 38 may prohibit augering if necessary to:
- 39 (A) maximize the use, recoverability, or conservation of the
- 40 solid fuel resources; or
- 41 (B) protect against adverse water quality impacts.
- 42 (13) Minimize disturbances to the prevailing hydrologic balance

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1 at the mine site and associated offsite areas and to the quality  
2 and quantity of water in surface and ground water systems  
3 during and after surface coal mining and reclamation operations  
4 by doing the following:

5 (A) Avoiding acid or other toxic mine drainage by measures  
6 such as the following:

7 (i) Preventing or removing water from contact with  
8 toxic-producing deposits.

9 (ii) Treating drainage to reduce toxic content that  
10 adversely affects downstream water upon being  
11 released to watercourses.

12 (iii) Casing, sealing, or otherwise managing boreholes,  
13 shafts, and wells and keep acid or other toxic drainage  
14 from entering ground and surface water.

15 (B) Conducting surface coal mining and reclamation  
16 operations so as to prevent, to the extent possible using the  
17 best technology currently available, violations of the  
18 effluent limitations for coal mining operations established  
19 under applicable state or federal law.

20 (C) Constructing siltation structures under clause (B) before  
21 commencement of surface coal mining operations that will  
22 be certified by an engineer licensed under ~~IC 25-31~~  
23 **IC 25-4-3** and constructed as designed and approved in the  
24 reclamation plan.

25 (D) Cleaning out and removing temporary or large settling  
26 ponds or other siltation structures from drainageways after  
27 disturbed areas are revegetated and stabilized and  
28 depositing the silt and debris at a site and in a manner  
29 approved by the director.

30 (E) Restoring recharge capacity of the mined area to  
31 approximate premining conditions.

32 (F) Avoiding channel deepening or enlargement in  
33 operations requiring the discharge of water from mines.

34 (G) Other actions required under the permit.

35 (14) With respect to surface disposal of mine wastes, tailings,  
36 coal processing wastes, and other wastes in areas other than the  
37 mine workings or excavations, the following:

38 (A) Stabilize all waste piles in designated areas through  
39 construction in compacted layers, including the use of  
40 incombustible and impervious materials if necessary.

41 (B) Assure the following:

42 (i) The final contour of the waste pile will be

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- 1 compatible with natural surroundings.
- 2 (ii) The site will be stabilized and revegetated
- 3 according to this article.
- 4 (15) Refrain from surface coal mining within five hundred (500)
- 5 feet of active and abandoned underground mines to prevent
- 6 breakthroughs and to protect the health or safety of miners.
- 7 However, the director shall permit an operator to mine near,
- 8 through, or partially through an abandoned underground mine or
- 9 closer to an active underground mine if the following conditions
- 10 exist:
- 11 (A) The nature, timing, and sequencing of the approximate
- 12 coincidence of specific coal surface mining activities with
- 13 specific underground coal mining activities are jointly
- 14 approved by the regulatory authorities concerned with
- 15 surface coal mining regulation and the health and safety of
- 16 underground miners.
- 17 (B) The operations will result in:
- 18 (i) improved resource recovery;
- 19 (ii) abatement of water pollution; or
- 20 (iii) elimination of hazards to the health and safety of
- 21 the public.
- 22 (16) Design, locate, construct, operate, maintain, enlarge,
- 23 modify, and remove or abandon, in accordance with the
- 24 standards and criteria used by the United States Secretary of the
- 25 Interior to ensure that flood control structures are safe and
- 26 effectively perform their functions, all existing and new coal
- 27 mine waste piles:
- 28 (A) consisting of:
- 29 (i) mine wastes;
- 30 (ii) tailings;
- 31 (iii) coal processing wastes; or
- 32 (iv) other liquid and solid wastes; and
- 33 (B) used temporarily or permanently as dams or
- 34 embankments.
- 35 (17) Ensure the following:
- 36 (A) All debris, acid-forming materials, toxic materials, or
- 37 materials constituting a fire hazard are treated, buried, and
- 38 compacted or otherwise disposed of in a manner designed
- 39 to prevent contamination of ground or surface water.
- 40 (B) Contingency plans are developed to prevent sustained
- 41 combustion.
- 42 (18) Ensure that explosives are used only in accordance with the

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1 following:

2 (A) IC 14-34-12.

3 (B) Applicable state and federal law.

4 (C) The rules adopted by the commission.

5 (19) Ensure that all reclamation efforts proceed in an  
6 environmentally sound manner and as contemporaneously as  
7 practicable with the surface coal mining operations. However, if  
8 the applicant proposes to combine surface coal mining  
9 operations with underground coal mining operations to assure  
10 maximum practical recovery of the mineral resources, the  
11 director may grant a variance for specific areas within the  
12 reclamation plan from the requirement that reclamation efforts  
13 proceed as contemporaneously as practicable and permit  
14 underground coal mining operations before reclamation if the  
15 following conditions are met:

16 (A) The director finds in writing the following:

17 (i) The applicant has presented, as part of the permit  
18 application, specific, feasible plans for the proposed  
19 underground mining operations.

20 (ii) The proposed underground mining operations are  
21 necessary or desirable to assure maximum practical  
22 recovery of the mineral resource and will avoid  
23 multiple disturbance of the surface.

24 (iii) The applicant has satisfactorily demonstrated that  
25 the plan for the underground coal mining operations  
26 conforms to the requirements for underground coal  
27 mining in that jurisdiction and that permits necessary  
28 for the underground coal mining operations have been  
29 issued by the appropriate authority.

30 (iv) The applicant has shown the areas proposed for the  
31 variance are necessary for the implementation of the  
32 proposed underground coal mining operations.

33 (v) Substantial adverse environmental damage, either  
34 onsite or offsite, will not result from the delay in  
35 completion of reclamation as required by this article.

36 (vi) The provisions for the offsite storage of spoil will  
37 comply with subdivision (25).

38 (B) The commission has adopted specific rules to govern  
39 the granting of variances in accordance with this  
40 subdivision.

41 (C) Variances granted under this subdivision are to be  
42 reviewed by the director not more than three (3) years from

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- 1 the date of issuance of the permit.
- 2 (D) Liability under the bond filed by the applicant with the
- 3 director under IC 14-34-6 is for the duration of underground
- 4 coal mining operations and until the requirements of this
- 5 section and IC 14-34-6 are fully complied with.
- 6 (20) Ensure that the construction, maintenance, and postmining
- 7 conditions of access roads into and across the site of operations
- 8 will control or prevent the following:
- 9 (A) Erosion and siltation.
- 10 (B) Pollution of water.
- 11 (C) Damage to the following:
- 12 (i) Fish or wildlife or their habitat.
- 13 (ii) Public or private property.
- 14 (21) Refrain from the construction of roads or other access ways:
- 15 (A) up a stream bed or drainage channel; or
- 16 (B) in the proximity of a channel;
- 17 that seriously alters the normal flow of water.
- 18 (22) Establish on the regraded areas and all other land affected
- 19 a diverse, an effective, and a permanent vegetative cover:
- 20 (A) of the same seasonal variety native to the area of land
- 21 to be affected; and
- 22 (B) that is capable of self-regeneration and plant succession
- 23 at least equal in extent of cover to the natural vegetation of
- 24 the area.
- 25 However, an introduced species may be used in the revegetation
- 26 process where desirable and necessary to achieve the approved
- 27 postmining land use plan.
- 28 (23) Assume the responsibility for successful revegetation, as
- 29 required by subdivision (22), as follows:
- 30 (A) On lands not eligible for remining, for five (5) full years
- 31 after the last year of augmented seeding, fertilizing,
- 32 irrigation, or other work to assure compliance with
- 33 subdivision (22). However, if the director approves a long
- 34 term intensive agricultural postmining land use, the
- 35 applicable five (5) or ten (10) year period of responsibility
- 36 for revegetation commences at the date of initial planting
- 37 for the long term intensive agricultural postmining land use.
- 38 If the director issues a written finding approving a long term
- 39 intensive agricultural postmining land use as part of the
- 40 mining and reclamation plan, the director may grant
- 41 exception to subdivision (22).
- 42 (B) On lands eligible for remining, for two (2) full years

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- 1 after the last year of augmented seeding, fertilizing,
- 2 irrigation, or other work in order to ensure compliance with
- 3 subdivision (22).
- 4 (24) Protect offsite areas from slides or damage occurring during
- 5 the surface coal mining and reclamation operations and not
- 6 deposit spoil material or locate any part of the operations or
- 7 waste accumulations outside the permit area.
- 8 (25) Place all excess spoil material resulting from coal surface
- 9 mining and reclamation activities to ensure the following:
- 10 (A) Spoil is transported and placed in a controlled manner
- 11 in a position for concurrent compaction and in a manner
- 12 that assures mass stability and prevents mass movement.
- 13 (B) The areas of disposal are within the bonded permit areas
- 14 and all organic matter is removed immediately before spoil
- 15 placement.
- 16 (C) Appropriate surface and internal drainage systems and
- 17 diversion ditches are used in a manner that prevents spoil
- 18 erosion and movement.
- 19 (D) The disposal area does not contain springs, natural
- 20 watercourses, or wet weather seeps unless lateral drains are
- 21 constructed from the wet areas to the main underdrains in
- 22 a manner that prevents filtration of the water into the spoil
- 23 pile.
- 24 (E) If placed on a slope, the spoil is placed as follows:
- 25 (i) On the most moderate slope among the slopes on
- 26 which, in the judgment of the director, the spoil could
- 27 be placed in compliance with all the requirements of
- 28 this article.
- 29 (ii) If possible, upon or above a natural terrace, bench,
- 30 or berm if the placement provides additional stability
- 31 and prevents mass movement.
- 32 (F) Where the toe of the spoil rests on a downslope, a rock
- 33 toe buttress of sufficient size to prevent mass movement is
- 34 constructed.
- 35 (G) The final configuration is compatible with the natural
- 36 drainage pattern and surroundings and suitable for intended
- 37 uses.
- 38 (H) Design of the spoil disposal area is certified by an
- 39 engineer licensed under ~~IC 25-3-1~~ **IC 25-4-3** and in
- 40 conformance with professional standards.
- 41 (I) All other provisions of this article are met.
- 42 (26) To the extent possible using the best technology currently

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1 available the following:

2 (A) Minimize disturbances and adverse impacts of the

3 operation on fish, wildlife, and related environmental

4 values.

5 (B) Enhance those resources where practicable.

6 (27) Provide for an undisturbed natural barrier:

7 (A) beginning at the elevation of the lowest coal seam to be

8 mined; and

9 (B) extending from the outslope for a distance determined

10 by the director;

11 to serve as a barrier to slides and erosion.

12 (28) Replace the water supply of an owner of interest in real

13 property who obtains all or part of the owner's supply of water

14 for domestic, agricultural, industrial, or other legitimate use from

15 an underground or a surface source if the supply is affected by

16 contamination, diminution, or interruption proximately resulting

17 from the surface coal mine operation. This article does not affect

18 the right of a person to enforce or protect under applicable law

19 the person's interest in water resources affected by a surface coal

20 mining operation.

21 (29) Meet other criteria that are necessary to achieve reclamation

22 in accordance with the purposes of this article, taking into

23 consideration the physical, climatological, and other

24 characteristics of the site.

25 SECTION 152. IC 14-34-10-4 IS AMENDED TO READ AS

26 FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 4. (a) The director may,

27 under procedures established by rule, permit surface coal mining

28 operations if:

29 (1) an industrial, a commercial, an agricultural, a residential, a

30 recreational, or a public facility is proposed for the postmining

31 use of the affected land; and

32 (2) the mining operation will remove an entire coal seam running

33 through the upper fraction of a ridge or hill, except as provided

34 in subsection (c)(1), by:

35 (A) removing all of the overburden; and

36 (B) creating a level plateau or a gently rolling contour;

37 (i) with no highwalls remaining; and

38 (ii) capable of supporting the postmining uses listed in

39 subdivision (1);

40 without regard to the requirement to restore the affected land to the

41 approximate original contour as set forth in section 2(b)(4), 3(b)(2), or

42 3(b)(3) of this chapter.

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- 1 (b) The director may permit the proposed uses under subsection
- 2 (a) only if the following conditions are met:
- 3 (1) After consultation with the appropriate land use planning
- 4 agencies, if any, the proposed postmining land use is considered
- 5 an equal or a better economic or public use of the affected land
- 6 compared with the premining use.
- 7 (2) The applicant presents specific plans for the proposed
- 8 postmining land use and appropriate assurances that the use
- 9 meets the following conditions:
- 10 (A) The use is compatible with adjacent land uses.
- 11 (B) The use is obtainable according to data regarding
- 12 expected need and market.
- 13 (C) The use is assured of investment in necessary public
- 14 facilities.
- 15 (D) The use is supported by commitments from public
- 16 agencies where appropriate.
- 17 (E) The use is practicable with respect to private financial
- 18 capability for completion of the proposed use.
- 19 (F) The use is planned according to a schedule attached to
- 20 the reclamation plan so as to integrate the mining operation
- 21 and reclamation with the postmining land use.
- 22 (G) The use is designed by an engineer licensed under
- 23 ~~IC 25-31~~ **IC 25-4-3** and in conformance with professional
- 24 standards established to assure the stability, drainage, and
- 25 configuration necessary for the intended use of the site.
- 26 (3) The proposed use is consistent with adjacent land uses and
- 27 existing state and local land use plans and programs.
- 28 (4) The governing body of the unit of general purpose
- 29 government in which the land is located and a state or federal
- 30 agency that the director determines to have an interest in the
- 31 proposed use is provided an opportunity of not more than sixty
- 32 (60) days to review and comment on the proposed use.
- 33 (5) All other requirements of this article are met.
- 34 (c) With respect to a permit granted under subsection (a) and in
- 35 addition to other requirements the commission establishes by rule, the
- 36 director shall require the following:
- 37 (1) The toe of the lowest coal seam and the overburden
- 38 associated with the seam are retained in place as a barrier to
- 39 slides and erosion.
- 40 (2) The reclaimed area is stable.
- 41 (3) The resulting plateau or rolling contour drains inward from
- 42 the out slopes except at specified points.

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- 1 (4) No damage is done to natural watercourses.
- 2 (5) Spoil is placed on the hilltop bench as is necessary to achieve
- 3 the planned postmining land use and the operator places all
- 4 excess spoil material not retained on the hilltop in accordance
- 5 with section 2(b)(25) of this chapter.
- 6 (6) The operator ensures stability of the spoil retained on the
- 7 hilltop and meets all other requirements of this article.
- 8 (d) The director shall review all permits issued under this section
- 9 not more than three (3) years from the date of issuance unless the
- 10 applicant affirmatively demonstrates that the proposed development is
- 11 proceeding in accordance with the terms of the approved schedule and
- 12 reclamation plan.
- 13 SECTION 153. IC 14-34-10-5 IS AMENDED TO READ AS
- 14 FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 5. (a) The director may
- 15 grant a variance from the requirement to restore to approximate
- 16 original contour set forth in section 3(b)(2) of this chapter if the
- 17 following conditions exist:
- 18 (1) After approval of the appropriate state environmental
- 19 agencies, the watershed control of the area is improved.
- 20 (2) Complete backfilling with spoil materials that maintains
- 21 stability following mining and reclamation is required to
- 22 completely cover the highwall.
- 23 (3) The owner of the surface knowingly requests in writing, as a
- 24 part of the permit application, that a variance be granted so as to
- 25 make the land, after reclamation, suitable for an industrial, a
- 26 commercial, a residential, a public, or a recreational use.
- 27 (4) After consultation with the appropriate land use planning
- 28 agencies, if any:
- 29 (A) the potential use of the affected land constitutes an
- 30 equal or a better economic or public use; and
- 31 (B) the variance is designed and certified by a professional
- 32 engineer licensed under ~~IC 25-31~~ IC 25-4-3 and is in
- 33 conformance with professional standards established to
- 34 assure the stability, drainage, and configuration necessary
- 35 for the intended use of the site.
- 36 (b) With respect to a variance granted under subsection (a) or
- 37 under IC 13-4.1-8-4(a) (before its repeal) and in addition to other
- 38 requirements the commission establishes by rule, the director shall
- 39 require the following:
- 40 (1) Only the amount of spoil will be placed off the mine bench
- 41 as is necessary to achieve the planned postmining land use.
- 42 (2) Stability of the spoil retained on the bench is ensured.

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- 1 (3) All spoil placement off the mine bench must comply with
- 2 section 2(b)(25) of this chapter.
- 3 (c) The director shall review all exceptions granted under this
- 4 section not more than three (3) years after the date of issuance of the
- 5 permit unless the permittee affirmatively demonstrates that the
- 6 proposed development is proceeding in accordance with the terms of
- 7 the reclamation plan.
- 8 SECTION 154. IC 14-37-7-8, AS ADDED BY P.L.140-2011,
- 9 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 10 JULY 1, 2027]: Sec. 8. (a) The owner or lessee of coal or another
- 11 person with an interest to develop a coal resource may file with the
- 12 division an affidavit that:
- 13 (1) identifies by a map prepared by an engineer licensed under
- 14 ~~IC 25-31~~ IC 25-4-3 or a geologist licensed under IC 25-17.6:
- 15 (A) the location of coal that the owner or lessee controls by
- 16 deed, lease, or other instrument for later commercial
- 17 production;
- 18 (B) the location of coal that is in an area targeted for later
- 19 commercial production;
- 20 (C) the location of the coal seam or seams of interest; and
- 21 (D) the approximate depth of the coal seam or seams of
- 22 interest; and
- 23 (2) states that the coal:
- 24 (A) can be mined using generally accepted underground
- 25 mining practices; and
- 26 (B) is of sufficient quantity and quality to be commercially
- 27 saleable.
- 28 (b) All coal in an area designated under subsection (a) is
- 29 considered a commercially minable coal resource.
- 30 (c) An affidavit referred to in subsection (a) may be made before
- 31 applying for permits for the actual mining of the commercially minable
- 32 coal resource. The division shall:
- 33 (1) subject to subsection (e), keep the affidavit and map
- 34 confidential; and
- 35 (2) use the affidavit and map solely for determining if a
- 36 commercially minable coal resource is present in an area for
- 37 which a permit application has been filed under IC 14-37.
- 38 (d) The division shall determine if the proposed well location is in
- 39 an area underlain by coal identified in subsection (a) upon receipt of:
- 40 (1) a permit application referred to in subsection (c)(2); or
- 41 (2) an inquiry from a person interested in oil and gas
- 42 explorations or drilling a well for oil and gas purposes.

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1 (e) The name of the person who filed the map referred to in  
 2 subsection (c) is not confidential.  
 3 SECTION 155. IC 16-18-2-37.5, AS AMENDED BY P.L.3-2008,  
 4 SECTION 103, IS AMENDED TO READ AS FOLLOWS  
 5 [EFFECTIVE JULY 1, 2027]: Sec. 37.5. (a) "Board", for purposes of  
 6 IC 16-22-8, has the meaning set forth in IC 16-22-8-2.1.  
 7 (b) "Board", for purposes of IC 16-41-42.2, has the meaning set  
 8 forth in IC 16-41-42.2-1.  
 9 SECTION 156. IC 16-18-2-84, AS AMENDED BY P.L.129-2023,  
 10 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 11 JULY 1, 2027]: Sec. 84. (a) "Council", for purposes of IC 16-46-6,  
 12 refers to the interagency state council on black and minority health.  
 13 (b) "Council", for purposes of IC 16-46-17, refers to the rare  
 14 disease advisory council.  
 15 SECTION 157. IC 16-18-2-161.5 IS REPEALED [EFFECTIVE  
 16 JULY 1, 2027]. Sec. 161.5: "Health care interpreter", for purposes of  
 17 IC 16-46-11.1, has the meaning set forth in IC 16-46-11.1-2.  
 18 SECTION 158. IC 16-18-2-163.5 IS REPEALED [EFFECTIVE  
 19 JULY 1, 2027]. Sec. 163.5: "Health care translator", for purposes of  
 20 IC 16-46-11.1, has the meaning set forth in IC 16-46-11.1-3.  
 21 SECTION 159. IC 16-19-3-4, AS AMENDED BY P.L.1-2025,  
 22 SECTION 182, IS AMENDED TO READ AS FOLLOWS  
 23 [EFFECTIVE JULY 1, 2027]: Sec. 4. (a) The executive board may, by  
 24 an affirmative vote of a majority of its members, adopt reasonable rules  
 25 under IC 4-22-2 on behalf of the state department to protect or to  
 26 improve the public health in Indiana.  
 27 (b) The rules may concern but are not limited to the following:  
 28 (1) Nuisances dangerous to public health.  
 29 (2) The pollution of any water supply other than where  
 30 jurisdiction is in the environmental rules board and department  
 31 of environmental management.  
 32 (3) The disposition of excremental and sewage matter.  
 33 (4) The control of fly and mosquito breeding places.  
 34 (5) The detection, reporting, prevention, and control of diseases  
 35 that affect public health.  
 36 (6) The care of maternity and infant cases and the conduct of  
 37 maternity homes.  
 38 (7) The production, distribution, and sale of human food.  
 39 (8) Except as provided in section 4.4 of this chapter, the conduct  
 40 of camps.  
 41 (9) Standards of cleanliness of eating facilities for the public.  
 42 (10) Standards of cleanliness of sanitary facilities offered for

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- 1 public use.
- 2 (11) The handling, disposal, disinterment, and reburial of dead
- 3 human bodies.
- 4 (12) Vital statistics.
- 5 (13) Sanitary conditions and facilities in public buildings and
- 6 grounds, including plumbing, drainage, sewage disposal, water
- 7 supply, lighting, heating, and ventilation, other than where
- 8 jurisdiction is vested by law in the ~~fire prevention and building~~
- 9 ~~safety commission~~ **department of homeland security** or other
- 10 state agency.
- 11 (14) The design, construction, and operation of swimming and
- 12 wading pools. However, the rules governing swimming and
- 13 wading pools do not apply to a pool maintained by an individual
- 14 for the sole use of the individual's household and house guests.
- 15 (c) The executive board shall adopt reasonable rules to regulate
- 16 the following:
  - 17 (1) The sanitary operation of tattoo parlors.
  - 18 (2) The sanitary operation of body piercing facilities.
  - 19 (d) The executive board may adopt rules on behalf of the state
  - 20 department for the efficient enforcement of this title, except as
  - 21 otherwise provided. However, fees for inspections relating to weights
  - 22 and measures may not be established by the rules.
  - 23 (e) The executive board may declare that a rule described in
  - 24 subsection (d) is necessary to meet an emergency and adopt the rule
  - 25 under IC 4-22-2.
  - 26 (f) The rules of the state department may not be inconsistent with
  - 27 this title and or any other state law.
  - 28 SECTION 160. IC 16-19-3-27.5, AS AMENDED BY
  - 29 P.L.151-2025, SECTION 1, IS AMENDED TO READ AS FOLLOWS
  - 30 [EFFECTIVE JULY 1, 2027]: Sec. 27.5. (a) As used in this section and
  - 31 section 27.8 of this chapter, "technology new to Indiana" (referred to
  - 32 in this section as "TNI") means sewage treatment or disposal methods,
  - 33 processes, or equipment that are not described in the administrative
  - 34 rules of the state department or the executive board concerning
  - 35 residential onsite sewage systems (410 IAC 6-8.3) or commercial
  - 36 onsite sewage systems (410 IAC 6-10.1).
  - 37 (b) The state department shall establish and maintain a technical
  - 38 review panel consisting of individuals with technical or scientific
  - 39 knowledge relating to onsite sewage systems. The technical review
  - 40 panel:
    - 41 (1) shall decide under subsection (f) whether to approve:
      - 42 (A) proprietary residential wastewater treatment devices;

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- 1 and
- 2 (B) proprietary commercial wastewater treatment devices;
- 3 for general use in Indiana;
- 4 (2) shall biannually review the performance of residential onsite
- 5 sewage systems and commercial onsite sewage systems;
- 6 (3) shall assist the state department in developing standards and
- 7 guidelines for proprietary residential wastewater treatment
- 8 devices and proprietary commercial wastewater treatment
- 9 devices;
- 10 (4) shall assist the executive board and the state department in
- 11 updating rules adopted under section 4 of this chapter
- 12 concerning residential onsite sewage systems and commercial
- 13 onsite sewage systems; and
- 14 (5) may exercise the powers granted by section 27.7 of this
- 15 chapter.
- 16 (c) The technical review panel shall include the following:
- 17 (1) A member of the staff of the state department, who shall
- 18 serve as the chair.
- 19 (2) A local health department environmental health specialist
- 20 appointed by the governor.
- 21 (3) An Indiana professional engineer registered under ~~IC 25-31-1~~
- 22 **IC 25-4-3** representing the American Council of Engineering
- 23 Companies.
- 24 (4) A representative of the Indiana Builders Association.
- 25 (5) An Indiana registered professional soil scientist (as defined
- 26 in IC 25-31.5-1-6) representing the Indiana Registry of Soil
- 27 Scientists.
- 28 (6) A representative of an Indiana college or university with a
- 29 specialty in engineering, soil science, environmental health, or
- 30 biology appointed by the governor.
- 31 (7) A representative of the Indiana Onsite Wastewater
- 32 Professionals Association.
- 33 (8) An Indiana onsite sewage system contractor appointed by the
- 34 governor.
- 35 (9) A representative of the Indiana State Building and
- 36 Construction Trades Council.
- 37 All members of the technical review panel are voting members, except
- 38 the member described in subdivision (1).
- 39 (d) In the case of a tie vote of the technical review panel, the
- 40 following shall occur:
- 41 (1) If the tie vote is in regard to a county, city, or town ordinance
- 42 concerning residential onsite sewage systems:

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- 1 (A) the technical review panel shall send the ordinance
- 2 back to the county, city, or town not more than seven (7)
- 3 days after the day of the tie vote;
- 4 (B) the county, city, or town may revise and resubmit the
- 5 ordinance; and
- 6 (C) if the ordinance is revised and resubmitted, the
- 7 technical review panel shall consider the revised ordinance
- 8 at its next meeting.
- 9 (2) If the tie vote is in regard to a matter not described in
- 10 subdivision (1), the technical review panel shall, not more than
- 11 seven (7) days after the day of the tie vote:
- 12 (A) contact the applicant by phone call and by mail; and
- 13 (B) request more information or provide an explanation of
- 14 how the applicant can modify the application to make it
- 15 more complete.
- 16 The technical review panel shall review any new information
- 17 provided by the applicant and vote again on the application not
- 18 more than thirty (30) days after receiving the information.
- 19 (e) The technical review panel shall do the following:
- 20 (1) Receive applications for the approval of TNI for general use
- 21 in:
- 22 (A) residential onsite sewage systems under sections 4 and
- 23 27 of this chapter and IC 16-41-25; and
- 24 (B) commercial onsite sewage systems under sections 4 and
- 25 27 of this chapter and IC 16-19-3.5.
- 26 (2) Meet monthly as needed to assist the executive board and the
- 27 state department as described in subsection (b)(4) and to review
- 28 applications described in subdivision (1).
- 29 (3) Notify each person who submits an application described in
- 30 subdivision (1):
- 31 (A) that the person's application has been received by the
- 32 technical review panel; and
- 33 (B) of whether the application is complete;
- 34 not later than thirty (30) days after the technical review panel
- 35 receives the application.
- 36 (4) Inform each person who submits an application described in
- 37 subdivision (1) of:
- 38 (A) a tentative decision of the technical review panel; or
- 39 (B) the technical review panel's final decision under
- 40 subsection (f);
- 41 concerning the application not more than ninety (90) days after
- 42 the technical review panel notifies the person under subdivision

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- 1 (3) that the panel has received the person's application.
- 2 (f) In response to each application described in subsection (e)(1),
- 3 the technical review panel shall make, and inform the applicant of, one
- 4 (1) of the following final decisions:
- 5 (1) That the TNI to which the application relates is approved for
- 6 general use in Indiana.
- 7 (2) That the TNI to which the application relates is approved for
- 8 use in Indiana with certain conditions, which may include:
- 9 (A) a requirement that the TNI be used initially only in a
- 10 pilot project;
- 11 (B) restrictions on the number or type of installations of the
- 12 TNI;
- 13 (C) sampling and analysis requirements for TNI involving
- 14 or comprising a secondary treatment system;
- 15 (D) requirements relating to training concerning the TNI;
- 16 (E) requirements concerning the operation and maintenance
- 17 of the TNI; or
- 18 (F) other requirements.
- 19 (3) That the TNI to which the application relates is approved on
- 20 a project-by-project basis.
- 21 (4) That the TNI is not approved for use in Indiana, which must
- 22 be accompanied by a statement of the reason for the decision.
- 23 (g) If the technical review panel makes a decision under
- 24 subsection (f)(4) that the TNI is not approved for use in Indiana, the
- 25 applicant may:
- 26 (1) submit a new application to the technical review panel under
- 27 this section; or
- 28 (2) file a petition for review of the technical review panel's
- 29 decision under IC 4-21.5-3.
- 30 (h) If the technical review panel fails to notify a person who
- 31 submits an application of the technical review panel's tentative decision
- 32 or final recommendation within ninety (90) days after receiving the
- 33 application as required by subsection (e)(4), the person who submitted
- 34 the application may use the TNI to which the application relates in a
- 35 single residential onsite sewage system or commercial onsite sewage
- 36 system, as if the TNI had been approved only for use in a pilot project.
- 37 (i) The technical review panel shall decide that the TNI to which
- 38 an application relates is approved for general use in Indiana if:
- 39 (1) the TNI has been certified as meeting the NSF/ANSI 40
- 40 Standard;
- 41 (2) a proposed Indiana design and installation manual for the
- 42 TNI is submitted with the permit application; and

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1 (3) the technical review panel certifies that the proposed Indiana  
2 design and installation manual meets the vertical and horizontal  
3 separation, sizing, and soil loading criteria of the state  
4 department.  
5 (j) Subsection (k) applies if:  
6 (1) a particular TNI meets the requirements of NSF/ANSI 40,  
7 NSF/ANSI 245, or NSF/ANSI 350;  
8 (2) the proposed Indiana design and installation manual for the  
9 TNI meets the vertical and horizontal separation, sizing, and soil  
10 loading criteria of the state department; and  
11 (3) an Indiana professional engineer registered under ~~IC 25-31-1~~  
12 **IC 25-4-3** prepares site specific plans for the use of the TNI for  
13 a residential or commercial application.  
14 (k) In a case described in subsection (j):  
15 (1) if the TNI is to be used in a residential application, the site  
16 specific plans prepared under subsection (j)(3), after being  
17 submitted to the local health department of the county, city, or  
18 multiple county unit in which the TNI would be installed, may  
19 be approved by the local health department within the period set  
20 forth in IC 16-41-25-1(a); and  
21 (2) if the TNI is to be used in a commercial application, the site  
22 specific plans prepared under subsection (j)(3) shall be approved  
23 by the state department upon submission of the site specific  
24 plans.  
25 (l) A local health department may not refuse an application for a  
26 permit for the construction or installation of a residential onsite sewage  
27 system (as defined in IC 16-41-25-0.4) solely because the residential  
28 onsite sewage system has not been used previously in the jurisdiction  
29 of the local health department or is unfamiliar to the local health  
30 department, if either of the following apply:  
31 (1) The residential onsite sewage system has been approved by  
32 the technical review panel under this section for general use in  
33 Indiana.  
34 (2) The residential onsite sewage system:  
35 (A) is based on one (1) or more sewage treatment or  
36 disposal methods or processes; or  
37 (B) incorporates equipment;  
38 approved by the technical review panel under this section for  
39 general use in Indiana.  
40 SECTION 161. IC 16-19-3-27.6, AS ADDED BY P.L.167-2022,  
41 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
42 JULY 1, 2027]: Sec. 27.6. (a) As used in this section, "type of

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- 1 residential onsite sewage system" means an onsite sewage system that:
- 2 (1) has a particular design;
- 3 (2) consists of particular components; and
- 4 (3) is installed or constructed in a particular way.
- 5 (b) For purposes of this section, the following are different types
- 6 of residential onsite sewage systems:
- 7 (1) A conventional septic system consisting of a septic tank and
- 8 a gravel or stone soil absorption field.
- 9 (2) A chamber system in which wastewater is piped from the
- 10 septic tank to a series of connected chambers backfilled with
- 11 soil.
- 12 (3) A subsurface drip distribution system in which wastewater is
- 13 pumped from the septic tank to a dose tank and then gradually
- 14 delivered to drip laterals in the soil.
- 15 (4) An aerobic treatment unit in which oxygen is injected into
- 16 the wastewater to accelerate the biological processes used to
- 17 treat the wastewater before being discharged to a soil absorption
- 18 field.
- 19 (5) A recirculating sand filter system in which wastewater flows
- 20 from a septic tank to a pump chamber and then is recirculated
- 21 through a sand filter before being discharged to a soil absorption
- 22 field.
- 23 (6) An evapotranspiration system that includes a drain field
- 24 having a watertight liner and in which wastewater, after entering
- 25 the drain field, evaporates into the air.
- 26 (7) A constructed wetland system in which wastewater from a
- 27 septic tank enters a wetland cell containing an impermeable
- 28 liner, gravel, sand fill, and wetland plants that remove pathogens
- 29 and nutrients from the wastewater before being discharged to a
- 30 soil absorption field.
- 31 (8) A sand-lined system in which wastewater flows from a septic
- 32 tank to a combined treatment and dispersal soil absorption field
- 33 containing piping laterals surrounded by sand.
- 34 (c) If:
- 35 (1) the local health department of a county, city, or multiple
- 36 county unit has issued a permit for construction or installation of
- 37 a type of residential onsite sewage system;
- 38 (2) the use of the same type of residential onsite sewage system
- 39 at a location in a different county, city, or multiple county unit
- 40 has been approved by:
- 41 (A) a professional engineer registered under ~~IC 25-31-1;~~
- 42 **IC 25-4-3;**

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- 1 (B) a registered soil scientist (as defined in IC 25-31.5-1-7);
- 2 (C) an individual or entity engaged in the business of
- 3 constructing and installing residential onsite sewage
- 4 systems; and
- 5 (D) the designer of the system, if the system was designed
- 6 by someone other than a person referred to in clause (A) or
- 7 (C); and
- 8 (3) all of the persons referred to in subdivision (2) attest that the
- 9 same type of residential onsite sewage system, if constructed or
- 10 installed at the location referred to in subdivision (2), would
- 11 satisfy the requirements of the rule of the state department
- 12 concerning residential onsite sewage systems;
- 13 the local health department of the county, city, or multiple county unit
- 14 referred to in subdivision (2) may not refuse to issue a permit for the
- 15 construction or installation of a residential onsite sewage system of the
- 16 type referred to in subdivisions (1), (2), and (3) at the location referred
- 17 to in subdivision (2).

18 SECTION 162. IC 16-19-3.5-11, AS ADDED BY P.L.49-2016,  
 19 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 20 JULY 1, 2027]: Sec. 11. The state department may not deny a  
 21 construction permit based upon noncompliance or suspected  
 22 noncompliance with a rule adopted under the authority of the ~~fire~~  
 23 ~~prevention and building safety commission established by~~  
 24 ~~IC 22-12-2-1.~~ **department of homeland security.**

25 SECTION 163. IC 16-19-13-3, AS AMENDED BY P.L.51-2021,  
 26 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 27 JULY 1, 2027]: Sec. 3. The office is established for the following  
 28 purposes:

- 29 (1) To educate and advocate for women's health by requesting
- 30 that the state department, either on its own or in partnership with
- 31 other entities, establish appropriate forums, programs, or
- 32 initiatives designed to educate the public regarding women's
- 33 health, with an emphasis on preventive health and healthy
- 34 lifestyles.
- 35 (2) To assist the state health commissioner in identifying,
- 36 coordinating, and establishing priorities for programs, services,
- 37 and resources the state should provide for women's health issues
- 38 and concerns relating to the reproductive, menopausal, and
- 39 postmenopausal phases of a woman's life, with an emphasis on
- 40 postmenopausal health.
- 41 (3) To serve as a clearinghouse and resource for information
- 42 regarding women's health data, strategies, services, and

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- 1 programs that address women's health issues, including the
- 2 following:
- 3 (A) Diseases that significantly impact women, including
- 4 heart disease, cancer, and osteoporosis.
- 5 (B) Menopause.
- 6 (C) Mental health.
- 7 (D) Substance abuse.
- 8 (E) Sexually transmitted diseases.
- 9 (F) Sexual assault and domestic violence.
- 10 (G) Female genital mutilation (as defined in IC 35-42-2-10).
- 11 (4) To collect, classify, and analyze relevant research
- 12 information and data conducted or compiled by:
- 13 (A) the state department; or
- 14 (B) other entities in collaboration with the state department;
- 15 and to provide interested persons with information regarding the
- 16 research results, except as prohibited by law.
- 17 (5) To develop and recommend funding and program activities
- 18 for educating the public on women's health initiatives, including
- 19 the following:
- 20 (A) Health needs throughout a woman's life.
- 21 (B) Diseases that significantly affect women, including
- 22 heart disease, cancer, and osteoporosis.
- 23 (C) Access to health care for women.
- 24 (D) Poverty and women's health.
- 25 (E) The leading causes of morbidity and mortality for
- 26 women.
- 27 (F) Special health concerns of minority women.
- 28 (6) To make recommendations to the state health commissioner
- 29 regarding programs that address women's health issues for
- 30 inclusion in the state department's biennial budget and strategic
- 31 planning.
- 32 (7) To seek funding from private or governmental entities to
- 33 carry out the purposes of this chapter.
- 34 (8) To prepare materials for publication and dissemination to the
- 35 public on women's health.
- 36 (9) To conduct public educational forums in Indiana to raise
- 37 public awareness and to educate citizens about women's health
- 38 programs, issues, and services.
- 39 (10) To coordinate the activities and programs of the office with
- 40 other entities that focus on women's health or women's issues,
- 41 including the ~~Indiana commission for women (IC 4-23-25-3).~~
- 42 **Indiana cultural commission established by IC 4-23-36.**

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- 1 (11) To represent the state health commissioner, upon request,
- 2 before the general assembly and the ~~Indiana commission for~~
- 3 ~~women established by IC 4-23-25-3.~~ **Indiana cultural**
- 4 **commission established by IC 4-23-36.**
- 5 (12) To provide an annual report to the governor, the legislative
- 6 council, and the ~~Indiana commission for women~~ **Indiana**
- 7 **cultural commission established by IC 4-23-36** regarding the
- 8 successes of the programs of the office, priorities and services
- 9 needed for women's health in Indiana, and areas for
- 10 improvement. A report provided under this subdivision to the
- 11 legislative council must be in an electronic format under
- 12 IC 5-14-6.

13 This section does not allow the director or any employees of the office  
 14 to advocate, promote, refer to, or otherwise advance abortion or  
 15 abortifacients.

16 SECTION 164. IC 16-20-2-5, AS AMENDED BY P.L.164-2023,  
 17 SECTION 23, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 18 JULY 1, 2027]: Sec. 5. (a) For a county with a population of at least  
 19 two hundred thousand (200,000), the members of a local board of  
 20 health shall be chosen as follows:

- 21 (1) Five (5) persons knowledgeable in clinical and public health,
- 22 at least two (2) of whom are licensed physicians, and appointed
- 23 by the county executive. The other appointees may be any of the
- 24 following:
- 25 (A) A registered nurse licensed under IC 25-23.
- 26 (B) A registered pharmacist licensed under IC 25-26.
- 27 (C) A dentist licensed under IC 25-14.
- 28 (D) A hospital administrator.
- 29 (E) A social worker.
- 30 (F) An attorney with expertise in health matters.
- 31 (G) A school superintendent.
- 32 (H) A veterinarian licensed under IC 25-38.1.
- 33 (I) A professional engineer registered under ~~IC 25-31.~~
- 34 **IC 25-4-3.**
- 35 (J) An environmental scientist.
- 36 (K) A physician assistant licensed under IC 25-27.5.
- 37 (L) A public health professional, including an
- 38 epidemiologist.
- 39 (2) One (1) representative of the general public, appointed by the
- 40 county executive.
- 41 (3) One (1) individual appointed by the county fiscal body who
- 42 either:

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- 1 (A) has public health knowledge; or
- 2 (B) is a member of the general public.
- 3 (4) Two (2) representatives appointed by the county executive,
- 4 one (1) each from a list of three (3) recommendations from each
- 5 executive of the county's two (2) most populous municipalities
- 6 in the county of individuals described in subdivision (1)(B)
- 7 through (1)(K).
- 8 (b) For a county with a population of less than two hundred
- 9 thousand (200,000), the members of a local board of health shall be
- 10 chosen as follows:
- 11 (1) Five (5) persons knowledgeable in clinical and public health,
- 12 at least one (1) of whom is a physician, and appointed by the
- 13 county executive. The other appointees may be any of the
- 14 following:
- 15 (A) A physician licensed under IC 25-22.5.
- 16 (B) A registered nurse licensed under IC 25-23.
- 17 (C) A registered pharmacist licensed under IC 25-26.
- 18 (D) A dentist licensed under IC 25-14.
- 19 (E) A hospital administrator.
- 20 (F) A social worker.
- 21 (G) An attorney with expertise in health matters.
- 22 (H) A school superintendent.
- 23 (I) A veterinarian licensed under IC 25-38.1.
- 24 (J) A professional engineer registered under ~~IC 25-31.~~
- 25 **IC 25-4-3.**
- 26 (K) An environmental scientist.
- 27 (L) A physician assistant licensed under IC 25-27.5.
- 28 (M) A public health professional, including an
- 29 epidemiologist.
- 30 (2) One (1) person who either has public health knowledge or is
- 31 a member of the general public, and is appointed by the county
- 32 fiscal body.
- 33 (3) One (1) person appointed by the county executive from a list
- 34 of three (3) recommendations by the executive of the most
- 35 populous municipality in the county of individuals described in
- 36 subdivision (1)(C) through (1)(M).
- 37 SECTION 165. IC 16-20-3-2, AS AMENDED BY P.L.164-2023,
- 38 SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 39 JULY 1, 2027]: Sec. 2. (a) There must be at least seven (7) members
- 40 of a multiple county board of health.
- 41 (b) The county executives establishing a multiple county health
- 42 department shall determine the following for the multiple county board

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HB 1003—LS 6756/DI 92



1 of health:

2 (1) The number of members.

3 (2) The qualifications of members.

4 (3) The number of appointments made by each county.

5 (c) The county executive of each county participating in a multiple

6 county board of health shall appoint the members of the multiple

7 county board of health, except that the executive of the most populous

8 municipality of the participating counties of the multiple county board

9 of health shall appoint one (1) member to the multiple county board of

10 health.

11 (d) The appointments made by the county executives must meet

12 the following requirements:

13 (1) At least five (5) individuals appointed to the multiple county

14 board of health must be knowledgeable in clinical and public

15 health and also be one (1) of the following:

16 (A) A physician licensed under IC 25-22.5.

17 (B) A registered nurse licensed under IC 25-23.

18 (C) A registered pharmacist licensed under IC 25-26.

19 (D) A dentist licensed under IC 25-14.

20 (E) A hospital administrator.

21 (F) A social worker.

22 (G) An attorney with expertise in health matters.

23 (H) A school superintendent.

24 (I) A veterinarian licensed under IC 25-38.1.

25 (J) A professional engineer registered under ~~IC 25-31.~~

26 **IC 25-4-3.**

27 (K) An environmental scientist.

28 (L) A physician assistant licensed under IC 25-27.5.

29 (M) A public health professional, including an

30 epidemiologist.

31 (2) At least one (1) individual who either has public health

32 knowledge or is a member of the public and is recommended by

33 any of the participating county fiscal bodies.

34 SECTION 166. IC 16-22-2-5, AS AMENDED BY P.L.104-2022,

35 SECTION 108, IS AMENDED TO READ AS FOLLOWS

36 [EFFECTIVE JULY 1, 2026]: Sec. 5. (a) This section applies to a

37 county hospital in a county having a population of more than sixteen

38 thousand seven hundred (16,700) and less than ~~nineteen thousand~~

39 ~~(19,000):~~ **twenty thousand (20,000).**

40 (b) Subject to subsection (e), the hospital and the affairs and

41 business of the hospital shall be under the management and control of

42 a governing board consisting of seven (7) members as follows:

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- 1 (1) Three (3) members must be members of the county
- 2 executive.
- 3 (2) Two (2) members shall be appointed by the county fiscal
- 4 body, one (1) of whom may be a licensed physician.
- 5 (3) Two (2) members shall be appointed by the county executive.
- 6 (c) One (1) of the members initially appointed by the county fiscal
- 7 body serves for one (1) year and one (1) of the members initially
- 8 appointed serves for two (2) years. After the initial appointment, the
- 9 members serve for two (2) years.
- 10 (d) One (1) of the members initially appointed by the county
- 11 executive serves for one (1) year and one (1) of the members initially
- 12 appointed serves for two (2) years. After the initial appointment, the
- 13 members serve for two (2) years.
- 14 (e) Not more than two (2) members of a governing board
- 15 appointed under this section may reside in a county other than the
- 16 county in which the hospital is located. A member who is not a resident
- 17 of the county in which the hospital is located must:
- 18 (1) be an Indiana resident; and
- 19 (2) be appointed upon a submission made under section 11 of
- 20 this chapter by the governing board of the hospital to the
- 21 appointing authority.
- 22 SECTION 167. IC 16-28-1-7, AS AMENDED BY P.L.141-2014,
- 23 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 24 JULY 1, 2027]: Sec. 7. The state department shall do the following:
- 25 (1) Adopt rules under IC 4-22-2 governing the following:
- 26 (A) Health and sanitation standards necessary to protect the
- 27 health, safety, security, rights, and welfare of patients.
- 28 (B) Qualifications of applicants for licenses issued under
- 29 this article to assure the proper care of patients.
- 30 (C) Operation, maintenance, management, equipment, and
- 31 construction of facilities required to be licensed under this
- 32 article if jurisdiction is not vested in any other state agency.
- 33 (D) Manner, form, and content of the license, including
- 34 rules governing disclosure of ownership interests.
- 35 (E) Levels of medical staffing and medical services in
- 36 cooperation with the office of Medicaid policy and
- 37 planning, division of family resources, and other agencies
- 38 authorized to pay for the services.
- 39 (2) Recommend to the ~~fire prevention and building safety~~
- 40 ~~commission~~ **department of homeland security** fire safety rules
- 41 necessary to protect the health, safety, security, rights, and
- 42 welfare of patients.

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1 (3) Classify health facilities in health care categories.  
2 SECTION 168. IC 16-29-2-6 IS AMENDED TO READ AS  
3 FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 6. A certificate of need  
4 for a project to construct, add, or convert beds that receives final  
5 approval of the state department under this chapter or IC 16-10-4  
6 (before its repeal) becomes void eighteen (18) months after the  
7 determination becomes final unless the following conditions are met:

8 (1) Construction plans for the project are approved by the state  
9 department and the department of fire and building safety.

10 (2) The applicant has completed construction of the project's  
11 foundation in conformity with the approved plans as certified by  
12 an independent architect licensed under IC 25-4 or an  
13 independent professional engineer licensed under ~~IC 25-31~~  
14 **IC 25-4-3.**

15 (3) Construction work on the project is continuous and in  
16 conformity with the approved plans.

17 SECTION 169. IC 16-29-7-15, AS ADDED BY P.L.202-2018,  
18 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
19 JULY 1, 2027]: Sec. 15. A certificate of need that is approved under  
20 this chapter is valid for eighteen (18) months after approval is final.  
21 The certificate of need becomes void after eighteen (18) months unless:

22 (1) construction plans for the project are approved by the state  
23 department and the department of fire and building safety;

24 (2) the applicant has completed construction of the project's  
25 foundation in conformity with the approval plans and an  
26 independent:

27 (A) architect licensed under IC 25-4; or

28 (B) professional engineer licensed under ~~IC 25-31~~  
29 **IC 25-4-3;**

30 has certified the completion; and

31 (3) construction work on the project is continuous and conforms  
32 with the approved plans.

33 However, modification of the approved plans to make technical  
34 changes, correct errors or omissions, or comply with zoning or other  
35 requirements of a governmental entity are allowable.

36 SECTION 170. IC 16-41-25-5, AS ADDED BY P.L.167-2022,  
37 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
38 JULY 1, 2027]: Sec. 5. (a) The authority of a local health department  
39 to administer the rule of the state department concerning residential  
40 onsite sewage systems is subject to this section.

41 (b) If a professional engineer registered under ~~IC 25-31-1~~  
42 **IC 25-4-3** certifies that the:

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1 (1) location;  
 2 (2) design;  
 3 (3) proposed construction; and  
 4 (4) proposed installation;  
 5 of a planned residential onsite sewage system comply with the  
 6 administrative rule of the state department concerning residential onsite  
 7 sewage systems, a local health department may not disapprove an  
 8 application for a permit for the residential onsite sewage system on the  
 9 grounds that the location, design, construction, or installation of the  
 10 residential onsite sewage system is faulty.

11 (c) If a professional engineer registered under ~~IC 25-31-1~~  
 12 **IC 25-4-3** certifies that the:

13 (1) design;  
 14 (2) construction;  
 15 (3) installation;  
 16 (4) location;  
 17 (5) maintenance; and  
 18 (6) operation;  
 19 of an existing residential onsite sewage system comply with the  
 20 administrative rule of the state department concerning residential onsite  
 21 sewage systems, a local health department may not issue an order  
 22 based on a finding that the residential onsite sewage system is a failed  
 23 system.

24 (d) If a professional engineer registered under ~~IC 25-31-1~~  
 25 **IC 25-4-3** certifies that an existing residential onsite sewage system is  
 26 not functioning properly but can be restored to proper functioning  
 27 through repair, a local health department must allow the repair of the  
 28 residential onsite sewage system to be made in accordance with the  
 29 certification of the professional engineer.

30 SECTION 171. IC 16-41-25-8, AS AMENDED BY P.L.232-2023,  
 31 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 32 JULY 1, 2027]: Sec. 8. (a) If:

33 (1) an application has been filed with a local health department  
 34 for a permit for the installation of a residential onsite sewage  
 35 system;  
 36 (2) a professional soil scientist registered under IC 25-31.5-4 has  
 37 conducted an onsite evaluation, including a description of the  
 38 soil profile, and has determined that the proposed site of the  
 39 residential onsite sewage system is suitable for the installation of  
 40 the residential onsite sewage system; and  
 41 (3) the design and specifications for the residential onsite sewage  
 42 system proposed for installation at the site described in

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- 1 subdivision (2) have been approved by either:
- 2 (A) the local health department; or
- 3 (B) at the option and expense of the property owner:
- 4 (i) a professional engineer registered under ~~IC 25-31-1;~~
- 5 **IC 25-4-3;**
- 6 (ii) a septic system installer or inspector registered
- 7 with the county in which the residential onsite sewage
- 8 system would be installed; and
- 9 (iii) the designer of the system, if the system was
- 10 designed by someone other than a person referred to in
- 11 item (i) or (ii);

12 the local health department shall issue a permit for the residential  
 13 onsite sewage system not later than thirty (30) business days after  
 14 receiving a complete application for the permit.

15 (b) Subject to IC 16-19-3-27.5, IC 16-19-3-27.6, and sections 5  
 16 and 6 of this chapter, this section does not affect the authority of a local  
 17 health department to inspect an onsite sewage system before or after  
 18 the system's installation.

19 SECTION 172. IC 16-41-25-10, AS AMENDED BY  
 20 P.L.160-2024, SECTION 3, IS AMENDED TO READ AS FOLLOWS  
 21 [EFFECTIVE JULY 1, 2027]: Sec. 10. (a) Neither an officer or  
 22 employee of a local health department nor another agency, officer, or  
 23 employee of a county, city, or town may enter property on which a  
 24 residential onsite sewage system is located for the purpose of  
 25 inspecting the residential onsite sewage system if, not more than one  
 26 hundred eighty (180) days before the date of the inspection, the owner  
 27 or occupant of the residence served by the residential onsite sewage  
 28 system and:

- 29 (1) a septic system installer or inspector registered with the
- 30 county in which the residential onsite sewage system is located;
- 31 (2) an onsite sewage system technician; or
- 32 (3) an Indiana professional engineer registered under ~~IC 25-31-1;~~
- 33 **IC 25-4-3;**

34 state in a writing transmitted to the local health department, county,  
 35 city, or town that the residential onsite sewage system is functioning  
 36 properly.

37 (b) Subject to subsection (d), if subsection (a) does not apply, an  
 38 officer or employee of a local health department or another officer or  
 39 employee of a county, city, or town may not enter property on which a  
 40 residential onsite sewage system is located for the purpose of  
 41 inspecting the residential onsite sewage system unless the owner or  
 42 occupant of the residence served by the residential onsite sewage

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1 system is given notice of the inspection by first class mail addressed to  
2 the residence at least seven (7) days before the day of the inspection.

3 (c) Subject to subsection (d), an officer or employee of a local  
4 health department may inspect residential onsite sewage systems and  
5 nonresidential onsite sewage systems (as defined in IC 16-19-3.5-3.5):

6 (1) after installation if:

7 (A) the manufacturer of a residential onsite sewage system

8 recommends inspection of the system multiple times a year;

9 (B) an owner of the property on which a residential onsite  
10 sewage system is located requests an officer or employee of

11 a local health department or another agency, officer, or

12 employee of a county, city, or town to inspect the residential

13 onsite sewage system located on the owner's property; or

14 (C) a complaint is filed with the local health department

15 requiring an inspection or inspections to protect the health  
16 of the community;

17 (2) to verify compliance with a permit issued under best  
18 judgment pursuant to rules adopted under IC 4-22-2 not more  
19 than once per year; or

20 (3) to verify compliance with an operating permit issued  
21 pursuant to rules adopted under IC 4-22-2 at least once per year.

22 (d) An advance notice to the owner or occupant of the residence  
23 is not required under subsection (b) in an urgent situation caused by a  
24 malfunction of the residential onsite sewage system that creates a clear  
25 and immediate danger to the public's health, safety, or property.

26 (e) This section shall not be interpreted as prohibiting or  
27 restricting the periodic:

28 (1) inspection;

29 (2) servicing;

30 (3) testing; or

31 (4) maintenance;

32 of an onsite residential sewage discharging disposal system (as defined  
33 in IC 13-11-2-144.7).

34 SECTION 173. IC 16-41-25-11, AS ADDED BY P.L.232-2023,  
35 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
36 JULY 1, 2027]: Sec. 11. (a) As used in this section, "residential onsite  
37 sewage system failure" means a residential onsite sewage system that  
38 exhibits one (1) or more of the following:

39 (1) The onsite sewage system refuses to accept sewage at the rate  
40 of design application and interferes with the normal use of  
41 residential plumbing fixtures.

42 (2) Effluent discharge exceeds the absorptive capacity of the

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1 soil, resulting in ponding, seepage, or other discharge of the  
 2 effluent to the ground surface or to surface waters.  
 3 (3) Effluent is discharged from the onsite sewage system causing  
 4 contamination of a potable water supply, ground water, or  
 5 surface waters.  
 6 (b) A local health department that determines that a residential  
 7 onsite sewage system is in residential onsite sewage system failure may  
 8 issue an order requiring that the failure be corrected. However, an order  
 9 issued under this subsection is stayed if the owner or occupant of the  
 10 residence served by the residential onsite sewage system, within  
 11 fourteen (14) days after the date of the order, enters into a contract  
 12 with:  
 13 (1) a septic system installer or inspector registered with the  
 14 county in which the residential onsite sewage system is located;  
 15 (2) an onsite sewage system technician; or  
 16 (3) an Indiana professional engineer registered under ~~IC 25-31-1;~~  
 17 **IC 25-4-3;**  
 18 under which the installer or inspector, onsite sewage system technician,  
 19 or professional engineer agrees to conduct an inspection to determine  
 20 whether the residential onsite sewage system is in residential onsite  
 21 sewage system failure.  
 22 (c) An order is stayed under subsection (b) until the earlier of the  
 23 following:  
 24 (1) The date on which the installer or inspector, technician, or  
 25 engineer performs the inspection and presents the results of the  
 26 inspection in writing to:  
 27 (A) the owner or occupant of the residence served by the  
 28 residential onsite sewage system; and  
 29 (B) the local health department.  
 30 (2) The expiration of forty-five (45) days after the date of the  
 31 order issued under subsection (b).  
 32 (d) If the installer or inspector, onsite sewage system technician,  
 33 or professional engineer states in the report provided to the local health  
 34 department that the residential onsite sewage system is not in  
 35 residential onsite sewage system failure, the local health department  
 36 shall:  
 37 (1) withdraw the order issued under subsection (b); or  
 38 (2) conduct an investigation of the residential onsite sewage  
 39 system to make a new determination whether the residential  
 40 onsite sewage system is in residential onsite sewage system  
 41 failure.  
 42 (e) If the local health department conducts an investigation under

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1 subsection (d)(2), the order issued under subsection (b) is stayed  
2 pending the new determination of the local health department based on  
3 the investigation.

4 SECTION 174. IC 16-41-26-8, AS AMENDED BY P.L.181-2018,  
5 SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
6 JULY 1, 2027]: Sec. 8. (a) Except as provided in subsection (b), the  
7 state department shall adopt rules under IC 4-22-2 necessary to protect  
8 the health, safety, and welfare of persons living in agricultural labor  
9 camps, prescribing standards for living quarters at agricultural labor  
10 camps, including provisions relating to construction of camps, sanitary  
11 conditions, light, air, safety protection from fire hazards, equipment,  
12 maintenance and operation of the camp, sewage disposal through septic  
13 tank absorption fields or other approved methods, and other matters  
14 appropriate for the security of the life and health of occupants.

15 (b) The environmental rules board shall adopt rules under  
16 IC 13-14-9 pertaining to water supplies required for agricultural labor  
17 camps.

18 (c) In the preparation of rules, the state department:

19 (1) shall consult with and request technical assistance from other  
20 appropriate state agencies; and

21 (2) may appoint and consult with committees of technically  
22 qualified persons and of representatives of employers and  
23 employees.

24 (d) If a conflict exists between rules adopted under this chapter  
25 and rules adopted by the ~~fire prevention and building safety~~  
26 ~~commission~~, **department of homeland security**, the rules authorized  
27 in this section apply.

28 (e) A copy of every rule adopted under this chapter shall be sent  
29 to each health officer in Indiana and to the heads of other state agencies  
30 with specific or related responsibility affecting agricultural labor camps  
31 and to any person requesting the rules. The rules affecting agricultural  
32 labor camps adopted under this chapter shall be published periodically  
33 in the manner the state department determines.

34 SECTION 175. IC 16-41-31-6 IS AMENDED TO READ AS  
35 FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 6. The ~~fire prevention~~  
36 ~~and building safety commission~~ **department of homeland security**  
37 shall adopt rules under IC 4-22-2 to establish fire safety standards for  
38 bed and breakfast establishments.

39 SECTION 176. IC 16-41-37.5-4, AS ADDED BY P.L.79-2008,  
40 SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
41 JULY 1, 2027]: Sec. 4. (a) An individual conducting an indoor air  
42 quality test under this chapter must be:

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HB 1003—LS 6756/DI 92



- 1 (1) a professional engineer (as defined in ~~IC 25-31-1-2~~;
- 2 **IC 25-4-0.5-10**);
- 3 (2) an industrial hygienist; or
- 4 (3) a supervisor or technician certified by a national organization
- 5 that:
- 6 (A) writes and adheres to standards for:
  - 7 (i) testing, adjusting, and balancing of heating,
  - 8 ventilation, and air conditioning equipment or exhaust
  - 9 systems; and
  - 10 (ii) indoor air quality testing procedures and
  - 11 requirements; and
- 12 (B) certifies supervisors and technicians to perform:
  - 13 (i) testing, adjusting, and balancing of heating,
  - 14 ventilation, and air conditioning equipment or exhaust
  - 15 systems; and
  - 16 (ii) indoor air quality testing procedures and
  - 17 requirements.
- 18 (b) The report of a test conducted under this chapter must be
- 19 certified by the person conducting the test. If the person uses a
- 20 professional seal on documents, the certification must include the
- 21 person's seal.
- 22 SECTION 177. IC 16-41-42.2-1 IS REPEALED [EFFECTIVE
- 23 JULY 1, 2027]. ~~Sec. 1. As used in this chapter, "board" refers to the~~
- 24 ~~spinal cord and brain injury research board established by section 5 of~~
- 25 ~~this chapter.~~
- 26 SECTION 178. IC 16-41-42.2-4, AS AMENDED BY
- 27 P.L.200-2015, SECTION 3, IS AMENDED TO READ AS FOLLOWS
- 28 [EFFECTIVE JULY 1, 2027]: Sec. 4. The fund is to be used for the
- 29 following purposes:
  - 30 (1) Establishing and maintaining a state medical surveillance
  - 31 registry for traumatic spinal cord and brain injuries.
  - 32 ~~(2) Fulfilling the duties of the board established by section 5 of~~
  - 33 ~~this chapter.~~
  - 34 ~~(3)~~ **(2)** Funding research related to the treatment and cure of
  - 35 spinal cord and brain injuries, including acute management,
  - 36 medical complications, rehabilitative techniques, and neuronal
  - 37 recovery. Research must be conducted in compliance with all
  - 38 state and federal laws.
  - 39 ~~(4)~~ **(3)** Concerning spinal cord injuries, funding of at least ten
  - 40 percent (10%) and not more than fifteen percent (15%) of money
  - 41 in the fund for:
    - 42 (A) post acute extended treatment and services for an

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- 1 individual with a spinal cord injury; or
- 2 (B) facilities that offer long term activity based therapy
- 3 services at affordable rates to an individual with a spinal
- 4 cord injury that requires extended post acute care.
- 5 ~~(5)~~ (4) Concerning brain injuries, funding of at least ten percent
- 6 (10%) and not more than fifteen percent (15%) of money in the
- 7 fund for:
- 8 (A) post acute extended treatment and services for an
- 9 individual with a brain injury; or
- 10 (B) facilities that offer long term activity based therapy
- 11 services at affordable rates to an individual with a brain
- 12 injury that requires extended post acute care.
- 13 ~~(6)~~ (5) Develop a statewide trauma system. However, not more
- 14 than fifty percent (50%) of money in the fund may be used for
- 15 purposes of developing a statewide trauma system.
- 16 SECTION 179. IC 16-41-42.2-5, AS AMENDED BY
- 17 P.L.29-2016, SECTION 4, IS AMENDED TO READ AS FOLLOWS
- 18 [EFFECTIVE JULY 1, 2027]: Sec. 5. ~~(a)~~ The spinal cord and brain
- 19 injury research board is established for the purpose of administering
- 20 the fund. The board is composed of eleven ~~(11)~~ members:
- 21 ~~(b)~~ The following six ~~(6)~~ members of the board shall be appointed
- 22 by the governor:
- 23 ~~(1)~~ One ~~(1)~~ member who has a spinal cord or head injury or who
- 24 has a family member with a spinal cord or head injury:
- 25 ~~(2)~~ One ~~(1)~~ member who is a physician licensed under
- 26 IC 25-22.5 who has specialty training in neuroscience and
- 27 surgery.
- 28 ~~(3)~~ One ~~(1)~~ member who is a physiatrist holding a board
- 29 certification from the American Board of Physical Medicine and
- 30 Rehabilitation.
- 31 ~~(4)~~ One ~~(1)~~ member representing the technical life sciences
- 32 industry.
- 33 ~~(5)~~ One ~~(1)~~ member who is a physical therapist licensed under
- 34 IC 25-27 who treats individuals with traumatic spinal cord
- 35 injuries or brain injuries.
- 36 ~~(6)~~ One ~~(1)~~ member who owns or operates a facility that
- 37 provides long term activity based therapy services at affordable
- 38 rates to individuals with traumatic spinal cord injuries or brain
- 39 injuries.
- 40 ~~(c)~~ Five ~~(5)~~ members of the board shall be appointed as follows:
- 41 ~~(1)~~ One ~~(1)~~ member representing Indiana University to be
- 42 appointed by Indiana University.

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- 1 (2) One (1) member representing Purdue University to be
- 2 appointed by Purdue University.
- 3 (3) One (1) member representing the National Spinal Cord Injury
- 4 Association to be appointed by the National Spinal Cord Injury
- 5 Association.
- 6 (4) One (1) member representing the largest freestanding
- 7 rehabilitation hospital for brain and spinal cord injuries in
- 8 Indiana to be appointed by the Rehabilitation Hospital of Indiana
- 9 located in Indianapolis.
- 10 (5) One (1) member representing the Brain Injury Association of
- 11 America to be appointed by the Brain Injury Association of
- 12 Indiana.
- 13 (d) The term of a member is four (4) years. A member serves until
- 14 a successor is appointed and qualified. If a vacancy occurs on the board
- 15 before the end of a member's term, the appointing authority appointing
- 16 the vacating member shall appoint an individual to serve the remainder
- 17 of the vacating member's term.
- 18 (e) A majority of the members appointed to the board constitutes
- 19 a quorum. The affirmative votes of a majority of the members are
- 20 required for the board to take action on any measure.
- 21 (f) Each member of the board is entitled to the minimum salary per
- 22 diem provided by IC 4-10-11-2.1(b). The member is also entitled to
- 23 reimbursement for traveling expenses as provided under IC 4-13-1-4
- 24 and other expenses actually incurred in connection with the member's
- 25 duties as provided in the state policies and procedures established by
- 26 the Indiana department of administration and approved by the budget
- 27 agency.
- 28 (g) The board shall annually elect a chairperson who shall be the
- 29 presiding officer of the board. The board may establish other officers
- 30 and procedures as the board determines necessary.
- 31 (h) The board shall meet at least two (2) times each year. The
- 32 chairperson may call additional meetings.
- 33 (i) The state department shall provide staff for the board. The state
- 34 department shall maintain a registry of the members of the board. An
- 35 appointing authority shall provide written confirmation of an
- 36 appointment to the board to the state department in the form and
- 37 manner specified by the state department.
- 38 (j) The board **state department** shall do the following:
- 39 (1) Consider policy matters relating to spinal cord and brain
- 40 injury research projects and programs under this chapter.
- 41 (2) Consider research applications and make grants for approved
- 42 research projects under this chapter.

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- 1 (3) Consider applications and make grants to health care clinics
- 2 that:
- 3 (A) are exempt from federal income taxation under Section
- 4 501 of the Internal Revenue Code;
- 5 (B) employ physical therapists licensed under IC 25-27; and
- 6 (C) provide in Indiana long term activity based therapy
- 7 services at affordable rates to individuals with spinal cord
- 8 injuries or brain injuries that require extended post acute
- 9 care.
- 10 (4) Consider the application's efficacy in providing significant
- 11 and sustained improvement to individuals with spinal cord
- 12 injuries or brain injuries.
- 13 (5) Formulate policies and procedures concerning the operation
- 14 of the ~~board~~ **state department**.
- 15 (6) Review and authorize spinal cord and brain injury research
- 16 projects and programs to be financed under this chapter. For
- 17 purposes of this subdivision, the ~~board~~ **state department** may
- 18 establish an independent scientific advisory panel composed of
- 19 scientists and clinicians who are not members of the ~~board~~ **state**
- 20 **department** to review proposals submitted to the ~~board~~ **state**
- 21 **department** and make recommendations to the ~~board~~ **state**
- 22 **department**. Collaborations are encouraged with other
- 23 Indiana-based researchers as well as researchers located outside
- 24 Indiana, including researchers in other countries.
- 25 (7) Review and approve progress and final research reports on
- 26 projects authorized under this chapter, including any other
- 27 information the ~~board~~ **state department** has required to be
- 28 submitted as a condition of receiving a grant.
- 29 (8) Review and make recommendations concerning the
- 30 expenditure of money from the fund.
- 31 (9) Take other action necessary for the purpose ~~stated in~~
- 32 ~~subsection (a):~~ **of administering the fund**.
- 33 (10) Provide to the governor, the general assembly, and the
- 34 legislative council an annual report not later than January 30 of
- 35 each year showing the status of funds appropriated under this
- 36 chapter. The report to the general assembly and the legislative
- 37 council must be in an electronic format under IC 5-14-6.
- 38 ~~(k) A member of the board is exempt from civil liability arising or~~
- 39 ~~thought to arise from an action taken in good faith as a member of the~~
- 40 ~~board.~~
- 41 ~~(l) The department shall annually present to the board a financial~~
- 42 ~~statement that includes the following information for the current and~~

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1 previous fiscal year:

2 (1) The amount of money deposited into the fund:

3 (2) The amount of money expended from the fund:

4 (3) The amount of money, including any reserves, available for  
5 grants from the fund:

6 SECTION 180. IC 16-46-6-1 IS REPEALED [EFFECTIVE JULY  
7 1, 2027]. Sec. 1: As used in this chapter, "council" refers to the  
8 interagency state council on black and minority health:

9 SECTION 181. IC 16-46-6-3 IS REPEALED [EFFECTIVE JULY  
10 1, 2027]. Sec. 3: The state department shall establish the interagency  
11 state council on black and minority health:

12 SECTION 182. IC 16-46-6-4 IS REPEALED [EFFECTIVE JULY  
13 1, 2027]. Sec. 4: (a) The council consists of the following twenty-one  
14 (21) members:

15 (1) Two (2) members of the house of representatives from  
16 different political parties appointed by the speaker of the house  
17 of representatives:

18 (2) Two (2) members of the senate from different political  
19 parties appointed by the president pro tempore of the senate:

20 (3) The governor or the governor's designee:

21 (4) The state health commissioner or the commissioner's  
22 designee:

23 (5) The director of the division of family resources established  
24 by IC 12-13-1-1 or the director's designee:

25 (6) The director of the office of Medicaid policy and planning  
26 established by IC 12-8-6.5-1 or the director's designee:

27 (7) The director of the division of mental health and addiction  
28 established by IC 12-21-1-1 or the director's designee:

29 (8) The commissioner of the department of correction or the  
30 commissioner's designee:

31 (9) One (1) representative of a local health department appointed  
32 by the governor:

33 (10) One (1) representative of a public health care facility  
34 appointed by the governor:

35 (11) One (1) psychologist appointed by the governor who:

36 (A) is licensed to practice psychology in Indiana; and

37 (B) has knowledge and experience in the special health  
38 needs of minorities:

39 (12) One (1) member appointed by the governor based on the  
40 recommendation of the Indiana State Medical Association:

41 (13) One (1) member appointed by the governor based on the  
42 recommendation of the National Medical Association:

HB 1003—LS 6756/DI 92



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- 1 (14) One (1) member appointed by the governor based on the
- 2 recommendation of the Indiana Hospital and Health Association:
- 3 (15) One (1) member appointed by the governor based on the
- 4 recommendation of the American Cancer Society:
- 5 (16) One (1) member appointed by the governor based on the
- 6 recommendation of the American Heart Association:
- 7 (17) One (1) member appointed by the governor based on the
- 8 recommendation of the American Diabetes Association:
- 9 (18) One (1) member appointed by the governor based on the
- 10 recommendation of the Black Nurses Association:
- 11 (19) One (1) member appointed by the governor based on the
- 12 recommendation of the Indiana Minority Health Coalition:

13 (b) At least fifty-one percent (51%) of the members of the council  
 14 must be minorities:

15 SECTION 183. IC 16-46-6-5 IS REPEALED [EFFECTIVE JULY  
 16 1, 2027]. Sec. 5: (a) Except as provided in subsection (b), all  
 17 appointments to the council are for two (2) years. A legislative  
 18 member's term expires on June 30 of an odd-numbered year.

19 (b) The term of a member appointed by the governor is four (4)  
 20 years and expires as follows:

- 21 (1) June 30, 2025, and each fourth year thereafter for a member
- 22 appointed under section 4(a)(9) through 4(a)(14) of this chapter.
- 23 (2) December 31, 2025, and each fourth year thereafter for a
- 24 member appointed under section 4(a)(15) through 4(a)(19) of
- 25 this chapter.

26 (c) A member may be reappointed to the commission for  
 27 succeeding terms:

28 SECTION 184. IC 16-46-6-6 IS REPEALED [EFFECTIVE JULY  
 29 1, 2027]. Sec. 6: The council shall select a chairman from the  
 30 membership annually.

31 SECTION 185. IC 16-46-6-7 IS REPEALED [EFFECTIVE JULY  
 32 1, 2027]. Sec. 7: Appointments to fill a vacancy are for the remainder  
 33 of an unexpired term and are made by the authority who made the  
 34 original appointment.

35 SECTION 186. IC 16-46-6-8 IS REPEALED [EFFECTIVE JULY  
 36 1, 2027]. Sec. 8: The state department shall provide staff for the  
 37 council:

38 SECTION 187. IC 16-46-6-9 IS REPEALED [EFFECTIVE JULY  
 39 1, 2027]. Sec. 9: The council shall hold at least four (4) meetings  
 40 annually:

41 SECTION 188. IC 16-46-6-10 IS AMENDED TO READ AS  
 42 FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 10. The council state

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- 1 **department** shall do the following:
- 2 (1) Identify and study the special health care needs and health
- 3 problems of minorities.
- 4 (2) Examine the factors and conditions that affect the health of
- 5 minorities.
- 6 (3) Examine the health care services available to minorities in
- 7 the public and private sector and determine the extent to which
- 8 these services meet the needs of minorities.
- 9 (4) Study the state and federal laws concerning the health needs
- 10 of minorities.
- 11 (5) Examine the coordination of services to minorities and
- 12 recommend improvements in the delivery of services.
- 13 (6) Examine funding sources for minority health care.
- 14 (7) Examine and recommend preventive measures concerning
- 15 the leading causes of death or injury among minorities, including
- 16 the following:
- 17 (A) Heart disease.
- 18 (B) Stroke.
- 19 (C) Cancer.
- 20 (D) Intentional injuries.
- 21 (E) Accidental death and injury.
- 22 (F) Cirrhosis.
- 23 (G) Diabetes.
- 24 (H) Infant mortality.
- 25 (I) HIV and acquired immune deficiency syndrome.
- 26 (J) Mental Health.
- 27 (K) Substance Abuse.
- 28 (8) Examine the impact of the following on minorities:
- 29 (A) Adolescent pregnancy.
- 30 (B) Sexually transmitted and other communicable diseases.
- 31 (C) Lead poisoning.
- 32 (D) Long term disability and aging.
- 33 (E) Sickle cell anemia.
- 34 (9) Monitor the Indiana minority health initiative and other
- 35 public policies that affect the health status of minorities.
- 36 (10) Develop and implement a comprehensive plan and time line
- 37 to address health disparities and health issues of minority
- 38 populations in Indiana.
- 39 SECTION 189. IC 16-46-6-11 IS REPEALED [EFFECTIVE
- 40 JULY 1, 2027]. ~~Sec. 11. The council shall submit a report in an~~
- 41 ~~electronic format under IC 5-14-6 to the general assembly before~~
- 42 ~~November 1 of each year. The report must include the following:~~

HB 1003—LS 6756/DI 92



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1           (1) The findings and conclusions of the council:  
2           (2) Recommendations of the council:  
3           SECTION 190. IC 16-46-6-12 IS REPEALED [EFFECTIVE  
4           JULY 1, 2027]. Sec. 12: (a) Except as otherwise provided, a person  
5           who recklessly violates or fails to comply with this chapter commits a  
6           Class B misdemeanor:  
7           (b) Each day a violation continues constitutes a separate offense:  
8           SECTION 191. IC 16-46-6-13 IS REPEALED [EFFECTIVE  
9           JULY 1, 2027]. Sec. 13: (a) Each member of the council who is not a  
10          state employee is entitled to the minimum salary per diem provided by  
11          IC 4-10-11-2.1(b). The council member is also entitled to  
12          reimbursement for mileage; traveling expenses as provided under  
13          IC 4-13-1-4; and other expenses actually incurred in connection with  
14          the member's duties as provided in the state policies and procedures  
15          established by the Indiana department of administration and approved  
16          by the budget agency:  
17          (b) Each member of the council who is a state employee is entitled  
18          to reimbursement for traveling expenses as provided under IC 4-13-1-4  
19          and other expenses actually incurred in connection with the member's  
20          duties as provided in the state policies and procedures established by  
21          the Indiana department of administration and approved by the budget  
22          agency:  
23          (c) Except as provided in subsection (d); expenses incurred under  
24          this section must be paid out of the funds appropriated to the state  
25          department:  
26          (d) Each member of the council who is a member of the general  
27          assembly is entitled to receive the same per diem; mileage; and travel  
28          allowances paid to legislative members of interim study committees  
29          established by the legislative council. Per diem; mileage; and travel  
30          allowances paid under this subsection shall be paid from appropriations  
31          made to the legislative council or the legislative services agency:  
32          SECTION 192. IC 16-46-11-1, AS AMENDED BY P.L.56-2023,  
33          SECTION 171, IS AMENDED TO READ AS FOLLOWS  
34          [EFFECTIVE JULY 1, 2027]: Sec. 1. The office of minority health and  
35          the state department; in partnership with the Indiana Minority Health  
36          Coalition, Inc.; **Indiana cultural commission established by**  
37          **IC 4-23-36** shall do the following:  
38                  (1) Staff, coordinate, and assist in the implementation of the  
39                  comprehensive health plan developed by the interagency state  
40                  council on black and minority health established under  
41                  IC 16-46-6.  
42                  (2) Expand, develop, and implement a community based state

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- 1 structure that is conducive to addressing the health disparities of
- 2 the minority populations in Indiana.
- 3 (3) Monitor minority health progress.
- 4 (4) Establish policy.
- 5 (5) Fund minority health programs, research, and other
- 6 initiatives.
- 7 (6) Provide the following through interdepartmental
- 8 coordination:
- 9 (A) The data and technical assistance needs of the local
- 10 minority health coalitions.
- 11 (B) Measurable minority health objectives to local minority
- 12 health coalitions for the development of health intervention
- 13 programs.
- 14 (7) Provide through the state health data center established by
- 15 IC 16-19-10-3 minority health research and resource information
- 16 addressing the following:
- 17 (A) Research within minority populations.
- 18 (B) A resource database that can be disseminated to local
- 19 organizations interested in minority health.
- 20 (C) Racial and ethnic specific databases including
- 21 morbidity, diagnostic groups, social/economic, education,
- 22 and population.
- 23 (D) Attitude, knowledge, and belief information.
- 24 (8) Staff a minority health hotline that establishes linkages with
- 25 other health and social service hotlines and local coalitions.
- 26 (9) Develop and implement an aggressive recruitment and
- 27 retention program to increase the number of minorities in the
- 28 health and social services professions.
- 29 (10) Develop and implement an awareness program that will
- 30 increase the knowledge of health and social service providers to
- 31 the special needs of minorities.
- 32 (11) Develop and implement culturally and linguistically
- 33 appropriate health promotion and disease prevention programs
- 34 that would emphasize avoiding the health risk factors for
- 35 conditions affecting minorities and incorporate an accessible,
- 36 affordable, and acceptable early detection and intervention
- 37 component.
- 38 (12) Provide the state support necessary to ensure the continued
- 39 development of the existing minority health coalitions and to
- 40 develop coalitions in other areas targeted for minority health
- 41 intervention.
- 42 (13) Coordinate each of the counties with existing local minority

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- 1 health coalitions to:
- 2 (A) provide community planning and needs assessment
- 3 assistance to the local minority health coalitions; and
- 4 (B) assist the local minority health coalitions in the
- 5 development of local minority health intervention plans.
- 6 The plans shall be developed to coincide with the state
- 7 fiscal year.
- 8 (14) Establish a liaison between the state department and the
- 9 Indiana Minority Health Coalition, Inc., to:
- 10 (A) coordinate the state department resources needed for
- 11 the development of local coalitions;
- 12 (B) provide assistance to and monitor the local coordinators
- 13 in the development of local intervention plans;
- 14 (C) serve as the barometer to the state department on the
- 15 minority health concerns of local coalitions;
- 16 (D) assist in coordinating the minority community input on
- 17 state policies and programs;
- 18 (E) serve as the linkage with the state department and the
- 19 local minority health coordinators; and
- 20 (F) monitor the progress of the fulfilling of their
- 21 responsibilities.
- 22 (15) Provide funding, within the limits of appropriations, to
- 23 support preventive health, education, and treatment programs in
- 24 the minority communities that are developed, planned, and
- 25 evaluated by approved organizations.
- 26 (16) Provide assistance to local communities to obtain funding
- 27 for the development of a health care delivery system to meet the
- 28 needs, gaps, and barriers identified in the local plans.
- 29 SECTION 193. IC 16-46-11.1 IS REPEALED [EFFECTIVE
- 30 JULY 1, 2027]. (Commission on Health Care Interpreters and
- 31 Translators).
- 32 SECTION 194. IC 20-20-38-4, AS AMENDED BY P.L.213-2025,
- 33 SECTION 163, IS AMENDED TO READ AS FOLLOWS
- 34 [EFFECTIVE JULY 1, 2027]: Sec. 4. (a) The state board shall develop
- 35 and implement a long range state plan for a comprehensive secondary
- 36 level career and technical education program in Indiana.
- 37 (b) The plan developed under this section must be updated as
- 38 changes occur. The state board shall make the plan and any revisions
- 39 made to the plan available to:
- 40 (1) the governor;
- 41 (2) the general assembly;
- 42 (3) the department of workforce development;

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- 1 (4) the commission for higher education; **and**
- 2 ~~(5) the board for proprietary education; and~~
- 3 ~~(6) (5) any other appropriate state or federal agency.~~
- 4 A plan or revised plan submitted under this section to the general
- 5 assembly must be in an electronic format under IC 5-14-6.
- 6 (c) The plan developed under this section must set forth specific
- 7 goals for secondary level public career and technical education and
- 8 must include the following:
- 9 (1) The preparation of each graduate for both employment and
- 10 further education.
- 11 (2) Accessibility of career and technical education to individuals
- 12 of all ages who desire to explore and learn for economic and
- 13 personal growth.
- 14 (3) Projected employment opportunities in various career and
- 15 technical education fields.
- 16 (4) A study of the supply of and the demand for a labor force
- 17 skilled in particular career and technical education areas.
- 18 (5) A study of technological and economic change affecting
- 19 Indiana.
- 20 (6) An analysis of the private career and education sector in
- 21 Indiana.
- 22 (7) Recommendations for improvement in the state career and
- 23 technical education program.
- 24 (8) The educational levels expected of career and technical
- 25 education programs proposed to meet the projected employment
- 26 needs.
- 27 (d) When making any revisions to the plan, the state board shall
- 28 consider the workforce needs and training and education needs
- 29 identified in the occupational demand report prepared by the
- 30 department of workforce development under IC 22-4.1-4-10.
- 31 (e) The state board shall use data from the department of
- 32 workforce development to develop and implement a plan or make
- 33 revisions to a plan under this section.
- 34 SECTION 195. IC 20-20-38-6, AS AMENDED BY P.L.213-2025,
- 35 SECTION 164, IS AMENDED TO READ AS FOLLOWS
- 36 [EFFECTIVE JULY 1, 2027]: Sec. 6. (a) The state board shall do the
- 37 following:
- 38 (1) Make recommendations to the general assembly concerning
- 39 the development, duplication, and accessibility of employment
- 40 training and career and technical education on a regional and
- 41 statewide basis.
- 42 (2) Consult with any state agency, commission, or organization

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1 that supervises or administers programs of career and technical  
 2 education concerning the coordination of career and technical  
 3 education, including the following:  
 4 (A) The Indiana economic development corporation.  
 5 (B) A private industry council (as defined in 29 U.S.C. 1501  
 6 et seq.).  
 7 (C) The department of labor.  
 8 (D) The commission for higher education.  
 9 (E) The department of workforce development.  
 10 ~~(F) The board for proprietary education.~~  
 11 ~~(G)~~ (F) The **Indiana** department of veterans' affairs.  
 12 (3) Review and make recommendations concerning plans  
 13 submitted by the commission for higher education. The state  
 14 board may request the resubmission of plans or parts of plans  
 15 that:  
 16 (A) are not consistent with the long range state plan of the  
 17 state board;  
 18 (B) are incompatible with other plans within the system; or  
 19 (C) duplicate existing services.  
 20 (4) Report to the general assembly on the state board's  
 21 conclusions and recommendations concerning interagency  
 22 cooperation, coordination, and articulation of career and  
 23 technical education and employment training. A report under  
 24 this subdivision must be in an electronic format under IC 5-14-6.  
 25 (5) Study and develop a plan concerning the transition between  
 26 secondary level career and technical education and  
 27 postsecondary level career and technical education.  
 28 (b) The state board shall use data from the department of  
 29 workforce development in carrying out the state board's duties under  
 30 this section.  
 31 SECTION 196. IC 20-26-5-6, AS AMENDED BY P.L.56-2023,  
 32 SECTION 177, IS AMENDED TO READ AS FOLLOWS  
 33 [EFFECTIVE JULY 1, 2027]: Sec. 6. All powers delegated to the  
 34 governing body of a school corporation under section 1 or 4 of this  
 35 chapter are subject to all laws subjecting the school corporation to  
 36 regulation by a state agency, including the secretary of education, state  
 37 board of accounts, state police department, ~~fire prevention and building~~  
 38 ~~safety commission~~, **department of homeland security**, department of  
 39 local government finance, environmental rules board, state school bus  
 40 committee, Indiana department of health, and any local governmental  
 41 agency to which the state has been delegated a specific authority in  
 42 matters other than educational matters and other than finance,

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HB 1003—LS 6756/DI 92



1 including plan commissions, zoning boards, and boards concerned with  
2 health and safety.

3 SECTION 197. IC 20-37-2-13, AS AMENDED BY P.L.168-2022,  
4 SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
5 JULY 1, 2027]: Sec. 13. (a) As used in this section, "applicable high  
6 school" means a high school at which all the students participate in a  
7 work based learning course (as defined in IC 20-43-8-0.7) or school  
8 based enterprise.

9 (b) As used in this section, "primary use of the building" means an  
10 occupancy classification that is:

- 11 (1) most closely related to the intended use of the building; and
- 12 (2) determined by the rules of the ~~fire prevention and building~~  
13 ~~safety commission established by IC 22-12-2-1~~ **department of**  
14 **homeland security** that apply to the building immediately  
15 preceding the date that the applicable high school agrees to use  
16 the building.

17 (c) Except as provided in subsection (d), an applicable high school  
18 shall comply with all rules of the ~~fire prevention and building safety~~  
19 ~~commission~~ **department of homeland security** applicable to the  
20 primary use of the building.

21 (d) The ~~fire prevention and building commission~~ **department of**  
22 **homeland security** may grant a variance under IC 22-13-2-11 to the  
23 rules applicable to the primary use of the building necessary to  
24 implement this section.

25 SECTION 198. IC 21-7-13-6, AS AMENDED BY P.L.11-2023,  
26 SECTION 70, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
27 JULY 1, 2027]: Sec. 6. (a) "Approved postsecondary educational  
28 institution", for purposes of this title (except section 15 of this chapter  
29 and IC 21-12-6) means the following:

- 30 (1) A postsecondary educational institution that operates in  
31 Indiana and:
  - 32 (A) provides an organized two (2) year or longer program  
33 of collegiate grade directly creditable toward a  
34 baccalaureate degree;
  - 35 (B) is either operated by the state or operated nonprofit; and
  - 36 (C) is accredited by a recognized regional accrediting  
37 agency, including:
    - 38 (i) Ancilla College;
    - 39 (ii) Anderson University;
    - 40 (iii) Bethel University;
    - 41 (iv) Butler University;
    - 42 (v) Calumet College of St. Joseph;

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- 1 (vi) DePauw University;
- 2 (vii) Earlham College;
- 3 (viii) Franklin College;
- 4 (ix) Goshen College;
- 5 (x) Grace College and Seminary;
- 6 (xi) Hanover College;
- 7 (xii) Holy Cross College;
- 8 (xiii) Huntington University;
- 9 (xiv) Indiana Institute of Technology;
- 10 (xv) Indiana Wesleyan University;
- 11 (xvi) Manchester University;
- 12 (xvii) Marian University;
- 13 (xviii) Martin University;
- 14 (xix) Oakland City University;
- 15 (xx) Rose-Hulman Institute of Technology;
- 16 (xxi) Saint Mary-of-the-Woods College;
- 17 (xxii) Saint Mary's College;
- 18 (xxiii) Taylor University;
- 19 (xxiv) Trine University;
- 20 (xxv) University of Evansville;
- 21 (xxvi) University of Indianapolis;
- 22 (xxvii) University of Notre Dame;
- 23 (xxviii) University of Saint Francis;
- 24 (xxix) Valparaiso University; and
- 25 (xxx) Wabash College;
- 26 or is accredited by the ~~board for proprietary education~~
- 27 **commission for higher education** under IC 21-18.5-6 or an
- 28 accrediting agency recognized by the United States
- 29 Department of Education.
- 30 (2) Ivy Tech Community College.
- 31 (3) A hospital that operates a nursing diploma program that is
- 32 accredited by the Indiana state board of nursing.
- 33 (4) A postsecondary credit bearing proprietary educational
- 34 institution that meets the following requirements:
- 35 (A) Is incorporated in Indiana, or is registered as a foreign
- 36 corporation doing business in Indiana.
- 37 (B) Is fully accredited by and is in good standing with the
- 38 ~~board for proprietary education~~ **commission for higher**
- 39 **education** under IC 21-18.5-6.
- 40 (C) Is accredited by and is in good standing with a regional
- 41 or national accrediting agency.
- 42 (D) Offers a course of study that is at least eighteen (18)

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1 consecutive months in duration (or an equivalent to be  
2 determined by the ~~board for proprietary education~~  
3 **commission for high education** under IC 21-18.5-6) and  
4 that leads to an associate or a baccalaureate degree  
5 recognized by the ~~board for proprietary education~~  
6 **commission for higher education** under IC 21-18.5-6.

7 (E) Is certified by the ~~board for proprietary education~~  
8 **commission for higher education** as meeting the  
9 requirements of this subdivision.

10 (5) A postsecondary SEI affiliated educational institution.

11 (b) "Approved postsecondary educational institution" for purposes  
12 of section 15 of this chapter and IC 21-12-6, means the following:

- 13 (1) A state educational institution.
- 14 (2) A nonprofit college or university.
- 15 (3) A postsecondary credit bearing proprietary educational
- 16 institution that is accredited by an accrediting agency recognized
- 17 by the United States Department of Education.
- 18 (4) A postsecondary SEI affiliated educational institution.

19 SECTION 199. IC 21-7-13-26.5, AS ADDED BY P.L.217-2017,  
20 SECTION 142, IS AMENDED TO READ AS FOLLOWS  
21 [EFFECTIVE JULY 1, 2027]: Sec. 26.5. (a) "Postsecondary SEI  
22 affiliated educational institution" means a degree granting and credit  
23 bearing institution that:

- 24 (1) is organized as a public benefit corporation (as described in
- 25 IC 23-17-2-23) and controlled by a state educational institution;
- 26 (2) is authorized under procedures approved by the executive
- 27 officer of the commission under IC 21-18-12.4 to provide
- 28 instructional or educational services or training in Indiana using
- 29 onsite, online, or any combination of these or other instructional
- 30 modalities;
- 31 (3) is accredited by a recognized regional accrediting agency or
- 32 is seeking or progressing toward accreditation by a recognized
- 33 regional accrediting agency; and
- 34 (4) has its debts and liabilities backed by the controlling state
- 35 educational institution described in subdivision (1) in the form
- 36 of a contribution, bond, or other surety consisting solely of
- 37 eligible property (as defined in IC 21-27-10-4).

38 (b) The term does not include the following:

- 39 (1) A state educational institution.
- 40 (2) A postsecondary credit bearing proprietary educational
- 41 institution approved or regulated by the ~~board for proprietary~~  
42 **education commission for higher education** under

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- 1 IC 21-18.5-6.
- 2 (3) Any educational institution or educational training that:
- 3 (A) is maintained or provided by an employer or employers
- 4 at no charge for employees or potential employees;
- 5 (B) is maintained or provided by a labor organization at no
- 6 charge for its members or apprentices; or
- 7 (C) offers instruction that is exclusively focused on
- 8 self-improvement or exclusively intended to be motivational
- 9 or avocational, including instruction in dance, music,
- 10 self-defense, and private tutoring.
- 11 (4) A public or nonprofit degree granting institution organized
- 12 or incorporated in a jurisdiction other than Indiana that offers
- 13 instructional or educational services or training in Indiana.
- 14 (5) A religious institution that offers educational instruction or
- 15 an educational program of a clearly religious nature.
- 16 SECTION 200. IC 21-9-4-1, AS AMENDED BY P.L.43-2021,
- 17 SECTION 139, IS AMENDED TO READ AS FOLLOWS
- 18 [EFFECTIVE JULY 1, 2027]: Sec. 1. (a) The board of directors of the
- 19 authority is established. The board consists of the following:
- 20 (1) The following ~~four (4)~~ **three (3)** ex officio members or
- 21 directors:
- 22 (A) The treasurer of state.
- 23 ~~(B) The secretary of education.~~
- 24 ~~(C) (B)~~ **(B)** The Indiana commissioner for higher education.
- 25 ~~(D) (C)~~ **(C)** The budget director.
- 26 (2) Five (5) ~~appointed~~ **appointed** members or directors ~~who:~~
- 27 ~~(A) are appointed by the governor; and~~
- 28 ~~(B) who~~ have knowledge, skill, and experience in academic,
- 29 business, financial, or education fields **appointed as**
- 30 **follows:**
- 31 **(A) One (1) member appointed by the governor.**
- 32 **(B) Two (2) members appointed by the president pro**
- 33 **tempore of the senate.**
- 34 **(C) Two (2) members appointed by the speaker of the**
- 35 **house of representatives.**
- 36 **A member appointed under clause (B) or (C) may not be a**
- 37 **member of the general assembly.**
- 38 ~~(b) During a member's term of service on the board; Except as~~
- 39 **otherwise provided in this section,** an appointed member of the board
- 40 may not be an official or employee of the state **during the member's**
- 41 **term of service on the board.**
- 42 ~~(c) Not more than three (3) of the appointed members of the board~~

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1 may belong to the same political party:  
2 (c) An appointed member serves a four (4) year term. An  
3 appointed member shall hold over after the expiration of the member's  
4 term until the member's successor is appointed and qualified. **A**  
5 **member may be appointed to successive terms.**

6 (e) The governor may reappoint an appointed member of the  
7 board:

8 (d) A vacancy shall be filled by the appropriate appointing  
9 authority for the balance of an unexpired term in the same manner as  
10 the original appointment.

11 (e) The treasurer of state shall serve as chairman of the board.  
12 The board shall annually elect one (1) of its ex officio members as vice  
13 chairman, and may elect any other officer that the board desires.

14 (f) The governor appointing authority may remove an  
15 appointed member for misfeasance, malfeasance, willful neglect of  
16 duty, or other cause after notice and a public hearing, unless the  
17 member expressly waives the notice and hearing in writing.

18 SECTION 201. IC 21-12-1-8, AS AMENDED BY P.L.157-2023,  
19 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
20 JULY 1, 2027]: Sec. 8. "Eligible institution", for the purposes of:

- 21 (1) IC 21-12-6, refers to a postsecondary educational institution  
22 that qualifies as an eligible institution under IC 21-12-6-4; and
- 23 (2) IC 21-12-8, refers to a postsecondary educational institution  
24 that:

- 25 (A) operates in Indiana;
- 26 (B) is either operated by the state or operated nonprofit;
- 27 (C) operates an organized program of postsecondary  
28 education leading to a technical certificate, nursing  
29 diploma, or associate or baccalaureate degree; and
- 30 (D) is authorized by the department of workforce  
31 development under IC 22-4.1-21 or accredited by:
  - 32 (i) a recognized regional accrediting agency;
  - 33 (ii) the board for proprietary education commission  
34 for higher education under IC 21-18.5-6; or
  - 35 (iii) the Indiana state board of nursing.

36 SECTION 202. IC 21-12-4-2, AS AMENDED BY P.L.281-2013,  
37 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
38 JULY 1, 2027]: Sec. 2. A person is eligible for a freedom of choice  
39 grant if:

- 40 (1) the person is qualified for a higher education award under the  
41 terms of IC 21-12-3-1, IC 21-12-3-2, and IC 21-12-3-3 or  
42 IC 21-12-3-4, even if lack of funds prevents the award or grant;

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- 1 (2) for a freedom of choice grant awarded before September 1,
- 2 2014, the person has a financial need that exceeds the award, as
- 3 determined in accordance with:
- 4 (A) this chapter, IC 21-18.5-4, IC 21-12-2, and IC 21-12-3;
- 5 and
- 6 (B) the rules of the commission; and
- 7 (3) the person will attend an approved postsecondary educational
- 8 institution that:
- 9 (A) either:
- 10 (i) operates in Indiana, provides an organized two (2)
- 11 year or longer program of collegiate grade directly
- 12 creditable toward a baccalaureate degree, is operated
- 13 by a nonprofit entity, and is accredited by a recognized
- 14 regional accrediting agency or the ~~board for proprietary~~
- 15 **education commission for higher education** under
- 16 IC 21-18.5-6; or
- 17 (ii) is a hospital that operates a nursing diploma
- 18 program that is accredited by the Indiana state board of
- 19 nursing; and
- 20 (B) is operated privately and not administered or controlled
- 21 by any state agency or entity.
- 22 SECTION 203. IC 21-12-6-4, AS AMENDED BY P.L.107-2012,
- 23 SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 24 JULY 1, 2027]: Sec. 4. A scholarship recipient may apply a scholarship
- 25 under this chapter to the educational costs of a postsecondary
- 26 educational institution only if the postsecondary educational institution
- 27 qualifies under this section. For a postsecondary educational institution
- 28 to qualify under this section, the postsecondary educational institution
- 29 must satisfy the following requirements:
- 30 (1) Be an approved postsecondary educational institution.
- 31 (2) Be accredited by an agency that is recognized by the
- 32 Secretary of the United States Department of Education.
- 33 (3) Operate an organized program of postsecondary education
- 34 leading to an associate or a baccalaureate degree on a campus
- 35 located in Indiana.
- 36 (4) Be approved by the commission:
- 37 (A) under rules adopted under IC 4-22-2; and
- 38 (B) in consultation with the ~~board for proprietary education~~
- 39 **established by IC 21-18.5-5-1, commission for higher**
- 40 **education, if appropriate.**
- 41 SECTION 204. IC 21-13-6-7, AS ADDED BY P.L.170-2009,
- 42 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

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HB 1003—LS 6756/DI 92



1 JULY 1, 2027]: Sec. 7. The medical **graduate and** education board  
 2 shall annually make available to the commission the most recent  
 3 information concerning the number of primary care physicians who are  
 4 serving as medical residents in Indiana.

5 SECTION 205. IC 21-13-6.5-3, AS ADDED BY P.L.190-2015,  
 6 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 7 JULY 1, 2027]: Sec. 3. The medical **graduate and** education board  
 8 shall annually make available to the commission the most recent  
 9 information concerning the number of current residency program slots  
 10 in Indiana.

11 SECTION 206. IC 21-16-4-7, AS AMENDED BY P.L.152-2018,  
 12 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 13 JULY 1, 2027]: Sec. 7. The commission may remove an eligible  
 14 institution's qualified status upon finding, after reasonable notice and  
 15 hearing, that the eligible institution fails to meet the standards  
 16 established by the commission. The commission may direct the  
 17 department of workforce development ~~or the board for proprietary~~  
 18 ~~education~~ to review a school under its jurisdiction, or a comparable  
 19 school outside Indiana that is an eligible institution under this chapter.  
 20 The commission may use the results of the review to determine  
 21 whether to remove an eligible institution's qualified status.

22 SECTION 207. IC 21-18-1-5 IS REPEALED [EFFECTIVE UPON  
 23 PASSAGE]. Sec. 5: "~~Nominating committee~~" refers to the nominating  
 24 committee established under IC 21-18-3-4.

25 SECTION 208. IC 21-18-3-3 IS REPEALED [EFFECTIVE UPON  
 26 PASSAGE]. Sec. 3: The governor shall appoint the student member  
 27 and the full-time faculty member of the commission from a list that:

28 (1) contains at least three (3) names but not more than five (5)  
 29 names for each appointment; and

30 (2) is submitted by a nominating committee.

31 SECTION 209. IC 21-18-3-4 IS REPEALED [EFFECTIVE UPON  
 32 PASSAGE]. Sec. 4: The chairperson of the commission shall appoint  
 33 a seven (7) member student member nominating committee comprised  
 34 of students from state educational institutions; with not more than one  
 35 (1) student from any one (1) state educational institution.

36 SECTION 210. IC 21-18-3-4.5 IS REPEALED [EFFECTIVE  
 37 UPON PASSAGE]. Sec. 4.5: The chairperson of the commission shall  
 38 appoint a seven (7) member faculty member nominating committee  
 39 comprised of seven (7) full-time faculty members from state  
 40 educational institutions; with not more than one (1) faculty member  
 41 from any one (1) state educational institution.

42 SECTION 211. IC 21-18-6-1, AS AMENDED BY P.L.213-2025,

HB 1003—LS 6756/DI 92



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1 SECTION 245, IS AMENDED TO READ AS FOLLOWS  
2 [EFFECTIVE JULY 1, 2027]: Sec. 1. The general purposes of the  
3 commission are the following:

- 4 (1) Plan for and coordinate Indiana's state supported system of  
5 postsecondary education.
- 6 (2) Review appropriation requests of state educational  
7 institutions.
- 8 (3) Make recommendations to the governor, budget agency, or  
9 the general assembly concerning postsecondary education.
- 10 (4) Perform other functions assigned by the governor or the  
11 general assembly.
- 12 (5) Administer state financial aid programs under IC 21-18.5-4.
- 13 ~~(6) Provide staff and office space for the board for proprietary~~  
14 ~~education established by IC 21-18.5-5-1.~~

15 SECTION 212. IC 21-18-12-1, AS AMENDED BY P.L.92-2020,  
16 SECTION 106, IS AMENDED TO READ AS FOLLOWS  
17 [EFFECTIVE JULY 1, 2027]: Sec. 1. (a) The Indiana e-transcript  
18 program is created to allow students at all state accredited high schools  
19 accredited under IC 20-31-4.1 located in Indiana to request that the  
20 student's school transcripts be transmitted electronically to state  
21 educational institutions, participating Indiana not-for-profit or privately  
22 endowed institutions, and participating Indiana institutions authorized  
23 by the ~~board for proprietary education established by IC 21-18.5-5-1.~~  
24 **commission for higher education.**

- 25 (b) The commission shall administer the program.
- 26 (c) Beginning July 1, 2013, the department of education  
27 established by IC 20-19-3-1, in collaboration with the state educational  
28 institutions and the commission, shall develop a common electronic  
29 transcript, using common data fields and formats that are required by  
30 state educational institutions.
- 31 (d) Not later than July 1, 2015, all public secondary schools shall  
32 use the common electronic transcript developed by the department of  
33 education.
- 34 (e) The governing body of a state accredited nonpublic secondary  
35 school may elect to use the common electronic transcript developed by  
36 the department of education.

37 SECTION 213. IC 21-18.5-1-3, AS AMENDED BY  
38 P.L.152-2018, SECTION 15, IS AMENDED TO READ AS  
39 FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 3. Any reference to the  
40 Indiana commission for postsecondary proprietary education or the  
41 Indiana commission on proprietary education in any statute or rule  
42 shall be treated:

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- 1 (1) after June 30, 2012, as a reference to the board for
- 2 proprietary education established by IC 21-18.5-5-1 **(before its**
- 3 **repeal)** if the reference pertains to a postsecondary credit
- 4 bearing proprietary educational institution; or
- 5 (2) if the reference pertains to a postsecondary proprietary
- 6 educational institution (as defined in IC 22-4.1-21-9):
- 7 (A) after June 30, 2012, and before July 1, 2016, as a
- 8 reference to the state workforce innovation council
- 9 established by IC 22-4.1-22-3 (before its repeal); or
- 10 (B) after June 30, 2016, as a reference to the department of
- 11 workforce development established by IC 22-4.1-2-1.

12 SECTION 214. IC 21-18.5-1-4, AS AMENDED BY  
 13 P.L.152-2018, SECTION 16, IS AMENDED TO READ AS  
 14 FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 4. (a) Changes made by  
 15 P.L.218-1987 do not affect:

- 16 (1) rights or liabilities accrued;
- 17 (2) penalties incurred;
- 18 (3) crimes committed; or
- 19 (4) proceedings begun;
- 20 before July 1, 1987. These rights, liabilities, penalties, crimes, and
- 21 proceedings continue and shall be imposed and enforced under prior
- 22 law as if P.L.218-1987 had not been enacted.

23 (b) The abolishment of the Indiana commission on proprietary  
 24 education on July 1, 2012, by P.L.107-2012 does not affect:

- 25 (1) rights or liabilities accrued;
- 26 (2) penalties incurred;
- 27 (3) crimes committed; or
- 28 (4) proceedings begun;

29 before July 1, 2012, that pertain to a postsecondary credit bearing  
 30 proprietary educational institution. These rights, liabilities, penalties,  
 31 crimes, and proceedings continue and shall be imposed and enforced  
 32 by the board for proprietary education established by IC 21-18.5-5-1  
 33 **(before its repeal).**

34 (c) The abolishment of the Indiana commission on proprietary  
 35 education on July 1, 2012, by P.L.107-2012 does not affect:

- 36 (1) rights or liabilities accrued;
- 37 (2) penalties incurred;
- 38 (3) crimes committed; or
- 39 (4) proceedings begun;

40 before July 1, 2012, that pertain to a postsecondary proprietary  
 41 educational institution (as defined in IC 22-4.1-21-9). After June 30,  
 42 2012, and before July 1, 2016, these rights, liabilities, penalties, crimes,

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1 and proceedings continue and shall be imposed and enforced by the  
 2 state workforce innovation council established under IC 22-4.1-22-3  
 3 (before its repeal). After June 30, 2016, these rights, liabilities,  
 4 penalties, crimes, and proceedings continue and shall be imposed and  
 5 enforced by the department of workforce development established by  
 6 IC 22-4.1-2-1.

7 SECTION 215. IC 21-18.5-1-5, AS AMENDED BY  
 8 P.L.152-2018, SECTION 17, IS AMENDED TO READ AS  
 9 FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 5. (a) The Indiana  
 10 commission on proprietary education is abolished on July 1, 2012.

11 (b) Unless otherwise specified in a memorandum of understanding  
 12 described in subsection (e), the following are transferred on July 1,  
 13 2012, from the Indiana commission on proprietary education to the  
 14 commission for higher education established by IC 21-18-2-1:

15 (1) All real and personal property of the Indiana commission on  
 16 proprietary education.

17 (2) All assets and liabilities of the Indiana commission on  
 18 proprietary education.

19 (3) All appropriations to the Indiana commission on proprietary  
 20 education.

21 (c) All powers and duties of the Indiana commission on  
 22 proprietary education before its abolishment pertaining to the  
 23 accreditation of a postsecondary credit bearing proprietary educational  
 24 institution are transferred to the board for proprietary education  
 25 established by IC 21-18.5-5-1 (**before its repeal**).

26 (d) All powers and duties of the Indiana commission on  
 27 proprietary education before its abolishment pertaining to the  
 28 accreditation of a postsecondary proprietary educational institution (as  
 29 defined in IC 22-4.1-21-9) are transferred to the state workforce  
 30 innovation council established by IC 22-4.1-22-3 (before its repeal).  
 31 After June 30, 2016, all powers and duties transferred to the state  
 32 workforce innovation council by this subsection are transferred to the  
 33 department of workforce development established by IC 22-4.1-2-1.

34 (e) The commission for higher education established by  
 35 IC 21-18-2-1 may enter into a memorandum of understanding with the  
 36 state workforce innovation council established by IC 22-4.1-22-3  
 37 (before its repeal) to implement the transition of the responsibilities  
 38 and obligations of the Indiana commission on proprietary education  
 39 before its abolishment to the commission for higher education and the  
 40 state workforce innovation council. After June 30, 2016, the rights,  
 41 powers, duties, and obligations of the state workforce innovation  
 42 council under a memorandum of understanding entered into by the

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HB 1003—LS 6756/DI 92



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1 state workforce innovation council under this subsection are transferred  
 2 to the department of workforce development established by  
 3 IC 22-4.1-2-1.

4 (f) Rules that were adopted by the Indiana commission on  
 5 proprietary education before July 1, 2012, shall be treated as though the  
 6 rules were adopted by the state workforce innovation council  
 7 established by IC 22-4.1-22-3 (before its repeal) until the state  
 8 workforce innovation council or the department of workforce  
 9 development adopts rules under IC 4-22-2 to implement IC 22-4.1-21.  
 10 Rules that were adopted by the state workforce innovation council after  
 11 June 30, 2012, and before July 1, 2016, to implement IC 22-4.1-21  
 12 shall be treated as though the rules were adopted by the department of  
 13 workforce development until the department of workforce development  
 14 adopts rules under IC 4-22-2 to implement IC 22-4.1-21.

15 (g) An accreditation granted or a permit issued under IC 21-17-3  
 16 (repealed) by the Indiana commission on proprietary education before  
 17 July 1, 2012, shall be treated after June 30, 2012, as an authorization  
 18 granted by the:

- 19 (1) board for proprietary education established by IC 21-18.5-5-1  
 20 **(before its repeal)** if the accreditation pertains to a  
 21 postsecondary credit bearing proprietary educational institution  
 22 (as defined in IC 21-18.5-2-12); or  
 23 (2) department of workforce development if the accreditation  
 24 pertains to a postsecondary proprietary educational institution  
 25 (as defined in IC 22-4.1-21-9).

26 (h) An accreditation granted or a permit issued before May 15,  
 27 2013, under IC 21-17-3 (repealed):

- 28 (1) by the board for proprietary education established by  
 29 IC 21-18.5-5-1 **(before its repeal)** shall be treated as an  
 30 authorization granted by the board for proprietary education  
 31 **(before its repeal); and**  
 32 (2) by the state workforce innovation council shall be treated as  
 33 an authorization granted by the department of workforce  
 34 development.

35 (i) Proceedings pending before the Indiana commission on  
 36 proprietary education on July 1, 2012, shall be transferred from the  
 37 Indiana commission on proprietary education to:

- 38 (1) the board for proprietary education established by  
 39 IC 21-18.5-5-1 **(before its repeal)** for a proceeding pertaining to  
 40 a postsecondary credit bearing proprietary educational institution  
 41 (as defined in IC 21-18.5-2-12); or  
 42 (2) the state workforce innovation council if the proceeding

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1           pertains to a postsecondary proprietary educational institution  
2           (as defined in IC 22-4.1-21-9).

3           (j) Proceedings that pertain to a postsecondary proprietary  
4           educational institution (as defined in IC 22-4.1-21-9) pending before  
5           the state workforce innovation council on July 1, 2012, shall be  
6           transferred from the state workforce innovation council to the  
7           department of workforce development established by IC 22-4.1-2-1.

8           SECTION 216. IC 21-18.5-1-7 IS ADDED TO THE INDIANA  
9           CODE AS A **NEW SECTION TO READ AS FOLLOWS**  
10          [EFFECTIVE JULY 1, 2027]: **Sec. 7. All of the rights, duties,**  
11          **obligations, and responsibilities transferred from the Indiana**  
12          **commission on proprietary education to the board for proprietary**  
13          **education established by IC 21-18.5-5-1 (before its expiration)**  
14          **under this chapter are transferred to the commission for higher**  
15          **education, including the following:**

16               **(1) The rights, liabilities, penalties, crimes, and proceedings**  
17               **described in section 4(b) of this chapter continue and are**  
18               **imposed and enforced by the commission for higher**  
19               **education.**

20               **(2) The powers and duties described in section 5(c) of this**  
21               **chapter are transferred to the commission for higher**  
22               **education.**

23               **(3) An accreditation granted or a permit issued as described**  
24               **in sections 5(g) of this chapter is treated as an authorization**  
25               **by the commission for higher education.**

26               **(4) Any proceedings pending as described in section 5(i) of**  
27               **this chapter are transferred to the commission for higher**  
28               **education.**

29          SECTION 217. IC 21-18.5-2-5, AS AMENDED BY  
30          P.L.273-2013, SECTION 6, IS AMENDED TO READ AS FOLLOWS  
31          [EFFECTIVE JULY 1, 2027]: Sec. 5. "Application", for purposes of  
32          IC 21-18.5-6, means a written request for authorization on forms  
33          supplied by the ~~board for proprietary education~~: **commission for**  
34          **higher education.**

35          SECTION 218. IC 21-18.5-2-5.5, AS ADDED BY P.L.273-2013,  
36          SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
37          JULY 1, 2027]: Sec. 5.5. "Authorization", for purposes of IC 21-18.5-6,  
38          means certification of a status of approval or authorization by the ~~board~~  
39          ~~for proprietary education~~ **commission for higher education** to conduct  
40          business as a postsecondary credit bearing proprietary educational  
41          institution.

42          SECTION 219. IC 21-18.5-2-12, AS AMENDED BY

HB 1003—LS 6756/DI 92



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1 P.L.273-2013, SECTION 8, IS AMENDED TO READ AS FOLLOWS  
 2 [EFFECTIVE JULY 1, 2027]: Sec. 12. (a) "Postsecondary credit  
 3 bearing proprietary educational institution" means a degree granting  
 4 and credit bearing institution that provides instructional or educational  
 5 services or training, whether onsite, online, or through any combination  
 6 of these or other instructional modalities, and is accredited by an  
 7 accrediting agency recognized by the United States Department of  
 8 Education or is seeking and progressing toward accreditation by an  
 9 accrediting agency recognized by the United States Department of  
 10 Education.

11 (b) The term does not include the following:

12 (1) An Indiana state educational institution or another Indiana  
 13 educational institution established by law and financed in whole  
 14 or in part by public funds.

15 (2) A postsecondary proprietary educational institution approved  
 16 or regulated by any other state regulatory board, agency, or  
 17 commission other than the ~~board for proprietary education~~  
 18 **commission for higher education**.

19 (3) An elementary or secondary school attended by students in  
 20 kindergarten or grades 1 through 12 and supported in whole or  
 21 in part by private tuition payments.

22 (4) Any educational institution or educational training that:

23 (A) is maintained or given by an employer or a group of  
 24 employers, without charge, for employees or for individuals  
 25 the employer anticipates employing;

26 (B) is maintained or given by a labor organization, without  
 27 charge, for its members or apprentices;

28 (C) offers exclusively instruction that is clearly  
 29 self-improvement, motivational, or avocational in intent  
 30 (including instruction in dance, music, or self-defense, and  
 31 private tutoring); or

32 (D) is a Montessori or nursery school.

33 (5) A privately endowed two (2) or four (4) year degree granting  
 34 institution that is regionally accredited and whose principal  
 35 campus is located in Indiana.

36 (6) Out-of-state public and nonprofit degree granting institutions  
 37 offering instructional or educational services or training in  
 38 Indiana.

39 (7) A religious institution that offers educational instruction or  
 40 an educational program of a clearly religious nature.

41 SECTION 220. IC 21-18.5-4-11 IS REPEALED [EFFECTIVE  
 42 JULY 1, 2027]. ~~Sec. 11. The commission may cooperate in developing~~

HB 1003—LS 6756/DI 92



1 training programs concerning grant program requirements with the  
2 board for proprietary education:

3 SECTION 221. IC 21-18.5-5-1 IS REPEALED [EFFECTIVE  
4 JULY 1, 2027]. Sec. 1: The board for proprietary education is  
5 established:

6 SECTION 222. IC 21-18.5-5-2 IS REPEALED [EFFECTIVE  
7 JULY 1, 2027]. Sec. 2: (a) The board for proprietary education consists  
8 of the following seven (7) members:

9 (1) The secretary of education or the secretary's designee;

10 (2) The executive officer of the commission for higher education  
11 or the executive officer's designee;

12 (3) Five (5) members appointed by the governor:

13 (b) The members appointed by the governor under subsection (a)  
14 serve for a term of four (4) years:

15 (c) Not more than three (3) of the members appointed by the  
16 governor may be members of the same political party:

17 (d) Of the five (5) members appointed by the governor:

18 (1) one (1) must have been engaged for a period of at least five  
19 (5) years immediately preceding appointment in an executive or  
20 a managerial position in a postsecondary proprietary educational  
21 institution subject to IC 21-18.5-6;

22 (2) one (1) must have been engaged in administering or  
23 managing an industrial employee training program for a period  
24 of at least five (5) years immediately preceding appointment; and

25 (3) three (3) must be representatives of the public at large who  
26 are not representatives of the types of postsecondary credit  
27 bearing proprietary educational institutions to be authorized.

28 For purposes of subdivision (3); an elected or appointed state or local  
29 official or a member of a private or public school may not be appointed  
30 as a representative of the public at large:

31 (e) An appointment to fill a vacancy occurring on the board for  
32 proprietary education is for the unexpired term.

33 SECTION 223. IC 21-18.5-5-3 IS REPEALED [EFFECTIVE  
34 JULY 1, 2027]. Sec. 3: (a) A member of the board for proprietary  
35 education who is not a state employee is entitled to the minimum salary  
36 per diem provided by IC 4-10-11-2.1(b). The member is also entitled  
37 to reimbursement for traveling expenses as provided under IC 4-13-1-4  
38 and other expenses actually incurred in connection with the member's  
39 duties as provided in the state policies and procedures established by  
40 the Indiana department of administration and approved by the budget  
41 agency:

42 (b) Each member of the board for proprietary education who is a

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1 state employee is entitled to reimbursement for traveling expenses as  
2 provided under IC 4-13-1-4 and other expenses actually incurred in  
3 connection with the member's duties as provided in the state policies  
4 and procedures established by the Indiana department of administration  
5 and approved by the budget agency.

6 SECTION 224. IC 21-18.5-5-4 IS REPEALED [EFFECTIVE  
7 JULY 1, 2027]. Sec. 4: (a) The board for proprietary education may  
8 select officers from the board for proprietary education's membership  
9 as the board for proprietary education considers necessary.

10 (b) The board for proprietary education may adopt reasonable  
11 rules under IC 4-22-2 to implement this chapter and IC 21-18.5-6.

12 (c) The board for proprietary education:

- 13 (1) may meet as necessary upon call of the chairperson; and
- 14 (2) shall meet at least four (4) times a year.

15 SECTION 225. IC 21-18.5-5-5 IS REPEALED [EFFECTIVE  
16 JULY 1, 2027]. Sec. 5: An associate commissioner of the commission  
17 (as defined in IC 21-18.5-2-7) shall serve as the executive director of  
18 the board for proprietary education.

19 SECTION 226. IC 21-18.5-5-6 IS ADDED TO THE INDIANA  
20 CODE AS A NEW SECTION TO READ AS FOLLOWS  
21 [EFFECTIVE JULY 1, 2027]: Sec. 6. (a) The following are  
22 transferred on July 1, 2027, from the board for proprietary  
23 education to the commission for higher education:

- 24 (1) All real and personal property of the board for  
25 proprietary education.
- 26 (2) All powers, duties, assets, and liabilities of the board for  
27 proprietary education.
- 28 (3) All appropriations to the board for proprietary  
29 education.

30 (b) All rules or policies that were adopted by the board for  
31 proprietary education before July 1, 2027, are treated as though  
32 the rules were adopted by the commission for higher education.

33 (c) After July 1, 2027, a reference to the board for proprietary  
34 education in a statute or a rule is treated as a reference to the  
35 commission for higher education.

36 SECTION 227. IC 21-18.5-6-2, AS AMENDED BY  
37 P.L.273-2013, SECTION 10, IS AMENDED TO READ AS  
38 FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 2. A person may not do  
39 business as a postsecondary credit bearing proprietary educational  
40 institution in Indiana without having obtained authorization by the  
41 board for ~~proprietary education~~ **commission for higher education**  
42 under this chapter, except for a religious institution that offers

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1 educational instruction or an educational program of a clearly religious  
2 nature.

3 SECTION 228. IC 21-18.5-6-3, AS AMENDED BY  
4 P.L.273-2013, SECTION 12, IS AMENDED TO READ AS  
5 FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 3. Applications for  
6 authorization under this chapter must be filed with the ~~board for~~  
7 ~~proprietary education~~ **commission for higher education** and  
8 accompanied by an application fee of at least one hundred dollars  
9 (\$100) for processing the application and evaluating the postsecondary  
10 credit bearing proprietary educational institution.

11 SECTION 229. IC 21-18.5-6-5, AS AMENDED BY  
12 P.L.273-2013, SECTION 14, IS AMENDED TO READ AS  
13 FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 5. The ~~board for~~  
14 ~~proprietary education~~ **commission for higher education** shall require  
15 each postsecondary credit bearing proprietary educational institution  
16 to include in each curriculum catalog and promotional brochure the  
17 following:

- 18 (1) A statement indicating that the postsecondary credit bearing  
19 proprietary educational institution is authorized by the ~~board for~~  
20 ~~proprietary education~~ **commission for higher education** under  
21 this chapter.
- 22 (2) The ~~board for proprietary education's~~ **commission for higher**  
23 **education's** mailing address and telephone number.

24 SECTION 230. IC 21-18.5-6-6, AS AMENDED BY  
25 P.L.273-2013, SECTION 15, IS AMENDED TO READ AS  
26 FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 6. (a) The career  
27 college student assurance fund is established to provide  
28 indemnification to a student or an enrollee of a postsecondary credit  
29 bearing proprietary educational institution who suffers loss or damage  
30 as a result of:

- 31 (1) the failure or neglect of the postsecondary credit bearing  
32 proprietary educational institution to faithfully perform all  
33 agreements, express or otherwise, with the student, enrollee, one  
34 (1) or both of the parents of the student or enrollee, or a guardian  
35 of the student or enrollee as represented by the application for  
36 the institution's authorization and the materials submitted in  
37 support of that application;
- 38 (2) the failure or neglect of the postsecondary credit bearing  
39 proprietary educational institution to maintain and operate a  
40 course or courses of instruction or study in compliance with the  
41 standards of this chapter; or
- 42 (3) an agent's misrepresentation in procuring the student's

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- 1 enrollment.
- 2 (b) The ~~board for proprietary education~~ **commission for higher**
- 3 **education** shall administer the fund.
- 4 (c) The expenses of administering the fund shall be paid from
- 5 money in the fund.
- 6 (d) The treasurer of state shall invest the money in the fund not
- 7 currently needed to meet the obligations of the fund in the same
- 8 manner as other public funds may be invested.
- 9 (e) Money in the fund at the end of a state fiscal year does not
- 10 revert to the state general fund but remains available to be used for
- 11 providing money for reimbursements allowed under this chapter.
- 12 (f) Upon the fund acquiring fifty thousand dollars (\$50,000), the
- 13 balance in the fund must not become less than fifty thousand dollars
- 14 (\$50,000). If:
- 15 (1) a claim against the fund is filed that would, if paid in full,
- 16 require the balance of the fund to become less than fifty
- 17 thousand dollars (\$50,000); and
- 18 (2) the ~~board for proprietary education~~ **commission for higher**
- 19 **education** determines that the student is eligible for a
- 20 reimbursement under the fund;
- 21 the ~~board for proprietary education~~ **commission for higher education**
- 22 shall prorate the amount of the reimbursement to ensure that the
- 23 balance of the fund does not become less than fifty thousand dollars
- 24 (\$50,000), and the student is entitled to receive that balance of the
- 25 student's claim from the fund as money becomes available in the fund
- 26 from contributions to the fund required under this chapter.
- 27 (g) The ~~board for proprietary education~~ **commission for higher**
- 28 **education** shall ensure that all outstanding claim amounts described in
- 29 subsection (f) are paid as money in the fund becomes available in the
- 30 chronological order of the outstanding claims.
- 31 (h) A claim against the fund may not be construed to be a debt of
- 32 the state.
- 33 SECTION 231. IC 21-18.5-6-7, AS ADDED BY P.L.107-2012,
- 34 SECTION 58, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 35 JULY 1, 2027]: Sec. 7. (a) Except as otherwise provided in this section,
- 36 each postsecondary credit bearing proprietary educational institution
- 37 shall make quarterly contributions to the fund. The quarters begin
- 38 January 1, April 1, July 1, and October 1.
- 39 (b) For each quarter, each postsecondary credit bearing proprietary
- 40 educational institution shall make a contribution equal to the STEP
- 41 THREE amount derived under the following formula:
- 42 STEP ONE: Determine the total amount of tuition and fees

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1           earned during the quarter.  
 2           STEP TWO: Multiply the STEP ONE amount by one-tenth of  
 3           one percent (0.1%).  
 4           STEP THREE: Add the STEP TWO amount and sixty dollars  
 5           (\$60).

6           (c) After June 30, 2012, upon the career college student assurance  
 7           fund achieving at least an initial balance of five hundred thousand  
 8           dollars (\$500,000), a postsecondary credit bearing proprietary  
 9           educational institution that contributes to the career college student  
 10          assurance fund when the initial quarterly contribution is required under  
 11          this chapter after the fund's establishment is not required to make  
 12          contributions to the fund.

13          (d) The ~~board for proprietary education~~ **commission for higher**  
 14          **education** shall determine the number of quarterly contributions  
 15          required for the career college student assurance fund to initially  
 16          accumulate five hundred thousand dollars (\$500,000).

17          (e) Except as provided in subsections (a), (b), and (f), a  
 18          postsecondary credit bearing proprietary educational institution that  
 19          begins making contributions to the career college student assurance  
 20          fund after the initial quarterly contribution as required under this  
 21          section shall make contributions to the fund for the same number of  
 22          quarters as determined by the ~~board for proprietary education~~  
 23          **commission for higher education** under subsection (d).

24          (f) If, after a career college student assurance fund acquires five  
 25          hundred thousand dollars (\$500,000), the balance in the fund becomes  
 26          less than two hundred fifty thousand dollars (\$250,000), all  
 27          postsecondary credit bearing proprietary educational institutions not  
 28          required to make contributions to the career college student assurance  
 29          fund as described in subsection (c) or (e) shall make contributions to  
 30          the career college student assurance fund for the number of quarters  
 31          necessary for the fund to accumulate five hundred thousand dollars  
 32          (\$500,000).

33          SECTION 232. IC 21-18.5-6-8, AS AMENDED BY  
 34          P.L.273-2013, SECTION 16, IS AMENDED TO READ AS  
 35          FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 8. (a) Upon receipt of  
 36          an application for authorization under this chapter, the ~~board for~~  
 37          **proprietary education commission for higher education** shall make an  
 38          investigation to determine the accuracy of the statements in the  
 39          application to determine if the postsecondary credit bearing proprietary  
 40          educational institution meets the minimum standards for authorization.

41          (b) During the investigation under subsection (a), the ~~board for~~  
 42          **proprietary education commission for higher education** may grant a

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1 temporary status of authorization. The temporary status of authorization  
2 is sufficient to meet the requirements of this chapter until a  
3 determination on authorization is made.

4 SECTION 233. IC 21-18.5-6-10, AS AMENDED BY P.L.9-2021,  
5 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
6 JULY 1, 2027]: Sec. 10. (a) A postsecondary credit bearing proprietary  
7 educational institution shall maintain at least the following records for  
8 each student:

- 9 (1) The program in which the student enrolls.
- 10 (2) The length of the program.
- 11 (3) The date of the student's initial enrollment in the program.
- 12 (4) A transcript of the student's academic progress.
- 13 (5) The amount of the student's tuition and fees.
- 14 (6) A copy of the enrollment agreement.

15 (b) Upon the request of the ~~board for proprietary education;~~  
16 **commission for higher education**, a postsecondary credit bearing  
17 proprietary educational institution shall submit the records described  
18 in subsection (a) to the ~~board for proprietary education;~~ **commission**  
19 **for higher education**.

20 (c) If a postsecondary credit bearing proprietary educational  
21 institution ceases operation, the postsecondary credit bearing  
22 proprietary educational institution shall submit the records described  
23 in subsection (a) to the Indiana archives and records administration not  
24 later than thirty (30) days after the institution ceases to operate,  
25 regardless of any outstanding debts owed to the institution.

26 SECTION 234. IC 21-18.5-6-11, AS AMENDED BY  
27 P.L.273-2013, SECTION 17, IS AMENDED TO READ AS  
28 FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 11. Full authorization  
29 under this chapter may not be issued unless and until the ~~board for~~  
30 ~~proprietary education~~ **commission for higher education** finds that the  
31 postsecondary credit bearing proprietary educational institution meets  
32 minimum standards that are appropriate to that type or class of  
33 postsecondary credit bearing proprietary educational institution,  
34 including the following minimum standards:

- 35 (1) The postsecondary credit bearing proprietary educational  
36 institution has a sound financial structure with sufficient  
37 resources for continued support.
- 38 (2) The postsecondary credit bearing proprietary educational  
39 institution has satisfactory training or educational facilities with  
40 sufficient tools, supplies, or equipment and the necessary  
41 number of work stations or classrooms to adequately train,  
42 instruct, or educate the number of students enrolled or proposed

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- 1 to be enrolled.
- 2 (3) The postsecondary credit bearing proprietary educational
- 3 institution has an adequate number of qualified instructors or
- 4 teachers, sufficiently trained by experience or education, to give
- 5 the instruction, education, or training contemplated.
- 6 (4) The advertising and representations made on behalf of the
- 7 postsecondary credit bearing proprietary educational institution
- 8 to prospective students are truthful and free from
- 9 misrepresentation or fraud.
- 10 (5) The charge made for the training, instruction, or education is
- 11 clearly stated and based upon the services rendered.
- 12 (6) The premises and conditions under which the students work
- 13 and study are sanitary, healthful, and safe according to modern
- 14 standards.
- 15 (7) The postsecondary credit bearing proprietary educational
- 16 institution has and follows a refund policy approved by the ~~board~~
- 17 ~~for proprietary education.~~ **commission for higher education.**
- 18 (8) The owner or chief administrator of the postsecondary credit
- 19 bearing proprietary educational institution is subject to a
- 20 background check by the ~~board for proprietary education~~
- 21 **commission for higher education** and has not been convicted
- 22 of a felony.
- 23 (9) The owner or chief administrator of the postsecondary credit
- 24 bearing proprietary educational institution has not been the
- 25 owner or chief administrator of a postsecondary credit bearing
- 26 proprietary educational institution that has had its authorization
- 27 revoked or has been closed involuntarily in the five (5) year
- 28 period preceding the application for authorization. However, if
- 29 the owner or chief administrator of the postsecondary credit
- 30 bearing proprietary educational institution has been the owner or
- 31 chief administrator of a postsecondary credit bearing proprietary
- 32 educational institution that has had its authorization revoked or
- 33 has been closed involuntarily more than five (5) years before the
- 34 application for authorization, the ~~board for proprietary education~~
- 35 **commission for higher education** may issue full authorization
- 36 at the board for proprietary education's discretion.
- 37 SECTION 235. IC 21-18.5-6-12, AS AMENDED BY
- 38 P.L.273-2013, SECTION 18, IS AMENDED TO READ AS
- 39 FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 12. (a) after an
- 40 investigation and a finding that the information in the application is
- 41 true and that the postsecondary credit bearing proprietary educational
- 42 institution meets the minimum standards, the ~~board for proprietary~~

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HB 1003—LS 6756/DI 92



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1 ~~education commission for higher education~~ shall issue an  
 2 authorization to the postsecondary credit bearing proprietary  
 3 educational institution upon payment of an additional fee of at least  
 4 twenty-five dollars (\$25). An applicant's market research may not be  
 5 considered or required by the ~~board for proprietary education~~  
 6 **commission for higher education** as a condition for authorizing or  
 7 renewing the accreditation of or for authorization of the programs of a  
 8 postsecondary credit bearing proprietary educational institution.

9 (b) The ~~board for proprietary education~~ **commission for higher**  
 10 **education** may waive inspection of a postsecondary credit bearing  
 11 proprietary educational institution that has been authorized by an  
 12 accrediting agency recognized by the United States Department of  
 13 Education whose standards are approved by the ~~board for proprietary~~  
 14 **education commission for higher education** as meeting or exceeding  
 15 the requirements of this chapter.

16 (c) A valid license, authorization to operate, or other form of  
 17 authorization issued to a postsecondary credit bearing proprietary  
 18 educational institution by another state may be accepted, instead of  
 19 inspection, if:

- 20 (1) the requirements of that state meet or exceed the  
 21 requirements of this chapter; and  
 22 (2) the other state will, in turn, extend reciprocity to  
 23 postsecondary credit bearing proprietary educational institutions  
 24 authorized by the ~~board for proprietary education~~ **commission**  
 25 **for higher education**.

26 (d) The ~~board for proprietary education~~ **commission for higher**  
 27 **education** may join interstate reciprocity agreements and authorize an  
 28 institution to operate in Indiana, if the:

- 29 (1) institution; and  
 30 (2) state in which both the institution's:  
 31 (A) principal campus is located; and  
 32 (B) institutional accreditation is provided;

33 are members of the interstate reciprocity agreement.

34 (e) An authorization issued under this section expires one (1) year  
 35 following the authorization's issuance.

36 (f) An authorized postsecondary credit bearing proprietary  
 37 educational institution may renew the institution's authorization  
 38 annually upon:

- 39 (1) the payment of a fee of at least twenty-five dollars (\$25); and  
 40 (2) continued compliance with this chapter.

41 SECTION 236. IC 21-18.5-6-13, AS AMENDED BY  
 42 P.L.273-2013, SECTION 19, IS AMENDED TO READ AS

HB 1003—LS 6756/DI 92



1 FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 13. Authorization may  
2 be revoked by the ~~board for proprietary education~~; **commission for**  
3 **higher education**:

4 (1) for cause upon notice and an opportunity for a hearing before  
5 the ~~board for proprietary education~~; **commission for higher**  
6 **education**; and

7 (2) for the authorized postsecondary credit bearing proprietary  
8 educational institution failing to make the appropriate quarterly  
9 contributions to the career college student assurance fund not  
10 later than forty-five (45) days after the end of a quarter.

11 SECTION 237. IC 21-18.5-6-14, AS AMENDED BY  
12 P.L.273-2013, SECTION 20, IS AMENDED TO READ AS  
13 FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 14. (a) A postsecondary  
14 credit bearing proprietary educational institution, after notification that  
15 the institution's authorization has been refused, revoked, or suspended,  
16 may apply for a hearing before the ~~board for proprietary education~~  
17 **commission for higher education** concerning the institution's  
18 qualifications. The application for a hearing must be filed in writing  
19 with the ~~board for proprietary education~~ **commission for higher**  
20 **education** not more than thirty (30) days after receipt of notice of the  
21 denial, revocation, or suspension.

22 (b) The ~~board for proprietary education~~ **commission for higher**  
23 **education** shall give a hearing promptly and with not less than ten (10)  
24 days notice of the date, time, and place. The postsecondary credit  
25 bearing proprietary educational institution is entitled to be represented  
26 by counsel and to offer oral and documentary evidence relevant to the  
27 issue.

28 (c) Not more than fifteen (15) days after a hearing, the ~~board for~~  
29 ~~proprietary education~~ **commission for higher education** shall make  
30 written findings of fact, a written decision, and a written order based  
31 solely on the evidence submitted at the hearing, either granting or  
32 denying authorization to the postsecondary credit bearing proprietary  
33 educational institution.

34 SECTION 238. IC 21-18.5-6-20, AS AMENDED BY  
35 P.L.13-2013, SECTION 62, IS AMENDED TO READ AS FOLLOWS  
36 [EFFECTIVE JULY 1, 2027]: Sec. 20. (a) This section applies to  
37 claims against the balance of the career college student assurance fund.

38 (b) A student or enrollee of a postsecondary credit bearing  
39 proprietary educational institution who believes that the student or  
40 enrollee has suffered loss or damage resulting from any of the  
41 occurrences described in section 6(a) of this chapter may file a claim  
42 with the ~~board for proprietary education~~ **commission for higher**

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HB 1003—LS 6756/DI 92



1 **education** against the balance of the fund.  
 2 (c) A claim under this section is limited to a refund of the  
 3 claimant's applicable tuition and fees.  
 4 (d) All claims must be filed not later than five (5) years after the  
 5 occurrence resulting in the loss or damage to the claimant occurs.  
 6 (e) Upon the filing of a claim under this section, the ~~board for~~  
 7 ~~proprietary education~~ **commission for higher education** shall review  
 8 the records submitted by the appropriate postsecondary credit bearing  
 9 proprietary educational institution described under section 12 of this  
 10 chapter and shall investigate the claim.  
 11 (f) Upon a determination by the ~~board for proprietary education~~  
 12 **commission for higher education** that a claimant shall be reimbursed  
 13 under the career college student assurance fund, the ~~board for~~  
 14 ~~proprietary education~~ **commission for higher education** shall  
 15 prioritize the reimbursements under the following guidelines:  
 16 (1) A student's educational loan balances.  
 17 (2) Federal grant repayment obligations of the student.  
 18 (3) Other expenses paid directly by the student.  
 19 SECTION 239. IC 21-18.5-6-23, AS ADDED BY P.L.107-2012,  
 20 SECTION 58, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 21 JULY 1, 2027]: Sec. 23. The prosecuting attorney of the county in  
 22 which an offense under this chapter occurred shall, at the request of the  
 23 ~~board for proprietary education~~ **commission for higher education** or  
 24 on the prosecuting attorney's own motion, bring any appropriate action,  
 25 including a mandatory and prohibitive injunction.  
 26 SECTION 240. IC 21-18.5-6-24, AS AMENDED BY  
 27 P.L.273-2013, SECTION 27, IS AMENDED TO READ AS  
 28 FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 24. An action of the  
 29 ~~board of proprietary education~~ **commission for higher education**  
 30 concerning the issuance, denial, or revocation of an authorization under  
 31 this chapter is subject to review under IC 4-21.5.  
 32 SECTION 241. IC 21-18.5-6-26, AS AMENDED BY  
 33 P.L.273-2013, SECTION 28, IS AMENDED TO READ AS  
 34 FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 26. (a) As used in this  
 35 section, "fund" means the postsecondary credit bearing proprietary  
 36 educational institution authorization fund established by subsection (b).  
 37 (b) The postsecondary credit bearing proprietary educational  
 38 institution authorization fund is established.  
 39 (c) The fund shall be administered by the commission (as defined  
 40 in IC 21-18.5-2-7.).  
 41 (d) Money in the fund at the end of a state fiscal year does not  
 42 revert to the general fund.

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HB 1003—LS 6756/DI 92



1 (e) All fees collected by the board for proprietary education  
2 **commission for higher education** under this chapter shall be  
3 deposited in the fund.

4 (f) Money in the fund shall be used by the board for proprietary  
5 **education commission for higher education** to administer this  
6 chapter.

7 SECTION 242. IC 21-18.5-6-27, AS ADDED BY P.L.107-2012,  
8 SECTION 58, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
9 JULY 1, 2027]: Sec. 27. The board for proprietary education  
10 **commission for higher education** may adopt rules under IC 4-22-2 to  
11 implement this chapter.

12 SECTION 243. IC 21-38-1-1.5 IS ADDED TO THE INDIANA  
13 CODE AS A NEW SECTION TO READ AS FOLLOWS  
14 [EFFECTIVE JULY 1, 2027]: Sec. 1.5. "Commission" refers to the  
15 **commission for higher education of the state of Indiana established**  
16 **by IC 21-18-2.**

17 SECTION 244. IC 21-38-1-3 IS REPEALED [EFFECTIVE JULY  
18 1, 2027]. Sec. 3: "Council" refers to the Indiana excellence in teaching  
19 council.

20 SECTION 245. IC 21-38-8-1 IS REPEALED [EFFECTIVE JULY  
21 1, 2027]. Sec. 1: The Indiana excellence in teaching council is  
22 established. The council consists of nine (9) members as follows:

- 23 (1) One (1) representative of the commission for higher  
24 education.
- 25 (2) One (1) representative of the budget agency.
- 26 (3) One (1) representative from each state educational  
27 institution.

28 SECTION 246. IC 21-38-8-2, AS AMENDED BY P.L.234-2007,  
29 SECTION 56, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
30 JULY 1, 2027]: Sec. 2. (a) The Indiana excellence in teaching  
31 endowment is established to provide state educational institutions with  
32 grants to match interest income generated by an endowment to attract  
33 and retain distinguished teachers. The fund shall be administered by  
34 the council: **commission.**

35 (b) The expenses of administering the fund shall be paid from  
36 money in the fund.

37 (c) The treasurer of state shall invest the money in the fund not  
38 currently needed to meet obligations of the fund in the same manner as  
39 other public funds may be invested.

40 (d) Money in the fund at the end of the state fiscal year does not  
41 revert to the state general fund but remains available to be used for  
42 providing money for grants as allowed under this chapter.

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1 SECTION 247. IC 21-38-8-4, AS ADDED BY P.L.2-2007,  
 2 SECTION 279, IS AMENDED TO READ AS FOLLOWS  
 3 [EFFECTIVE JULY 1, 2027]: Sec. 4. A state educational institution  
 4 must apply for a matching grant in the manner prescribed by the  
 5 ~~council~~ **commission**.

6 SECTION 248. IC 21-38-8-5, AS ADDED BY P.L.2-2007,  
 7 SECTION 279, IS AMENDED TO READ AS FOLLOWS  
 8 [EFFECTIVE JULY 1, 2027]: Sec. 5. When determining a  
 9 distinguished teacher's prominence, the ~~council~~ **commission** shall  
 10 consider the following criteria when distributing endowment funds:

- 11 (1) Evidence of excellent teaching ability.
- 12 (2) Distinguished accomplishments.
- 13 (3) Either:
  - 14 (A) productive scholarship; or
  - 15 (B) artistic achievement and superior talent.

16 The ~~council~~ **commission** may consider any other criteria for  
 17 distributing endowment funds that the ~~council~~ **commission** determines  
 18 appropriate.

19 SECTION 249. IC 21-38-8-6, AS ADDED BY P.L.2-2007,  
 20 SECTION 279, IS AMENDED TO READ AS FOLLOWS  
 21 [EFFECTIVE JULY 1, 2027]: Sec. 6. (a) The ~~council~~ **commission**  
 22 shall approve or disapprove a matching grant application within sixty  
 23 (60) days after the application is received by the ~~council~~ **commission**.

24 (b) The ~~council~~ **commission** may approve a grant application with  
 25 an amount that is the same or less than the amount requested by the  
 26 state educational institution.

27 SECTION 250. IC 21-38-8-7, AS ADDED BY P.L.2-2007,  
 28 SECTION 279, IS AMENDED TO READ AS FOLLOWS  
 29 [EFFECTIVE JULY 1, 2027]: Sec. 7. (a) Each matching grant from the  
 30 fund is intended to be used to supplement, and may not be used instead  
 31 of, a distinguished teacher's regular annual salary.

32 (b) The ~~council~~ **commission** may not approve a matching grant  
 33 from the fund that exceeds income generated from the endowment of  
 34 the institution.

35 SECTION 251. IC 21-38-8-8 IS REPEALED [EFFECTIVE JULY  
 36 1, 2027]. ~~Sec. 8: Staff for the council shall be provided by the~~  
 37 ~~commission for higher education.~~

38 SECTION 252. IC 21-38-8-10 IS REPEALED [EFFECTIVE  
 39 JULY 1, 2027]. ~~Sec. 10: The council may:~~

- 40 ~~(1) develop guidelines; and~~
- 41 ~~(2) adopt rules under IC 4-22-2;~~
- 42 ~~to administer the fund and this chapter.~~

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1 SECTION 253. IC 21-44-1-3, AS AMENDED BY P.L.190-2015,  
 2 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 3 JULY 1, 2027]: Sec. 3. (a) "Board", for purposes of IC 21-44-5 **and**  
 4 **IC 21-44-7**, refers to the medical **graduate and** education board  
 5 established by IC 21-44-5-1.

6 (b) "Board", for purposes of IC 21-44-6, refers to the mental health  
 7 and addiction services development programs board established by  
 8 IC 21-44-6-1.

9 (c) "Board", for purposes of IC 21-44-7, refers to the graduate  
 10 medical education board established by IC 21-44-7-2.

11 SECTION 254. IC 21-44-1-12, AS AMENDED BY P.L.170-2009,  
 12 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 13 JULY 1, 2027]: Sec. 12. "Intern, residency, and graduate program", for  
 14 purposes of IC 21-44-5, refers to an intern, residency, and graduate  
 15 program for which the medical **graduate and** education board  
 16 establishes policies under IC 21-44-5.

17 SECTION 255. IC 21-44-5-1, AS ADDED BY P.L.2-2007,  
 18 SECTION 285, IS AMENDED TO READ AS FOLLOWS  
 19 [EFFECTIVE JULY 1, 2027]: Sec. 1. There is established a medical  
 20 **graduate and** education board. consisting of seven (7) persons:

21 SECTION 256. IC 21-44-5-2 IS REPEALED [EFFECTIVE JULY  
 22 1, 2027]. Sec. 2: (a) The board consists of the following members:

23 (1) The dean of the Indiana University School of Medicine, who  
 24 serves as an ex officio member of the board. The dean of the  
 25 Indiana University School of Medicine shall serve as the  
 26 chairman of the board.

27 (2) The commissioner of the Indiana department of health, who  
 28 serves as an ex officio member of the board:

29 (3) Five (5) members appointed by the governor as follows:

30 (A) One (1) member appointed by the governor who is a  
 31 director of medical education of an Indiana hospital not  
 32 owned or operated by Indiana University:

33 (B) One (1) member who:

34 (i) is a hospital administrator in a hospital not owned or  
 35 operated by Indiana University; and

36 (ii) is not the hospital administrator for the hospital that  
 37 employs the member appointed under clause (A):

38 (C) One (1) member who:

39 (i) is a citizen of Indiana; and

40 (ii) is not a physician and not a hospital administrator:

41 (D) Two (2) members who are physicians holding unlimited  
 42 licenses to practice medicine in Indiana. The two (2)

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1 physicians appointed under this subdivision may not be  
2 directors of medical education. One (1) of the members  
3 appointed under this subdivision must practice in the  
4 specialty of family practice.

5 (b) The terms of the five (5) members appointed to the board by  
6 the governor are for three (3) years beginning January 1 of the year of  
7 appointment and continuing until the member's successor is appointed  
8 and qualified. If a membership on the board becomes vacant before the  
9 expiration of the term, the governor shall appoint a replacement with  
10 the same representative status to fill the unexpired term.

11 SECTION 257. IC 21-44-5-2.5 IS ADDED TO THE INDIANA  
12 CODE AS A NEW SECTION TO READ AS FOLLOWS  
13 [EFFECTIVE JULY 1, 2027]: **Sec. 2.5. (a) This section applies after**  
14 **June 30, 2027.**

15 (b) The board consists of the following fourteen (14) members:

16 (1) The dean of the Indiana University School of Medicine,  
17 who serves as the chairperson of the board.

18 (2) The following thirteen (13) members appointed by the  
19 governor:

20 (A) One (1) member representing a regional medical  
21 school campus of the Indiana University School of  
22 Medicine.

23 (B) One (1) member representing the Marian University  
24 College of Osteopathic Medicine.

25 (C) One (1) member representing the Indiana state  
26 medical association.

27 (D) One (1) member representing the Indiana  
28 osteopathic medical association.

29 (E) One (1) member representing the Indiana primary  
30 health care association.

31 (F) One (1) member representing a teaching hospital  
32 that is a member of the Indiana hospital association.

33 (G) One (1) member representing a non-teaching  
34 hospital that is a member of the Indiana hospital  
35 association.

36 (H) Two (2) members who are medical directors of  
37 residency programs.

38 (I) One (1) member who is the director of medical  
39 education of an Indiana hospital that is not owned by,  
40 operated by, or affiliated with Indiana University.

41 (J) One (1) member who is:  
42 (i) a hospital administrator employed by a hospital

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1 not owned by, operated by, or affiliated with  
 2 Indiana University; and  
 3 (ii) not employed by the hospital that employs the  
 4 member appointed under clause (I).  
 5 (K) Two (2) members who are physicians holding  
 6 unlimited licenses to practice medicine in Indiana. The  
 7 following apply to the members appointed under this  
 8 clause:  
 9 (i) Neither member may be employed as a director  
 10 of medical education.  
 11 (ii) At least one (1) of the members must practice in  
 12 the specialty of family medicine.  
 13 (c) The terms of the appointed to the board by the governor  
 14 are for three (3) years beginning January 1 of the year of  
 15 appointment and continuing until the member's successor is  
 16 appointed and qualified. If a membership on the board becomes  
 17 vacant before the expiration of the term, the governor shall appoint  
 18 a replacement with the same representative status to fill the  
 19 unexpired term.  
 20 (d) A member may be reappointed to successive terms.  
 21 SECTION 258. IC 21-44-5-3.5 IS ADDED TO THE INDIANA  
 22 CODE AS A NEW SECTION TO READ AS FOLLOWS  
 23 [EFFECTIVE JULY 1, 2027]: **Sec. 3.5. The chairperson of the board**  
 24 **is permitted to vote only to break a tie.**  
 25 SECTION 259. IC 21-44-6-1 IS REPEALED [EFFECTIVE JULY  
 26 1, 2027]. ~~Sec. 1. There is established the mental health and addiction~~  
 27 ~~services development programs board.~~  
 28 SECTION 260. IC 21-44-6-1.5 IS ADDED TO THE INDIANA  
 29 CODE AS A NEW SECTION TO READ AS FOLLOWS  
 30 [EFFECTIVE JULY 1, 2027]: **Sec. 1.5. As used in this chapter,**  
 31 **"commission" refers to the commission for higher education of the**  
 32 **state of Indiana established by IC 21-18-2.**  
 33 SECTION 261. IC 21-44-6-2 IS REPEALED [EFFECTIVE JULY  
 34 1, 2027]. ~~Sec. 2. The board consists of the following ten (10) members:~~  
 35 (1) ~~The dean of the Indiana University School of Medicine or the~~  
 36 ~~dean's designee. The dean of the Indiana University School of~~  
 37 ~~Medicine or the dean's designee shall serve as the chairperson of~~  
 38 ~~the board.~~  
 39 (2) ~~The chairperson of the department of psychiatry of the~~  
 40 ~~Indiana University School of Medicine or the chairperson's~~  
 41 ~~designee.~~  
 42 (3) ~~The director of the division of mental health and addiction~~

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- 1 created by IC 12-21-1-1 or the director's designee.
- 2 (4) The commissioner of the Indiana department of health or the
- 3 commissioner's designee.
- 4 (5) The dean of the department of family practice of the Marian
- 5 University College of Osteopathic Medicine or the dean's
- 6 designee.
- 7 (6) The administrator of a graduate program in an institution of
- 8 higher education in Indiana engaged in training psychologists.
- 9 (7) The administrator of a program in an institution of higher
- 10 education in Indiana engaged in training advanced practice
- 11 psychiatric nurses.
- 12 (8) One (1) psychiatrist who practices psychiatry in Indiana.
- 13 (9) The administrator of a program in an institution of higher
- 14 education in Indiana engaged in training addiction counselors.
- 15 (10) The director of the Indiana department of veterans' affairs
- 16 or the director's designee.

17 The governor shall appoint the members of the board described in  
 18 subdivisions (6) through (9):

19 SECTION 262. IC 21-44-6-3 IS REPEALED [EFFECTIVE JULY  
 20 1, 2027]. Sec. 3. The board shall meet at least quarterly each year at the  
 21 call of the chairperson:

22 SECTION 263. IC 21-44-6-4 IS REPEALED [EFFECTIVE JULY  
 23 1, 2027]. Sec. 4. (a) Each board member who is not a state employee  
 24 is not entitled to a salary per diem. The member is, however, entitled  
 25 to reimbursement for traveling expenses as provided under IC 4-13-1-4  
 26 and other expenses actually incurred in connection with the member's  
 27 duties as provided in the state policies and procedures established by  
 28 the Indiana department of administration and approved by the budget  
 29 agency:

30 (b) Each member of the board who is a state employee is entitled  
 31 to reimbursement for traveling expenses as provided under IC 4-13-1-4  
 32 and other expenses actually incurred in connection with the member's  
 33 duties as provided in the state policies and procedures established by  
 34 the Indiana department of administration and approved by the budget  
 35 agency:

36 (c) The affirmative votes of a majority of the members appointed  
 37 to the board are required for the board to take action on any measure:

38 SECTION 264. IC 21-44-6-5, AS AMENDED BY P.L.209-2015,  
 39 SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 40 JULY 1, 2027]: Sec. 5. The purpose of the board is to **commission**  
 41 **shall** do the following:

- 42 (1) ~~To~~ Establish and oversee a loan forgiveness program

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- 1 designed to increase the number of professional mental health  
 2 care providers, including addiction health care professionals, in  
 3 areas with health professional shortages, as determined by the  
 4 ~~board~~, **commission**, by assisting professionals in the following  
 5 occupational categories to pay off loans incurred in the training  
 6 needed to practice in Indiana:
- 7 (A) Psychiatrists.
  - 8 (B) Addiction psychiatrists, including psychiatrists pursuing  
 9 fellowship training and certification in addiction psychiatry.
  - 10 (C) Psychologists.
  - 11 (D) Psychiatric nurses.
  - 12 (E) Addiction counselors.
  - 13 (F) Mental health professionals.
- 14 (2) ~~To~~ Establish and oversee an integrated behavioral health and  
 15 addiction treatment development program to attract and train  
 16 psychiatrists, psychologists, psychiatric nurses, addiction  
 17 counselors, or mental health professionals who will engage in  
 18 the practice of integrated behavioral health and addiction  
 19 treatment in:
- 20 (A) state mental health institutions;
  - 21 (B) community mental health centers;
  - 22 (C) state funded addiction treatment centers; or
  - 23 (D) other behavioral health and addiction treatment settings  
 24 determined by the ~~board~~ **commission** to be mental health  
 25 and addiction dual diagnoses treatment settings.
- 26 (3) ~~To~~ Develop and oversee an integrated behavioral health and  
 27 addiction treatment training track program through the Indiana  
 28 University School of Medicine, Department of Psychiatry  
 29 residency training program. The training track program must  
 30 provide an opportunity for residents to work in mental health and  
 31 addiction dual diagnoses treatment settings, including:
- 32 (A) state psychiatric hospitals;
  - 33 (B) community mental health centers;
  - 34 (C) state funded addiction treatment centers; or
  - 35 (D) other behavioral health and addiction treatment settings  
 36 determined by the ~~board~~ **commission** to be mental health  
 37 and addiction dual diagnoses treatment settings.
- 38 (4) ~~To~~ Develop standards for participation in the training track  
 39 program that include:
- 40 (A) guidelines for the amounts of grants and other  
 41 assistance a participant receives;
  - 42 (B) guidelines for the type of training in integrated

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- 1 behavioral health and addiction treatment the participant
- 2 receives;
- 3 (C) guidelines for agreements with mental health hospitals,
- 4 community mental health centers, and other entities
- 5 participating in the training track program; and
- 6 (D) other guidelines and standards necessary for governing
- 7 the training track program.

8 SECTION 265. IC 21-44-6-6, AS AMENDED BY P.L.142-2014,  
 9 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 10 JULY 1, 2027]: Sec. 6. The ~~board~~ **commission** shall establish  
 11 guidelines for the repayment of the loans incurred by a psychiatrist,  
 12 psychologist, psychiatric nurse, addiction counselor, or mental health  
 13 professional, including the following:

- 14 (1) A participant may not receive more than twenty-five
- 15 thousand dollars (\$25,000) in a year.
- 16 (2) Except as provided in subdivision (3), a participant may not
- 17 receive grants for more than four (4) years.
- 18 (3) A participant who is a psychiatrist pursuing fellowship
- 19 training and certification in addiction psychiatry may not receive
- 20 grants for more than five (5) years.
- 21 (4) A participant must commit to a full year of service in a
- 22 integrated behavioral health and addiction treatment setting as
- 23 described in section 5(2) or 5(3) of this chapter for each year of
- 24 loan repayment.
- 25 (5) A participant must be a practitioner who:
- 26 (A) is:
- 27 (i) from Indiana; and
- 28 (ii) accepting a new position in Indiana; or
- 29 (B) is:
- 30 (i) from outside Indiana;
- 31 (ii) not currently practicing in Indiana and has not
- 32 practiced in Indiana for three (3) years before applying
- 33 for the program; and
- 34 (iii) establishing a new practice in Indiana.

35 SECTION 266. IC 21-44-6-7, AS AMENDED BY P.L.142-2014,  
 36 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 37 JULY 1, 2027]: Sec. 7. (a) As used in this section, "account" refers to  
 38 the mental health and addiction services loan forgiveness account  
 39 established in subsection (b).

40 (b) The mental health and addiction services loan forgiveness  
 41 account within the state general fund is established for the purpose of  
 42 providing grants for loan repayment under this chapter. The account

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1 shall be administered by the ~~board~~ **commission**. Money in the account  
2 shall be used to fund loan forgiveness grants under this chapter.

3 (c) The account consists of:

- 4 (1) appropriations made by the general assembly;
- 5 (2) grants; and
- 6 (3) gifts and bequests.

7 (d) The expenses of administering the account shall be paid from  
8 money in the account.

9 (e) The treasurer of state shall invest the money in the account not  
10 currently needed to meet the obligations of the account in the same  
11 manner as other public money may be invested. Interest that accrues  
12 from these investments shall be deposited in the account.

13 (f) Money in the account at the end of a state fiscal year does not  
14 revert to the state general fund.

15 SECTION 267. IC 21-44-6-8, AS AMENDED BY P.L.142-2014,  
16 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
17 JULY 1, 2027]: Sec. 8. (a) As used in this section, "account" refers to  
18 the integrated behavioral health and addiction treatment development  
19 program account established in subsection (b).

20 (b) The integrated behavioral health and addiction treatment  
21 development program account within the state general fund is  
22 established for the purpose of providing funding for the integrated  
23 behavioral health and addiction treatment development program  
24 established under this chapter. The account shall be administered by  
25 the division of mental health and addiction. Money in the account shall  
26 be used to fund residency positions, fellowship training, and  
27 certification in addiction psychiatry, including:

- 28 (1) educational expenses;
- 29 (2) grants and scholarships;
- 30 (3) salaries; and
- 31 (4) benefits.

32 (c) The account consists of:

- 33 (1) appropriations made by the general assembly;
- 34 (2) grants; and
- 35 (3) gifts and bequests.

36 (d) The expenses of administering the account shall be paid from  
37 money in the account.

38 (e) The treasurer of state shall invest the money in the account not  
39 currently needed to meet the obligations of the account in the same  
40 manner as other public money may be invested. Interest that accrues  
41 from these investments shall be deposited in the account.

42 (f) Money in the account at the end of a state fiscal year does not

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1 revert to the state general fund.

2 (g) The ~~board~~ **division of mental health and addiction**  
3 **established by IC 12-21-1-1, in consultation with the commission,**  
4 shall give due consideration to annually funding two (2) psychiatrists  
5 pursuing fellowship training and certification in addiction psychiatry.  
6 A participant who is a psychiatrist pursuing fellowship training and  
7 certification in addiction psychiatry must agree to establish a new  
8 practice in Indiana for at least five (5) years upon completion of the  
9 fellowship training and certification in addiction psychiatry.

10 SECTION 268. IC 21-44-6-9 IS REPEALED [EFFECTIVE JULY  
11 1, 2027]. ~~Sec. 9: The division of mental health and addiction shall~~  
12 ~~provide administrative support for the board.~~

13 SECTION 269. IC 21-44-7-1, AS ADDED BY P.L.190-2015,  
14 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
15 JULY 1, 2027]: Sec. 1. The following definitions apply throughout this  
16 chapter:

17 (1) "Board" refers to the ~~graduate~~ medical **graduate and**  
18 **education board** established by ~~section 2 of this chapter.~~  
19 **IC 21-44-5-1.**

20 (2) "Fund" refers to the graduate medical education fund  
21 established by section 8 of this chapter.

22 SECTION 270. IC 21-44-7-2 IS REPEALED [EFFECTIVE JULY  
23 1, 2027]. ~~Sec. 2: The graduate medical education board is established~~  
24 ~~for the following purposes:~~

25 (1) ~~To provide funding for residents not funded by the federal~~  
26 ~~Centers for Medicare and Medicaid Services.~~

27 (2) ~~To provide technical assistance for entities that wish to~~  
28 ~~establish a residency program, including the following:~~

29 (A) ~~Entities that are not licensed hospitals.~~

30 (B) ~~Federally qualified health centers.~~

31 (3) ~~To provide startup funding for entities that wish to establish~~  
32 ~~a residency program.~~

33 SECTION 271. IC 21-44-7-3 IS REPEALED [EFFECTIVE JUNE  
34 1, 2027]. ~~Sec. 3: (a) The board is comprised of ten (10) members~~  
35 ~~appointed by the governor as follows:~~

36 (1) ~~One (1) member representing the Indiana University School~~  
37 ~~of Medicine.~~

38 (2) ~~One (1) member representing a regional medical school~~  
39 ~~campus of the Indiana University School of Medicine.~~

40 (3) ~~One (1) member representing the Marian University College~~  
41 ~~of Osteopathic Medicine.~~

42 (4) ~~One (1) member representing the Indiana State Medical~~

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- 1 Association:
- 2 (5) One (1) member representing the Indiana Osteopathic
- 3 Medical Association:
- 4 (6) One (1) member representing the Indiana Primary Health
- 5 Care Association:
- 6 (7) One (1) member representing a teaching hospital in the
- 7 Indiana Hospital Association:
- 8 (8) One (1) member representing a nonteaching hospital in the
- 9 Indiana Hospital Association:
- 10 (9) Two (2) members who are medical directors of residency
- 11 programs:
- 12 (b) Except as provided in subsection (c), a member appointed to
- 13 the board shall serve for a term of two (2) years. Except as provided in
- 14 subsection (c), the term of a member appointed under subsection (a)(1)
- 15 through (a)(4) begins on January 1 of an odd-numbered year. The term
- 16 of a member appointed under subsection (a)(5) through (a)(9) begins
- 17 on January 1 of an even-numbered year.
- 18 (c) This subsection applies to a member appointed under
- 19 subsection (a)(1) through (a)(4) before January 1, 2016. A member to
- 20 whom this subsection applies serves for a term of one (1) year
- 21 beginning January 1, 2016.
- 22 (d) The governor shall make appointments to the board at the
- 23 following times:
- 24 (1) The governor shall make the initial appointments to the board
- 25 before January 1, 2016.
- 26 (2) Before the end of each year after 2015, the governor shall
- 27 appoint members to the board to succeed those members whose
- 28 terms are scheduled to expire at the end of the year.
- 29 (3) When a member resigns or is otherwise unable to complete
- 30 the member's term, the governor shall appoint a member to serve
- 31 the remaining term of the member who has resigned or who is
- 32 otherwise unable to complete the member's term.
- 33 SECTION 272. IC 21-44-7-4 IS REPEALED [EFFECTIVE JULY
- 34 1, 2027]. Sec. 4. (a) The commission for higher education shall provide
- 35 staff for the board. The commission shall call the first meeting of the
- 36 board and notify members of the board.
- 37 (b) The board members shall designate a chairperson from among
- 38 themselves. The member designated as the chairperson continues to
- 39 serve as chairperson until the earlier of:
- 40 (1) the first anniversary of the chairperson's designation under
- 41 this section; or
- 42 (2) the date on which the chairperson's term expires.

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1 (c) The board shall meet at the call of the chairperson or at the call  
2 of a majority of the appointed members:

3 SECTION 273. IC 21-44-7-5 IS REPEALED [EFFECTIVE JULY  
4 1, 2027]. Sec. 5: An affirmative vote of at least six (6) members is  
5 necessary in order for the board to take any official action:

6 SECTION 274. IC 22-4.1-21-9, AS AMENDED BY  
7 P.L.174-2018, SECTION 40, IS AMENDED TO READ AS  
8 FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 9. As used in this  
9 chapter, "postsecondary proprietary educational institution" means a  
10 person doing business in Indiana by offering to the public, for a tuition,  
11 fee, or charge, instructional or educational services or training in a  
12 technical, professional, mechanical, business, or industrial occupation,  
13 in the recipient's home, at a designated location, or by mail. The term  
14 does not include the following:

15 (1) A postsecondary credit bearing proprietary educational  
16 institution accredited by the board for proprietary education  
17 **commission for higher education** under IC 21-18.5-6.

18 (2) A state educational institution or another educational  
19 institution established by law and financed in whole or in part by  
20 public funds.

21 (3) A postsecondary proprietary educational institution approved  
22 or regulated by any other state regulatory board, agency, or  
23 commission.

24 (4) An elementary or secondary school attended by students in  
25 kindergarten or grades 1 through 12 and supported in whole or  
26 in part by private tuition payments.

27 (5) Any educational institution or educational training that:  
28 (A) is maintained or given by an employer or a group of  
29 employers, without charge, for employees or for individuals  
30 the employer anticipates employing;  
31 (B) is maintained or given by a labor organization, without  
32 charge, for its members or apprentices;  
33 (C) offers exclusively instruction that is clearly  
34 self-improvement, motivational, or avocational in intent  
35 (including instruction in dance, music, or self-defense, and  
36 private tutoring); or  
37 (D) is a Montessori or nursery school.

38 (6) A privately endowed two (2) or four (4) year degree granting  
39 institution that is regionally accredited and whose principal  
40 campus is located in Indiana.

41 (7) All educational institutions offering programs requiring  
42 approval by the Indiana state board of nursing under

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1 IC 25-23-1-7.  
2 SECTION 275. IC 22-8-1.1-1, AS AMENDED BY P.L.32-2008,  
3 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
4 JULY 1, 2027]: Sec. 1. As used in this chapter, unless otherwise  
5 provided:  
6 "Board" means the board of safety review created by this chapter.  
7 "~~Commission~~" means ~~the occupational safety standards~~  
8 ~~commission created by this chapter.~~  
9 "Commissioner" means the commissioner of labor or the  
10 commissioner's duly designated representative.  
11 "Department" means the department of labor.  
12 "Employee" means a person permitted to work by an employer in  
13 employment.  
14 "Employer" means any individual or type of organization,  
15 including the state and all its political subdivisions, that has in its  
16 employ one (1) or more individuals.  
17 "INSafe" means the division of the department created by section  
18 40 of this chapter.  
19 "Safety order" refers to a notice issued to employers by the  
20 commissioner of labor for alleged violations of this chapter, including  
21 any health and safety standards.  
22 "Standard" refers to both health and safety standards.  
23 "Voluntary protection program" means a program offered by the  
24 United States Occupational Safety and Health Administration to  
25 employers subject to this chapter that exempts the employers from  
26 general scheduled inspections.  
27 SECTION 276. IC 22-8-1.1-7 IS REPEALED [EFFECTIVE JULY  
28 1, 2027]. Sec. 7: ~~An occupational safety standards commission is~~  
29 ~~created within the department to promulgate, modify, or revoke safety~~  
30 ~~and health standards in Indiana and to hear and determine applications~~  
31 ~~for temporary and permanent variances from those standards.~~  
32 SECTION 277. IC 22-8-1.1-8 IS REPEALED [EFFECTIVE JULY  
33 1, 2027]. Sec. 8: ~~Commission: Membership. The commission shall be~~  
34 ~~composed of nine (9) members; all of whom shall be selected by the~~  
35 ~~governor as follows: three (3) shall represent the management of~~  
36 ~~principal industries in the state, one (1) of which shall represent~~  
37 ~~agricultural industry; three (3) shall represent labor and three (3) shall~~  
38 ~~represent the public all of whom shall be recognized as experienced in~~  
39 ~~the field of occupational health and safety. The commissioner shall~~  
40 ~~serve as secretary of the commission. No member of the commission~~  
41 ~~having an economic interest in any application for a temporary or~~  
42 ~~permanent variance, shall be allowed to participate in the decision.~~

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1 SECTION 278. IC 22-8-1.1-9 IS REPEALED [EFFECTIVE JULY  
2 1, 2027]. Sec. 9: Commission: Terms: Members of the commission  
3 shall serve terms of three (3) years and until their successors are  
4 appointed except that of the members first appointed, ~~three (3)~~  
5 members representing management, labor and the public shall be  
6 appointed for three (3) years and three (3) members representing  
7 management, labor and the public for two (2) years and three (3)  
8 members representing management, labor and the public for one (1)  
9 year. Vacancies shall be filled by appointment for an unexpired term  
10 by the governor in the same manner as the original appointments.

11 SECTION 279. IC 22-8-1.1-10 IS REPEALED [EFFECTIVE  
12 JULY 1, 2027]. Sec. 10: The commission shall meet annually at the call  
13 of the commissioner and elect a chairman and such other officers as  
14 they deem appropriate.

15 SECTION 280. IC 22-8-1.1-11 IS REPEALED [EFFECTIVE  
16 JULY 1, 2027]. Sec. 11: (Commission: Quorum) A majority of the  
17 commission constitutes a quorum for the transaction of business.

18 SECTION 281. IC 22-8-1.1-12 IS REPEALED [EFFECTIVE  
19 JULY 1, 2027]. Sec. 12: (a) Each member of the commission who is  
20 not a state employee is entitled to the minimum salary per diem  
21 provided by IC 4-10-11-2.1(b). Such a member is also entitled to  
22 reimbursement for traveling expenses and other expenses actually  
23 incurred in connection with the member's duties, as provided in the  
24 state travel policies and procedures established by the department of  
25 administration and approved by the budget agency.

26 (b) Each member of the commission who is a state employee is  
27 entitled to reimbursement for traveling expenses and other expenses  
28 actually incurred in connection with the member's duties, as provided  
29 in the state travel policies and procedures established by the  
30 department of administration and approved by the budget agency.

31 SECTION 282. IC 22-8-1.1-13 IS REPEALED [EFFECTIVE  
32 JULY 1, 2027]. Sec. 13: The commission shall meet at the call of the  
33 commissioner or the chairman or upon the written request of any four  
34 (4) members. However, the commission shall meet at least one (1) time  
35 per year at the call of the commissioner to conduct the business that  
36 comes before the commission.

37 SECTION 283. IC 22-8-1.1-15 IS AMENDED TO READ AS  
38 FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 15. (Standards:  
39 Incorporation by reference) The **commission board** may adopt by  
40 reference any standards, code, manuals or portions thereof, published  
41 by any nationally recognized organizations or associations organized  
42 or conducted in whole or in part for the purpose of developing

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HB 1003—LS 6756/DI 92



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1 standards for the protection of the life, health or safety of employees.

2 SECTION 284. IC 22-8-1.1-15.1, AS AMENDED BY  
 3 P.L.123-2006, SECTION 33, IS AMENDED TO READ AS  
 4 FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 15.1. Any interested  
 5 person, including representatives of employers and representatives of  
 6 employees may propose a standard to the ~~commission~~, **board**, or the  
 7 ~~commission~~ **board** may do so on its own motion. Such proposals shall  
 8 be in writing. In the development or adoption of each standard  
 9 proposed in this manner, the ~~commission~~ **board** shall appoint and  
 10 consult with an advisory committee. The advisory committee shall  
 11 include equal number of persons qualified to present the viewpoint of  
 12 employers involved and of persons similarly qualified to present the  
 13 viewpoint of the workers involved. All members of the advisory  
 14 committee shall be experienced in the field to which the proposed  
 15 standard will apply. The number of members of any advisory  
 16 committee shall be at the discretion of the ~~commission~~, **board**. Any  
 17 standard developed shall not unduly burden interstate commerce. Any  
 18 such standard must be adopted by the ~~commission~~ **board** in accordance  
 19 with IC 4-22-2. The said standard shall be published in a newspaper of  
 20 general circulation published in Marion County, Indiana, at least ten  
 21 (10) days prior to the filing of said standard with the publisher of the  
 22 Indiana Register.

23 SECTION 285. IC 22-8-1.1-16.1, AS AMENDED BY  
 24 P.L.93-2024, SECTION 160, IS AMENDED TO READ AS  
 25 FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 16.1. The ~~commission~~  
 26 **board** may adopt emergency temporary standards under IC 4-22-2. The  
 27 emergency temporary standard shall be published in a newspaper of  
 28 general circulation published in Marion County, Indiana, at least ten  
 29 (10) days before the filing with the publisher of the Indiana Register.  
 30 In the exercise of this power, the ~~commission~~ **board** shall first  
 31 expressly determine:

- 32 (1) that employees are exposed to grave danger from exposure  
 33 to substances or agents determined to be toxic or physically  
 34 harmful or from new hazards; and  
 35 (2) that such emergency temporary standard is necessary to  
 36 protect employees from such danger.

37 SECTION 286. IC 22-8-1.1-16.2 IS AMENDED TO READ AS  
 38 FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 16.2. (a) A United  
 39 States Occupational Safety and Health Administration (OSHA)  
 40 standard lawfully adopted by OSHA under federal law may be enforced  
 41 by the department without any further action by the ~~commission~~  
 42 **board**.

HB 1003—LS 6756/DI 92



1 (b) The commissioner or the commissioner's designee shall  
2 enforce the federal standards described in subsection (a) not earlier  
3 than sixty (60) days after the final standard by federal OSHA becomes  
4 effective.

5 (c) The **commission board** may adopt an alternate standard which  
6 it finds is at least as effective in providing safe and healthful  
7 employment as the federal standard under the procedures set forth in  
8 IC 22-8-1.1-15, IC 22-8-1.1-15.1, and IC 22-8-1.1-16.1.

9 (d) Notwithstanding IC 4-22-7-7(a), the **commission board** shall  
10 publish a statement describing a standard enforceable under this  
11 section. The statement must make reference to the federal regulation.  
12 The statement must be published under IC 4-22-7-7(b).

13 SECTION 287. IC 22-8-1.1-17.1 IS AMENDED TO READ AS  
14 FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 17.1. (a) Any standard  
15 promulgated under this chapter shall prescribe the use of labels or other  
16 appropriate forms of warning as are necessary to insure that employees  
17 are apprised of all hazards to which they are exposed, relevant  
18 symptoms and appropriate emergency treatment, and proper conditions  
19 and precautions of safe use or exposure. Where appropriate, such a  
20 standard shall also prescribe suitable protective equipment and control  
21 or technological procedures to be used in connection with the hazards  
22 and shall provide for monitoring or measuring employee exposure at  
23 such locations and intervals and in such manner as may be necessary  
24 for the protection of employees. In addition where appropriate, any  
25 standard shall prescribe the type or frequency of medical examinations  
26 or other tests which shall be made available by the employer, at  
27 employer's cost, to employees exposed to hazards in order to most  
28 effectively determine whether the health of the employees is adversely  
29 affected by the exposure. Upon request, the results of examinations or  
30 tests shall be furnished to the department and shall remain confidential  
31 within the department. At the request of the employee, results shall be  
32 furnished to his physician.

33 (b) The ~~commission~~ **board**, in promulgating standards dealing  
34 with toxic materials or harmful physical agents, shall set the standard  
35 which most adequately assures, to the extent feasible, on the basis of  
36 the best available evidence, that no employee will suffer material  
37 impairment of health or functional capacity even if the employee has  
38 regular exposure to the hazard dealt with by the standard for the period  
39 of his working life. Development of standards shall be based upon  
40 research, demonstrations, experiments, and such other information as  
41 may be appropriate. In addition to the attainment of the highest degree  
42 of health and safety protection for the employee, other considerations

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HB 1003—LS 6756/DI 92



1 shall be the latest available scientific data in the field, the feasibility of  
2 the standards, and experience gained under this and other health and  
3 safety laws. Whenever practicable, the standard promulgated shall be  
4 expressed in terms of objective criteria and of the performance desired.

5 (c) The ~~commission;~~ **board**, in promulgating standards, shall adopt  
6 rules requiring employers to maintain accurate records of employee  
7 exposures to potentially toxic material or harmful physical agents  
8 which are required to be monitored or measured under the standards.  
9 These rules shall provide employees or their representatives with an  
10 opportunity to observe monitoring or measuring and to have access to  
11 the records thereof. These rules shall also make appropriate provisions  
12 for each employee to have access to such records as will indicate his  
13 own exposure to toxic materials or harmful physical agents. Under  
14 these rules, each employer shall notify any employee who is being  
15 consistently exposed to toxic materials or harmful physical agents in  
16 concentrations or at levels which exceed those prescribed by an  
17 occupational safety and health standard and shall inform any employee  
18 who is being thus exposed of the corrective action being taken.

19 SECTION 288. IC 22-8-1.1-19 IS AMENDED TO READ AS  
20 FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 19. Standards:  
21 Declaratory Judgment. After promulgation of a safety standard by the  
22 ~~commission;~~ **board**, any question as to its applicability or legal validity  
23 may be adjudicated by an action for a declaratory judgment filed by an  
24 affected person or firm under IC 34-14-1 (or IC 34-4-10 before its  
25 repeal).

26 SECTION 289. IC 22-8-1.1-19.1 IS AMENDED TO READ AS  
27 FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 19.1. Temporary  
28 Variances. Any employer may apply to the ~~commission~~ **board** for a  
29 temporary order granting a variance from a standard or any provision  
30 thereof promulgated under this chapter. Such temporary order shall be  
31 granted only if the employer establishes that he is unable to comply  
32 with a standard by its effective date because of unavailability of  
33 professional or technical personnel or of materials and equipment  
34 needed to come into compliance with the standard or because necessary  
35 construction or alteration of facilities cannot be completed by the  
36 effective date; that he is taking all available steps to safeguard his  
37 employees against the hazards covered by the standard; and that he has  
38 an effective program for coming into compliance with a standard as  
39 quickly as practicable. Any temporary order issued under this section  
40 shall prescribe the practices, means, methods, operations and processes  
41 which the employer must adopt and use while the order is in effect and  
42 state in detail his program for coming into compliance with the

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1 standard. Such a temporary order may be granted only after notice to  
 2 employees and an opportunity for a hearing. Said notice shall be given  
 3 to the authorized representative of the employees and be posted at or  
 4 near the location for which the variance is sought. No order for a  
 5 temporary variance may be in effect for longer than the period needed  
 6 by the employer to achieve compliance with the standard or one (1)  
 7 year, whichever is shorter, except that such an order may be renewed  
 8 not more than twice, so long as the requirements of this paragraph are  
 9 met and if an application for renewal is filed at least ninety (90) days  
 10 prior to the expiration date of the order.

11 SECTION 290. IC 22-8-1.1-20.1 IS AMENDED TO READ AS  
 12 FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 20.1. Any affected  
 13 employer may apply to the **commission board** for a permanent variance  
 14 from a standard promulgated under this chapter. Affected employees  
 15 shall be given notice of each such application by posting it at or near  
 16 the location for which the variance is sought, and an opportunity to  
 17 participate in a hearing. The **commission board** shall issue such rule  
 18 or order if it determines, after a hearing, including an inspection, if  
 19 appropriate, that the proponent of the variance has demonstrated by a  
 20 preponderance of the evidence that the conditions, practices, means,  
 21 methods, operations, or processes used or proposed to be used by the  
 22 employer will provide employment and places of employment to his  
 23 employees which are as safe and healthful as those which would  
 24 prevail if he complied with the standard. The rule or order so issued  
 25 shall prescribe the conditions the employer must maintain, and the  
 26 practices, means, methods, operations, and processes which he must  
 27 adopt and utilize to the extent they differ from the standard in question.  
 28 Such a rule or order may be modified or revoked upon application by  
 29 an employer, employees, the commissioner of labor, or the **commission**  
 30 **board** on its own motion, in the manner prescribed for its issuance  
 31 under this section at any time after six (6) months from its issuance,  
 32 provided that the moving party gives thirty (30) days notice to the other  
 33 parties, and a hearing is held at the request of any of the parties.

34 SECTION 291. IC 22-8-1.1-21.1 IS REPEALED [EFFECTIVE  
 35 JULY 1, 2027]. ~~Sec. 21.1. The commissioner and the department shall~~  
 36 ~~provide such administrative services, including docketing,~~  
 37 ~~stenographic, and recordkeeping services, as the commission may~~  
 38 ~~require in discharging its function under this chapter.~~

39 SECTION 292. IC 22-8-1.1-22.1 IS AMENDED TO READ AS  
 40 FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 22.1. ~~Commissioner to~~  
 41 ~~Administer = Other Agencies.~~ The commissioner and—such  
 42 representatives as he may designate **the commissioner's designees**

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HB 1003—LS 6756/DI 92



1 shall administer and enforce the provisions of this chapter and the  
 2 safety standards adopted by the ~~commission~~ **board**. The commissioner  
 3 may utilize other agencies of the state government and its political  
 4 subdivisions in carrying out ~~his~~ **the commissioner's** functions under  
 5 this chapter.

6 SECTION 293. IC 22-8-1.1-30.1 IS AMENDED TO READ AS  
 7 FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 30.1. (a) A board of  
 8 safety review is created within the department.

9 (b) The board shall conduct hearings on contests involving safety  
 10 orders, penalties, and notices of failure to correct a violation issued  
 11 under this chapter and may affirm, modify, or dismiss the action of the  
 12 commissioner in respect to the violation, the penalty, and the abatement  
 13 period. All enforcement action on a properly contested safety order  
 14 shall be suspended until a final decision has been rendered by the board  
 15 of safety review. If a petition for judicial review is filed under  
 16 IC 4-21.5-5, the person seeking review may seek a stay under  
 17 IC 4-21.5-5-9. If compliance with the safety order is a final decision,  
 18 the full abatement period shall commence from the date of the issuance  
 19 of the final decision of the board of safety review or of a court if a stay  
 20 has been granted.

21 **(c) The board may promulgate, modify, or revoke safety and**  
 22 **health standards in Indiana and shall hear and determine**  
 23 **applications for temporary and permanent variances from those**  
 24 **standards.**

25 SECTION 294. IC 22-8-1.1-48.1, AS AMENDED BY  
 26 P.L.32-2008, SECTION 7, IS AMENDED TO READ AS FOLLOWS  
 27 [EFFECTIVE JULY 1, 2027]: Sec. 48.1. The commissioner of labor,  
 28 ~~the occupational safety standards commission~~; the board of safety  
 29 review, and INSafe shall have the power to make rules governing  
 30 functions under this chapter, provided such rules shall not be  
 31 inconsistent with this chapter or other applicable statutes.

32 SECTION 295. IC 22-8-1.1-48.4, AS AMENDED BY  
 33 P.L.32-2008, SECTION 8, IS AMENDED TO READ AS FOLLOWS  
 34 [EFFECTIVE JULY 1, 2027]: Sec. 48.4. (a) All information reported  
 35 to or otherwise obtained by the commissioner, the designated  
 36 representatives of the commissioner, the department of labor, ~~the~~  
 37 ~~occupational safety standards commission~~; the board of safety review,  
 38 INSafe, and the agents and employees of any of them that contains or  
 39 might reveal a trade secret, shall be considered confidential and shall  
 40 be disclosed only to such other officers or employees concerned with  
 41 the functions set forth in this chapter as may be necessary for them to  
 42 discharge their duties under this chapter. In any proceeding, the

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HB 1003—LS 6756/DI 92



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1 commissioner, ~~the commission~~, the board, or a court shall issue such  
2 orders as may be appropriate, including the impoundment of files, or  
3 portions of files, to protect the confidentiality of trade secrets.

4 (b) No person may violate the confidentiality of trade secrets.

5 SECTION 296. IC 22-9-1-19 IS ADDED TO THE INDIANA  
6 CODE AS A NEW SECTION TO READ AS FOLLOWS  
7 [EFFECTIVE JULY 1, 2027]: **Sec. 19. (a) The commission shall  
8 commemorate the birthday of Dr. Martin Luther King Jr. with  
9 programs or activities that:**

- 10 (1) honor Dr. King's life and works; and
- 11 (2) reflect Dr. King's philosophy and dream of freedom,  
12 justice, and racial equality through nonviolent social change.

13 **(b) The commission may do the following:**

14 (1) Sponsor, promote, or engage in activities on dates other  
15 than the Dr. King holiday that honor Dr. Martin Luther  
16 King Jr. or that relate to the philosophy and principles  
17 advocated by Dr. King.

18 (2) Coordinate the commission's activities and projects with  
19 the Dr. Martin Luther King Jr. federal holiday commission,  
20 community organizations, local municipalities, and other  
21 entities that the commission determines to be appropriate.

22 SECTION 297. IC 22-9.5-5-5 IS AMENDED TO READ AS  
23 FOLLOWS [EFFECTIVE JULY 1, 2027]: **Sec. 5. (a) A person may not  
24 discriminate in the sale or rental or otherwise make unavailable or deny  
25 a dwelling to any buyer or renter because of a disability of:**

- 26 (1) the buyer or renter;
- 27 (2) a person residing in or intending to reside in the dwelling  
28 after the dwelling is sold, rented, or made available; or
- 29 (3) any person associated with the buyer or renter.

30 (b) A person may not discriminate against any person in the terms,  
31 conditions, or privileges of sale or rental of a dwelling or in the  
32 provision of services or facilities in connection with the dwelling  
33 because of a disability of:

- 34 (1) the person;
- 35 (2) a person residing in or intending to reside in the dwelling  
36 after the dwelling is sold, rented, or made available; or
- 37 (3) any person associated with the person.

38 (c) For purposes of this section only, discrimination includes the  
39 following:

40 (1) A refusal to permit, at the expense of the person with a  
41 disability, reasonable modifications of existing premises  
42 occupied or to be occupied by the person if the modifications

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1           may be necessary to afford the person full enjoyment of the  
2           premises.  
3           (2) A refusal to make reasonable accommodations in rules,  
4           policies, practices, or services, when the accommodations may  
5           be necessary to afford the person equal opportunity to use and  
6           enjoy a dwelling.  
7           (3) In connection with the design and construction of covered  
8           multifamily dwellings for first occupancy after March 13, 1991,  
9           a failure to design and construct those dwellings in a manner  
10          that:  
11                (A) the public use and common use parts of the dwellings  
12                are readily accessible to and usable by persons with  
13                disabilities;  
14                (B) all the doors are designed to allow passage into and  
15                within all premises within the dwellings and are sufficiently  
16                wide to allow passage by persons with disabilities in  
17                wheelchairs; and  
18                (C) all premises within the dwellings contain the following  
19                features of adaptive design:  
20                    (i) An accessible route into and through the dwelling.  
21                    (ii) Light switches, electrical outlets, thermostats, and  
22                    other environmental controls in accessible locations.  
23                    (iii) Reinforcements in bathroom walls to allow later  
24                    installation of grab bars.  
25                    (iv) Usable kitchens and bathrooms so that an  
26                    individual in a wheelchair can maneuver about the  
27                    space.  
28          (d) As used in subsection (c), "covered multifamily dwellings"  
29          means:  
30                (1) buildings consisting of four (4) or more units if the buildings  
31                have one (1) or more elevators; and  
32                (2) ground floor units in other buildings consisting of four (4) or  
33                more units.  
34          (e) Compliance with the rules of the ~~fire prevention and building~~  
35          ~~safety commission~~ **department of homeland security** that incorporate  
36          by reference the appropriate requirements of the American National  
37          Standard for buildings and facilities providing accessibility and  
38          usability for people with physical disabilities (ANSI A117.1) satisfies  
39          the requirements of subsection (c)(3)(C).  
40          (f) This section does not require that a dwelling be made available  
41          to an individual whose tenancy would constitute a direct threat to the  
42          health or safety of other individuals or whose tenancy would result in

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1 substantial physical damage to the property of others.  
2 SECTION 298. IC 22-11-14-2, AS AMENDED BY P.L.187-2021,  
3 SECTION 63, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
4 JULY 1, 2027]: Sec. 2. (a) The ~~fire prevention and building safety~~  
5 ~~commission department of homeland security~~ shall:

6 (1) adopt rules under IC 4-22-2 for the granting of permits for  
7 supervised public displays of fireworks by municipalities, fair  
8 associations, amusement parks, and other organizations or  
9 groups of individuals; and

10 (2) establish by rule the fee for the permit, which shall be paid  
11 into the fire and building services fund created under  
12 IC 22-12-6-1.

13 (b) The application for a permit required under subsection (a)  
14 must:

- 15 (1) name a competent operator who is to officiate at the display;
- 16 (2) set forth a brief resume of the operator's experience;
- 17 (3) be made in writing or an electronic format; and
- 18 (4) be received with the applicable fee by the department of  
19 homeland security at least five (5) business days before the  
20 display.

21 No operator who has a prior conviction for violating this chapter may  
22 operate any display for one (1) year after the conviction.

23 (c) Every display shall be handled by a qualified operator  
24 approved by the chief of the fire department of the municipality in  
25 which the display is to be held. A display shall be located, discharged,  
26 or fired as, in the opinion of:

- 27 (1) the chief of the fire department of the city or town in which  
28 the display is to be held; or
- 29 (2) the township fire chief or the fire chief of the municipality  
30 nearest the site proposed, in the case of a display to be held  
31 outside of the corporate limits of any city or town;

32 after proper inspection, is not hazardous to property or person.

33 (d) A permit granted under this section is not transferable.

34 (e) A denial of a permit by a municipality shall be issued in  
35 writing before the date of the display.

36 (f) A person may not possess, transport, or deliver special  
37 fireworks, except as authorized under this section.

38 SECTION 299. IC 22-11-14-3.5, AS ADDED BY P.L.187-2006,  
39 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
40 JULY 1, 2027]: Sec. 3.5. The ~~fire prevention and building safety~~  
41 ~~commission department of homeland security~~ may adopt rules under  
42 IC 4-22-2 that specify the conditions under which the chief of a

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HB 1003—LS 6756/DI 92



1 municipal or township fire department may grant a permit to a person  
2 to sponsor a special discharge location in the municipality or township.

3 SECTION 300. IC 22-11-14-4.5, AS AMENDED BY  
4 P.L.187-2021, SECTION 64, IS AMENDED TO READ AS  
5 FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 4.5. (a) A retailer may  
6 sell consumer fireworks and items referenced in section 8(a) of this  
7 chapter from a tent under the following conditions:

8 (1) The tent may not be larger than one thousand five hundred  
9 (1,500) square feet.

10 (2) There may be only one (1) tent for each registration granted  
11 under section 11(a) of this chapter.

12 (3) The tent may not be located closer than one hundred (100)  
13 feet from a permanent structure.

14 (4) A vehicle may not be parked closer than twenty (20) feet  
15 from the edge of the tent.

16 (5) The tent must be fire retardant.

17 (6) The sales site must comply with all applicable local zoning  
18 and land use rules.

19 (7) Sales of fireworks may be made from the tent for not more  
20 than forty-five (45) days in a year.

21 (8) The weight of consumer fireworks in a tent may not exceed  
22 three thousand (3,000) gross pounds of consumer fireworks.

23 (9) A retailer that legally operated a tent with a registration in  
24 2005 may continue operation in a tent in 2006 and the following  
25 years. A registration under section 11(a) of this chapter is  
26 required for operation in 2006 and following years. For purposes  
27 of this subdivision, a retailer includes a resident wholesaler who  
28 supplied consumer fireworks to an applicant for a tent  
29 registration in 2005.

30 (10) The retailer holds a valid registration under section 11(a) of  
31 this chapter.

32 (b) A retailer may sell consumer fireworks and items referenced  
33 in section 8(a) of this chapter from a Class 1 structure (as defined in  
34 IC 22-12-1-4) if the Class 1 structure meets the requirements of any of  
35 the following subdivisions:

36 (1) The structure complied with the rules for a B-2 or M building  
37 occupancy classification before July 4, 2003, under the Indiana  
38 building code adopted by the fire prevention and building safety  
39 commission established under IC 22-12-2-1 (**before its repeal**):

40 (A) in which consumer fireworks were sold or stored on or  
41 before July 4, 2003; and

42 (B) in which no subsequent intervening nonfireworks sales

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- 1 or storage use has occurred.
- 2 (2) The structure complied with the rules for a B-2 or M building
- 3 occupancy classification before July 4, 2003, under the Indiana
- 4 building code adopted by the fire prevention and building safety
- 5 commission established under IC 22-12-2-1 (**before its repeal**):
- 6 (A) in which consumer fireworks were sold or stored on or
- 7 before July 4, 2003;
- 8 (B) in a location at which the retailer was registered as a
- 9 resident wholesaler in 2005; and
- 10 (C) in which the retailer's primary business is not the sale of
- 11 consumer fireworks.
- 12 (3) The structure complies with the rules for an H-3 building
- 13 occupancy classification under the Indiana building code
- 14 adopted by the ~~fire prevention and building safety commission~~
- 15 ~~established under IC 22-12-2-1, or the equivalent occupancy~~
- 16 ~~classification adopted by subsequent rules of the fire prevention~~
- 17 ~~and building safety commission.~~ **department of homeland**
- 18 **security.**
- 19 (4) The structure complies with the rules adopted after July 3,
- 20 2003, by the ~~fire prevention and building safety commission~~
- 21 ~~established under IC 22-12-2-1~~ **department of homeland**
- 22 **security** for an M building occupancy classification under the
- 23 Indiana building code.
- 24 A registration under section 11(a) of this chapter is required for
- 25 operation in 2006 and following years.
- 26 (c) This subsection does not apply to a structure identified in
- 27 subsection (b)(1), (b)(2), (b)(3), or (b)(4). A retailer may sell consumer
- 28 fireworks and items referenced in section 8(a) of this chapter from a
- 29 structure under the following conditions:
- 30 (1) The structure must be a Class 1 structure in which consumer
- 31 fireworks are sold and stored.
- 32 (2) The sales site must comply with all applicable local zoning
- 33 and land use rules.
- 34 (3) The weight of consumer fireworks in the structure may not
- 35 exceed three thousand (3,000) gross pounds of consumer
- 36 fireworks.
- 37 (4) The retailer holds a valid registration under section 11(a) of
- 38 this chapter.
- 39 (5) A retailer that sold consumer fireworks and operated from a
- 40 structure with a registration in 2005 may continue in operation
- 41 in the structure in 2006 and the following years. A registration
- 42 under section 11(a) of this chapter is required for operation in

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- 1           2006 and following years.
- 2           (d) The state fire marshal or a member of the department of
- 3 homeland security staff shall, under section 9 of this chapter, inspect
- 4 tents and structures in which fireworks are sold. The state fire marshal
- 5 may delegate this responsibility to a responding fire department with
- 6 jurisdiction over the tent or structure, subject to the policies and
- 7 procedures of the state fire marshal.
- 8           (e) A retailer shall file an application for each retail location on a
- 9 form to be provided by the state fire marshal.
- 10          (f) This chapter does not limit the quantity of items referenced in
- 11 section 8(a) of this chapter that may be sold from any Class 1 structure
- 12 that complied with the rules of the fire prevention and building safety
- 13 commission **(before its repeal)** in effect before May 21, 2003.
- 14          SECTION 301. IC 22-11-14-8, AS AMENDED BY P.L.187-2006,
- 15 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 16 JULY 1, 2027]: Sec. 8. (a) A person shall not sell at retail, offer for sale
- 17 at retail, or deliver the following items to a person less than eighteen
- 18 (18) years of age:
- 19           (1) Dipped sticks or wire sparklers. However, total pyrotechnic
- 20 composition may not exceed one hundred (100) grams per item.
- 21 Devices containing chlorate or perchlorate salts may not exceed
- 22 five (5) grams in total composition per item.
- 23           (2) Cylindrical fountains.
- 24           (3) Cone fountains.
- 25           (4) Illuminating torches.
- 26           (5) Wheels.
- 27           (6) Ground spinners.
- 28           (7) Flitter sparklers.
- 29           (8) Snakes or glow worms.
- 30           (9) Smoke devices.
- 31           (10) Trick noisemakers, which include:
- 32                (A) Party poppers.
- 33                (B) Booby traps.
- 34                (C) Snappers.
- 35                (D) Trick matches.
- 36                (E) Cigarette loads.
- 37                (F) Auto burglar alarms.
- 38          (b) A retailer or wholesaler of consumer fireworks may sell
- 39 consumer fireworks to a person at least eighteen (18) years of age.
- 40          (c) An individual who sells consumer fireworks must be at least
- 41 eighteen (18) years of age.
- 42          (d) An individual who sells an item set forth in subsection (a) must

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HB 1003—LS 6756/DI 92



1 be at least sixteen (16) years of age.

2 (e) The ~~fire prevention and building safety commission~~  
3 **department of homeland security** may adopt rules under IC 4-22-2  
4 establishing procedures to ensure compliance with the age limitations  
5 set forth in this section.

6 SECTION 302. IC 22-11-14-15, AS ADDED BY P.L.187-2006,  
7 SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
8 JULY 1, 2027]: Sec. 15. The ~~fire prevention and building safety~~  
9 **commission department of homeland security** and the department of  
10 state revenue shall adopt rules under IC 4-22-2 to carry out this  
11 chapter.

12 SECTION 303. IC 22-11-14.5-3, AS AMENDED BY  
13 P.L.101-2006, SECTION 30, IS AMENDED TO READ AS  
14 FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 3. The ~~fire prevention~~  
15 ~~and building safety commission~~ **department of homeland security**  
16 shall adopt rules under IC 4-22-2 to implement a statewide code  
17 concerning displays of indoor pyrotechnics. The rules:

18 (1) must require that a certificate of insurance be issued that  
19 provides general liability coverage of at least five hundred  
20 thousand dollars (\$500,000) for the injury or death of any  
21 number of persons in any one (1) occurrence and five hundred  
22 thousand dollars (\$500,000) for property damage in any one (1)  
23 occurrence by an intended display of indoor pyrotechnics arising  
24 from any acts of the operator of the display or the operator's  
25 agents, employees, or subcontractors;

26 (2) must require the person intending to present the display to  
27 give, at least twenty four (24) hours before the time of the  
28 display, written notice of the intended display to the chief of the  
29 responding fire department of the location proposed for the  
30 display of the indoor pyrotechnics and to include with the written  
31 notice a certification from the person intending to display the  
32 indoor pyrotechnics that the display will be made in accordance  
33 with:

34 (A) the rules adopted under this section; and

35 (B) any ordinance or resolution adopted under section 4 of  
36 this chapter;

37 (3) must include and adopt NFPA 1126, Standard for the Use of  
38 Pyrotechnics before a Proximate Audience, 2001 Edition,  
39 published by the National Fire Protection Association, 1  
40 Batterymarch Park, Quincy, Massachusetts 02169;

41 (4) must be amended to adopt any subsequent edition of NFPA  
42 Standard 1126, including addenda, within eighteen (18) months

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1 after the effective date of the subsequent edition; and  
 2 (5) may provide for amendments to NFPA Standard 1126 as a  
 3 condition of the adoption under subdivisions (3) and (4).  
 4 SECTION 304. IC 22-11-16-2 IS AMENDED TO READ AS  
 5 FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 2. (a) The ~~fire~~  
 6 ~~prevention and building safety commission~~ **department of homeland**  
 7 **security** shall adopt rules under IC 4-22-2 governing fire safety in  
 8 certain buildings as specified in subsection (b).  
 9 (b) Except as provided in subsection (c) and subsection (d), this  
 10 chapter and the rules adopted under it apply to:  
 11 (1) all hotels, motels, apartments (in buildings containing three  
 12 (3) or more apartments), and buildings containing three (3) or  
 13 more sleeping rooms that rent for a fee; and  
 14 (2) all buildings occupied after September 14, 1982, as hotels,  
 15 motels, apartments (in buildings containing three (3) or more  
 16 apartments), and buildings containing three (3) or more sleeping  
 17 rooms that rent for a fee.  
 18 (c) This chapter does not apply to hotels and motels that have no  
 19 interior corridors and whose individual rooms have only exterior exits.  
 20 (d) This chapter does not apply to an apartment in an apartment  
 21 building from which apartment there is immediate ground level access  
 22 to the outside.  
 23 (e) Compliance with this chapter and the rules adopted under it  
 24 does not relieve the owner of a building covered by this chapter from  
 25 the requirements of any other applicable law, rule, regulation, or  
 26 ordinance.  
 27 SECTION 305. IC 22-11-17-1, AS AMENDED BY P.L.187-2021,  
 28 SECTION 65, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 29 JULY 1, 2027]: Sec. 1. As used in this chapter:  
 30 (1) "~~Commission~~" refers to the Indiana ~~fire prevention and~~  
 31 ~~building safety commission~~. "**Department**" refers to the  
 32 **department of homeland security**.  
 33 (2) "Exit" means a continuous and unobstructed means of egress  
 34 to a public way designated as an exit pursuant to the rules of the  
 35 ~~commission~~. **department**. The term includes doorways,  
 36 corridors, exterior exit balconies, ramps, stairways, smokeproof  
 37 enclosures, horizontal exits, exit passageways, exit courts, and  
 38 yards.  
 39 (3) "Owner" means a person having control or custody of any  
 40 building covered by this chapter.  
 41 (4) "Public building" means any structure used in whole or in  
 42 part as a place of resort, assemblage, lodging, trade, traffic,

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1 occupancy, or use by the public, or by three (3) or more tenants.  
 2 It also means all educational buildings, day care centers,  
 3 hospitals, institutions, health facilities, residential-custodial care  
 4 facilities, mercantile occupancies, and office occupancies.

5 (5) "Special egress control device" means an electronically  
 6 controlled exit locking system that:

7 (A) allows a delay in exiting through an exit in a  
 8 nonemergency situation; and

9 (B) complies with rules adopted by the ~~commission~~  
 10 **department**.

11 SECTION 306. IC 22-11-17-2, AS AMENDED BY P.L.187-2021,  
 12 SECTION 66, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 13 JULY 1, 2027]: Sec. 2. (a) Except as provided in subsections (b) and  
 14 (d) and section 2.5 of this chapter, an owner of a public building shall  
 15 not permit an exit to be locked or obstructed in any manner that denies  
 16 the public a continuous and unobstructed means of egress while  
 17 lawfully occupied by anyone who is not an officer or an employee.

18 (b) The ~~commission~~ **department** may adopt rules under IC 4-22-2  
 19 that:

20 (1) allow the owner of a public building to equip an exit with a  
 21 special egress control device;

22 (2) limit the circumstances under which a special egress control  
 23 device may be used; and

24 (3) allow an exit that was in compliance with the rules of the  
 25 ~~commission~~ **department** when the exit was constructed to be  
 26 equipped with a special egress control device.

27 (c) An owner of a public building shall not permit a fire alarm to  
 28 be disconnected or otherwise rendered inoperative, except in cases of  
 29 routine maintenance or for repair.

30 (d) A school that has one (1) or more employees shall develop a  
 31 plan to address unplanned fire alarm activation as part of its emergency  
 32 operations plan.

33 (e) A school's emergency operations plan for unplanned fire alarm  
 34 activation shall include procedures for the following:

35 (1) Evacuation of the building when the fire alarm is heard. A  
 36 school with a fire alarm panel that allows for a positive fire  
 37 alarm sequence may:

38 (A) develop a plan to investigate an unplanned fire alarm  
 39 activation before activating the audible and visual alarms  
 40 requiring evacuation;

41 (B) designate school officials to acknowledge that an alarm  
 42 has been activated and initiate an investigation within

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- 1           fifteen (15) seconds;
- 2           (C) secure-in-place for up to three (3) minutes in order for
- 3           a designated school official to determine, by investigation,
- 4           if an active shooter is on the property; and
- 5           (D) following the three (3) minute period under clause (C),
- 6           the school must evacuate, unless an active shooter has been
- 7           verified to be on the school's property.
- 8           (2) Compliance with all provisions of 675 IAC 28-1-28.
- 9           SECTION 307. IC 22-12-1-4, AS AMENDED BY P.L.142-2013,
- 10          SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 11          JULY 1, 2027]: Sec. 4. (a) "Class 1 structure" means any part of the
- 12          following:
- 13           (1) A building or structure that is intended to be or is occupied
- 14           or otherwise used in any part by any of the following:
- 15           (A) The public.
- 16           (B) Three (3) or more tenants.
- 17           (C) One (1) or more persons who act as the employees of
- 18           another.
- 19           (2) A site improvement affecting access by persons with physical
- 20           disabilities to a building or structure described in subdivision
- 21           (1).
- 22           (3) Outdoor event equipment.
- 23           (4) Any class of buildings or structures that the ~~commission~~
- 24           **department** determines by rules to affect a building or structure
- 25           described in subdivision (1), except buildings or structures
- 26           described in subsections (c) through (f).
- 27          (b) Subsection (a)(1) includes a structure that contains three (3) or
- 28          more condominium units (as defined in IC 32-25-2-9) or other units
- 29          that:
- 30           (1) are intended to be or are used or leased by the owner of the
- 31           unit; and
- 32           (2) are not completely separated from each other by an
- 33           unimproved space.
- 34          (c) Subsection (a)(1) does not include a building or structure that:
- 35           (1) is intended to be or is used only for an agricultural purpose
- 36           on the land where it is located; and
- 37           (2) is not used for retail trade or is a stand used for retail sales of
- 38           farm produce for eight (8) or less consecutive months in a
- 39           calendar year.
- 40          (d) Subsection (a)(1) does not include a Class 2 structure.
- 41          (e) Subsection (a)(1) does not include a vehicular bridge.
- 42          (f) Subsection (a)(1) does not include a structure that is intended

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1 to be or is occupied solely to provide periodic maintenance or repair of:  
2 (1) the structure; or  
3 (2) mechanical or electrical equipment located within and  
4 affixed to the structure.

5 SECTION 308. IC 22-12-1-6 IS REPEALED [EFFECTIVE JULY  
6 1, 2027]. ~~Sec. 6. "Commission" refers to the fire prevention and  
7 building safety commission.~~

8 SECTION 309. IC 22-12-1-8 IS AMENDED TO READ AS  
9 FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 8. (a) "Control" means  
10 authority to create, change, or eliminate a condition or to initiate,  
11 regulate, or terminate conduct that is based on any of the following:

- 12 (1) An agency, employment, or contractual relationship.
- 13 (2) A possessory or nonpossessory ownership or leasehold  
14 interest in property.
- 15 (3) A contractual right to possess or use property.

16 (b) **The term does not apply to IC 22-12-2.1-1.**

17 SECTION 310. IC 22-12-2 IS REPEALED [EFFECTIVE JULY  
18 1, 2027]. (Fire Prevention and Building Safety Commission).

19 SECTION 311. IC 22-12-2.1 IS ADDED TO THE INDIANA  
20 CODE AS A NEW CHAPTER TO READ AS FOLLOWS  
21 [EFFECTIVE JULY 1, 2027]:

22 **Chapter 2.1. Transition of Responsibilities for Fire Prevention  
23 and Building Safety**

24 **Sec. 1. (a) On July 1, 2027, all powers, duties, agreements, and  
25 liabilities of the fire prevention and building safety commission are  
26 transferred to the department.**

27 **(b) On July 1, 2027, all records and property of the fire  
28 prevention and building safety commission, including  
29 appropriations and other funds under the control or supervision of  
30 the fire prevention and building safety commission, are transferred  
31 to the department.**

32 **(c) After June 30, 2027, any amounts owed to the fire  
33 prevention and building safety commission before July 1, 2026, are  
34 considered to be owed to the department as the successor agency.**

35 **(d) After June 30, 2027, a reference to the fire prevention and  
36 building safety commission in a statute, rule, or other document is  
37 considered a reference to the department.**

38 **(e) Proceedings pending before the fire prevention and  
39 building safety commission on July 1, 2027, shall be transferred  
40 from the fire prevention and building safety commission to the  
41 department and treated as if initiated by the department.**

42 **(f) A license or permit issued by the fire prevention and**

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1 building safety commission before July 1, 2027, shall be treated  
2 after June 30, 2027, as a certification issued by the department.

3 (g) The rules adopted by the fire prevention and building  
4 safety commission before July 1, 2027, are considered, after June  
5 30, 2027, rules of the department. For purposes of applying  
6 IC 4-22-2.6 to the readoption of rules transferred by this  
7 subsection, the rules shall be treated as not expiring. In the interim,  
8 except as permitted under IC 4-22-2-38 to make nonsubstantive  
9 technical corrections, the department may not revise or repeal the  
10 transferred rules, including matters incorporated by reference,  
11 unless authorized by act of the general assembly.

12 (h) Not later than July 1, 2028, and each year thereafter, the  
13 department shall submit a report to the legislative council in an  
14 electronic format under IC 5-14-6 making recommendations for  
15 amendment of the rules of the fire prevention and building safety  
16 commission transferred to the department under this section. The  
17 legislative council shall assign the report to be reviewed by an  
18 interim study committee established under IC 2-5-1.3. In preparing  
19 the report required by this subsection, the department shall consult  
20 with industry experts, professionals, and interested stakeholders  
21 who have indicated an interest in the subject matter of the  
22 recommendations contained in the report.

23 SECTION 312. IC 22-12-2.5 IS REPEALED [EFFECTIVE JULY  
24 1, 2027]. (Building Codes and Standards; Review and Implementation  
25 of Rules; Taking Effect of Rules).

26 SECTION 313. IC 22-12-6-1, AS AMENDED BY P.L.187-2021,  
27 SECTION 69, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
28 JULY 1, 2027]: Sec. 1. (a) The fire and building services fund is  
29 established for the purpose of defraying the personal services, other  
30 operating expense, and capital outlay of the following:

- 31 (1) The department.
- 32 (2) The education board.
- 33 ~~(3) The commission.~~
- 34 (b) The fund shall be administered by the department. Money  
35 collected for deposit in the fund shall be deposited at least monthly  
36 with the treasurer of state.
- 37 (c) The treasurer of state shall deposit the following collected  
38 amounts in the fund:
  - 39 (1) Fire insurance policy premium taxes assessed under section  
40 5 of this chapter.
  - 41 (2) Except as provided in section 6(d) of this chapter, all fees  
42 collected under this chapter.

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1 (3) Any money not otherwise described in this subsection but  
2 collected by the department ~~commission~~; or education board and  
3 designated for distribution to the fund by statute or the executive  
4 director of the department.

5 (4) A fee collected by the education board for the issuance of a  
6 certification under IC 22-14-2-7.

7 (d) The treasurer of state shall invest the money in the fund not  
8 currently needed to meet the obligations of the fund in the same  
9 manner as other public funds may be invested.

10 (e) Money in the fund at the end of a fiscal year does not revert to  
11 the state general fund.

12 SECTION 314. IC 22-12-6-3, AS AMENDED BY P.L.187-2021,  
13 SECTION 70, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
14 JULY 1, 2027]: Sec. 3. (a) The statewide fire and building safety  
15 education fund is established to provide money to:

16 (1) local fire and building inspection departments for enrollment  
17 in education and training programs approved by the department;  
18 and

19 (2) the department for:

20 (A) enrollment in education and training programs  
21 approved by the department; and

22 (B) the sponsoring of training conferences.

23 (b) The department shall administer the fund. The department  
24 shall distribute money from the fund in accordance with the rules  
25 adopted under IC 4-22-2 by the ~~commission~~. **department**.

26 (c) The fund consists of:

27 (1) money allocated under section 6(d) of this chapter; and

28 (2) fees collected under subsection (e).

29 (d) Money in the fund at the end of a fiscal year does not revert to  
30 the state general fund.

31 (e) The department may charge a fee for a person's participation  
32 in a training conference. The department shall deposit the fees  
33 collected under this subsection in the fund. The department shall pay  
34 all expenses associated with training conferences out of the fund.

35 SECTION 315. IC 22-12-6-6, AS AMENDED BY P.L.230-2019,  
36 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
37 JULY 1, 2027]: Sec. 6. (a) The ~~commission~~ **department** may adopt  
38 rules under IC 4-22-2 setting a fee schedule for the following:

39 (1) Fireworks display permits issued under IC 22-11-14-2.

40 (2) Explosives magazine permits issued under IC 35-47.5-4.

41 (3) Design releases issued under IC 22-15-3 and IC 22-15-3.2.

42 (4) Certification of industrialized building systems and mobile

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1 structures under IC 22-15-4.  
 2 (5) Inspection of regulated amusement devices under IC 22-15-7.  
 3 (6) Application fees for variance requests under IC 22-13-2-11  
 4 and inspection fees for exemptions under IC 22-13-4-5.  
 5 (7) Except as provided in section 6.5 of this chapter, permitting  
 6 and inspection of regulated lifting devices under IC 22-15-5.  
 7 (8) Permitting and inspection of regulated boiler and pressure  
 8 vessels under IC 22-15-6.  
 9 (9) Licensing of boiler and pressure vessel inspectors under  
 10 IC 22-15-6-5.  
 11 (10) Licensing of elevator contractors, elevator inspectors, and  
 12 elevator mechanics under IC 22-15-5-6 through IC 22-15-5-16.  
 13 (b) Fee schedules set under this section must be sufficient to pay  
 14 all of the costs, direct and indirect, that are payable from the fund into  
 15 which the fee must be deposited, after deducting other money deposited  
 16 in the fund. In setting these fee schedules, the ~~commission~~ **department**  
 17 may consider differences in the degree or complexity of the activity  
 18 being performed for each fee.  
 19 (c) The fee schedule set for design releases issued under  
 20 subsection (a)(3) may not be changed more than one (1) time each year.  
 21 The ~~commission~~ **department** may include in this fee schedule a fee for  
 22 the review of plans and specifications and, if a political subdivision  
 23 does not have a program to periodically inspect the construction  
 24 covered by the design release, a fee for inspecting the construction.  
 25 (d) The fee schedule set under subsection (a) for design releases  
 26 may provide that a portion of the fees collected shall be deposited in  
 27 the statewide fire and building safety education fund established under  
 28 section 3 of this chapter.  
 29 SECTION 316. IC 22-12-6-6.5, AS ADDED BY P.L.230-2019,  
 30 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 31 JULY 1, 2027]: Sec. 6.5. (a) The ~~commission~~ **department** may adopt  
 32 rules under IC 4-22-2 to set fees for a permit issued under  
 33 IC 22-15-5-4(c) if the acceptance inspection of the regulated lifting  
 34 device required by IC 22-15-5-4(c)(1)(A) is conducted by an inspector  
 35 who is not employed by the department.  
 36 (b) A fee under subsection (a) must be a lesser fee than that set  
 37 under section 6(a)(7) of this chapter.  
 38 (c) When determining a fee under subsection (a), the ~~commission~~  
 39 **department** shall consider any savings the department will experience  
 40 as a result of a permit applicant using an inspector who is not employed  
 41 by the department, including savings related to department inspector  
 42 salaries, travel, and administrative costs.

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1 SECTION 317. IC 22-12-6-7, AS AMENDED BY P.L.187-2021,  
2 SECTION 71, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2027]: Sec. 7. (a) This section does not apply to a nonpublic  
4 school (as defined in IC 20-18-2-12) or a school operated by a school  
5 corporation (as defined in IC 20-18-2-16).

6 (b) The department shall charge an application fee set by rules  
7 adopted by the ~~commission~~ **department** under IC 4-22-2 for  
8 amusement and entertainment permits issued under IC 22-14-3.

9 (c) The department shall collect an inspection fee set by rules  
10 adopted by the ~~commission~~ **department** under IC 4-22-2 whenever the  
11 department conducts an inspection for a special event endorsement  
12 under IC 22-14-3.

13 (d) Halls, gymnasiums, or places of assembly in which contests,  
14 drills, exhibitions, plays, displays, dances, concerts, or other types of  
15 amusement are held by colleges, universities, social or fraternal  
16 organizations, lodges, farmers organizations, societies, labor unions,  
17 trade associations, or churches are exempt from the fees charged or  
18 collected under subsections (b) and (c), unless rental fees are charged  
19 or collected.

20 (e) The fees set for applications or inspections under this section  
21 must be sufficient to pay all the direct and indirect costs of processing  
22 an application or performing an inspection for which the fee is set. In  
23 setting the fees, the ~~commission~~ **department** may consider differences  
24 in the degree or complexity of the activity being performed for each  
25 fee.

26 SECTION 318. IC 22-12-6-8 IS AMENDED TO READ AS  
27 FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 8. (a) The application  
28 fee for a fireworks manufacturer, distributor, wholesaler, or importer  
29 permit issued under IC 22-11-14-5 shall be set by rules adopted by the  
30 ~~commission~~ **department** under IC 4-22-2.

31 (b) The application fee for a fireworks retail stand permit issued  
32 under IC 22-11-14-7 shall be set by rules adopted by the ~~commission~~  
33 **department** under IC 4-22-2. The rules must exempt a nonprofit  
34 corporation incorporated under IC 23-7-1.1 (before its repeal on  
35 August 1, 1991) or IC 23-17 from the fee.

36 (c) The fees set for applications under this section must be  
37 sufficient to pay all the direct and indirect costs of processing an  
38 application for which the fee is set. In setting the fees, the ~~commission~~  
39 **department** may consider differences in the degree or complexity of  
40 the activity being performed for each fee.

41 SECTION 319. IC 22-12-6-15, AS AMENDED BY P.L.1-2025,  
42 SECTION 205, IS AMENDED TO READ AS FOLLOWS

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HB 1003—LS 6756/DI 92



1 [EFFECTIVE JULY 1, 2027]: Sec. 15. (a) As used in this section,  
2 "credit card" means a bank card, debit card, charge card, prepaid card,  
3 or other similar device used for payment.

4 (b) In addition to other methods of payment allowed by law, the  
5 department may accept payment by credit card for certifications,  
6 licenses, and fees, and other amounts payable to the following:

7 (1) The department.

8 (2) The fire prevention and building safety commission (**before  
9 its repeal**).

10 (3) The Indiana homeland security foundation (before its repeal).

11 (c) The department may enter into appropriate agreements with  
12 banks or other organizations authorized to do business in Indiana to  
13 enable the department to accept payment by credit card.

14 (d) The department may recognize net amounts remitted by the  
15 bank or other organization as payment in full of amounts due the  
16 department.

17 (e) The department may pay any applicable credit card service  
18 charge or fee.

19 SECTION 320. IC 22-12-7-1, AS AMENDED BY P.L.238-2025,  
20 SECTION 64, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
21 JULY 1, 2027]: Sec. 1. This chapter applies to ~~the commission~~, the  
22 education board and every officer, employee, and agent of an office or  
23 division within the department whenever the person has authority to  
24 administer or enforce a law under IC 22-11 through IC 22-15,  
25 IC 35-47.5, or IC 36-8-10.5.

26 SECTION 321. IC 22-12-7-12, AS AMENDED BY P.L.238-2025,  
27 SECTION 66, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
28 JULY 1, 2027]: Sec. 12. (a) This section applies to an order issued by  
29 an officer, employee, or agent of an office or division within the  
30 department.

31 (b) The office or division issuing an order shall give a person who:

32 (1) is aggrieved by the order; and

33 (2) requests review of the order in verbal or written form;

34 an opportunity to informally discuss the order with the office or  
35 division. Review under this subsection does not suspend the running of  
36 the time period in which a person must petition under IC 4-21.5-3-7 to  
37 appeal the order.

38 (c) The office or division issuing the order may, on its own  
39 initiative or at the request of any person, modify its order or reverse the  
40 order.

41 (d) An order issued by an office or a division may be appealed to  
42 the ~~commission~~ **department** under IC 4-21.5-3-7. A decision to deny

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HB 1003—LS 6756/DI 92



1 a request to modify or reverse an order under subsection (c) is not  
 2 appealable. However, orders issued under IC 22-14-2-7,  
 3 IC 22-14-2-7.5, or IC 36-8-10.5 are appealed to the education board.

4 (e) If an order is appealed, the agency that is responsible for  
 5 reviewing the order under subsection (d) or its designee shall conduct  
 6 all administrative proceedings under IC 4-21.5. In its proceedings, the  
 7 agency conducting the proceeding may modify the order to impose any  
 8 requirement authorized under this article or reverse the order.

9 SECTION 322. IC 22-12-7-15, AS ADDED BY P.L.160-2025,  
 10 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 11 JULY 1, 2027]: Sec. 15. (a) Except as provided by subsection (c), if a  
 12 property is inspected by the department or plans were reviewed by the  
 13 department, neither the department nor a political subdivision may  
 14 require compliance with a new or different set of building, fire safety,  
 15 or equipment laws than were originally enforced by the department:

- 16 (1) before July 1, 2025; or  
 17 (2) two (2) years after the earlier of the date of the:  
 18 (A) initial inspection; or  
 19 (B) plan review.

20 (b) A child care home (as defined in IC 12-7-2-28.6) that was  
 21 licensed to operate in a Class 2 structure by the office of the secretary  
 22 of family and social services before July 1, 2025, may continue to  
 23 operate in the structure notwithstanding the provisions of this article  
 24 and 675 IAC 13.

25 (c) Subsection (a) does not apply to any of the following:

- 26 (1) Any:  
 27 (A) fraud;  
 28 (B) material misrepresentation; or  
 29 (C) other act of bad faith;  
 30 that results in misapplication of the appropriate requirements.  
 31 (2) A change of use or occupancy of the structure or equipment.  
 32 (3) A condition imposed in a variance issued by the:  
 33 (A) department; or  
 34 (B) ~~commission~~ **state building commissioner**.  
 35 (4) Any new construction, addition, or alteration of the structure  
 36 or equipment.  
 37 (5) A violation that would qualify for an emergency order under  
 38 section 6(a)(1) of this chapter.  
 39 (6) Any maintenance requirements.

40 SECTION 323. IC 22-13-1-2 IS AMENDED TO READ AS  
 41 FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 2. "Building rule"  
 42 means a rule that:



HB 1003—LS 6756/DI 92

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- 1 (1) is adopted by the ~~commission;~~ **department;** and  
 2 (2) qualifies as a building law under IC 22-12-1-3.  
 3 SECTION 324. IC 22-13-1-3 IS AMENDED TO READ AS  
 4 FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 3. "Fire safety rule"  
 5 means a rule that:  
 6 (1) is adopted by the ~~commission;~~ **department;** and  
 7 (2) qualifies as a fire safety law under IC 22-12-1-13.  
 8 SECTION 325. IC 22-13-2-2, AS AMENDED BY P.L.230-2019,  
 9 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 10 JULY 1, 2027]: Sec. 2. (a) Except as provided in section 3.5 of this  
 11 chapter, the ~~commission~~ **department** shall adopt rules under IC 4-22-2  
 12 to adopt a statewide code of fire safety laws and building laws.  
 13 (b) ~~The commission~~ **The department** shall adopt the following  
 14 national codes or their equivalent by rules under IC 4-22-2 and  
 15 IC 22-13-2.5 (before its repeal):  
 16 (1) ANSI A10.4 (Safety Requirements for Personnel Hoists).  
 17 (2) ASME A17.1 (Safety Code for Elevators and Escalators, an  
 18 American National Standard).  
 19 (3) ASME A18.1 (Safety Standard for Platform Lifts and  
 20 Stairway Chairlifts, American National Standard).  
 21 (4) ASME QEI-1 (Standard for the Qualification of Elevator  
 22 Inspectors, an American National Standard).  
 23 (5) The American Society of Civil Engineers (ASCE) Automated  
 24 People Mover Standard 21.  
 25 (6) ANSI A90.1 Safety Code for Manlifts.  
 26 (7) ASME A17.3 (Safety Code for Existing Elevators and  
 27 Escalators, an American National Standard).  
 28 (8) ASME A17.6 (Standard for Elevator Suspension,  
 29 Compensation, and Governor Systems).  
 30 (c) ~~The commission shall review the subsequent edition of each~~  
 31 ~~code adopted under subsection (b) within twenty-four (24) months after~~  
 32 ~~the effective date of the subsequent edition.~~  
 33 (d) ~~Except as provided in subsection (c); the commission may~~  
 34 ~~amend the national codes as a condition of the adoption under~~  
 35 ~~subsections (b) and (c).~~  
 36 (e) ~~An amendment to the national code under subsection (d) may~~  
 37 ~~not unreasonably impair public safety.~~  
 38 SECTION 326. IC 22-13-2-2.5 IS REPEALED [EFFECTIVE  
 39 JULY 1, 2027]. Sec. 2.5. (a) ~~Before January 1, 2020, the commission~~  
 40 ~~shall adopt rules under IC 4-22-2 to replace the statewide residential~~  
 41 ~~code for Class 2 structures that is included within the statewide code~~  
 42 ~~of fire safety laws and building laws adopted under section 2 of this~~

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HB 1003—LS 6756/DI 92



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1 chapter.

2 (b) If the commission uses a national code as part of the adoption  
3 of a replacement statewide residential code under subsection (a), the  
4 commission shall amend the national code as a condition of the  
5 adoption under subsection (a).

6 (c) The commission shall submit a report to the general assembly  
7 not later than January 1, 2019, regarding the commission's work during  
8 the previous year related to adoption of a replacement statewide  
9 residential code under subsection (a). The report to the general  
10 assembly must be submitted in an electronic format under IC 5-14-6.

11 SECTION 327. IC 22-13-2-2.6 IS REPEALED [EFFECTIVE  
12 JULY 1, 2027]. Sec. 2-6. Before January 1, 2021, the commission may  
13 adopt rules under IC 4-22-2 to exempt a bunkhouse from being  
14 required to be equipped with an automatic fire sprinkler system.

15 SECTION 328. IC 22-13-2-3, AS AMENDED BY P.L.155-2023,  
16 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
17 JULY 1, 2027]: Sec. 3. (a) The rules adopted under section 2 of this  
18 chapter take precedence over:

19 (1) any rule adopted by a state agency that conflicts with the  
20 ~~commission's~~ **department's** fire safety rules or building rules;  
21 and

22 (2) any ordinance or other regulation adopted by a political  
23 subdivision that covers the same subject matter as the  
24 ~~commission's~~ **department's** fire safety rules or building rules.

25 (b) State agencies and political subdivisions may incorporate the  
26 rules adopted by the ~~commission~~ **department** by reference into a rule,  
27 ordinance, or other regulation. Notwithstanding IC 4-22-9-6, a  
28 reference to the rules adopted by the ~~commission~~, **department**, by  
29 citation to the Indiana Administrative Code (IAC), shall be construed  
30 to include all amendments as of the date that the reference is written  
31 and any later amendments to that provision, unless accompanied by a  
32 reference to a specific edition or supplement to the Indiana  
33 Administrative Code.

34 (c) A city, town, or county may not adopt an ordinance that  
35 conflicts with or includes more stringent or detailed requirements than  
36 the ~~commission's~~ **department's** rules.

37 SECTION 329. IC 22-13-2-3.5, AS ADDED BY P.L.104-2018,  
38 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
39 JULY 1, 2027]: Sec. 3.5. (a) The following may not adopt rules  
40 requiring the installation of an automatic fire sprinkler system in a  
41 Class 2 structure:

42 (1) The ~~commission~~. **department**.

HB 1003—LS 6756/DI 92



- 1 (2) Another state agency.
- 2 (b) A political subdivision may not adopt an ordinance or other
- 3 regulation requiring the installation of an automatic fire sprinkler
- 4 system in a Class 2 structure.

5 SECTION 330. IC 22-13-2-4 IS AMENDED TO READ AS  
 6 FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 4. If the ~~commission~~  
 7 **department** finds duplication, conflict, or overlapping of responsibility  
 8 between:

- 9 (1) this article, IC 22-12, IC 22-14, IC 22-15, a fire safety rule,
- 10 or a building rule; and

11 (2) the rules adopted by another state agency;  
 12 the ~~commission~~ **department** shall notify the state agency, and the state  
 13 agency shall revise its rules to eliminate the duplication, conflict, or  
 14 overlap.

15 SECTION 331. IC 22-13-2-4.1, AS AMENDED BY  
 16 P.L.187-2021, SECTION 74, IS AMENDED TO READ AS  
 17 FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 4.1. (a) This section  
 18 applies only to a plan review for a design release performed:

- 19 (1) before construction of a Class 1 structure; and
- 20 (2) to determine compliance with the rules of the ~~commission~~

21 **department**.  
 22 (b) This section does not apply to a plan review for the issuance of  
 23 a building permit, an improvement permit, a fire protection system  
 24 permit, or any other permit issued by a state agency or a city, town, or  
 25 county.

- 26 (c) A plan review for a design release must be:
- 27 (1) authorized under IC 22-15-3; and
- 28 (2) performed in compliance with the rules and objective criteria
- 29 adopted by the ~~commission~~ **department** under IC 22-15-3-1.

30 (d) If the ~~commission~~ **department** has certified that a city, town,  
 31 or county is qualified to perform a plan review for a design release  
 32 under IC 22-15-3, both of the following may perform the plan review  
 33 for a design release:

- 34 (1) The department.
- 35 (2) The city, town, or county.

36 However, only the entity described in subdivision (1) or (2) that  
 37 performs the initial plan review for a design release may charge a fee  
 38 for the plan review for a design release. The other entity shall not  
 39 charge a fee for the plan review for a design release.

40 SECTION 332. IC 22-13-2-5.6, AS ADDED BY P.L.155-2023,  
 41 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 42 JULY 1, 2027]: Sec. 5.6. (a) As used in this section, "building code"

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1 means a building code and includes the standards related to a building  
2 code.

3 (b) As used in this section, "unit" means a county, city, or town.

4 (c) ~~Beginning January 1, 2024,~~ A unit may submit a proposal to  
5 ~~the commission department~~ to amend any building code. ~~that the~~  
6 ~~commission adopts or updates after December 31, 2023.~~ A unit may  
7 submit the proposal in hard copy or in an electronic form that is  
8 acceptable to the ~~commission~~ **department**. A proposal must include  
9 the following:

10 (1) A resolution adopted by the unit to request an amendment to  
11 the building code that:

12 (A) specifies the building code language to be amended;  
13 and

14 (B) states the safety issue that is the basis for the proposed  
15 amendment.

16 (2) A fiscal analysis of the estimated cost or savings resulting  
17 from the proposed building code amendment.

18 (d) ~~The commission department shall hold one (1) meeting each~~  
19 ~~year to review and consider all proposals submitted by units at least~~  
20 ~~annually. A unit may submit a proposal at any time. However, the~~  
21 ~~commission shall review and consider only complete proposal~~  
22 ~~submissions that are received not later than sixty (60) days before the~~  
23 ~~date of a meeting in which proposals are considered:~~

24 (e) ~~The commission shall:~~

25 (1) ~~place a proposal on the meeting agenda not later than thirty~~  
26 ~~(30) days before the date of the meeting in which the proposal is~~  
27 ~~considered; and~~

28 (2) ~~take public testimony at the meeting.~~

29 (f) ~~The commission may only adopt a proposed amendment upon~~  
30 ~~an affirmative vote of not less than two-thirds (2/3) of the members of~~  
31 ~~the commission present and voting as provided in IC 22-12-2-6.~~

32 (g) ~~A building code amendment adopted by the commission under~~  
33 ~~this section is subject to IC 22-12-2.5-2.~~

34 SECTION 333. IC 22-13-2-7 IS AMENDED TO READ AS  
35 FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 7. (a) The ~~commission~~  
36 **department** may review and modify or reverse any variance or other  
37 order that:

38 (1) is issued by a state agency or political subdivision; and

39 (2) covers a subject governed by this article, IC 22-12, IC 22-14,  
40 IC 22-15, a fire safety rule, or a building rule.

41 (b) The ~~commission department~~ shall review variances granted  
42 by a political subdivision to the fire safety laws and building laws

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HB 1003—LS 6756/DI 92



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1 adopted in its ordinances. The variance is not effective until it is  
2 approved by the ~~commission~~ **department**.

3 (c) The ~~commission~~ **department** shall review orders under this  
4 section that:

- 5 (1) are issued by a political subdivision; and
- 6 (2) concern a Class 2 structure;

7 if a person aggrieved by the order petitions for review under  
8 IC 4-21.5-3-7 within thirty (30) days after the political subdivision has  
9 issued the order.

10 (d) A copy of the petition under subsection (c) shall be delivered  
11 to the political subdivision issuing the order.

12 (e) Review of an order under this section does not suspend the  
13 running of the time period under any statute in which a person must  
14 petition a court for judicial review of the order.

15 SECTION 334. IC 22-13-2-8, AS AMENDED BY P.L.93-2024,  
16 SECTION 161, IS AMENDED TO READ AS FOLLOWS  
17 [EFFECTIVE JULY 1, 2027]: Sec. 8. (a) The ~~commission~~ **department**  
18 shall adopt rules under IC 4-22-2 to create equipment laws applicable  
19 to regulated lifting devices.

20 (b) The ~~commission~~ **department** shall adopt rules under IC 4-22-2  
21 to create equipment laws applicable to regulated boilers and pressure  
22 vessels.

23 (c) The ~~commission~~ **department** may adopt rules under IC 4-22-2  
24 to adopt by reference all or part of the following national boiler and  
25 pressure vessel codes:

- 26 (1) The American Society of Mechanical Engineers Boiler and  
27 Pressure Vessel Code.
- 28 (2) The National Board of Boiler and Pressure Vessel Inspectors  
29 Inspection Code.
- 30 (3) The American Petroleum Institute 510 Pressure Vessel  
31 Inspection Code.
- 32 (4) Any subsequent editions of the codes listed in subdivisions  
33 (1) through (3).

34 (d) The ~~commission~~ **department** shall adopt rules under IC 4-22-2  
35 to create equipment laws applicable to regulated amusement devices.

36 SECTION 335. IC 22-13-2-8.5, AS AMENDED BY P.L.93-2024,  
37 SECTION 162, IS AMENDED TO READ AS FOLLOWS  
38 [EFFECTIVE JULY 1, 2027]: Sec. 8.5. (a) The ~~commission~~  
39 **department** shall adopt rules under IC 4-22-2 for outdoor event  
40 equipment at outdoor performances to protect the safety of persons at  
41 the outdoor performances. The ~~commission~~ **department** may:

- 42 (1) exempt small assemblies of outdoor event equipment, as

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1 defined by the ~~commission~~; **department**, from some or all fees  
 2 or other requirements that otherwise would apply to outdoor  
 3 event equipment under a rule adopted under this section or  
 4 another building law; or

5 (2) establish alternative procedures, fees, or other requirements,  
 6 or any combination, for small assemblies of outdoor event  
 7 equipment, as defined by the ~~commission~~; **department**.

8 (b) Subject to this section, a city, town, or county that regulated  
 9 outdoor event equipment before March 15, 2012, under an ordinance  
 10 adopted before March 15, 2012, may, if the ordinance is in effect on  
 11 March 15, 2012, continue to regulate outdoor event equipment under  
 12 the ordinance after March 14, 2012, in the same manner that the city,  
 13 town, or county applied the ordinance before March 15, 2012.  
 14 However, a statewide code of fire safety laws or building laws  
 15 governing outdoor event equipment that is adopted by the ~~commission~~  
 16 **department** under this section after March 14, 2012, takes precedence  
 17 over any part of a city, town, or county ordinance that is in conflict with  
 18 the ~~commission's~~ **department's** adopted code. The ordinances to which  
 19 this section applies include Chapter 536 of the Revised Code of the  
 20 Consolidated City and County Indianapolis/Marion, Indiana Codified  
 21 through Ordinance No. 36, 2011, passed August 15, 2011. (Supp. No.  
 22 27). A city, town, or county to which this subsection applies need not  
 23 be certified or approved under IC 22-15-3-1 or another law to continue  
 24 to regulate outdoor event equipment after March 14, 2012.

25 (c) This subsection applies to cities, towns, and counties described  
 26 in subsection (b) and any other city, town, or county that, after March  
 27 14, 2012, adopts an ordinance governing outdoor event equipment that  
 28 is approved by the ~~commission~~ **department** or the state building  
 29 commissioner. The city, town, or county shall require compliance with:

- 30 (1) the rules adopted under this section;  
 31 (2) orders issued under IC 22-13-2-11 that grant a variance to the  
 32 rules adopted under this section;  
 33 (3) orders issued under IC 22-12-7 that apply the rules adopted  
 34 under this section; and  
 35 (4) a written interpretation of the rules adopted under this section  
 36 binding on the unit under IC 22-13-5-3 or IC 22-13-5-4;

37 on both private and public property located within the boundaries of  
 38 the city, town, or county, including, in the case of a consolidated city,  
 39 the state fairgrounds. This subsection does not limit the authority of a  
 40 unit (as defined in IC 36-1-2-23) under IC 36-7-2-9 to enforce building  
 41 laws and orders and written interpretations related to building laws.

42 SECTION 336. IC 22-13-2-10, AS AMENDED BY P.L. 187-2021,

HB 1003—LS 6756/DI 92



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1 SECTION 75, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
2 JULY 1, 2027]: Sec. 10. (a) A county, city, or town may regulate  
3 regulated lifting devices if the unit's regulatory program is approved by  
4 the ~~commission~~. **department**.

5 (b) A unit must submit its ordinances and other regulations that  
6 regulate lifting devices to the ~~commission~~ **department** for approval.  
7 The ordinance or other regulation is not effective until it is approved by  
8 the ~~commission~~. **department**. If any of these ordinances or regulations  
9 conflict with the ~~commission's~~ **department's** rules, the ~~commission's~~  
10 **department's** rules supersede the local ordinance or other regulation.

11 (c) A unit may issue permits only to applicants who qualify under  
12 IC 22-15-5. However, the unit may specify a lesser fee than that set  
13 under IC 22-12-6-6(a)(7).

14 (d) A unit must inspect regulated lifting devices with inspectors  
15 who possess the qualifications necessary to be employed by the  
16 department of homeland security as a regulated lifting device inspector.

17 SECTION 337. IC 22-13-2-11, AS AMENDED BY P.L.93-2024,  
18 SECTION 163, IS AMENDED TO READ AS FOLLOWS  
19 [EFFECTIVE JULY 1, 2027]: Sec. 11. (a) The department ~~or the~~  
20 ~~commission~~ may grant a variance to any rule adopted by the  
21 ~~commission~~. **department**. However, ~~the commission may grant a~~  
22 ~~variance under this section only if the department places the~~  
23 ~~application for the variance on the commission's agenda.~~

24 (b) To qualify for a variance, an applicant must pay the fee set  
25 under IC 22-12-6-6 and file an application, on a form approved by the  
26 department, that contains facts demonstrating that:

27 (1) compliance with the rule will impose an undue hardship  
28 upon the applicant or prevent the preservation of an  
29 architecturally significant or historically significant part of a  
30 building or other structure; and

31 (2) either:

32 (A) noncompliance with the rule; or

33 (B) compliance with an alternative requirement approved  
34 by the body considering the variance application;

35 will not be adverse to the public health, safety, or welfare.

36 (c) A variance granted under this section is conditioned upon  
37 compliance with an alternative standard approved under subsection  
38 (b)(2)(B).

39 (d) A variance granted under this section takes precedence over  
40 conflicting rules adopted by a state agency and conflicting ordinances  
41 and other regulations adopted by a political subdivision.

42 (e) Variances granted by the boiler and pressure vessel rules board

HB 1003—LS 6756/DI 92



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1 and the regulated amusement device safety board prior to July 1, 2019,  
2 are valid and remain in full force and effect.

3 (f) The department shall make all variance applications available  
4 for review on a public portal.

5 (g) Local fire and building officials shall receive notice of variance  
6 applications filed under this section within their respective  
7 jurisdictions.

8 (h) A local fire official, local building official, or other interested  
9 party may submit documentation regarding a variance application to  
10 the department ~~or commission~~ for review and consideration prior to an  
11 initial determination being made on the application by the department.  
12 ~~or the commission.~~

13 (i) The department ~~or commission~~ shall wait at least five (5)  
14 business days after a variance application is filed before making an  
15 initial determination on the application.

16 (j) The ~~commission~~ **department** may adopt rules under IC 4-22-2  
17 to implement this section.

18 SECTION 338. IC 22-13-2-11.5, AS AMENDED BY  
19 P.L.93-2024, SECTION 164, IS AMENDED TO READ AS  
20 FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 11.5. (a) As used in this  
21 section, "NFPA 72" refers to NFPA 72, National Fire Alarm and  
22 Signaling Code, 2010 Edition, published by the National Fire  
23 Protection Association, 1 Batterymarch Park, Quincy, Massachusetts  
24 02169-7471.

25 (b) It is the intent of the general assembly that NFPA 72, as may  
26 be amended by the ~~commission~~ **department** under subsection (c), be  
27 incorporated into the Indiana Administrative Code. Not later than July  
28 1, 2014, the ~~commission~~ **department** shall adopt rules under IC 4-22-2  
29 to amend 675 IAC 28-1-28 to incorporate NFPA 72 into the Indiana  
30 Administrative Code, subject to subsection (c)(1) and (c)(2).

31 (c) In adopting rules to incorporate NFPA 72 into the Indiana  
32 Administrative Code, as required by subsection (b), the ~~commission~~  
33 **department** may amend NFPA 72 as the ~~commission~~ **department**  
34 considers appropriate. However, the rules finally adopted by the  
35 ~~commission~~ **department** to comply with this section must do the  
36 following:

- 37 (1) Incorporate the definition of, and associated requirements  
38 for:
  - 39 (A) a managed facilities-based voice network (MFVN); and
  - 40 (B) a public switched telephone network (PSTN);
 as set forth in NFPA 72.
- 41 (2) Allow digital alarm communicator systems that make use of
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1 a managed facilities-based voice network (MFVN) to transmit  
 2 signals from a fire alarm system to an offsite monitoring facility,  
 3 subject to the requirements for those systems set forth in NFPA  
 4 72.

5 (d) If the **commission department** does not comply with  
 6 subsection (b), the following apply: ~~on July 1, 2014:~~

7 (1) The definition of, and associated requirements for:

8 (A) a managed facilities-based voice network (MFVN); and

9 (B) a public switched telephone network (PSTN);

10 as set forth in NFPA 72, are considered incorporated into the  
 11 Indiana Administrative Code. Any provisions of 675  
 12 IAC 28-1-28 (or any rules adopted by a state agency, or any  
 13 ordinances or other regulations adopted by a political  
 14 subdivision) that conflict with the definitions and requirements  
 15 described in this subdivision are superseded by the definitions  
 16 and requirements described in this subdivision. This subdivision  
 17 continues to apply until the **commission department** adopts  
 18 rules that amend 675 IAC 28-1-28 to incorporate NFPA 72 into  
 19 the Indiana Administrative Code and that comply with  
 20 subsection (c)(1) and (c)(2).

21 (2) A person that after June 30, 2014, installs or uses a digital  
 22 alarm communicator system that:

23 (A) makes use of a managed facilities-based voice network  
 24 (MFVN) to transmit signals from a fire alarm system to an  
 25 offsite monitoring facility; and

26 (B) meets the requirements for such a system set forth in  
 27 NFPA 72;

28 is not required to obtain a variance under section 11 of this  
 29 chapter for the installation or use.

30 SECTION 339. IC 22-13-2-12 IS AMENDED TO READ AS  
 31 FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 12. (a) This section  
 32 applies if the **commission department** is authorized by statute to enter  
 33 into agreements with the federal government, another state, or foreign  
 34 country.

35 (b) An agreement under this section must be submitted to the  
 36 attorney general for approval. The attorney general shall approve the  
 37 agreement unless the attorney general finds that it does not comply  
 38 with the statutes. If the attorney general disapproves the agreement, the  
 39 attorney general shall give the **commission department** a detailed  
 40 statement indicating the basis for the disapproval. If the attorney  
 41 general fails to approve or disapprove the agreement within sixty (60)  
 42 days after it is submitted, it is considered approved.

HB 1003—LS 6756/DI 92



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1 SECTION 340. IC 22-13-2-13, AS AMENDED BY P.L.187-2021,  
 2 SECTION 76, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 3 JULY 1, 2027]: Sec. 13. (a) The ~~commission~~ **department** may adopt  
 4 rules under IC 4-22-2 to implement this article, IC 22-12, IC 22-14, and  
 5 IC 22-15.

6 (b) Any power of the state fire marshal or the department to adopt  
 7 rules to implement this article, IC 22-12, IC 22-14, and IC 22-15 shall  
 8 be exercised by the ~~commission~~ **department**.

9 SECTION 341. IC 22-13-2-14, AS AMENDED BY P.L.249-2019,  
 10 SECTION 26, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 11 JULY 1, 2027]: Sec. 14. The ~~commission~~ **or** department may engage  
 12 in studies and consult with any person to implement this article,  
 13 IC 22-12, IC 22-14, and IC 22-15.

14 SECTION 342. IC 22-13-2-14.1, AS AMENDED BY  
 15 P.L.187-2021, SECTION 77, IS AMENDED TO READ AS  
 16 FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 14.1. (a) The  
 17 ~~commission~~ **or** department shall consult with an industry expert to  
 18 discuss a variance application or an update to a rule or safety standard  
 19 concerning:

- 20 (1) a boiler or pressure vessel; or
- 21 (2) a regulated amusement device.

22 (b) An industry expert for the purposes of consulting under  
 23 subsection (a)(1) must be:

- 24 (1) a professional engineer registered under ~~IC 25-31;~~  
 25 **IC 25-4-3;** and
- 26 (2) knowledgeable in and have experience with boiler and  
 27 pressure vessels.

28 SECTION 343. IC 22-13-2-15 IS ADDED TO THE INDIANA  
 29 CODE AS A NEW SECTION TO READ AS FOLLOWS  
 30 [EFFECTIVE JULY 1, 2027]: **Sec. 15. (a) This section applies to any  
 31 property regulated by IC 22-12, this article, IC 22-14, IC 22-15, or  
 32 a rule of the department.**

33 (b) **The department shall authorize compliance with a more  
 34 recent version of a model code than that which is currently  
 35 incorporated into the rules of the department, as amended from  
 36 time to time under IC 22-12-2.1.**

37 (c) **To make an authorization under subsection (b), the  
 38 department must:**

- 39 (1) **specifically identify, by name and version, the model code  
 40 that is being authorized;**
- 41 (2) **include a finding that compliance with the more recent  
 42 version of the model code is not adverse to the health, safety,**

HB 1003—LS 6756/DI 92



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1 or welfare of the public;  
 2 (3) identify any other associated model codes that must also  
 3 be complied with in lieu of the Indiana version; and  
 4 (4) file a notice in the Indiana Register containing the  
 5 information described in subdivisions (1) through (3).  
 6 (d) The department may impose conditions on an  
 7 authorization issued under this section necessary to ensure that the  
 8 following are maintained:  
 9 (1) The health, safety, or welfare of the public.  
 10 (2) The integrity of Indiana's regulatory program.  
 11 (e) The department may modify or eliminate any authorization  
 12 made under this section by filing an updated notice in the Indiana  
 13 Register. The modification or elimination of an authorization may  
 14 not take effect sooner than one hundred eighty (180) days after the  
 15 date of posting in the Indiana Register. The modification or  
 16 elimination of an authorization is subject to IC 4-21.5.  
 17 (f) Compliance with an authorization made under this section  
 18 is voluntary. However, if a person elects to comply with an  
 19 authorization, the failure to comply with any provision of the  
 20 authorization is a violation of the building, fire safety, or  
 21 equipment laws of Indiana.  
 22 SECTION 344. IC 22-13-3-1 IS AMENDED TO READ AS  
 23 FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 1. The ~~commission~~  
 24 **department** shall adopt fire safety rules that prohibit the following:  
 25 (1) The storage of regulated explosives (as defined in  
 26 IC 35-47.5-2-13) in quantities exceeding the maximum quantity  
 27 specified by the ~~commission~~ **department**.  
 28 (2) The storage of regulated explosives (as defined in  
 29 IC 35-47.5-2-13) at a site that is located less than the minimum  
 30 distance specified by the ~~commission~~ **department** from a  
 31 railroad, highway, or other place of habitation or assembly.  
 32 (3) The use of a receptacle, burning fixture or equipment,  
 33 heating fixture or equipment, or structure for an explosive,  
 34 flammable, or other combustible matter that does not meet the  
 35 design and composition standards specified by the ~~commission~~  
 36 **department**.  
 37 (4) The keeping, storage, use, manufacture, sale, handling,  
 38 transportation, or disposition of an explosive, flammable, or  
 39 other combustible matter in violation of any other requirements  
 40 specified by the ~~commission~~ **department**.  
 41 SECTION 345. IC 22-13-3-2, AS AMENDED BY P.L.187-2021,  
 42 SECTION 78, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

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HB 1003—LS 6756/DI 92



1 JULY 1, 2027]: Sec. 2. (a) This section applies to the following  
2 laboratories:

3 (1) Analytical laboratories approved by the department under the  
4 alternative criteria established by the ~~commission~~ **department**  
5 in its rules.

6 (2) Laboratories that are:

7 (A) operated by a college, university, school, or other  
8 educational entity for the purpose of instruction or research;  
9 and

10 (B) approved by the department under the alternative  
11 criteria established by the ~~commission~~ **department** in the  
12 rules.

13 (b) The ~~commission~~ **department** may:

14 (1) apply different rules to the manufacture of regulated  
15 explosives (as defined in IC 35-47.5-2-13) in a laboratory  
16 described in subsection (a) than apply to other places where  
17 regulated explosives (as defined in IC 35-47.5-2-13) are  
18 manufactured; and

19 (2) adopt rules under IC 4-22-2 to exempt laboratories described  
20 in subsection (a) from the regulated explosive magazines permit  
21 requirement under IC 35-47.5-4.

22 SECTION 346. IC 22-13-3-3 IS AMENDED TO READ AS  
23 FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 3. The ~~commission~~  
24 **department** shall adopt fire safety rules that prohibit the occupancy or  
25 use of Class 1 structures that do not comply with the ~~commission's~~  
26 **department's** rules governing the number, type, location,  
27 identification, repair, and maintenance of emergency exits, smoke  
28 detection devices, and other emergency communication devices.

29 SECTION 347. IC 22-13-4 IS REPEALED [EFFECTIVE JULY  
30 1, 2027]. (Standards for Building Rules; Exemption From Design  
31 Release Requirement).

32 SECTION 348. IC 22-13-5-2, AS AMENDED BY P.L.187-2021,  
33 SECTION 79, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
34 JULY 1, 2027]: Sec. 2. (a) Except as provided under subsection (c),  
35 upon the written request of an interested person, the state building  
36 commissioner of the department shall issue a written interpretation of  
37 a building law or a fire safety law not later than ten (10) business days  
38 after the date of receiving a request. An interpretation issued by the  
39 state building commissioner must be consistent with building laws and  
40 fire safety laws enacted by the general assembly or adopted by the  
41 ~~commission~~ **department**.

42 (b) The state building commissioner shall issue a written

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1 interpretation of a building law or fire safety law under subsection (a)  
 2 whether or not the county or municipality has taken any action to  
 3 enforce the building law or fire safety law.

4 (c) If:

5 (1) an interested person submits a written or electronic request  
 6 to the **state** building commissioner for a written interpretation of  
 7 a building law or fire safety law applicable to a Class 2 structure;  
 8 and

9 (2) the **state** building commissioner is absent and unable to issue  
 10 a written interpretation within the time specified under  
 11 subsection (a);

12 the ~~chair of the commission, or, if the chair is absent, the vice chair of~~  
 13 ~~the commission,~~ **department** shall issue the written interpretation not  
 14 later than ten (10) business days after the date of receiving the request.

15 SECTION 349. IC 22-13-5-3 IS AMENDED TO READ AS  
 16 FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 3. (a) A written  
 17 interpretation issued under section 2 of this chapter binds the interested  
 18 person and the county or municipality with whom the interested person  
 19 has the dispute until the written interpretation is overruled in a  
 20 proceeding under IC 4-21.5.

21 (b) For purposes of IC 4-21.5, the ~~commission~~ **department** is the  
 22 ultimate authority regarding a written interpretation issued under  
 23 section 2 of this chapter.

24 SECTION 350. IC 22-13-5-4, AS AMENDED BY THE  
 25 TECHNICAL CORRECTIONS BILL OF THE 2026 GENERAL  
 26 ASSEMBLY, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 27 JULY 1, 2027]: Sec. 4. (a) A written interpretation of a building law or  
 28 fire safety law binds all counties and municipalities if the state building  
 29 commissioner publishes the written interpretation of the building law  
 30 or fire safety law in the Indiana Register under IC 4-22-7-7(b). For  
 31 purposes of IC 4-22-7-7, a written interpretation of a building law or  
 32 fire safety law published by the state building commissioner is  
 33 considered adopted by an agency.

34 (b) A written interpretation of a building law or fire safety law  
 35 published under subsection (a) binds all counties and municipalities  
 36 until the earlier of the following:

37 (1) The general assembly enacts a statute that substantively  
 38 changes the building law or fire safety law interpreted or voids  
 39 the written interpretation.

40 (2) The ~~commission~~ **department** adopts a rule under IC 4-22-2  
 41 to state a different interpretation of the building law or fire safety  
 42 law.

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HB 1003—LS 6756/DI 92



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1 (3) The written interpretation is found to be an erroneous  
2 interpretation of the building law or fire safety law in a judicial  
3 proceeding.

4 (4) The state building commissioner publishes a different written  
5 interpretation of the building law or fire safety law.

6 (c) The department or the state building commissioner shall create  
7 an electronic data base for the purpose of cataloging all available  
8 variance rulings by ~~the commission~~ or the department for the purpose  
9 of making the information available to the public on the ~~Internet web~~  
10 **site website** of the department or the state building commissioner.

11 SECTION 351. IC 22-14-2-5, AS AMENDED BY P.L.187-2021,  
12 SECTION 83, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
13 JULY 1, 2027]: Sec. 5. (a) The department shall carry out a program to  
14 provide public information concerning fire prevention and maintain  
15 data and statistics concerning fires and fire prevention activities.

16 (b) The department shall provide a copy of the fire safety rules  
17 adopted by the ~~commission~~ **department** to the chief of each fire  
18 department. The department may exclude, from the rules distributed  
19 under this subsection, any text that is incorporated by reference into the  
20 rules published in the Indiana Administrative Code.

21 SECTION 352. IC 22-14-3-4, AS AMENDED BY P.L.187-2021,  
22 SECTION 93, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
23 JULY 1, 2027]: Sec. 4. (a) The department may modify an amusement  
24 and entertainment permit with a special event endorsement that covers  
25 one (1) or more events not specified in the initial permit.

26 (b) To qualify for a special event endorsement, an applicant must:

27 (1) provide the information required by the ~~commission~~;  
28 **department**;

29 (2) demonstrate through an inspection that the special events  
30 covered by the application will be conducted in compliance with  
31 applicable fire safety laws; and

32 (3) pay the inspection fee set under IC 22-12-6-7.

33 SECTION 353. IC 22-14-7-17, AS ADDED BY P.L.82-2008,  
34 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
35 JULY 1, 2027]: Sec. 17. The ~~commission~~ **department** may adopt a  
36 subsequent ASTM Standard Test Method for Measuring the Ignition  
37 Strength of Cigarettes upon a finding that the subsequent method does  
38 not result in a change in the percentage of full length burns exhibited  
39 by any tested cigarette when compared to the percentage of full length  
40 burns the same cigarette would exhibit when tested in accordance with  
41 ASTM Standard E2187-04 and the performance standard in section  
42 13(c) of this chapter.

HB 1003—LS 6756/DI 92



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1 SECTION 354. IC 22-14-7-21, AS ADDED BY P.L.82-2008,  
 2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 3 JULY 1, 2027]: Sec. 21. (a) Except as provided in subsection (d), each  
 4 manufacturer shall submit to the state fire marshal a written  
 5 certification attesting that:

6 (1) each cigarette listed in the certification has been tested as  
 7 required under section 13 or 15 of this chapter; and

8 (2) each cigarette listed in the certification meets the  
 9 performance standard in section 13(c) or 15 of this chapter.

10 (b) Each cigarette listed in the certification must include the  
 11 following information:

12 (1) Brand, or trade name on the package.

13 (2) Style, such as light or ultra light.

14 (3) Length in millimeters.

15 (4) Circumference in millimeters.

16 (5) Flavor, such as menthol, if applicable.

17 (6) Filter or nonfilter.

18 (7) Package description, such as soft pack or box.

19 (8) Marking under section 23 of this chapter.

20 (9) The name, address, and telephone number of the laboratory,  
 21 if different than the manufacturer that conducted the test.

22 (10) The date that the testing occurred.

23 (c) The certifications must be made available to the attorney  
 24 general for purposes consistent with this chapter and the department of  
 25 state revenue and the alcohol and tobacco commission for the purposes  
 26 of ensuring compliance with this section.

27 (d) Notwithstanding subsection (a), the state fire marshal may  
 28 accept as evidence of compliance with this chapter a certification  
 29 issued to:

30 (1) the New York State Department of State's Office of Fire  
 31 Prevention and Control; or

32 (2) the responsible entity of another state that has:

33 (A) substantially equivalent certification requirements  
 34 relating to reduced ignition propensity cigarettes; and

35 (B) the same test method and performance standard  
 36 requirements as provided in sections 13 and 15 of this  
 37 chapter.

38 (e) Each cigarette listed in a certification submitted under this  
 39 section must be recertified every three (3) years.

40 (f) For each brand family listed in a certification submitted under  
 41 subsection (a) or (d), a manufacturer shall pay a fee to the state fire  
 42 marshal of eight hundred dollars (\$800). The state fire marshal may

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HB 1003—LS 6756/DI 92



1 adjust the fee every three (3) years to ensure that the fee defrays the  
 2 actual costs of the processing, testing, enforcement, and oversight  
 3 activities required by this chapter under rules adopted by the ~~fire~~  
 4 ~~prevention and building safety commission~~ **department**. However, the  
 5 fee for each brand family may not exceed one thousand dollars  
 6 (\$1,000).

7 (g) If a manufacturer has certified a cigarette under this section,  
 8 and after submitting the certification, makes a change to the cigarette  
 9 that is likely to alter the cigarette's compliance with the reduced  
 10 cigarette ignition propensity standards required by this chapter, that  
 11 cigarette may not be sold or offered for sale in Indiana until the  
 12 manufacturer retests the cigarette under the testing standards in section  
 13 13 or 15 of this chapter and maintains records of that retesting as  
 14 required by section 16 of this chapter. An altered cigarette that does not  
 15 meet the performance standard in section 13 or 15 of this chapter may  
 16 not be sold in Indiana.

17 SECTION 355. IC 22-14-7-29, AS ADDED BY P.L.82-2008,  
 18 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 19 JULY 1, 2027]: Sec. 29. The ~~commission~~ **department** may adopt rules  
 20 under IC 4-22-2 to implement this chapter.

21 SECTION 356. IC 22-14-8-2, AS ADDED BY P.L.217-2023,  
 22 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 23 JULY 1, 2027]: Sec. 2. As used in this chapter, "NFPA 855" refers to:

24 (1) the 2023 edition of NFPA 855, Standard for the Installation  
 25 of Stationary Energy Storage Systems, as adopted by the  
 26 National Fire Protection Association; or

27 (2) if the ~~commission~~ **department** adopts a rule under IC 4-22-2  
 28 to amend:

29 (A) the 2023 edition; or

30 (B) any subsequent edition;

31 of NFPA 855, the version of NFPA 855 as amended by the  
 32 ~~commission~~ **department**.

33 SECTION 357. IC 22-14-8-7, AS ADDED BY P.L.217-2023,  
 34 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 35 JULY 1, 2027]: Sec. 7. The total capacity of the batteries contained  
 36 within a single enclosure in:

37 (1) a utility scale battery energy storage system installation of  
 38 which is subject to department approval under section 4(a)(1) of  
 39 this chapter; or

40 (2) an installation added to an existing utility scale battery  
 41 energy storage system in an expansion for which department  
 42 approval is required under section 4(a)(2) of this chapter;

HB 1003—LS 6756/DI 92



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1 may not exceed ten (10) megawatt hours unless authorized under rules  
2 adopted by the ~~commission~~ **department** under this chapter.

3 SECTION 358. IC 22-14-8-10, AS AMENDED BY P.L.93-2024,  
4 SECTION 166, IS AMENDED TO READ AS FOLLOWS  
5 [EFFECTIVE JULY 1, 2027]: Sec. 10. (a) The ~~commission~~  
6 **department** may adopt rules under IC 4-22-2 to implement this chapter  
7 and to specify standards for the installation and operation of utility  
8 scale battery energy storage systems consistent with:

- 9 (1) this chapter; and  
10 (2) NFPA 855.

11 (b) Rules adopted by the ~~commission~~ **department** under  
12 subsection (a) must include standards for:

- 13 (1) chemical spill prevention and control; and  
14 (2) appropriate setbacks from surface water resources;

15 for the installation and expansion of utility scale battery energy storage  
16 systems, as necessary to protect soil and surface water resources from  
17 chemicals contained in or produced by utility scale battery energy  
18 storage systems. In establishing the standards described in this  
19 subsection, the ~~commission~~ **department** shall consult with the  
20 department of environmental management or the department of natural  
21 resources, as appropriate.

22 SECTION 359. IC 22-15-1-2, AS AMENDED BY P.L.22-2005,  
23 SECTION 42, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
24 JULY 1, 2027]: Sec. 2. (a) This section applies to a provision of this  
25 article, **IC 22-12, IC 22-13, IC 22-14, or a rule of the department**  
26 that requires an applicant for a **release**, certification, registration,  
27 permit, approval, or other license to:

- 28 (1) demonstrate that the person is in compliance with all  
29 building laws, fire safety laws, or equipment laws; or  
30 (2) submit proof **or certify** that a person is acting or will act in  
31 conformity with all building laws, fire safety laws, or equipment  
32 laws.

33 (b) Compliance with **either**:

- 34 (1) the conditions of a variance issued under IC 22-13-2-11; **or**  
35 (2) **an authorization made under IC 22-13-2-15**;

36 shall be treated under this article as compliance with the building law,  
37 fire safety law, or equipment law from which the variance **or**  
38 **authorization** is granted.

39 SECTION 360. IC 22-15-2-5.5, AS AMENDED BY  
40 P.L.187-2021, SECTION 96, IS AMENDED TO READ AS  
41 FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 5.5. (a) The governor  
42 shall appoint a state building commissioner. The state building

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HB 1003—LS 6756/DI 92



- 1 commissioner shall serve:
- 2 (1) at the pleasure of the governor; and
- 3 (2) as a full-time employee of the department of homeland
- 4 security established by IC 10-19-2-1.
- 5 (b) The state building commissioner must be a registered or
- 6 licensed design professional under IC 25-4 or ~~IC 25-3-1~~, **IC 25-4-3**, as
- 7 appropriate, with at least ten (10) years of experience in the building
- 8 trades industry.
- 9 SECTION 361. IC 22-15-2-6, AS AMENDED BY P.L.187-2021,
- 10 SECTION 97, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 11 JULY 1, 2027]: Sec. 6. (a) To carry out the department's
- 12 responsibilities, the department or an employee or another agent of the
- 13 department may:
- 14 (1) exercise any program of supervision that is approved by the
- 15 ~~commission;~~ **department**, if the responsibility involves the
- 16 administration or enforcement of a building law;
- 17 (2) enter and inspect any property, at a reasonable hour;
- 18 (3) issue and enforce administrative orders under IC 22-12-7 and
- 19 apply for judicial orders under IC 22-12-7-13; and
- 20 (4) cooperate with law enforcement officers and political
- 21 subdivisions that have jurisdiction over a matter.
- 22 (b) To carry out the state building commissioner's responsibilities,
- 23 the state building commissioner shall issue a written interpretation of
- 24 any building law under IC 22-13-5.
- 25 SECTION 362. IC 22-15-3-1, AS AMENDED BY P.L.187-2021,
- 26 SECTION 99, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 27 JULY 1, 2027]: Sec. 1. (a) The state building commissioner or a city,
- 28 town, or county certified under subsection (d) shall issue a design
- 29 release for the construction of a Class 1 structure to an applicant who
- 30 qualifies under section 2 or 3 of this chapter.
- 31 (b) The state building commissioner shall issue a design release
- 32 for the fabrication of an industrial building system or mobile structure
- 33 under section 4 of this chapter.
- 34 (c) A design release issued under this chapter expires on the date
- 35 specified in the rules adopted by the ~~commission;~~ **department**.
- 36 (d) The ~~commission~~ **department** may certify a city, town, or
- 37 county as qualified to issue design releases, if the city, town, or county:
- 38 (1) is competent under the ~~commission's~~ **department's** objective
- 39 criteria; and
- 40 (2) has adopted the rules of the ~~commission~~ **department** under
- 41 IC 22-13-2-3.
- 42 (e) A city, town, or county that is certified by the ~~commission~~

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HB 1003—LS 6756/DI 92



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1 **department** under subsection (d) may issue design releases. A design  
2 release issued by a certified city, town, or county must be:

- 3 (1) in accordance with the ~~commission's~~ **department's** objective  
4 criteria; and  
5 (2) for a construction type for which the city, town, or county is  
6 certified.

7 All records held by a certified city, town, or county that pertain to the  
8 design release must be submitted to the department to be held in a  
9 central repository.

10 SECTION 363. IC 22-15-3-2, AS AMENDED BY P.L.187-2021,  
11 SECTION 100, IS AMENDED TO READ AS FOLLOWS  
12 [EFFECTIVE JULY 1, 2027]: Sec. 2. To qualify for a design release  
13 under this section, an applicant must:

- 14 (1) demonstrate, through the submission of plans and  
15 specifications for the construction covered by the application,  
16 that the construction will comply with all applicable building  
17 laws and fire safety laws;  
18 (2) pay the fees set under IC 22-12-6-6;  
19 (3) have the plans and specifications:

20 (A) prepared by a registered architect or professional  
21 engineer who is:

- 22 (i) competent to design the construction covered by the  
23 application as determined by the department; and  
24 (ii) registered under ~~IC 25-4 or IC 25-31~~; **IC 25-4-1 or**  
25 **IC 25-4-3**;

26 (B) include on each page of all drawings and the title page  
27 of all specifications the seal of the registered architect or  
28 professional engineer described by clause (A) or the  
29 person's technical or professional staff; and

30 (C) filed by the registered architect or professional engineer  
31 described by clause (A) or the person's technical or  
32 professional staff; and

33 (4) submit a certificate prepared on a form provided by the  
34 department and sworn or affirmed under penalty of perjury by  
35 the registered architect or professional engineer described in  
36 subdivision (3)(A):

37 (A) providing an estimate of the cost of the construction  
38 covered by the application, its square footage, and any other  
39 information required under the rules of the ~~commission~~;  
40 **department**;

41 (B) stating that the plans and specifications submitted for  
42 the application were prepared either by or under the

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1 immediate supervision of the person making the statement;  
 2 (C) stating that the plans and specifications submitted for  
 3 the application provide for construction that will meet all  
 4 building laws; and  
 5 (D) stating that the construction covered by the application  
 6 will be subject to inspection at intervals appropriate to the  
 7 stage of the construction by a registered architect or  
 8 professional engineer identified in the statement for the  
 9 purpose of determining in general if work is proceeding in  
 10 accordance with the released plans and specifications.

11 SECTION 364. IC 22-15-3-3, AS AMENDED BY P.L.87-2020,  
 12 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 13 JULY 1, 2027]: Sec. 3. (a) This section applies only to an application  
 14 for a design release to construct:

- 15 (1) a Class 1 structure with thirty thousand (30,000) or fewer  
 16 cubic feet of space;  
 17 (2) an addition to a Class 1 structure, if the addition adds thirty  
 18 thousand (30,000) or fewer cubic feet of space;  
 19 (3) an alteration to a Class 1 structure, if the alteration does not  
 20 involve changes affecting the structural safety of the Class 1  
 21 structure; or  
 22 (4) an installation or alteration of an automatic fire sprinkler  
 23 system in a Class 1 structure by persons qualified pursuant to  
 24 rules set forth by the ~~fire prevention and building safety~~  
 25 ~~commission~~ **department**.

26 (b) The design release requirements under subsection (c) do not  
 27 apply for any construction that is otherwise exempted under 675  
 28 IAC 12-6-4(b), even if the construction is:

- 29 (1) a part of;  
 30 (2) supplemental to; or  
 31 (3) an accessory of;

32 any other construction that would otherwise require a design release.

33 (c) To qualify for a design release under this section, an applicant  
 34 must do the following:

- 35 (1) Demonstrate, through the submission of plans and  
 36 specifications for the construction covered by the application,  
 37 that the construction will comply with all applicable building  
 38 laws and fire safety laws.  
 39 (2) Pay the fees set under IC 22-12-6-6.

40 SECTION 365. IC 22-15-3-4, AS AMENDED BY P.L.22-2005,  
 41 SECTION 47, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 42 JULY 1, 2027]: Sec. 4. (a) This section applies to a design release for

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HB 1003—LS 6756/DI 92



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1 the fabrication of a model or other series of similar industrialized  
2 building systems or mobile structures.

3 (b) To qualify for a design release under this section, an applicant  
4 must:

5 (1) demonstrate, through the submission of plans and  
6 specifications for the construction covered by the application,  
7 that the construction will comply with all applicable building  
8 laws and fire safety laws;

9 (2) have the submitted plans and specifications prepared by an  
10 architect registered under IC 25-4 or a professional engineer  
11 registered under ~~IC 25-31~~, **IC 25-4-3**, if required under the rules  
12 adopted by the ~~commission~~; **department**; and

13 (3) pay the fees set under IC 22-12-6-6.

14 SECTION 366. IC 22-15-3-5, AS AMENDED BY P.L.187-2021,  
15 SECTION 101, IS AMENDED TO READ AS FOLLOWS  
16 [EFFECTIVE JULY 1, 2027]: Sec. 5. (a) This section does not  
17 authorize a variance from any rule adopted by the ~~commission~~.  
18 **department**.

19 (b) The rules adopted by the ~~commission~~ **department** do not  
20 prevent the use of:

21 (1) materials;

22 (2) methods of construction; or

23 (3) design procedures;

24 if they are not specifically prohibited in the rules and if they are  
25 approved under subsection (c).

26 (c) The state fire marshal and the department may, in the review  
27 of an application for a design release, consider as evidence of  
28 compliance with the rules adopted by the ~~commission~~ **department** any  
29 evaluation report that:

30 (1) contains limitations, conditions, or standards for alternative  
31 materials, methods of construction, or design procedures; and

32 (2) is published by an independent, nationally recognized testing  
33 laboratory or other organization that is approved under the rules  
34 adopted by the ~~commission~~; **department**.

35 SECTION 367. IC 22-15-3-7 IS AMENDED TO READ AS  
36 FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 7. (a) This section does  
37 not apply to construction that is exempted from this section in the rules  
38 adopted by the ~~commission~~ under ~~IC 22-13-4~~; **department**.

39 (b) This section applies to the following:

40 (1) Each person who engages in the construction.

41 (2) Each person who has control over the construction.

42 (3) Each person who has control over the Class 1 structure

HB 1003—LS 6756/DI 92



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

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1 industrialized building system or mobile home that is  
 2 constructed.  
 3 (c) A person described in subsection (b) commits a Class C  
 4 infraction if:  
 5 (1) a Class 1 structure is constructed, or construction is begun,  
 6 at the site where it is to be used; and  
 7 (2) no design release issued under section 2 or 3 of this chapter  
 8 covers the construction.  
 9 (d) A person described in subsection (b) commits a Class C  
 10 infraction if:  
 11 (1) an industrialized building system or a mobile structure is  
 12 fabricated; and  
 13 (2) no design release issued under section 4 of this chapter  
 14 covers the fabrication.  
 15 SECTION 368. IC 22-15-3.2-3, AS ADDED BY P.L.218-2014,  
 16 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 17 JULY 1, 2027]: Sec. 3. As used in this chapter, "design professional"  
 18 means:  
 19 (1) an architect registered under IC 25-4-1; or  
 20 (2) a professional engineer registered under ~~IC 25-3-1~~ **IC 25-4-3**.  
 21 SECTION 369. IC 22-15-3.2-7, AS AMENDED BY  
 22 P.L.238-2025, SECTION 70, IS AMENDED TO READ AS  
 23 FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 7. (a) A design release  
 24 shall be issued to an applicant without a plan review if:  
 25 (1) the applicant submits a complete application and ~~(2)~~ the  
 26 department does not select the application for a plan review  
 27 under this section; **or**  
 28 **(2) the applicant self-certifies as provided in IC 22-15-3.5.**  
 29 (b) The department may select any application for design release  
 30 to be subject to a plan review. The department has complete discretion  
 31 in the criteria used by the department to select a design release  
 32 application for a plan review. A criterion used by the department may  
 33 be whether the design professional has received disciplinary sanctions  
 34 under IC 25-1-11-12 within the preceding five (5) years.  
 35 (c) Not later than July 1, ~~2025~~, **2027**, the department shall identify  
 36 and publish a **complete** list of ~~projects~~ **the types of plans** that qualify  
 37 under subsection ~~(a)(2)~~ **(a)(1)** for release without a plan review.  
 38 SECTION 370. IC 22-15-3.2-11, AS AMENDED BY  
 39 P.L.187-2021, SECTION 109, IS AMENDED TO READ AS  
 40 FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 11. (a) This section  
 41 applies if the results of a plan review reveal that a design professional  
 42 knowingly or recklessly submitted plans or specifications containing

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1 one (1) or more violations of the rules of the ~~commission~~ **department**  
 2 that are determined by the department ~~and the commission~~ to pose a  
 3 wanton and willful disregard for the public health, safety, or welfare.

4 (b) The provisions regarding the time limitations for review and  
 5 notice under this chapter do not apply, and the department is not  
 6 required to issue a design release and confirmation number for  
 7 providing notice. The department shall send written notice of its  
 8 determination to:

9 (1) the design professional's licensing or registration authority  
 10 under IC 25-4-1 or ~~IC 25-3-1~~, **IC 25-4-3**, as appropriate, for the  
 11 purpose of conducting a hearing under IC 4-21.5 to determine if  
 12 action under IC 4-21.5-3-8 is appropriate;

13 (2) the design professional; and

14 (3) the project owner or general contractor on whose behalf the  
 15 application was submitted.

16 (c) An applicant that receives notice under subsection (b) may  
 17 withdraw the application and submit a new application and plans to the  
 18 department that are prepared by a different design professional.  
 19 Withdrawal of an application does not affect any disciplinary action  
 20 against the professional of record that prepared the plans described in  
 21 subsection (a).

22 SECTION 371. IC 22-15-3.5 IS ADDED TO THE INDIANA  
 23 CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS  
 24 [EFFECTIVE JULY 1, 2027]:

25 **Chapter 3.5. Self-certification by Design Professional**

26 **Sec. 1. The definitions in IC 22-15-3.2 apply throughout this**  
 27 **chapter.**

28 **Sec. 2. (a) Notwithstanding any other law, an applicant for a**  
 29 **construction project requiring a design release for a Class 1**  
 30 **structure under IC 22-15-3 may satisfy the design release**  
 31 **requirement through self-certification.**

32 **(b) Self-certification may be used only for projects that are**  
 33 **required to be signed and sealed by an Indiana registered design**  
 34 **professional. The department may exclude projects from**  
 35 **self-certification that involve high-hazard occupancies, essential**  
 36 **facilities, or other structures determined to pose an elevated risk**  
 37 **to life safety.**

38 **Sec. 3. To self-certify a project, an applicant for a design**  
 39 **release must:**

40 **(1) be an Indiana registered design professional in good**  
 41 **standing with the applicable registration board;**

42 **(2) be a registered design professional for at least five (5)**

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- 1           years;
- 2           (3) have completed at least five (5) projects in Indiana as the
- 3           registered design professional of record or as the registered
- 4           design professional responsible for the production of the
- 5           construction documents; and
- 6           (4) maintain professional liability insurance of at least five
- 7           hundred thousand dollars (\$500,000) per claim and one
- 8           million dollars (\$1,000,000) aggregate.
- 9           **Sec. 4.** The department shall develop an electronic application
- 10          form for self-certifying applicants.
- 11          **Sec. 5.** The certifying design professional shall:
- 12           (1) perform a comprehensive review of the construction
- 13           documents; and
- 14           (2) submit to the department a signed certification, under
- 15           penalty of perjury, affirming that the plans comply with all
- 16           applicable state building codes and rules.
- 17          **Sec. 6. (a)** Upon receipt of a complete certification and
- 18          required documentation, the department shall, not later than the
- 19          next business day, provide to the applicant:
- 20           (1) a copy of the design release; or
- 21           (2) a confirmation number that serves as a temporary design
- 22           release until the applicant receives a copy of the design
- 23           release.
- 24          **(b)** A design release or a temporary design release provided
- 25          under subsection (a) is subject to a technical plan review. The
- 26          department must provide notice of any design deficiencies
- 27          identified through the technical plan review not later than thirty
- 28          (30) days after the department responds to the applicant under
- 29          subsection (a).
- 30          **Sec. 7.** The department shall:
- 31           (1) require corrective action for noncompliance;
- 32           (2) revoke or suspend a professional's authority to provide
- 33           certifications for a failure to take corrective action; and
- 34           (3) refer violations to the appropriate licensing board or
- 35           impose civil penalties as authorized by law.
- 36          **Sec. 8.** The department may collect plan review fees for
- 37          projects that are released without a plan review.
- 38          **Sec. 9.** Nothing in this chapter limits the authority of state or
- 39          local inspection officials to conduct inspections or enforce
- 40          compliance during construction.
- 41          **Sec. 10.** An applicant who is qualified to self-certify may apply
- 42          for a design release under:

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- 1           **(1) this chapter; or**
- 2           **(2) IC 22-15-3.**

3           SECTION 372. IC 22-15-4-1, AS AMENDED BY P.L.187-2021,  
 4           SECTION 112, IS AMENDED TO READ AS FOLLOWS  
 5           [EFFECTIVE JULY 1, 2027]: Sec. 1. (a) The department shall certify  
 6           an industrialized building system for use in Indiana to an applicant who  
 7           qualifies under this section. If an applicant qualifies for certification  
 8           under this section, the department shall provide the applicant with a  
 9           seal for the certified industrial building system.

10          (b) To qualify for a certification under this section, an applicant  
 11          must:

- 12           (1) submit proof that the department has issued a design release  
 13           under IC 22-15-3 for the model or series of industrialized  
 14           building systems being constructed;
- 15           (2) demonstrate, in an in-plant inspection, that the industrialized  
 16           building system covered by the application has been constructed  
 17           in conformity with all applicable building laws and fire safety  
 18           laws; and
- 19           (3) pay the fee set by the ~~commission~~ **department** under  
 20           IC 22-12-6-6.

21          (c) The exemption under IC 22-13-4-2 applies to an industrialized  
 22          building system certified under this section.

23          SECTION 373. IC 22-15-4-2, AS AMENDED BY P.L.187-2021,  
 24          SECTION 113, IS AMENDED TO READ AS FOLLOWS  
 25          [EFFECTIVE JULY 1, 2027]: Sec. 2. (a) The department shall certify  
 26          a mobile structure for sale and use in Indiana for an applicant who  
 27          qualifies under this section. If an applicant qualifies for certification  
 28          under this section, the department shall provide the applicant with a  
 29          seal for the certified mobile structure.

30          (b) To qualify for certification under this section, an applicant  
 31          must:

- 32           (1) submit proof that the department has issued a design release  
 33           under IC 22-15-3 for the model or series of mobile structures  
 34           being constructed;
- 35           (2) demonstrate, in an in-plant inspection, that the mobile  
 36           structure covered by the application has been constructed in  
 37           conformity with all applicable building laws and fire safety laws;
- 38           (3) certify in an affidavit that a seal provided by the department  
 39           will not be attached to a mobile structure that does not conform  
 40           to the requirements adopted by the ~~commission~~ **department** in  
 41           its rules; and
- 42           (4) pay the fee set by the ~~commission~~ **department** under

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1 IC 22-12-6-6.  
 2 (c) The exemption under IC 22-13-4-2 applies to a mobile  
 3 structure certified under this chapter.

4 SECTION 374. IC 22-15-4-3 IS AMENDED TO READ AS  
 5 FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 3. The ~~commission~~  
 6 **department** may authorize any qualified person to conduct inspections  
 7 and issue certifications under this chapter.

8 SECTION 375. IC 22-15-4-5 IS AMENDED TO READ AS  
 9 FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 5. A person who offers  
 10 to sell or sells for money or other consideration a mobile structure that:

- 11 (1) is manufactured after:  
 12 (A) January 1, 1972, if the mobile structure is designed to  
 13 be a dwelling; or  
 14 (B) June 30, 1987, if the mobile structure is not designed to  
 15 be a dwelling; and  
 16 (2) is kept or transported without:  
 17 (A) a seal issued under IC 9-8-1.5 (before its repeal on July  
 18 1, 1987) or section 2 or 4 of this chapter; and  
 19 (B) an affidavit from the manufacturer (if the mobile  
 20 structure was manufactured in Indiana or the mobile  
 21 structure was manufactured outside Indiana and has not  
 22 been used by its owner) or a dealer who has sold at least  
 23 three (3) mobile structures in the previous twelve (12)  
 24 month period (if the mobile structure was manufactured  
 25 outside Indiana and the mobile structure has been used by  
 26 its owner) that states that the mobile structure meets or  
 27 exceeds the applicable requirements adopted by the  
 28 ~~commission~~ **department** in its rules or an agreement under  
 29 IC 22-13-2-12;

30 commits a Class C infraction.

31 SECTION 376. IC 22-15-4-6, AS AMENDED BY P.L.187-2021,  
 32 SECTION 114, IS AMENDED TO READ AS FOLLOWS  
 33 [EFFECTIVE JULY 1, 2027]: Sec. 6. A person who offers to sell or  
 34 sells a mobile structure that:

- 35 (1) was certified under IC 9-8-1.5 (before its repeal on July 1,  
 36 1987) or certified by the department under section 2 or 4 of this  
 37 chapter; and  
 38 (2) has been altered or converted in violation of a rule adopted  
 39 by the ~~commission~~ **department**;

40 commits a Class C infraction.

41 SECTION 377. IC 22-15-5-1, AS AMENDED BY P.L.187-2021,  
 42 SECTION 115, IS AMENDED TO READ AS FOLLOWS

HB 1003—LS 6756/DI 92



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1 [EFFECTIVE JULY 1, 2027]: Sec. 1. (a) The department shall issue a  
 2 regulated lifting device installation or alteration permit to an applicant  
 3 who qualifies under this section.  
 4 (b) To qualify for a permit under this section, an applicant must  
 5 meet the following requirements:  
 6 (1) Demonstrate through the submission of complete plans,  
 7 including:  
 8 (A) copies of specifications and accurately scaled and fully  
 9 dimensioned plans showing the location of the installation  
 10 in relation to the plans and elevation of the building;  
 11 (B) plans showing the location of the machine room and the  
 12 equipment to be installed, relocated, or altered;  
 13 (C) plans showing the structural supporting members,  
 14 including foundations; and  
 15 (D) a specification of all materials employed and loads to be  
 16 supported or conveyed;  
 17 that the installation or alteration covered by the application will  
 18 comply with all applicable equipment laws. All plans and  
 19 specifications must be sufficiently complete to illustrate all  
 20 details of construction and design.  
 21 (2) Pay the fee set under IC 22-12-6-6(a)(7).  
 22 (3) Be the holder of a current elevator contractor license, if  
 23 applicable, as set forth under IC 22-15-5-7.  
 24 (c) A copy of the permit shall be kept at the construction site at all  
 25 times while the work is in progress.  
 26 (d) The regulated lifting device must be installed or altered in  
 27 compliance with:  
 28 (1) applicable codes; and  
 29 (2) the details of the application, plans, specifications, and  
 30 conditions of the permit.  
 31 (e) The regulated lifting device must be installed or altered under  
 32 the direction and control of a licensed contractor. The elevator  
 33 contractor does not have to be present at the site.  
 34 (f) The responsibilities of the department under this section may  
 35 be carried out by a political subdivision that is approved by the  
 36 **commission department** under IC 22-13-2-10.  
 37 SECTION 378. IC 22-15-5-3, AS AMENDED BY P.L.187-2021,  
 38 SECTION 116, IS AMENDED TO READ AS FOLLOWS  
 39 [EFFECTIVE JULY 1, 2027]: Sec. 3. (a) All regulated lifting devices  
 40 shall be registered under this section.  
 41 (b) The department shall issue a registration for a regulated lifting  
 42 device to an applicant who qualifies under this section.

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1 (c) To register a regulated lifting device under this section, an  
2 applicant must submit, on a form approved by the department, the  
3 following information:

- 4 (1) Type, rated load and speed, name of manufacturer, location,  
5 and the nature of the use of the regulated lifting device.
- 6 (2) Any information required under the rules adopted by the  
7 ~~commission~~ **department**.

8 SECTION 379. IC 22-15-5-4, AS AMENDED BY P.L.187-2021,  
9 SECTION 117, IS AMENDED TO READ AS FOLLOWS  
10 [EFFECTIVE JULY 1, 2027]: Sec. 4. (a) The department shall carry  
11 out a program for the periodic inspection of regulated lifting devices  
12 being operated in Indiana. A regulated lifting device may not be  
13 operated without an operating certificate that covers the operation of  
14 the regulated lifting device.

- 15 (b) A permit issued under this section expires on the earlier of:  
16 (1) one (1) year after issuance; or  
17 (2) when the regulated lifting device is altered.

18 (c) After a regulated lifting device has been installed or altered, an  
19 applicant shall apply for an initial operating certificate. The department  
20 shall issue an initial operating certificate for a regulated lifting device  
21 if:

- 22 (1) the applicant demonstrates:  
23 (A) through an acceptance inspection made by an elevator  
24 inspector licensed under section 11 of this chapter that the  
25 regulated lifting device covered by the application complies  
26 with the laws governing its construction, repair,  
27 maintenance, and operation; and  
28 (B) that the applicant has paid the fee set under  
29 IC 22-12-6-6(a)(7); and

30 (2) the department verifies, through an inspection, that the  
31 regulated lifting device complies with the laws governing the  
32 construction, repair, maintenance, and operation of the regulated  
33 lifting device.

34 (d) The department shall issue a renewal operating certificate if  
35 the applicant:

- 36 (1) demonstrates through the completion of applicable safety  
37 tests that the regulated lifting device complies with the laws  
38 governing the construction, repair, maintenance, and operation  
39 of the regulated lifting device;
- 40 (2) submits results of all applicable safety tests, including failed  
41 safety tests for the regulated lifting device; and
- 42 (3) has paid the fee set under IC 22-12-6-6(a)(7).

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1 (e) The department may issue a temporary operating permit to an  
 2 applicant under this section who does not comply with subsection  
 3 (c)(1)(A) for a new or altered regulated lifting device or subsection  
 4 (d)(1) for an existing unaltered regulated lifting device. The applicant  
 5 must pay the fee set under IC 22-12-6-6(a)(7) to qualify for the  
 6 temporary operating permit. Except as provided in subsection (f), the  
 7 permit, including all renewal periods, is limited to sixty (60) days.

8 (f) The department may renew a temporary operating permit  
 9 issued under subsection (e) for thirty (30) day periods during the  
 10 construction of a building if the regulated lifting device is used for the  
 11 transportation of construction personnel, tools, and materials.

12 (g) The responsibilities of the department under this section may  
 13 be carried out by a political subdivision that is approved by the  
 14 **commission department** under IC 22-13-2-10.

15 (h) A copy of the operating certificate shall be displayed in or on  
 16 each regulated lifting device or in an associated machine room. In  
 17 addition to the requirements of this subsection, the two-dimensional bar  
 18 code assigned to an elevator shall be displayed in or on each elevator  
 19 in a location that is easily viewed and scanned by a person riding on the  
 20 elevator.

21 (i) A licensed elevator mechanic shall perform the maintenance on  
 22 a regulated lifting device.

23 SECTION 380. IC 22-15-5-6, AS AMENDED BY P.L.2-2007,  
 24 SECTION 309, IS AMENDED TO READ AS FOLLOWS  
 25 [EFFECTIVE JULY 1, 2027]: Sec. 6. (a) The following definitions  
 26 apply to sections 7 through 16 of this chapter:

27 (1) "Competency examination" means an examination that  
 28 thoroughly tests the scope of the knowledge and skill of the  
 29 applicant for the license.

30 (2) "Elevator apprentice" means an individual who works under  
 31 the direct supervision of a licensed elevator mechanic. The term  
 32 includes an individual commonly known as an elevator helper  
 33 while working under the direct supervision of a licensed elevator  
 34 mechanic.

35 (3) "Elevator contractor" means a person who alone or with other  
 36 persons, constructs, repairs, alters, remodels, adds to, subtracts  
 37 from, or improves a regulated lifting device and who is  
 38 responsible for substantially all the regulated lifting devices  
 39 within the entire project, or who fabricates elevator lifting  
 40 devices substantially completed and ready for installation.

41 (4) "Elevator inspector" means an individual who conducts the  
 42 acceptance inspection of a regulated lifting device required by

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HB 1003—LS 6756/DI 92



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- 1 section 4(c)(1)(A) of this chapter.
- 2 (5) "Elevator mechanic" means an individual who engages in the
- 3 construction, reconstruction, alteration, maintenance,
- 4 mechanical, or electrical work or adjustments of a regulated
- 5 lifting device.
- 6 (6) "License" means a certificate issued by the department that
- 7 confers upon the holder the privilege to act as an elevator
- 8 contractor, elevator inspector, or elevator mechanic.
- 9 (7) "Licensing program" means the program for licensing
- 10 elevator contractors, elevator inspectors, and elevator mechanics
- 11 established under this section and sections 7 through 16 of this
- 12 chapter.
- 13 (8) "Municipality" has the meaning set forth in IC 36-1-2-11.
- 14 (9) "Person" means:
- 15 (A) a natural person;
- 16 (B) the partners or members of a partnership or a limited
- 17 partnership;
- 18 (C) a state educational institution; or
- 19 (D) a corporation or the officers, directors, and employees
- 20 of the corporation.
- 21 (10) "Practitioner" means a person that holds:
- 22 (A) an unlimited license;
- 23 (B) a limited or probationary license;
- 24 (C) a temporary license;
- 25 (D) an emergency license; or
- 26 (E) an inactive license.
- 27 (b) The ~~commission and the~~ department shall establish a program
- 28 to license elevator contractors, elevator mechanics, and elevator
- 29 inspectors.
- 30 (c) The department shall issue a license as an elevator contractor,
- 31 an elevator mechanic, or an elevator inspector to a person who qualifies
- 32 and complies with the provisions of the licensing program. A person
- 33 who receives a license under this chapter is subject to the supervision
- 34 and control of the department.
- 35 (d) The department may contract with public and private
- 36 institutions, agencies, businesses, and organizations to implement all
- 37 or part of its duties established under this chapter.
- 38 (e) The ~~commission~~ **department** may adopt rules under IC 4-22-2
- 39 to implement the licensing program.
- 40 SECTION 381. IC 22-15-5-7, AS AMENDED BY P.L.230-2019,
- 41 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 42 JULY 1, 2027]: Sec. 7. (a) An individual may not act as an elevator

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HB 1003—LS 6756/DI 92



- 1 contractor unless the individual:
- 2 (1) holds an elevator contractor license issued under this chapter;
- 3 or
- 4 (2) is an employee of a partnership, a limited partnership, a
- 5 corporation, or a state educational institution that holds an
- 6 elevator contractor license issued under this chapter.
- 7 (b) A partnership, a limited partnership, a corporation, or a state
- 8 educational institution may not act as an elevator contractor unless it
- 9 holds an elevator contractor license issued under this chapter.
- 10 (c) An individual who is an applicant for an elevator contractor
- 11 license shall:
- 12 (1) hold a valid elevator contractor license issued by another
- 13 state that has a licensing program that, as determined by the
- 14 department, ~~or the commission~~, is equivalent to the elevator
- 15 contractor licensing program established under this chapter; or
- 16 (2) except as otherwise provided, satisfy both of the following
- 17 requirements:
- 18 (A) Have at least five (5) years of documented work
- 19 experience in the elevator industry in construction,
- 20 maintenance, and service or repair in Indiana.
- 21 (B) Successfully complete a written competency
- 22 examination approved by the ~~commission~~ **department**.
- 23 (d) A corporation or a state educational institution that is an
- 24 applicant for an elevator contractor license must have at least one (1)
- 25 officer or employee of the corporation or a state educational institution
- 26 that holds a valid elevator contractor license issued under this chapter.
- 27 A license granted to a corporation or a state educational institution to
- 28 act as an elevator contractor under this chapter becomes invalid when
- 29 an officer or employee of the corporation or state educational
- 30 institution no longer holds a valid elevator contractor license issued
- 31 under this chapter.
- 32 (e) A partnership or limited partnership that is an applicant for an
- 33 elevator contractor license must have at least one (1) partner or general
- 34 partner that holds a valid elevator contractor license issued under this
- 35 chapter. A license granted to a partnership or limited partnership to act
- 36 as an elevator contractor under this chapter becomes invalid when the
- 37 partner of a partnership or general partner of a limited partnership
- 38 named in the application no longer holds a valid elevator contractor
- 39 license as provided by this chapter.
- 40 SECTION 382. IC 22-15-5-11, AS AMENDED BY P.L.230-2019,
- 41 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 42 JULY 1, 2027]: Sec. 11. (a) An individual may not act as an elevator

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HB 1003—LS 6756/DI 92



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1 inspector unless the individual holds an elevator inspector license  
2 issued under this chapter.

3 (b) An individual who is an applicant for an elevator inspector  
4 license shall meet the standards set forth in American Society of  
5 Mechanical Engineers (ASME) American National Standard QEI-1  
6 (Standard for the Qualification of Elevator Inspectors) or other  
7 nationally accepted standard qualifying authority that the ~~commission~~  
8 **department** has determined has equivalent requirements as ASME  
9 QEI-1 for obtaining and retaining certification.

10 (c) An applicant for an initial elevator inspector license must do  
11 the following:

12 (1) Submit to the department an application provided by the  
13 department that contains the following information:

14 (A) The name, address, telephone number, and electronic  
15 mail address of the applicant.

16 (B) Any other information the department requires.

17 (2) Submit to the department any proof of eligibility the  
18 department requires.

19 (3) Demonstrate proof of insurance as required by section 14 of  
20 this chapter.

21 (4) Pay the license fee established under IC 22-12-6-6. The  
22 license fee is nonrefundable and must be paid each time an  
23 applicant submits an application.

24 (5) Affirm under penalty of perjury that all information provided  
25 to the department is true to the best of the applicant's knowledge  
26 and belief.

27 (d) An applicant for a renewal elevator inspector license shall:

28 (1) Submit to the department an application provided by the  
29 department that contains the following information:

30 (A) The name, address, telephone number, and electronic  
31 mail address of the applicant.

32 (B) Any other information the department requires.

33 (2) Submit proof of completion of the continuing education  
34 required by section 15 of this chapter.

35 (3) Demonstrate proof of insurance as required by section 14 of  
36 this chapter.

37 (4) Pay the license fee established under IC 22-12-6-6. The  
38 license fee is nonrefundable and must be paid each time an  
39 applicant submits an application.

40 (5) Affirm under penalty of perjury that all information provided  
41 to the department is true to the best of the applicant's knowledge  
42 and belief.

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- 1 (e) An initial elevator inspector license issued under this chapter
- 2 expires on December 31 of the second year after the license was issued.
- 3 (f) A renewal of an elevator inspector license is valid for two (2)
- 4 years.
- 5 (g) An individual who engages in the business of an elevator
- 6 inspector shall carry the individual's license and present the license for
- 7 inspection by a representative of the department upon request.
- 8 (h) If the QEI-1 certification or other certification standard
- 9 approved by the ~~commission~~ **department** that made the individual
- 10 eligible for an inspector license under subsection (b):
- 11 (1) is terminated;
- 12 (2) expires; or
- 13 (3) becomes invalid for any other reason;
- 14 the elevator inspector's license immediately becomes invalid.
- 15 SECTION 383. IC 22-15-5-12, AS AMENDED BY P.L.230-2019,
- 16 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 17 JULY 1, 2027]: Sec. 12. (a) An individual may not act as an elevator
- 18 mechanic unless the individual holds an elevator mechanic license
- 19 issued under this chapter. A license is not required for an elevator
- 20 apprentice.
- 21 (b) An individual who is an applicant for an elevator mechanic
- 22 license must meet one (1) of the following eligibility criteria:
- 23 (1) Hold an active elevator mechanic license issued by a state
- 24 that the ~~commission~~ **department** has determined has a licensing
- 25 program that is at least equivalent to the elevator mechanic
- 26 licensing program established under this chapter.
- 27 (2) Satisfy both of the following:
- 28 (A) Have at least one (1) of the following types of work
- 29 experience or training:
- 30 (i) Have at least three (3) years of documented work
- 31 experience in the elevator industry in construction,
- 32 maintenance, and service or repair.
- 33 (ii) Have at least eighteen (18) months experience in
- 34 the elevator industry in construction, maintenance, and
- 35 service or repair and have at least three (3) years
- 36 experience in a related field that is certified by a
- 37 licensed elevator contractor.
- 38 (iii) Complete an apprenticeship program that is
- 39 registered with the Bureau of Apprenticeship and
- 40 Training of the United States Department of Labor or
- 41 a state apprenticeship program and that the
- 42 ~~commission~~ **department** determines is at least

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- 1                    equivalent to three (3) years of work experience in the
- 2                    elevator industry in construction, maintenance, and
- 3                    service or repair.
- 4                    (B) Successfully complete a written competency
- 5                    examination approved by the ~~commission~~ **department**.
- 6                    (3) Successfully complete an elevator mechanic's program that
- 7                    consists of a combination of extensive training and a
- 8                    comprehensive examination that the ~~commission~~ **department**
- 9                    has determined is at least equivalent to both the work experience
- 10                   required under subdivision (2)(A)(i) and the competency
- 11                   examination established under subdivision (2)(B).
- 12                   (c) An applicant for an initial elevator mechanic license must do
- 13                   the following:
- 14                   (1) Submit to the department an application provided by the
- 15                   department that contains the following information:
- 16                   (A) The name, business address, telephone number, and
- 17                   electronic mail address of the applicant.
- 18                   (B) Any other information the department requires.
- 19                   (2) Submit to the department any proof of eligibility the
- 20                   department requires.
- 21                   (3) Pay the nonrefundable and nontransferable license fee
- 22                   established under IC 22-12-6-6.
- 23                   (4) Affirm under penalty of perjury that all information provided
- 24                   to the department is true to the best of the applicant's knowledge
- 25                   and belief.
- 26                   (d) An applicant for a renewal elevator mechanic license must do
- 27                   the following:
- 28                   (1) Submit to the department an application provided by the
- 29                   department that contains the following information:
- 30                   (A) The name, business address, telephone number, and
- 31                   electronic mail address of the applicant.
- 32                   (B) Any other information the department requires.
- 33                   (2) Submit proof of completion of the continuing education
- 34                   required by section 15 of this chapter.
- 35                   (3) Pay the nonrefundable and nontransferable license fee
- 36                   established under IC 22-12-6-6.
- 37                   (4) Affirm under penalty of perjury that all information provided
- 38                   to the department is true to the best of the applicant's knowledge
- 39                   and belief.
- 40                   (e) An initial elevator mechanic license issued under this chapter
- 41                   expires on December 31 of the second year after the license was issued.
- 42                   (f) A renewal of an elevator mechanic license is valid for two (2)

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years.

(g) An individual engaged in the business of an elevator mechanic shall carry the individual's license and present the license for inspection by a representative of the department upon request.

SECTION 384. IC 22-15-5-15 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 15. (a) This section does not apply to a licensed elevator contractor that is not an individual.

(b) To renew a license issued under this licensing program, the license holder must satisfy the continuing education requirement and submit a proof of completion of training to the department.

(c) The continuing education requirement is at least eight (8) hours of instruction that must be attended and completed within one (1) year before a license renewal.

(d) The continuing education courses designed to ensure the continuing education of an individual holding a license regarding new and existing provisions of the rules of the ~~commission~~ **department** may include:

- (1) programs sponsored by the ~~commission;~~ **department;**
- (2) trade association seminars;
- (3) labor training programs; or
- (4) joint labor management apprenticeship and journeyman upgrade training programs.

For an individual's completion of a continuing education course to satisfy the individual's continuing education requirement under this chapter, the continuing education provider, instructor and the curriculum must have been approved by the department.

(e) All instructors of continuing education courses must be approved by the department. If an instructor is approved by the department, has worked as an instructor teaching a curriculum approved by the department at any time within the year preceding the expiration date of the license, and submits proof of this work to the department, the instructor is exempt from the requirements of subsection (c).

(f) Continuing education providers shall keep uniform records of attendance at approved continuing education courses for at least ten (10) years on forms designed and distributed by the department.

(g) A license holder who is unable to complete the continuing education required under this chapter before the expiration of the individual's license due to temporary physical or mental disability may apply for a waiver from the department in accordance with the following:

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- 1 (1) A waiver application must be submitted to the department on
- 2 a form established by the department.
- 3 (2) A waiver application must be signed and accompanied by an
- 4 affidavit signed by the physician of the applicant attesting to the
- 5 applicant's temporary disability.
- 6 (h) After the cessation of the temporary disability, the applicant
- 7 must submit to the department a certification from the same physician,
- 8 if the physician is still the treating physician of the applicant, or from
- 9 a subsequent treating physician attesting to the termination of the
- 10 temporary disability.
- 11 (i) Upon the submission of the certification under subsection (h),
- 12 the department shall issue a temporary waiver of the continuing
- 13 education requirement. A temporary waiver is valid for ninety (90)
- 14 days after the date of issue and allows the individual to work as an
- 15 elevator contractor, elevator inspector, or elevator mechanic without
- 16 the completion of the continuing education requirement for ninety (90)
- 17 days.
- 18 (j) A temporary waiver of the continuing education requirement
- 19 may not be renewed.
- 20 SECTION 385. IC 22-15-5-16, AS AMENDED BY P.L.186-2025,
- 21 SECTION 123, IS AMENDED TO READ AS FOLLOWS
- 22 [EFFECTIVE JULY 1, 2027]: Sec. 16. (a) A practitioner shall comply
- 23 with the standards established under this licensing program. A
- 24 practitioner is subject to the exercise of the disciplinary sanctions under
- 25 IC 22-12-7-7 if the department finds that a practitioner has:
- 26 (1) engaged in or knowingly cooperated in fraud or material
- 27 deception in order to obtain a license to practice, including
- 28 cheating on a licensing examination;
- 29 (2) engaged in fraud or material deception in the course of
- 30 professional services or activities;
- 31 (3) advertised services or goods in a false or misleading manner;
- 32 (4) falsified or knowingly allowed another person to falsify
- 33 attendance records or certificates of completion of continuing
- 34 education courses provided under this chapter;
- 35 (5) been convicted of a crime that has a direct bearing on the
- 36 practitioner's ability to continue to practice competently;
- 37 (6) knowingly violated a state statute or rule or federal statute or
- 38 regulation regulating the profession for which the practitioner is
- 39 licensed;
- 40 (7) continued to practice although the practitioner has become
- 41 unfit to practice due to:
- 42 (A) professional incompetence;

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- 1 (B) failure to keep abreast of current professional theory or
- 2 practice;
- 3 (C) physical or mental disability; or
- 4 (D) addiction to, abuse of, or severe dependency on alcohol
- 5 or other drugs that endanger the public by impairing a
- 6 practitioner's ability to practice safely;
- 7 (8) engaged in a course of lewd or immoral conduct in
- 8 connection with the delivery of services to the public;
- 9 (9) allowed the practitioner's name or a license issued under this
- 10 chapter to be used in connection with an individual or business
- 11 who renders services beyond the scope of that individual's or
- 12 business's training, experience, or competence;
- 13 (10) had disciplinary action taken against the practitioner or the
- 14 practitioner's license to practice in another state or jurisdiction
- 15 on grounds similar to those under this chapter;
- 16 (11) assisted another person in committing an act that would
- 17 constitute a ground for disciplinary sanction under this chapter;
- 18 or
- 19 (12) allowed a license issued by the department to be:
- 20 (A) used by another person; or
- 21 (B) displayed to the public when the license has expired, is
- 22 inactive, is invalid, or has been revoked or suspended.

23 For purposes of subdivision (10), a certified copy of a record of  
 24 disciplinary action constitutes prima facie evidence of a disciplinary  
 25 action in another jurisdiction.

26 (b) If an applicant or a practitioner has engaged in or knowingly  
 27 cooperated in fraud or material deception to obtain a license to  
 28 practice, including cheating on the licensing examination, the  
 29 department may rescind the license if it has been granted, void the  
 30 examination or other fraudulent or deceptive material, and prohibit the  
 31 applicant from reapplying for the license for a length of time  
 32 established by the department.

33 (c) The department may deny licensure to an applicant who has  
 34 had disciplinary action taken against the applicant or the applicant's  
 35 license to practice in another state or jurisdiction or who has practiced  
 36 without a license in violation of the law. A certified copy of the record  
 37 of disciplinary action is conclusive evidence of the other jurisdiction's  
 38 disciplinary action.

39 (d) The department may order a practitioner to submit to a  
 40 reasonable physical or mental examination if the practitioner's physical  
 41 or mental capacity to practice safely and competently is at issue in a  
 42 disciplinary proceeding. Failure to comply with a department order to

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1 submit to a physical or mental examination makes a practitioner liable  
2 to temporary suspension under subsection (h).

3 (e) Except as provided under subsection (f) or (g), a license may  
4 not be denied, revoked, or suspended because the applicant or holder  
5 has been convicted of an offense. The acts from which the applicant's  
6 or holder's conviction resulted may, however, be considered as to  
7 whether the applicant or holder should be entrusted to serve the public  
8 in a specific capacity.

9 (f) The department may deny, suspend, or revoke a license issued  
10 under this chapter if the individual who holds the license is convicted  
11 of any of the following:

12 (1) Possession of cocaine or a narcotic drug under IC 35-48-4-6.

13 (2) Possession of methamphetamine under IC 35-48-4-6.1.

14 (3) Possession of a controlled substance under IC 35-48-4-7(a).

15 (4) Fraudulently obtaining a controlled substance under  
16 IC 35-48-4-7(b) (for a crime committed before July 1, 2014) or  
17 IC 35-48-4-7(c) (for a crime committed after June 30, 2014).

18 (5) Manufacture of paraphernalia as a Class D felony (for a  
19 crime committed before July 1, 2014) or a Level 6 felony (for a  
20 crime committed after June 30, 2014) under IC 35-48-4-8.1(c).

21 (6) Dealing in paraphernalia as a Class D felony (for a crime  
22 committed before July 1, 2014) or a Level 6 felony (for a crime  
23 committed after June 30, 2014) under IC 35-48-4-8.5(b).

24 (7) Possession of paraphernalia as a Class D felony (for a crime  
25 committed before July 1, 2014) or a Level 6 felony (for a crime  
26 committed after June 30, 2014) under IC 35-48-4-8.3(b) (before  
27 its amendment on July 1, 2015).

28 (8) Possession of marijuana, hash oil, hashish, or salvia as a  
29 Class D felony (for a crime committed before July 1, 2014) or a  
30 Level 6 felony (for a crime committed after June 30, 2014) under  
31 IC 35-48-4-11.

32 (9) A felony offense under IC 35-48-4 involving possession of a  
33 synthetic drug (as defined in IC 35-31.5-2-321), possession of a  
34 controlled substance analog (as defined in IC 35-48-1.1-8), or  
35 possession of a synthetic drug lookalike substance (as defined in  
36 IC 35-31.5-2-321.5 (before its repeal on July 1, 2019)) as a:

37 (A) Class D felony for a crime committed before July 1,  
38 2014; or

39 (B) Level 6 felony for a crime committed after June 30,  
40 2014;

41 under IC 35-48-4-11.5 (before its repeal on July 1, 2019).

42 (10) Maintaining a common nuisance under IC 35-48-4-13

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- 1 (repealed) or IC 35-45-1-5, if the common nuisance involves a
- 2 controlled substance.
- 3 (11) An offense relating to registration, labeling, and
- 4 prescription forms under IC 35-48-4-14.
- 5 (g) The department shall deny, revoke, or suspend a license issued
- 6 under this chapter if the individual who holds the license is convicted
- 7 of any of the following:
- 8 (1) Dealing in a controlled substance resulting in death under
- 9 IC 35-42-1-1.5.
- 10 (2) Dealing in cocaine or a narcotic drug under IC 35-48-4-1.
- 11 (3) Dealing in methamphetamine under IC 35-48-4-1.1.
- 12 (4) Manufacturing methamphetamine under IC 35-48-4-1.2.
- 13 (5) Dealing in a schedule I, II, or III controlled substance under
- 14 IC 35-48-4-2.
- 15 (6) Dealing in a schedule IV controlled substance under
- 16 IC 35-48-4-3.
- 17 (7) Dealing in a schedule V controlled substance under
- 18 IC 35-48-4-4.
- 19 (8) Dealing in a substance represented to be a controlled
- 20 substance under IC 35-48-4-4.5 (repealed).
- 21 (9) Knowingly or intentionally manufacturing, advertising,
- 22 distributing, or possessing with intent to manufacture, advertise,
- 23 or distribute a substance represented to be a controlled substance
- 24 under IC 35-48-4-4.6.
- 25 (10) Dealing in a counterfeit substance under IC 35-48-4-5.
- 26 (11) Dealing in marijuana, hash oil, hashish, or salvia as a felony
- 27 under IC 35-48-4-10.
- 28 (12) An offense under IC 35-48-4 involving the manufacture or
- 29 sale of a synthetic drug (as defined in IC 35-31.5-2-321), a
- 30 synthetic drug lookalike substance (as defined in
- 31 IC 35-31.5-2-321.5 (before its repeal on July 1, 2019)) under
- 32 IC 35-48-4-10.5 (before its repeal on July 1, 2019), a controlled
- 33 substance analog (as defined in IC 35-48-1.1-8), or a substance
- 34 represented to be a controlled substance (as described in
- 35 IC 35-48-4-4.6).
- 36 (13) A violation of any federal or state drug law or rule related
- 37 to wholesale legend drug distributors licensed under
- 38 IC 25-26-14.
- 39 (h) The department may temporarily suspend a practitioner's
- 40 license under IC 4-21.5-4 before a final adjudication or during the
- 41 appeals process if the department finds that a practitioner represents a
- 42 clear and immediate danger to the public's health, safety, or property if

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1 the practitioner is allowed to continue to practice.

2 (i) On receipt of a complaint or an information alleging that a  
3 person licensed under this chapter has engaged in or is engaging in a  
4 practice that jeopardizes the public health, safety, or welfare, the  
5 department shall initiate an investigation against the person.

6 (j) Any complaint filed with the office of the attorney general  
7 alleging a violation of this licensing program shall be referred to the  
8 department for summary review and for its general information and any  
9 authorized action at the time of the filing.

10 (k) The department shall conduct a fact finding investigation as the  
11 department considers proper in relation to the complaint.

12 (l) A practitioner may petition the department to accept the  
13 surrender of the practitioner's license. The practitioner may not  
14 surrender the practitioner's license without the written approval of the  
15 department, and the department may impose any conditions appropriate  
16 to the surrender or reinstatement of a surrendered license.

17 (m) A practitioner who has been subjected to disciplinary  
18 sanctions may be required by the ~~commission~~ **department** to pay the  
19 costs of the proceeding. The practitioner's ability to pay shall be  
20 considered when costs are assessed. If the practitioner fails to pay the  
21 costs, a suspension may not be imposed solely upon the practitioner's  
22 inability to pay the amount assessed. The costs are limited to costs for  
23 the following:

- 24 (1) Court reporters.
- 25 (2) Transcripts.
- 26 (3) Certification of documents.
- 27 (4) Photo duplication.
- 28 (5) Witness attendance and mileage fees.
- 29 (6) Postage.
- 30 (7) Expert witnesses.
- 31 (8) Depositions.
- 32 (9) Notarizations.

33 SECTION 386. IC 22-15-6-0.5, AS AMENDED BY  
34 P.L.249-2019, SECTION 32, IS AMENDED TO READ AS  
35 FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 0.5. This chapter  
36 applies to a regulated boiler and pressure vessel as set forth in rules  
37 adopted by the ~~commission~~ **department** under IC 4-22-2.

38 SECTION 387. IC 22-15-6-1, AS AMENDED BY P.L.249-2019,  
39 SECTION 33, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
40 JULY 1, 2027]: Sec. 1. Sections 2 through 3 of this chapter do not  
41 apply to any regulated boiler or pressure vessel exempted by a rule  
42 adopted by the ~~commission~~ **department** under IC 4-22-2.

HB 1003—LS 6756/DI 92



1 SECTION 388. IC 22-15-6-2, AS AMENDED BY P.L.93-2024,  
 2 SECTION 167, IS AMENDED TO READ AS FOLLOWS  
 3 [EFFECTIVE JULY 1, 2027]: Sec. 2. (a) The department may conduct  
 4 a program of inspections of regulated boilers and pressure vessels.

5 (b) The department shall do the following:

6 (1) Issue a regulated boiler and pressure vessel operating permit  
 7 to an applicant who qualifies under this section.

8 (2) Perform an operating permit inspection of a boiler or  
 9 pressure vessel owned by the state.

10 (3) Conduct a program to audit boiler and pressure vessel  
 11 inspectors licensed under section 5 of this chapter.

12 (4) Conduct a program to audit inspections completed by a boiler  
 13 and pressure vessel inspector licensed under section 5 of this  
 14 chapter.

15 (c) Except as provided in subsection (e), an operating permit  
 16 issued under this section expires one (1) year after it is issued.

17 (d) To qualify for an operating permit or to renew an operating  
 18 permit under this section, an applicant must do the following:

19 (1) Apply for an operating permit on a form approved by the  
 20 department.

21 (2) Demonstrate through an inspection, performed by an  
 22 inspector licensed under section 5 of this chapter, that the  
 23 regulated boiler or pressure vessel covered by the application  
 24 complies with the rules adopted by the ~~commission~~  
 25 **department**.

26 (3) Submit a report of the inspection conducted under  
 27 subdivision (2) to the department.

28 (4) Pay the fee set under IC 22-12-6-6(a)(8).

29 (e) The ~~commission~~ **department** may, by rule adopted under  
 30 IC 4-22-2, specify:

31 (1) a period between inspections of more than one (1) year; and

32 (2) an expiration date for an operating permit longer than one (1)  
 33 year from the date of issuance.

34 However, the ~~commission~~ **department** may not set an inspection  
 35 period of greater than five (5) years or issue an operating permit valid  
 36 for a period of more than five (5) years for regulated pressure vessels  
 37 or steam generating equipment that is an integral part of a continuous  
 38 processing unit.

39 (f) For any inspection conducted by the department under this  
 40 section, the department may designate an inspector licensed under  
 41 section 5 of this chapter to act as the department's agent for purposes  
 42 of the inspection.

HB 1003—LS 6756/DI 92



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1 (g) The ~~commission~~ **department** may adopt rules under IC 4-22-2  
2 to implement this chapter.

3 SECTION 389. IC 22-15-6-5, AS AMENDED BY P.L.187-2021,  
4 SECTION 120, IS AMENDED TO READ AS FOLLOWS  
5 [EFFECTIVE JULY 1, 2027]: Sec. 5. (a) The department shall issue a  
6 boiler and pressure vessel inspector license to an applicant who  
7 qualifies under this section.

- 8 (b) To qualify for a license under this section an applicant must:
  - 9 (1) meet the qualifications set by the ~~commission~~ **department**
  - 10 in its rules;
  - 11 (2) pass an examination approved by the ~~commission~~ **department**
  - 12 and conducted, supervised, and graded as
  - 13 prescribed by the ~~commission~~; **department**; and
  - 14 (3) pay the fee set under IC 22-12-6-6(a)(9).

15 (c) The ~~commission~~ **department** may exempt an applicant from  
16 any part of the examination required by subsection (b) if the applicant  
17 has:

- 18 (1) a boiler and pressure vessel inspector's license issued by
- 19 another state with qualifications substantially equal to the
- 20 qualifications for a license under this section; or
- 21 (2) a commission as a boiler and pressure vessel inspector issued
- 22 by the National Board of Boiler and Pressure Vessel Inspectors.

23 (d) The ~~commission~~ **department** may sanction a boiler and  
24 pressure vessel inspector under IC 22-12-7 if the boiler and pressure  
25 vessel inspector violates this chapter or rules adopted by the  
26 ~~commission~~. **department**.

27 SECTION 390. IC 22-15-7-0.6, AS ADDED BY P.L.80-2024,  
28 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
29 JULY 1, 2027]: Sec. 0.6. (a) Except as provided in subsection (c), the  
30 department shall not inspect, and operating permits are not required  
31 for, the following regulated amusement devices:

- 32 (1) A barrel train pulled by a garden tractor or a rubber tired
- 33 farm tractor propelled by a motor of not more than forty (40)
- 34 horsepower.
- 35 (2) A regulated amusement device exempt from the operating
- 36 permit and inspection requirements by a rule of the ~~commission~~:
- 37 **department**.

38 (b) A regulated amusement device covered by this section shall  
39 comply with all other requirements applicable to regulated amusement  
40 devices under this chapter.

41 (c) The department may perform an inspection of a regulated  
42 amusement device covered by this section only if a valid complaint or

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1 incident is reported to the department concerning the regulated  
 2 amusement device.  
 3 SECTION 391. IC 22-15-7-2, AS AMENDED BY P.L.187-2021,  
 4 SECTION 122, IS AMENDED TO READ AS FOLLOWS  
 5 [EFFECTIVE JULY 1, 2027]: Sec. 2. (a) The department shall issue a  
 6 regulated amusement device operating permit to an applicant who  
 7 qualifies under this section. If an applicant qualifies for a permit under  
 8 this section, an inspector shall place an inspection seal on the device  
 9 that is covered by the permit.  
 10 (b) A permit issued under this section:  
 11 (1) expires one (1) year from the date the permit was issued; and  
 12 (2) may be renewed if the applicant continues to qualify for a  
 13 permit under this section.  
 14 (c) To qualify for a permit under this section, an applicant or an  
 15 authorized officer of the applicant shall pay the inspection fee set under  
 16 IC 22-12-6-6 and execute an application form affirming under penalties  
 17 for perjury the following:  
 18 (1) That all information provided in the application is true to the  
 19 best of the applicant's or officer's knowledge and belief after  
 20 reasonable investigation.  
 21 (2) That all personnel employed by the applicant having  
 22 maintenance responsibility for the amusement devices have or  
 23 will have sufficient background, knowledge, skills, and training  
 24 to adequately maintain the amusement devices under the rules of  
 25 the ~~commission~~: **department**.  
 26 (3) That all persons employed by the applicant having  
 27 operational responsibility for the amusement devices have or  
 28 will have sufficient background, knowledge, skills, and training  
 29 to adequately operate the amusement devices under the rules of  
 30 the ~~commission~~: **department**.  
 31 (4) That adequate training will be provided or otherwise made  
 32 available on an ongoing basis to maintenance and operational  
 33 personnel to ensure the continuous compliance of the personnel  
 34 with the standards set forth in subdivisions (2) and (3).  
 35 (5) That all maintenance and operational personnel will be  
 36 trained to recognize and report any condition that would prohibit  
 37 the safe operation of the amusement device.  
 38 (6) That, upon discovering a condition that would prohibit the  
 39 safe operation of an amusement device, both operational and  
 40 maintenance personnel must possess the requisite authority to  
 41 immediately shut down the amusement device and report the  
 42 condition of the amusement device to supervisory personnel. An

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1 amusement device that is shut down under this subdivision may  
 2 not be returned to operation until the amusement device  
 3 complies with ASTM standards for operation.  
 4 (7) That the applicant assumes full financial responsibility for:  
 5 (A) any condition or circumstance occasioned by, caused  
 6 by, or resulting from noncompliance with the maintenance  
 7 and operational standards set forth in subdivisions (2)  
 8 through (6); and  
 9 (B) any death, injury, or other loss occasioned by, caused  
 10 by, or resulting from noncompliance with the maintenance  
 11 and operational standards set forth in subdivisions (2)  
 12 through (6).  
 13 (d) The execution of an application under subsection (c) by an  
 14 officer of an applicant corporation does not create individual financial  
 15 liability for the officer.  
 16 (e) The applicant must satisfy an inspector for the department that  
 17 the regulated amusement device meets the safety requirements set by  
 18 the ~~commission~~ **department**.  
 19 SECTION 392. IC 22-15-7-4, AS AMENDED BY P.L.187-2021,  
 20 SECTION 124, IS AMENDED TO READ AS FOLLOWS  
 21 [EFFECTIVE JULY 1, 2027]: Sec. 4. (a) The ~~commission~~ **department**  
 22 shall adopt rules under IC 4-22-2 to define appropriate training for a  
 23 person who inspects regulated amusement devices.  
 24 (b) The rules required under this section must, at a minimum,  
 25 provide the following:  
 26 (1) The adoption by reference of:  
 27 (A) ASTM F 698 (1994 edition) ("Specification for Physical  
 28 Information to be Provided to Amusement Rides and  
 29 Devices");  
 30 (B) ASTM F 770 (1993 edition) ("Practice for Operation  
 31 Procedures for Amusement Rides and Devices");  
 32 (C) ASTM F 846 (1992 edition) ("Guide for Testing  
 33 Performance of Amusement Rides and Devices");  
 34 (D) ASTM F 853 (1993 edition) ("Practice for Maintenance  
 35 Procedures for Amusement Rides and Devices");  
 36 (E) ASTM F 893 (1987 edition) ("Guide for Inspection of  
 37 Amusement Rides and Devices");  
 38 (F) ASTM F 1305 (1994 edition) ("Standard Guides for the  
 39 Classification of Amusement Ride and Device Related  
 40 Injuries and Illnesses"); or  
 41 (G) any subsequent published editions of the ASTM  
 42 standards described in clauses (A) through (F).

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- 1 (2) A requirement that inspectors employed or contracted by the
- 2 department:
- 3 (A) have and maintain at least:
- 4 (i) a Level 1 certification from the National
- 5 Association of Amusement Ride Safety Officials or an
- 6 equivalent organization approved by the ~~commission;~~
- 7 **department;** or
- 8 (ii) an equivalent certification under a process or
- 9 system approved by the ~~commission;~~ **department;** and
- 10 (B) conduct inspections that conform to the rules of the
- 11 ~~commission.~~ **department.**
- 12 (3) A requirement that regulated amusement devices be operated
- 13 and maintained in accordance with the rules of the ~~commission.~~
- 14 **department.**
- 15 (4) The ~~commission's~~ **department's** chief inspector or
- 16 supervisor of regulated amusement device inspectors must have
- 17 and maintain a Level I certification.

18 SECTION 393. IC 22-15-7-7 IS AMENDED TO READ AS  
 19 FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 7. In addition to a  
 20 regularly scheduled inspection of a regulated amusement device, the  
 21 ~~commission~~ **department** may, upon demand by the ~~commission;~~  
 22 **department,** inspect a regulated amusement device at any time  
 23 following:

- 24 (1) the report of an accident involving the regulated amusement
- 25 device; or
- 26 (2) a complaint concerning the regulated amusement device.

27 SECTION 394. IC 23-1.5-1-3, AS AMENDED BY P.L.57-2013,  
 28 SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 29 JULY 1, 2027]: Sec. 3. "Architectural or engineering professional"  
 30 means an individual who is registered as:

- 31 (1) an architect under IC 25-4-1;
- 32 (2) a landscape architect under IC 25-4-2;
- 33 (3) a professional engineer under ~~IC 25-31-1;~~ **IC 25-4-3;** or
- 34 (4) a professional surveyor under IC 25-21.5.

35 SECTION 395. IC 23-1.5-1-9, AS AMENDED BY P.L.48-2022,  
 36 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 37 JULY 1, 2027]: Sec. 9. "Licensing authority" means the following:

- 38 (1) In the case of an accounting professional, the Indiana state
- 39 board of public accountancy.
- 40 (2) In the case of an architectural professional, the ~~board of~~
- 41 ~~registration for architects and landscape architects.~~ **Indiana**
- 42 **board of registration for design professionals.**

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- 1 (3) In the case of an engineering professional, the state board of  
 2 registration for professional engineers.  
 3 (4) In the case of an attorney, the Indiana supreme court.  
 4 (5) In the case of a health care professional, the board (as  
 5 defined in IC 25-1-9-1) that issues the individual's license,  
 6 certification, or registration.  
 7 (6) In the case of a veterinarian, the Indiana board of veterinary  
 8 medicine.  
 9 (7) In the case of a professional surveyor, the state board of  
 10 registration for professional surveyors.  
 11 (8) In the case of a real estate professional, the Indiana real  
 12 estate commission.  
 13 SECTION 396. IC 25-0.5-3-5, AS ADDED BY P.L.3-2014,  
 14 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 15 JULY 1, 2027]: Sec. 5. IC 25-1-2-6(b) applies to the ~~board of~~  
 16 ~~registration for architects and landscape architects.~~ **Indiana board of**  
 17 **registration for design professionals.**  
 18 SECTION 397. IC 25-0.5-3-20 IS REPEALED [EFFECTIVE  
 19 JULY 1, 2027]. ~~Sec. 20: IC 25-1-2-6(b) applies to the state board of~~  
 20 ~~registration for professional engineers.~~  
 21 SECTION 398. IC 25-0.5-4-3, AS ADDED BY P.L.3-2014,  
 22 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 23 JULY 1, 2027]: Sec. 3. ~~The board of registration for architects and~~  
 24 ~~landscape architects~~ **Indiana board of registration for design**  
 25 **professionals** (IC 25-4-1-2) is a board under IC 25-1-4.  
 26 SECTION 399. IC 25-0.5-4-10 IS REPEALED [EFFECTIVE  
 27 JULY 1, 2027]. ~~Sec. 10: The state board of registration for professional~~  
 28 ~~engineers (IC 25-31-1-3) is a board under IC 25-1-4.~~  
 29 SECTION 400. IC 25-0.5-7-3, AS ADDED BY P.L.3-2014,  
 30 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 31 JULY 1, 2027]: Sec. 3. The Indiana professional licensing agency shall  
 32 perform administrative functions, duties, and responsibilities for the  
 33 ~~board of registration for architects and landscape architects~~ **Indiana**  
 34 **board of registration for design professionals** (IC 25-4-1-2) under  
 35 IC 25-1-6-3(a).  
 36 SECTION 401. IC 25-0.5-7-7 IS REPEALED [EFFECTIVE JULY  
 37 1, 2027]. ~~Sec. 7: The Indiana professional licensing agency shall~~  
 38 ~~perform administrative functions, duties, and responsibilities for the~~  
 39 ~~state board of registration for professional engineers (IC 25-31-1-3)~~  
 40 ~~under IC 25-1-6-3(a).~~  
 41 SECTION 402. IC 25-0.5-8-3, AS ADDED BY P.L.3-2014,  
 42 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

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HB 1003—LS 6756/DI 92



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

1 JULY 1, 2027]: Sec. 3. An occupation for which a person is licensed,  
 2 certified, or registered by the ~~board of registration for architects and~~  
 3 ~~landscape architects~~ **Indiana board of registration for design**  
 4 **professionals** (IC 25-4-1-2) is a regulated occupation under IC 25-1-7.

5 SECTION 403. IC 25-0.5-8-9 IS REPEALED [EFFECTIVE JULY  
 6 1, 2027]. Sec. 9: ~~An occupation for which a person is licensed;~~  
 7 ~~certified; or registered by the state board of registration for professional~~  
 8 ~~engineers (IC 25-31-1-3) is a regulated occupation under IC 25-1-7.~~

9 SECTION 404. IC 25-0.5-9-3, AS ADDED BY P.L.3-2014,  
 10 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 11 JULY 1, 2027]: Sec. 3. The ~~board of registration for architects and~~  
 12 ~~landscape architects~~ **Indiana board of registration for design**  
 13 **professionals** (IC 25-4-1-2) is a board under IC 25-1-8.

14 SECTION 405. IC 25-0.5-9-9 IS REPEALED [EFFECTIVE JULY  
 15 1, 2027]. Sec. 9: ~~The state board of registration for professional~~  
 16 ~~engineers (IC 25-31-1-3) is a board under IC 25-1-8.~~

17 SECTION 406. IC 25-0.5-10-3, AS ADDED BY P.L.3-2014,  
 18 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 19 JULY 1, 2027]: Sec. 3. The ~~board of registration for architects and~~  
 20 ~~landscape architects~~ **Indiana board of registration for design**  
 21 **professionals** (IC 25-4-1-2) is a board under IC 25-1-8-6.

22 SECTION 407. IC 25-0.5-10-10 IS REPEALED [EFFECTIVE  
 23 JULY 1, 2027]. Sec. 10: ~~The state board of registration for professional~~  
 24 ~~engineers (IC 25-31-1-3) is a board under IC 25-1-8-6.~~

25 SECTION 408. IC 25-0.5-12-3, AS ADDED BY P.L.3-2014,  
 26 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 27 JULY 1, 2027]: Sec. 3. The ~~board of registration for architects and~~  
 28 ~~landscape architects~~ **Indiana board of registration for design**  
 29 **professionals** (IC 25-4-1-2) is a board under IC 25-1-11.

30 SECTION 409. IC 25-0.5-12-8 IS REPEALED [EFFECTIVE  
 31 JULY 1, 2027]. Sec. 8: ~~The state board of registration for professional~~  
 32 ~~engineers (IC 25-31-1-3) is a board under IC 25-1-11.~~

33 SECTION 410. IC 25-1-5-4, AS AMENDED BY P.L.249-2023,  
 34 SECTION 79, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 35 JULY 1, 2027]: Sec. 4. (a) The agency shall employ necessary staff,  
 36 including specialists and professionals, to carry out the administrative  
 37 duties and functions of the boards, including but not limited to:

- 38 (1) notice of board meetings and other communication services;
- 39 (2) recordkeeping of board meetings, proceedings, and actions;
- 40 (3) recordkeeping of all persons licensed, regulated, or certified
- 41 by a board;
- 42 (4) administration of examinations; and

HB 1003—LS 6756/DI 92



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- 1 (5) administration of license or certificate issuance or renewal.  
 2 (b) In addition, the agency:  
 3 (1) shall prepare a consolidated statement of the budget requests  
 4 of all the boards described in IC 25-0.5-5;  
 5 (2) may coordinate licensing or certification renewal cycles,  
 6 examination schedules, or other routine activities to efficiently  
 7 utilize agency staff, facilities, and transportation resources, and  
 8 to improve accessibility of board functions to the public;  
 9 (3) may consolidate, where feasible, office space, recordkeeping,  
 10 and data processing services;  
 11 (4) shall operate and maintain the electronic registry of  
 12 professions established under IC 25-1-5.5;  
 13 (5) shall post each board's public meeting agenda on the  
 14 applicable board's website not less than seventy-two (72) hours  
 15 before a board's public meeting;  
 16 (6) shall post each board's public meeting minutes on the  
 17 applicable board's website not more than fourteen (14) calendar  
 18 days after adoption of the minutes by the board;  
 19 (7) shall post any vacancy on a board on the applicable board's  
 20 website within fourteen (14) calendar days of the vacancy;  
 21 (8) notwithstanding any other law:  
 22 (A) shall prescribe the application form and manner for  
 23 each board; and  
 24 (B) shall make any new application form publicly available  
 25 on the applicable board's website for sixty (60) calendar  
 26 days before being adopted by the agency; ~~and~~  
 27 (9) shall send notification of incomplete items in an application  
 28 to the applicant every fourteen (14) calendar days after the  
 29 applicant initiates the application until the earlier of the  
 30 following:  
 31 (A) The date the application is completed.  
 32 (B) One (1) calendar year after the applicant initiates the  
 33 application; **and**  
 34 **(10) may adopt and enforce procedural rules under**  
 35 **IC 25-1-6-3.**  
 36 (c) In administering the renewal of licenses or certificates under  
 37 this chapter, the agency shall send a notice of the upcoming expiration  
 38 of a license or certificate to each holder of a license or certificate at  
 39 least ninety (90) days before the expiration of the license or certificate.  
 40 The notice must inform the holder of the license or certificate of the  
 41 need to renew and the requirement of payment of the renewal fee. If  
 42 this notice of expiration is not sent by the agency, the holder of the

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HB 1003—LS 6756/DI 92



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1 license or certificate is not subject to a sanction for failure to renew if,  
 2 once notice is received from the agency, the license or certificate is  
 3 renewed within forty-five (45) days after receipt of the notice.

4 (d) In administering an examination for licensure or certification,  
 5 the agency shall make the appropriate application forms available at  
 6 least thirty (30) days before the deadline for submitting an application  
 7 to all persons wishing to take the examination.

8 (e) The agency may require an applicant for license renewal to  
 9 submit evidence proving that:

10 (1) the applicant continues to meet the minimum requirements  
 11 for licensure; and

12 (2) the applicant is not in violation of:

13 (A) the statute regulating the applicant's profession; or

14 (B) rules adopted by the board regulating the applicant's  
 15 profession.

16 (f) The agency shall process an application for renewal of a license  
 17 or certificate:

18 (1) not later than ten (10) days after the agency receives all  
 19 required forms and evidence; or

20 (2) within twenty-four (24) hours after the time that an applicant  
 21 for renewal appears in person at the agency with all required  
 22 forms and evidence.

23 This subsection does not require the agency to issue a renewal license  
 24 or certificate to an applicant if subsection (g) applies.

25 (g) The agency may delay issuing a license renewal for up to one  
 26 hundred twenty (120) days after the renewal date for the purpose of  
 27 permitting the board to investigate information received by the agency  
 28 that the applicant for renewal may have committed an act for which the  
 29 applicant may be disciplined. If the agency delays issuing a license  
 30 renewal, the agency shall notify the applicant that the applicant is being  
 31 investigated. Except as provided in subsection (h), before the end of the  
 32 one hundred twenty (120) day period, the board shall do one (1) of the  
 33 following:

34 (1) Deny the license renewal following a personal appearance by  
 35 the applicant before the board.

36 (2) Issue the license renewal upon satisfaction of all other  
 37 conditions for renewal.

38 (3) Issue the license renewal and file a complaint under  
 39 IC 25-1-7.

40 (4) Upon agreement of the applicant and the board and following  
 41 a personal appearance by the applicant before the board, renew  
 42 the license and place the applicant on probation status under

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HB 1003—LS 6756/DI 92



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1 IC 25-1-9-9.  
 2 (h) If an individual fails to appear before the board under  
 3 subsection (g), the board may take action on the applicant's license  
 4 allowed under subsection (g)(1), (g)(2), or (g)(3).  
 5 (i) The applicant's license remains valid until the final  
 6 determination of the board is rendered unless the renewal is denied or  
 7 the license is summarily suspended under IC 25-1-9-10.  
 8 (j) The license of the applicant for a license renewal remains valid  
 9 during the one hundred twenty (120) day period unless the license  
 10 renewal is denied following a personal appearance by the applicant  
 11 before the board before the end of the one hundred twenty (120) day  
 12 period. If the one hundred twenty (120) day period expires without  
 13 action by the board, the license shall be automatically renewed at the  
 14 end of the one hundred twenty (120) day period.  
 15 (k) The board's renewal of a license does not preclude the board  
 16 from imposing sanctions on the licensee as a result of a complaint filed  
 17 by the attorney general after renewal of the license.  
 18 (l) Notwithstanding any other statute, the agency may stagger  
 19 license or certificate renewal cycles. However, if a renewal cycle for a  
 20 specific board or committee is changed, the agency must obtain the  
 21 approval of the affected board or committee.  
 22 (m) An application for a license, certificate, registration, or permit  
 23 is abandoned without an action of the board, if the applicant does not  
 24 complete the requirements to complete the application within one (1)  
 25 year after the date on which the application was filed. However, the  
 26 board may, for good cause shown, extend the validity of the application  
 27 for additional thirty (30) day periods. An application submitted after  
 28 the abandonment of an application is considered a new application.  
 29 SECTION 411. IC 25-1-6-3, AS AMENDED BY P.L.3-2014,  
 30 SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 31 JULY 1, 2027]: Sec. 3. (a) The licensing agency shall perform all  
 32 administrative functions, duties, and responsibilities assigned by law  
 33 or rule to the executive director, secretary, or other statutory  
 34 administrator of the entities described in IC 25-0.5-7.  
 35 (b) Nothing in this chapter may be construed to give the licensing  
 36 agency policy making authority **for any professional standard of**  
 37 **practice**, which remains with each board. **The licensing agency may**  
 38 **adopt and enforce procedural rules in accordance with IC 4-22-2**  
 39 **for the administration of a board if the rule:**  
 40 **(1) will affect multiple boards; and**  
 41 **(2) is not inconsistent with any rule adopted by the affected**  
 42 **board.**

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1 SECTION 412. IC 25-1-11-6 IS AMENDED TO READ AS  
 2 FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 6. A practitioner  
 3 registered as an architect or a landscape architect is subject to the  
 4 disciplinary sanctions under section 12 of this chapter if, after a  
 5 hearing, the board finds that the practitioner has:

6 (1) permitted the practitioner's seal to be affixed to plans,  
 7 specifications, or drawings that were not prepared by the  
 8 practitioner or under the practitioner's personal supervision by  
 9 the practitioner's regularly employed subordinates; or

10 (2) used the title "engineer" or advertised to practice engineering  
 11 and is not registered under ~~IC 25-31-1~~. **IC 25-4-3.**

12 SECTION 413. IC 25-4-0.5 IS ADDED TO THE INDIANA  
 13 CODE AS A NEW CHAPTER TO READ AS FOLLOWS  
 14 [EFFECTIVE JULY 1, 2027]:

15 **Chapter 0.5. Definitions**

16 **Sec. 1. The definitions in this chapter apply throughout this**  
 17 **article.**

18 **Sec. 2. "Approved engineering curriculum" means an**  
 19 **engineering curriculum of four (4) years or more that has been**  
 20 **approved by the board. In approving the engineering curriculum,**  
 21 **the board may take into consideration the standards of**  
 22 **accreditation adopted by the Engineering Accreditation**  
 23 **Commission of the Accreditation Board for Engineering and**  
 24 **Technology.**

25 **Sec. 3. "Board" refers to the Indiana board of registration for**  
 26 **design professionals established by IC 25-4-1-2.**

27 **Sec. 4. "Engineering intern" means an individual who:**

28 (1) is a graduate from an approved engineering curriculum  
 29 of four (4) years or more or who has acquired, through  
 30 engineering education and experience in engineering work,  
 31 knowledge and skill approximating that obtained by  
 32 graduation in an approved engineering curriculum of four  
 33 (4) years or more;

34 (2) has successfully passed an examination as prescribed in  
 35 IC 25-4-3-5; and

36 (3) has been issued by the board an appropriate certificate of  
 37 enrollment as an engineering intern.

38 **Sec. 5. "Landscape architecture" means the practice of**  
 39 **professional services such as consultation, investigation,**  
 40 **reconnaissance, research, planning, design, or responsible**  
 41 **supervision to develop land areas for the dominant purpose of**  
 42 **preserving, enhancing, or determining:**

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- 1           **(1) proper land uses;**
- 2           **(2) natural land features;**
- 3           **(3) ground cover and planting;**
- 4           **(4) naturalistic and aesthetic values;**
- 5           **(5) the settings and approaches to structures or other**
- 6           **improvements;**
- 7           **(6) the natural environment of a facility, an individual**
- 8           **building, or other structure;**
- 9           **(7) site specific natural surface and subsoil drainage systems;**
- 10          **(8) landscape grading, swales, curbs, and walkways; and**
- 11          **(9) any inherent problems of the land relating to erosion,**
- 12          **overuse, blight, or other hazards.**

13          **The term includes the location and arrangement of the proposed**  
 14          **tangible objects and features that are incidental and necessary to**  
 15          **accomplish the purposes of landscape architecture.**

16          **Sec. 6. "Licensing agency" means the Indiana professional**  
 17          **licensing agency established by IC 25-1-5-3.**

18          **Sec. 7. "Practice of engineering" means any service or creative**  
 19          **work that the adequate performance of requires engineering**  
 20          **education, training, and experience in the application of special**  
 21          **knowledge of the mathematical, physical, and engineering sciences**  
 22          **to services or creative work that includes the following:**

- 23           **(1) Consultation.**
- 24           **(2) Investigation.**
- 25           **(3) Evaluation.**
- 26           **(4) Planning, including planning the use of land and water.**
- 27           **(5) The design of or the supervision of the design of**
- 28           **engineering works and systems.**
- 29           **(6) Engineering surveys and studies or the supervision of**
- 30           **engineering surveys and studies, including all surveying**
- 31           **activities required to support the sound conception,**
- 32           **planning, design, construction, maintenance, and operation**
- 33           **of engineered projects, but not including the surveying of**
- 34           **real property for the establishment of land boundaries,**
- 35           **subdivisions, rights-of-way, easements, and the dependent or**
- 36           **independent surveys or resurveys of the public land survey**
- 37           **system.**
- 38           **(7) Evaluation of construction for the purpose of assuring**
- 39           **compliance with specifications, plans, and designs, in**
- 40           **connection with any public or private utilities, structures,**
- 41           **buildings, machines, equipment, processes, work systems, or**
- 42           **projects.**

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1 The term "practice of engineering" does not include the work  
2 ordinarily performed by persons who operate or maintain  
3 machinery or equipment.

4 Sec. 8. "Practice or offer to practice engineering" means the  
5 act of an individual or a business who by verbal claim, sign,  
6 advertisement, letterhead, card, telephone listing, or in any other  
7 way represents the individual or the business to be a professional  
8 engineer or who performs, or offers to perform, any acts or work  
9 involving the practice of engineering.

10 Sec. 9. "Practitioner" means an individual registered as a  
11 landscape architect under this article.

12 Sec. 10. "Professional engineer" means an individual who, by  
13 reason of that individual's special knowledge of the mathematical  
14 and physical sciences and the principles and methods of  
15 engineering analysis and design which are acquired by education  
16 and practical experience, is qualified to engage in the practice of  
17 engineering as attested by that individual's registration as a  
18 professional engineer.

19 SECTION 414. IC 25-4-1-2, AS AMENDED BY P.L.249-2019,  
20 SECTION 50, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
21 JULY 1, 2027]: Sec. 2. (a) There is hereby created and established a  
22 board of registration for architects and landscape architects, which  
23 shall consist of five (5) members, who shall be appointed by the  
24 governor. The Indiana board of registration for design  
25 professionals is established.

26 (b) All appointments:

27 (1) before July 1, 2019, shall be made for terms of three (3)  
28 years, ending on December 31, serving the term for which the  
29 member shall have been appointed and until the member's  
30 successor shall have been appointed and shall have qualified;  
31 and

32 (2) after June 30, 2019, shall be made according to IC 25-1-6.5.

33 The board consists of nine (9) members, appointed by the governor  
34 as follows:

35 (1) Four (4) registered professional engineers.

36 (2) Three (3) registered architects under this article.

37 (3) One (1) registered landscape architect under this article.

38 (4) One (1) member of the public who:

39 (A) is a resident of Indiana; and

40 (B) has never been associated with the engineering,  
41 architecture, or landscape architecture professions in  
42 any way other than as a consumer.

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1 (c) ~~A member of the board may be removed under IC 25-1-6.5-4.~~  
 2 **All appointments, terms, and removals are governed by**  
 3 **IC 25-1-6.5.**

4 (d) Each member of the board shall be entitled to receive as  
 5 compensation for the member's services a salary per diem for each and  
 6 every day the member may be engaged in attending the meetings or  
 7 transacting the business of the board; in addition thereto each member  
 8 shall be entitled to receive as reimbursement all traveling and other  
 9 necessary expenses incurred in the performance of the member's duties  
 10 as a member of the board in accordance with travel policies and  
 11 procedures established by the department of administration and the  
 12 state budget agency.

13 (e) ~~Subject to 25-1-6.5-3,~~ Each member of the board **described in**  
 14 **subsection (b)(1) through (b)(2)** shall:

15 (1) be a citizen of the United States of America;

16 (2) **and have been** a resident of the state of Indiana **for at least**  
 17 **five (5) years immediately before appointment;**

18 (3) **hold an active registration in the member's respective**  
 19 **profession; and**

20 (4) **have at least ten (10) years of active professional practice,**  
 21 **including at least five (5) years in charge of professional**  
 22 **work or professional teaching.**

23 (f) ~~Three (3) of the members must be registered architects under~~  
 24 ~~this chapter. Preferably these members would have at least ten (10)~~  
 25 ~~years of active architectural practice preceding the member's~~  
 26 ~~appointment. To the extent possible, the governor shall appoint~~  
 27 ~~members who serve or have served in diverse areas of professional~~  
 28 ~~practice.~~

29 (g) ~~One (1) member of the board must be registered as a landscape~~  
 30 ~~architect under this chapter. Preferably this member would have at least~~  
 31 ~~ten (10) years of active landscape architectural practice preceding the~~  
 32 ~~member's appointment. Each member shall receive a certificate of~~  
 33 ~~appointment from the governor and, before beginning the~~  
 34 ~~member's term, shall file with the board secretary a written oath~~  
 35 ~~or affirmation for the faithful discharge of official duties.~~

36 (h) ~~One (1) member of the board, to represent the general public,~~  
 37 ~~shall be a resident of this state who has never been associated with the~~  
 38 ~~architecture or landscape architecture profession in any way other than~~  
 39 ~~as a consumer.~~

40 SECTION 415. IC 25-4-1-3.3, AS ADDED BY P.L.220-2011,  
 41 SECTION 406, IS AMENDED TO READ AS FOLLOWS  
 42 [EFFECTIVE JULY 1, 2027]: Sec. 3.3. The rules adopted by the board

HB 1003—LS 6756/DI 92



1 of registration for architects before July 1, 2000, are considered, after  
2 June 30, 2000, to be rules of the board. ~~of registration for architects and~~  
3 ~~landscape architects.~~

4 SECTION 416. IC 25-4-1-11 IS AMENDED TO READ AS  
5 FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 11. Any person  
6 licensed to practice architecture in this state, or registered as an  
7 architect under this chapter, shall be exempt from the provisions of any  
8 and all statutes in force in this state regulating the practice of  
9 engineering; provided further, that no provision of this chapter shall  
10 apply to or affect any individual, firm, limited liability company, or  
11 corporation registered as a professional engineer under provisions of  
12 ~~IC 25-31-1. IC 25-4-3.~~ An engineer, however, who is registered under  
13 the laws of this state, and exempted from the provisions of this chapter,  
14 shall not use the designation "architect" in any form or manner unless  
15 and until he shall be registered under the provisions of this chapter.

16 SECTION 417. IC 25-4-1-18 IS AMENDED TO READ AS  
17 FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 18. Nothing contained  
18 in this chapter shall prevent the draftsmen, students, clerks of works,  
19 superintendents, and other employees of those lawfully practicing as  
20 registered architects, under the provisions of this chapter, from acting  
21 under the instruction, control, or supervision of their employers, or to  
22 prevent the employment of superintendents of the construction,  
23 enlargement, or alteration of buildings, or any parts thereof, or prevent  
24 such superintendents from acting under the immediate personal  
25 supervision of the registered architect by whom the plans and  
26 specifications of any building, enlargement, or alteration were  
27 prepared. Nor shall anything contained in this chapter apply to the  
28 making of plans or specifications or the supervision of construction,  
29 enlargement or alteration of buildings or any parts thereof specifically  
30 exempted from the rules of the ~~fire prevention and building safety~~  
31 ~~commission department of homeland security~~ or specifically  
32 exempted from the ~~fire prevention and building safety commission~~  
33 ~~department of homeland security~~ requirements for preparation of  
34 such plans and specifications by registered architects or registered  
35 engineers.

36 SECTION 418. IC 25-4-1-22 IS REPEALED [EFFECTIVE JULY  
37 1, 2027]. Sec. 22. Except where the context clearly indicates a  
38 different meaning, the following terms, as used in this chapter, shall be  
39 construed to have the meaning hereinafter indicated:

40 The term "board" shall be construed to mean the board of  
41 registration for architects and landscape architects.

42 SECTION 419. IC 25-4-1-28 IS REPEALED [EFFECTIVE JULY

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1 1, 2027]. Sec. 28. This chapter shall be known and cited as "The  
2 Indiana Architectural and Landscape Architectural Act".

3 SECTION 420. IC 25-4-1-29 IS AMENDED TO READ AS  
4 FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 29. (a) Except as  
5 hereinafter otherwise provided, the state of Indiana, nor any board,  
6 department or agency thereof, nor any county, city, town, township,  
7 school corporations, or other political subdivision of this state shall  
8 engage in the construction, alteration, or maintenance of any public  
9 building or public work involving the practice of architecture for which  
10 plans, specifications and estimates have not been prepared, certified,  
11 and sealed by, and the construction, alteration, or maintenance  
12 executed under the direct supervision of an architect, which architect  
13 shall be the holder in good standing of a certificate of registration from  
14 the ~~board of registration for architects and landscape architects~~ **Indiana**  
15 **board of registration for design professionals** entitling him to  
16 practice architecture in this state.

17 (b) No official of this state, nor of any city, town, county,  
18 township, or school corporation thereof, charged with the enforcement  
19 of any law, ordinance, or rule relating to the construction or alteration  
20 of buildings or structures, shall use or accept or approve any plans or  
21 specifications that have not been prepared by, or under the supervision  
22 of, and certified by a registered architect. This subsection shall not  
23 apply if such plans or specifications have been prepared by, or under  
24 the supervision of and certified by a professional engineer who is  
25 registered under the laws of the state of Indiana. This subsection shall  
26 not apply to the construction or alteration of any building or structures  
27 specifically exempted from the rules of the ~~fire prevention and building~~  
28 **safety commission department of homeland security** or specifically  
29 exempted from the ~~fire prevention and building safety commission~~  
30 **department of homeland security** requirements for preparation of  
31 such plans and specifications by registered architects or registered  
32 engineers. This section shall not be construed as to abridge, or  
33 otherwise affect, the powers of the ~~fire prevention and building safety~~  
34 **commission, department of homeland security**, or any other state  
35 board or department, to issue rules governing the safety of buildings or  
36 structures.

37 SECTION 421. IC 25-4-1-30 IS AMENDED TO READ AS  
38 FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 30. The board of  
39 ~~registration of architects~~ must grant an extension for a total time of not  
40 less than eight (8) years for an applicant to complete any section or  
41 division of a reexamination given under section 9 of this chapter if the  
42 applicant was unable to meet the original final date established by the

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HB 1003—LS 6756/DI 92



1 board to take reexaminations due to a disability or medical condition  
 2 that substantially interferes with the applicant's ability to take the  
 3 examination.

4 SECTION 422. IC 25-4-2-1, AS AMENDED BY P.L.57-2013,  
 5 SECTION 31, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 6 JULY 1, 2027]: Sec. 1. (a) As used in this chapter, "board" means the  
 7 board of registration for architects and landscape architects as  
 8 established under IC 25-4-1-2.

9 (b) As used in this chapter, "landscape architecture" means the  
 10 practice of professional services such as consultation; investigation;  
 11 reconnaissance; research; planning; design; or responsible supervision  
 12 to develop land areas for the dominant purpose of preserving;  
 13 enhancing; or determining:

- 14 (1) proper land uses;
- 15 (2) natural land features;
- 16 (3) ground cover and planting;
- 17 (4) naturalistic and aesthetic values;
- 18 (5) the settings and approaches to structures or other  
 19 improvements;
- 20 (6) the natural environment of a facility, an individual building,  
 21 or other structure;
- 22 (7) site specific natural surface and subsoil drainage systems;
- 23 (8) landscape grading; swales; curbs; and walkways; and
- 24 (9) any inherent problems of the land relating to erosion;  
 25 overuse; blight; or other hazards.

26 The term includes the location and arrangement of the proposed  
 27 tangible objects and features that are incidental and necessary to  
 28 accomplish the purposes of landscape architecture.

29 (c) As used in this chapter, "practitioner" means an individual  
 30 registered as a landscape architect under this chapter.

31 (d) (a) Except as provided in subsection (b), IC 25-4-0.5-5, this  
 32 chapter does not authorize a practitioner to:

- 33 (1) engage in the design of mechanical lift stations, sewage  
 34 treatment facilities, sanitary and combined sewers, storm water  
 35 management projects, public, semi-public, and private utilities,  
 36 or other structures or facilities with separate and self-contained  
 37 purposes, if the design work is ordinarily included in the practice  
 38 of architecture or engineering;
- 39 (2) engage in the design of highways or traffic control devices;
- 40 (3) engage in the scientific analysis of hazardous material  
 41 contamination;
- 42 (4) engage in topographic mapping or the certification of land

HB 1003—LS 6756/DI 92



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- 1 surveys or final land plats for official approval or recording;  
 2 (5) otherwise engage in the practice of architecture (as defined  
 3 in IC 25-4-1);  
 4 (6) otherwise engage in the practice of ~~professional~~ engineering  
 5 (as defined in ~~IC 25-31~~; **IC 25-4-0.5-7**);  
 6 (7) engage in the practice of surveying (as defined in  
 7 IC 25-21.5); or  
 8 (8) engage in the practice of professional geology (as defined in  
 9 IC 25-17.6).
- 10 ~~(e)~~ **(b)** This chapter, except section 10(a)(1) and 10(a)(2) of this  
 11 chapter, does not apply to:
- 12 (1) the practice of landscape architecture by any person who acts  
 13 under the supervision of a practitioner or by an employee of a  
 14 person lawfully engaged in the practice of landscape architecture  
 15 and who, in either event, does not assume responsible charge of  
 16 design or supervision;  
 17 (2) the practice of architecture or land planning and proper land  
 18 usage by a duly registered professional architect or the doing of  
 19 landscape architectural work by a registered architect or by an  
 20 employee under the supervision of a registered architect;  
 21 (3) the practice of engineering or land planning and proper land  
 22 usage by a duly registered professional engineer and the doing  
 23 of landscape architectural work by a registered professional  
 24 engineer or by an employee under supervision of a registered  
 25 professional engineer;  
 26 (4) the practice of surveying or land planning and proper land  
 27 usage by a professional surveyor and the doing of landscape  
 28 architectural work by a professional surveyor or by an employee  
 29 under supervision of a professional surveyor;  
 30 (5) the practice of landscape architecture by employees of the  
 31 United States government while engaged within this state in the  
 32 practice of landscape architecture for the United States  
 33 government;  
 34 (6) the practice of planning as is customarily done by regional,  
 35 park, or urban planners;  
 36 (7) the practice of arborists, foresters, gardeners, turf managers,  
 37 home builders, horticulturists, farmers, and other similar  
 38 persons;  
 39 (8) the practice of any nurseryman or general or landscape  
 40 contractor, including design, planning, location, planting and  
 41 arrangements of plantings or other ornamental features; or  
 42 (9) the practice of natural resource professionals, including

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HB 1003—LS 6756/DI 92



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1 biologists, geologists, or soil scientists.

2 SECTION 423. IC 25-4-3 IS ADDED TO THE INDIANA CODE  
3 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE  
4 JULY 1, 2027]:

5 **Chapter 3. Regulation of Engineers**

6 **Sec. 1. The board shall enforce and administer the provisions**  
7 **of this chapter, and adopt rules, not inconsistent with the**  
8 **Constitution and laws of this state, as may be reasonably necessary**  
9 **for the proper performance of its duties and the regulations of the**  
10 **proceedings before it. The board shall adopt rules establishing**  
11 **standards for the competent practice of engineering and for the**  
12 **administration of the registered professional engineers and**  
13 **registered engineering interns investigative fund established by**  
14 **section 20 of this chapter. Any rulemaking by the board shall be in**  
15 **accordance with IC 4-22-2.**

16 **Sec. 2. (a) Except as provided in section 20 of this chapter and**  
17 **subsection (b), the licensing agency shall receive and account for all**  
18 **money collected under the provisions of this chapter and shall**  
19 **deposit the money with the treasurer of state to be deposited by the**  
20 **treasurer of state in the state general fund.**

21 **(b) In addition to the registration fee established under section**  
22 **13 of this chapter, the board shall establish a fee of not more than**  
23 **twenty dollars (\$20) for registered professional engineers and**  
24 **registered engineering interns to be paid at the time of:**

25 **(1) issuance of a certificate of registration; and**

26 **(2) renewal of a certificate of registration;**

27 **under this chapter to provide funds for administering and**  
28 **enforcing this chapter, including investigating and taking action**  
29 **against persons violating this chapter. All funds collected under**  
30 **this subsection shall be deposited into the registered professional**  
31 **engineers and registered engineering interns investigative fund**  
32 **established by section 20 of this chapter.**

33 **Sec. 3. (a) The following under either subdivision (1) or (2)**  
34 **shall be considered as minimum evidence that the applicant is**  
35 **qualified for registration as a professional engineer:**

36 **(1) All of the following:**

37 **(A) Graduation in an approved engineering curriculum**  
38 **of four (4) years or more.**

39 **(B) A specific record of four (4) years or more of**  
40 **progressive experience on engineering projects of**  
41 **sufficient quality acquired subsequent to graduation,**  
42 **which experience indicates that the applicant is qualified**

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1 to be placed in responsible charge of engineering work  
 2 requiring the exercise of judgment in the application of  
 3 engineering sciences to the sound solution of engineering  
 4 problems.

5 (C) The successful passing of an examination as  
 6 provided for in section 5 of this chapter.

7 (2) All of the following:

8 (A) A specific record of eight (8) years or more of  
 9 engineering education and experience in engineering  
 10 work, which indicates that the applicant has acquired  
 11 knowledge and skill and practical experience in  
 12 engineering work approximating that required for  
 13 registration as a professional engineer under subdivision  
 14 (1).

15 (B) The successful passing of an examination as  
 16 provided for in section 5 of this chapter.

17 (b) The following under either subdivision (1) or (2) shall be  
 18 considered as minimum evidence that the applicant is qualified for  
 19 certification as an engineering intern:

20 (1) All of the following:

21 (A) Graduation in an approved engineering curriculum  
 22 of four (4) years or more.

23 (B) The successful passing of an engineering intern  
 24 examination as provided in section 5 of this chapter.

25 (2) All of the following:

26 (A) A specific record of four (4) years or more of  
 27 engineering education and experience in engineering  
 28 work indicating that the applicant has acquired  
 29 knowledge and skill approximating that acquired  
 30 through graduation in an approved engineering  
 31 curriculum of four (4) years or more.

32 (B) The successful passing of an engineering intern  
 33 examination as provided in section 5 of this chapter.

34 (c) The board may waive the examination under section 5 of  
 35 this chapter to any applicant who has been granted a certificate of  
 36 registration under section 13 of this chapter.

37 (d) An individual is not eligible for registration as a  
 38 professional engineer or certification as an engineering intern if the  
 39 individual has been convicted of:

40 (1) an act which would constitute grounds for disciplinary  
 41 sanction under IC 25-1-11; or

42 (2) a felony that has a direct bearing on the individual's

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1 ability to practice competently.

2 (e) In considering the qualifications of applicants, responsible  
3 charge of engineering teaching shall be construed as responsible  
4 charge of engineering work. An applicant who holds a degree of  
5 master of science of engineering or the equivalent thereof from a  
6 curriculum in engineering approved by the board may be given a  
7 maximum credit of one (1) year of experience in addition to the  
8 credit of four (4) years of education. An applicant who holds a  
9 degree of doctor of philosophy or the equivalent thereof from a  
10 curriculum in engineering approved by the board may be given a  
11 maximum of credit of two (2) years of experience in addition to a  
12 credit of four (4) years of education. Graduation in a course other  
13 than engineering from a college or university acceptable to the  
14 board may be considered as equivalent to two (2) years engineering  
15 experience and education. The mere execution, as a contractor of  
16 work designed by a professional engineer, or the supervision of the  
17 construction of such work as a foreman or superintendent shall not  
18 be deemed to be engineering experience.

19 (f) Any person having the necessary qualifications to be  
20 registered under this chapter is eligible for registration although  
21 the individual may not be engaged in the practice of engineering at  
22 the time the application is made.

23 Sec. 4. (a) An individual applying for registration as a  
24 professional engineer or for certification as an engineering intern  
25 shall apply for registration or certification on a form prescribed  
26 and provided by the board. Each application for registration shall  
27 contain statements showing the education and qualifications of the  
28 applicant and a detailed summary of the technical work performed  
29 by the applicant. An application for registration as a professional  
30 engineer shall be accompanied by the names of five (5) persons to  
31 be used as references, at least three (3) of whom are professional  
32 engineers who have a personal knowledge of the experience of the  
33 applicant. Each application for a certification as an engineering  
34 intern must contain statements showing the education of the  
35 applicant, and except for an application for an examination to be  
36 given during the applicant's senior year, the application shall be  
37 accompanied by the names of three (3) persons to be used as  
38 references. All applications shall be certified to by the applicant as  
39 to the correctness of the statements contained in the application.

40 (b) A person who knowingly makes a false statement in the  
41 application commits a Class A misdemeanor.

42 (c) The amount of registration fees for a professional engineer



1 and for an engineering intern shall be fixed and determined by the  
2 board under IC 25-1-8-2. The board shall also in its rules prescribe  
3 the manner and the time for the paying of registration fees.

4 (d) In the event the board refuses to issue a certificate of  
5 registration to any person who has made proper application for  
6 registration as a professional engineer, any initial fee prescribed by  
7 the board and deposited with the board by an applicant shall be  
8 retained by the board as an application fee.

9 (e) In the event the board refuses to issue a certificate to any  
10 person who has made proper application for certification as an  
11 engineering intern, the fee prescribed by the board and deposited  
12 by the applicant with the board shall be retained as an application  
13 fee.

14 Sec. 5. (a) The examination required of all applicants for  
15 registration as a professional engineer shall be a written or  
16 computer based examination which shall be divided into the  
17 following two (2) parts:

- 18 (1) Engineering fundamentals.
- 19 (2) Principles and practice of engineering.

20 The board may adopt rules under IC 4-22-2 establishing additional  
21 examination requirements.

22 (b) The engineering fundamentals portion of the examination  
23 shall be designed to test the applicant's knowledge of mathematics  
24 and the physical and engineering sciences. The standards of  
25 proficiency required shall approximate that attained by graduation  
26 in an approved four (4) year engineering curriculum.

27 (c) The principles and practice of the engineering portion of  
28 the examination shall be designed primarily to test the applicant's  
29 understanding of, and judgment and ability to apply correctly, the  
30 principles of:

- 31 (1) mathematics;
- 32 (2) the physical sciences;
- 33 (3) the engineering sciences; and
- 34 (4) engineering design analysis and synthesis;

35 to the practice of professional engineering. A part of the  
36 examination may be designed to test the applicant's knowledge and  
37 understanding of the ethical, economic, and legal principles  
38 relating to the practices of professional engineering.

39 (d) An applicant for registration as a professional engineer  
40 who holds an engineering intern certificate issued in Indiana or in  
41 any other state or territory having equivalent standards may be  
42 exempted from the engineering fundamentals portion of the



1 examination.

2 (e) An applicant must successfully pass the engineering  
3 fundamentals portion of the examination before taking the  
4 principles and practice portion of the examination.

5 (f) Examinations shall be held at times and places as  
6 determined by the board at least two (2) times each year.  
7 Examinations for certification as an engineering intern may be  
8 held separately from the examinations for registration as a  
9 professional engineer.

10 (g) An applicant for registration as a professional engineer  
11 who is presently registered in another state or territory may be  
12 assigned a written or computer based examination as the board  
13 deems necessary to meet the requirements of this chapter.

14 (h) An applicant shall have three (3) attempts to pass each part  
15 of the examination within a time period established by the board  
16 by rule. The board may specify by rule the time required between  
17 examinations and the opportunity for future examination attempts  
18 for an applicant who fails to appear at an examination. The  
19 amount of the fee to be paid for each examination shall be  
20 determined by the board under IC 25-1-8-2.

21 (i) If an applicant who has failed a part of the examination  
22 three (3) times reapplies and submits evidence of acquiring  
23 additional knowledge for the examination, the board may give the  
24 applicant approval to take subsequent examinations or partial  
25 examinations.

26 Sec. 6. (a) The board shall issue a certificate of registration,  
27 upon the payment of the fee prescribed by the board under  
28 IC 25-1-8-2 and the fee established by section 2(b) of this chapter,  
29 to any applicant who, in the opinion of the board, has satisfactorily  
30 met all requirements of this chapter. In the case of a professional  
31 engineer, the certificate shall authorize the practice of  
32 "professional engineering". The certificate of registration shall:

- 33 (1) show the full name of the registrant;  
34 (2) bear a serial number and date; and  
35 (3) be signed by a designee of the board.

36 The issuance of any certificate of registration by the board under  
37 this chapter is evidence that the individual named on the certificate  
38 is entitled to all the rights and privileges of a registered  
39 professional engineer from the date on the certificate until it  
40 expires or is revoked.

41 (b) The board shall issue a certificate of enrollment upon the  
42 payment of the certificate fee prescribed by the board under

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1 IC 25-1-8-2 to any applicant who, in the opinion of the board, has  
 2 satisfactorily met all of the requirements of this chapter. In the  
 3 case of an engineering intern, the certificate shall state that the  
 4 applicant has successfully passed the examination in engineering  
 5 fundamentals and has been enrolled as an engineering intern. The  
 6 certificate of enrollment shall:

- 7 (1) show the full name of the enrollee;
- 8 (2) bear a serial number and date; and
- 9 (3) be signed by the director of the licensing agency.

10 The issuance of a certificate of enrollment by the board is evidence  
 11 that the individual named on the certificate is entitled to all the  
 12 rights and privileges of an engineering intern while the certificate  
 13 remains unrevoked or until it expires.

14 Sec. 7. (a) The granting of registration extends to the  
 15 registrant the authority to use a seal of a design approved by the  
 16 board bearing the registrant's name, registration number, and the  
 17 legend "professional engineer".

18 (b) During the period of time that a registrant's certificate is  
 19 valid, the registrant is authorized to apply the registrant's seal to  
 20 plans, specifications, studies, drawings, and reports. Applying the  
 21 registrant's seal attests that:

- 22 (1) the work embodies the engineering work of the  
 23 registrant;
- 24 (2) the registrant or an employed subordinate supervised by  
 25 the registrant prepared the documents, and in the context of  
 26 engineered plans "prepared" refers to the registrant's  
 27 control and direction of the engineering work and design  
 28 process;
- 29 (3) the registrant assumes full professional responsibility for  
 30 the documents; and
- 31 (4) the work meets standards of acceptable engineering  
 32 practice.

33 (c) It is unlawful for any person to stamp or seal any document  
 34 with a seal after the certificate of the registrant named on the seal  
 35 has expired or has been revoked.

36 Sec. 8. (a) Subject to IC 25-1-2-6(e), unless renewed, a  
 37 certificate issued under this chapter expires on a date specified by  
 38 the licensing agency under IC 25-1-6-4 and expires biennially after  
 39 the initial expiration date. An applicant for renewal shall submit an  
 40 application in the manner prescribed by the board and pay the  
 41 renewal fee established by the board under IC 25-1-8-2 on or  
 42 before the renewal date specified by the licensing agency.

HB 1003—LS 6756/DI 92



1           (b) Subject to IC 25-1-2-6(e), if the holder of a certificate does  
2 not renew the certificate by the date specified by the licensing  
3 agency, the certificate expires and becomes invalid without the  
4 board taking any action.

5           (c) The failure on the part of a registrant to renew a certificate  
6 does not deprive the registrant of the right of renewal.

7           (d) If a certificate has been expired for not more than three (3)  
8 years, the certificate may be reinstated by the board if the holder  
9 of the certificate meets the requirements for reinstatement under  
10 IC 25-1-8-6(c).

11           (e) If a certificate has been expired for more than three (3)  
12 years, the certificate may be reinstated by the board if the holder  
13 of the certificate meets the requirements for reinstatement under  
14 IC 25-1-8-6(d).

15           Sec. 9. (a) The board may adopt rules requiring a professional  
16 engineer to obtain continuing education for renewal of a certificate  
17 under section 8 of this chapter.

18           (b) If the board adopts rules under this section, the rules must  
19 do the following:

20           (1) Establish an inactive certificate of registration that:

21                   (A) does not require the holder of an inactive certificate  
22 to obtain continuing education; and

23                   (B) prohibits the holder of an inactive certificate from  
24 practicing engineering.

25           (2) Establish requirements for reactivation of an inactive  
26 certificate.

27           Sec. 10. (a) A registration certificate for a professional  
28 engineer may be issued only to a natural person.

29           (b) A business, including a proprietorship, partnership, or  
30 corporation, doing business in Indiana may not practice or offer to  
31 practice engineering unless that practice is carried on under the  
32 responsible direction and supervision of a registered professional  
33 engineer who is a full-time employee of the business. All plans,  
34 sheets of designs, specifications, reports, studies, or other  
35 engineering documents that require certification and are prepared  
36 by the personnel of a business must carry the signature and seal of  
37 the registered professional engineer who is in responsible charge  
38 of the professional engineering work.

39           Sec. 11. (a) A county, city, town, township, school corporation,  
40 or other political subdivision of this state may not engage in the  
41 construction or maintenance of any public work involving the  
42 practice of engineering for which plans, specifications, and

HB 1003—LS 6756/DI 92



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1 estimates have not been prepared, certified, and sealed by, and the  
 2 construction and maintenance executed under the direct  
 3 supervision of, a professional engineer. Any contract executed in  
 4 violation of this section is void.

5 (b) An official of this state, or of any city, town, county,  
 6 township, or school corporation, charged with the enforcement of  
 7 any law, ordinance, or rule relating to the design, construction, or  
 8 alteration of buildings or structures may not use or accept or  
 9 approve any plans or specifications that have not been prepared  
 10 by, or under the supervision of and certified by, a registered  
 11 professional engineer. This subsection does not apply:

12 (1) to plans or specifications prepared by, or under the  
 13 supervision of and certified by, an architect who is registered  
 14 under IC 25-4-1;

15 (2) to structures and construction listed in IC 22-15-3-3(a);  
 16 or

17 (3) to plans or specifications contained in a registration,  
 18 license, or permit application, including an application for an  
 19 initial permit, the renewal of a permit, the modification of a  
 20 permit, or a variance from a permit submitted to the  
 21 commissioner of the department of environmental  
 22 management under IC 13, unless the permit is for the  
 23 approval of plans or specifications for construction for which  
 24 a professional engineer's seal is required by operation of  
 25 either state or federal law, rule, or regulation. This  
 26 subsection does not require a professional engineer's seal for  
 27 an application for an air quality construction permit under  
 28 326 IAC 2-1-3.

29 This section shall not be construed as to abridge or otherwise affect  
 30 the powers of any state board or department to issue rules  
 31 governing the safety of buildings or structures.

32 (c) All maps required to show the underground workings of  
 33 any mine in Indiana must be prepared, certified, and sealed by a  
 34 professional engineer or professional surveyor.

35 Sec. 12. (a) An employee or a subordinate of any person who  
 36 holds a certificate of registration under the provisions of this  
 37 chapter is exempt from the provisions of this chapter if the practice  
 38 of the employee or subordinate does not include responsible charge  
 39 of design or supervision.

40 (b) This chapter does not require registration for the purpose  
 41 of practicing engineering by an individual or a business:

42 (1) on property owned or leased by that individual or

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1           **business unless the engineering practice involves the public**  
 2           **health or safety, or the health or safety of the employees of**  
 3           **that individual or business;**

4           **(2) for the performance of engineering which relates solely**  
 5           **to the design or fabrication of manufactured products; or**

6           **(3) that is registered as a landscape architect under IC 25-4-2**  
 7           **and while the individual or business is engaged in the**  
 8           **practice of landscape architecture planning the use of land**  
 9           **or water.**

10          **Sec. 13. The board may, upon application and payment of a fee**  
 11          **established by the board in the board's rules, issue a certificate of**  
 12          **registration as a professional engineer to an individual who holds**  
 13          **a valid certificate of registration as a professional engineer, issued**  
 14          **to the applicant by the proper authority of any state or territory or**  
 15          **possession of the United States if the requirements for registration**  
 16          **of professional engineers that the certificate of registration was**  
 17          **issued under do not conflict with the provisions of this chapter. In**  
 18          **determining the qualifications of an applicant, the board may**  
 19          **accept the verified professional record of the applicant that is**  
 20          **certified by the National Council of Examiners for Engineers and**  
 21          **Surveyors. However, an applicant meets the experience**  
 22          **requirement under section 3 of this chapter if the applicant:**

23           **(1) has at least three (3) years of engineering work**  
 24           **experience after the applicant graduates from an approved**  
 25           **engineering curriculum but before the applicant successfully**  
 26           **passes an examination required under section 5 of this**  
 27           **chapter; and**

28           **(2) has been registered or licensed as a professional engineer**  
 29           **in another state for at least ten (10) years.**

30          **Sec. 14. A certificate of registration, or a certification as an**  
 31          **engineering intern to replace a certificate which has been lost,**  
 32          **destroyed, or mutilated, may be issued subject to the rules of the**  
 33          **board and the fee established under IC 25-1-8-2.**

34          **Sec. 15. A person who:**

35           **(1) practices or offers to practice engineering without being**  
 36           **registered or exempted under the laws of this state;**

37           **(2) presents as the person's own the certificate of registration**  
 38           **or the seal of another;**

39           **(3) gives any false or forged evidence of any kind to the**  
 40           **board or to any member of the board in obtaining a**  
 41           **certificate of registration;**

42           **(4) impersonates any other registrant;**



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1 (5) uses an expired, suspended, or revoked certificate of  
2 registration; or

3 (6) otherwise violates this chapter;  
4 commits a Class B misdemeanor.

5 Sec. 16. (a) It is the duty of all law enforcement officers of this  
6 state, or any political subdivision, to enforce the provisions of this  
7 chapter and to apprehend and prosecute any person who violates  
8 any of the provisions of this chapter.

9 (b) The attorney general shall act as the legal advisor of the  
10 board and render any legal assistance as may be necessary in  
11 carrying out the provisions of this chapter.

12 (c) The attorney general and the licensing agency may use the  
13 registered professional engineers and registered engineering  
14 interns investigative fund established by section 20 of this chapter  
15 to hire investigators and other employees to enforce the provisions  
16 of this chapter and to investigate and prosecute violations of this  
17 chapter.

18 Sec. 17. (a) The attorney general, the prosecuting attorney of  
19 any county, the board, or a citizen of any county where a person  
20 who is not exempted engages in the practice of engineering without  
21 first having obtained a certificate of registration or without first  
22 having renewed an expired certificate of registration may, in  
23 accordance with the provisions of the laws of this state governing  
24 injunctions, file an action in the name of the state of Indiana to  
25 enjoin that person from engaging in the practice of engineering  
26 until a certificate of registration is secured or renewed.

27 (b) Any person who has been enjoined and violates an  
28 injunction shall be punished for contempt of court. An injunction  
29 does not relieve a person engaged in the practice of engineering  
30 without a certificate of registration or without first having renewed  
31 an expired certificate of registration from a criminal prosecution.

32 (c) The remedy by injunction is in addition to any remedy  
33 provided for herein for the criminal prosecution of the offender. In  
34 charging any person in a complaint for violation of the provisions  
35 of this chapter by engaging in the practice of engineering without  
36 a certificate of registration or without having renewed an expired  
37 certificate of registration, it is sufficient to charge that the  
38 offender:

39 (1) on a certain day in a certain county practiced or offered  
40 to practice engineering; and

41 (2) was not registered or exempted under this chapter.

42 Sec. 18. (a) Except as provided in IC 25-4-1-11, a person

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1 registered as a professional engineer under this chapter is exempt  
 2 from the provisions of any and all statutes in force in this state  
 3 regulating the practice of architecture.

4 (b) This chapter does not apply to an individual registered as  
 5 an architect under IC 25-4-1. An architect, however, who is  
 6 registered under IC 25-4-1 and exempted from this chapter may  
 7 not use the designation "engineer" in any form or manner unless  
 8 the architect is registered under this chapter.

9 Sec. 19. (a) This section does not apply to a job position filled  
 10 by the department of environmental management.

11 (b) Unless a job position is filled by a professional engineer, the  
 12 state or a political subdivision (as defined in IC 36-1-2-13) may not  
 13 use the word "engineer" in the position's job title.

14 Sec. 20. (a) The registered professional engineers and  
 15 registered engineering interns investigative fund is established to  
 16 provide funds for administering and enforcing the provisions of  
 17 this chapter, including investigating and taking enforcement action  
 18 against violators of this chapter. The fund shall be administered by  
 19 the attorney general and the licensing agency.

20 (b) The expenses of administering the fund shall be paid from  
 21 the money in the fund. The fund consists of money from the fee  
 22 imposed upon registered professional engineers and registered  
 23 engineering interns under section 9(b) of this chapter.

24 (c) The treasurer of state shall invest the money in the fund not  
 25 currently needed to meet the obligations of the fund in the same  
 26 manner as other public money may be invested.

27 (d) Money in the fund is continually appropriated for use by  
 28 the attorney general and the licensing agency to administer and  
 29 enforce the provisions of this chapter and to conduct investigations  
 30 and take enforcement action against persons violating the  
 31 provisions of this chapter.

32 Sec. 21. The board shall send written notice to the department  
 33 of homeland security established by IC 10-19-2-1 of the  
 34 determination of the board in a disciplinary action against an  
 35 engineer under IC 25-1-11. The board shall send the notice not  
 36 later than three (3) business days after the date of the board's  
 37 determination.

38 SECTION 424. IC 25-17.6-7-1 IS AMENDED TO READ AS  
 39 FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 1. The following  
 40 persons are exempt from the requirements of licensure under this  
 41 article:

42 (1) An officer or employee of the United States government,

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HB 1003—LS 6756/DI 92



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- 1 state government, or local government while engaged in
- 2 providing geological services for the officer's or employee's
- 3 employers.
- 4 (2) A person engaged solely in geological research or the
- 5 instruction of geology.
- 6 (3) A person not engaged in the public practice of geology.
- 7 (4) A professional engineer registered under ~~IC 25-3-1~~ **IC 25-4-3**
- 8 who applies geology to the practice of engineering.
- 9 (5) A soil scientist who is certified as a soil classifier or soil
- 10 scientist by the American Registry of Certified Professionals in
- 11 Agronomy, Crops and Soils (ARCPACS) and the Indiana
- 12 Association of Professional Soil Classifiers (IAPSC) and who
- 13 applies geology in the practice of soil science.

14 SECTION 425. IC 25-20-1-1.5, AS AMENDED BY  
 15 P.L.249-2019, SECTION 87, IS AMENDED TO READ AS  
 16 FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 1.5. (a) Subject to  
 17 IC 25-1-6.5-3, there is established the committee of hearing aid dealer  
 18 examiners which consists of ~~five (5)~~ **four (4)** members all appointed by  
 19 the governor to a term under IC 25-1-6.5. Three (3) members must be  
 20 hearing aid dealers licensed under this chapter, who are residents of  
 21 this state and who have been practicing as hearing aid dealers for at  
 22 least one (1) year prior to their appointment. ~~One (1) member must be~~  
 23 ~~an otolaryngologist in this state, who is a resident of this state and who~~  
 24 ~~has been engaged in the practice of otolaryngology for at least one (1)~~  
 25 ~~year prior to appointment to the committee.~~ One (1) member must be  
 26 a resident of this state who is in no way associated with the business of  
 27 hearing aid dealers, audiology, or speech-language pathology other  
 28 than as a consumer. Whenever a vacancy occurs on the committee, the  
 29 governor shall appoint a successor under IC 25-1-6.5.

30 (b) Three (3) members present constitute a quorum. **The**  
 31 **chairperson of the committee is not allowed to cast a vote on any**  
 32 **matter before the committee unless the chairperson's vote is**  
 33 **necessary to break a tie.**

34 (c) The members serve without compensation, except that each  
 35 member is entitled to the salary per diem as provided by IC 4-10-11-2.1  
 36 and to reimbursement for travel, lodging, meals, and other expenses as  
 37 provided in the state travel policies and procedures established by the  
 38 department of administration and approved by the state budget agency.

39 (d) A member may be removed under IC 25-1-6.5-4.

40 SECTION 426. IC 25-20.2-1-1, AS AMENDED BY  
 41 P.L.127-2012, SECTION 4, IS AMENDED TO READ AS FOLLOWS  
 42 [EFFECTIVE JULY 1, 2027]: Sec. 1. (a) This article applies to an

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- 1 individual who conducts home inspections for compensation.
- 2 (b) This article does not apply to the following:
- 3 (1) An individual who is acting within the scope of the
- 4 individual's employment as:
- 5 (A) a code enforcement official for the state or a political
- 6 subdivision of the state; or
- 7 (B) a representative of a state or local housing agency or
- 8 authority acting under the authority of the United States
- 9 Department of Housing and Urban Development.
- 10 (2) An individual who is:
- 11 (A) either:
- 12 (i) registered as an architect under IC 25-4;
- 13 (ii) registered as a professional engineer under
- 14 ~~IC 25-31~~; **IC 25-4-3**; or
- 15 (iii) licensed as a plumbing contractor or journeyman
- 16 plumber under IC 25-28.5; and
- 17 (B) acting within the scope of the individual's registration
- 18 or license.
- 19 (3) An individual who is licensed under IC 25-34.1 as a real
- 20 estate broker and is acting within the scope of the individual's
- 21 license.
- 22 (4) An individual who is licensed or certified under IC 25-34.1
- 23 as a real estate appraiser and is acting within the scope of the
- 24 individual's license or certificate.
- 25 (5) An individual who holds a certificate of authority under
- 26 IC 27-1-27-2 as a public adjuster and is acting within the scope
- 27 of the individual's certificate.
- 28 (6) An individual who holds a permit, certificate, or license to:
- 29 (A) use and apply pesticides; or
- 30 (B) make diagnostic inspections and reports for wood
- 31 destroying pests;
- 32 under IC 15-16-5 and is acting within the scope of the
- 33 individual's certificate or license.
- 34 (7) An individual who holds a license from a political
- 35 subdivision as a tradesperson or home builder and is acting
- 36 within the scope of the individual's license.
- 37 SECTION 427. IC 25-20.7-2-3, AS ADDED BY P.L.177-2009,
- 38 SECTION 37, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 39 JULY 1, 2027]: Sec. 3. This article does not apply to a person who:
- 40 (1) does not profess to be a registered interior designer; and
- 41 (2) is:
- 42 (A) an architect registered under IC 25-4; or

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1 (B) a professional engineer registered under ~~IC 25-31-~~  
2 **IC 25-4-3.**

3 SECTION 428. IC 25-21.5-2-13 IS AMENDED TO READ AS  
4 FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 13. The state shall  
5 provide the board suitable office quarters in Indianapolis. The office  
6 may be shared with the ~~state board of registration for professional~~  
7 ~~engineers.~~ **Indiana board of registration for design professionals.**

8 SECTION 429. IC 25-21.5-3-3 IS AMENDED TO READ AS  
9 FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 3. The licensing agency  
10 may assign joint personnel to work for both the board and the ~~state~~  
11 ~~board of registration for professional engineers.~~ **Indiana board of**  
12 **registration for design professionals.**

13 SECTION 430. IC 25-23-1-7.2, AS ADDED BY P.L.148-2023,  
14 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
15 JULY 1, 2027]: Sec. 7.2. (a) As used in this section, "nursing education  
16 program" means a nursing education program that is required to be  
17 authorized by the ~~board for proprietary education (established by~~  
18 ~~IC 21-18.5-5-1).~~ **commission for higher education established by**  
19 **IC 21-18-2-1.**

20 (b) The board may not prohibit a nursing education program from  
21 submitting an application for accreditation to the board before being  
22 authorized by the ~~board for proprietary education (established by~~  
23 ~~IC 21-18.5-5-1).~~ **commission for higher education established by**  
24 **IC 21-18-2-1.**

25 (c) The board shall review and approve or deny a nursing  
26 education program's application for accreditation within ninety (90)  
27 days of being authorized by the ~~board for proprietary education~~  
28 ~~(established by IC 21-18.5-5-1)~~ **commission for higher education**  
29 **established by IC 21-18-2-1** unless the nursing education program,  
30 after receiving authorization from the ~~board of proprietary education;~~  
31 **commission for higher education,** requests additional time from the  
32 board before the board's review of the application.

33 SECTION 431. IC 25-28.5-1-2, AS AMENDED BY P.L.1-2006,  
34 SECTION 469, IS AMENDED TO READ AS FOLLOWS  
35 [EFFECTIVE JULY 1, 2027]: Sec. 2. As used in this chapter:

36 (1) "Plumbing" means the practice of and the materials and  
37 fixtures used in the installation, maintenance, extension, and alteration  
38 of all piping, fixtures, appliances, and appurtenances in connection  
39 with any of the following:

40 (A) Sanitary drainage or storm drainage facilities, the venting  
41 system, and the public or private water supply systems, within or  
42 adjacent to any building or structure.

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- 1 (B) The practice and materials used in the installation,  
 2 maintenance, extension, or alteration of the stormwater, liquid  
 3 waste, or sewerage, and water supply systems of any premises to  
 4 the private property line or to their connection with any point of  
 5 public disposal or other acceptable terminal.
- 6 The term does not include the planning, designing, and installation of  
 7 sanitation and water systems in vehicles commonly known as mobile  
 8 homes, the drilling of wells, the installation of pumps, pressure tanks,  
 9 and piping incidental to the drilling or repair of a well system, the sale  
 10 or installation of water softening equipment and apparatuses and  
 11 services of the same, or the business of manufacturing or selling  
 12 plumbing fixtures; appliances, equipment, or hardware; the installation  
 13 of automatic sprinklers, the overhead or underground water supplies or  
 14 standpipes when connected to an automatic sprinkler system or to their  
 15 related devices or appurtenances connecting thereto; nor does the term  
 16 include the work referred to in section 32(i) of this chapter; nor does  
 17 the term include the planning or design of water supply or sewage  
 18 systems which would ordinarily be performed as "the practice of  
 19 engineering", as defined in ~~IC 25-31-1~~, **IC 25-4-0.5-7**, or the "practice  
 20 of architecture", as defined in IC 25-4-1.
- 21 (2) "Plumbing contractor" means any person who, for  
 22 compensation, undertakes to, or submits a bid to, or does himself or  
 23 herself or by others, construct, repair, alter, remodel, add to, subtract  
 24 from, or improve plumbing and who is responsible for substantially all  
 25 the plumbing within the entire project, or one who fabricates units or  
 26 plumbing substantially completed and ready for installation.
- 27 (3) "Journeyman plumber" means a person who engages or offers  
 28 to engage in, as an occupation or trade, the construction, installation,  
 29 alteration, maintenance, repair, remodeling, or removal and  
 30 replacement of plumbing under the supervision, direction, and  
 31 responsibility of a licensed plumbing contractor.
- 32 (4) "Maintenance man" means a person who is employed on a  
 33 permanent basis to keep the premises of a business establishment in  
 34 good repair.
- 35 (5) "Contracting" means, except as exempted in this chapter,  
 36 engaging in a business as a contractor.
- 37 (6) "Person" means a natural person, except in the case of a  
 38 plumbing contractor, in which case it may mean the partners or  
 39 members of a partnership, limited partnership, or any form of  
 40 unincorporated enterprise, owned by two (2) or more persons, and as  
 41 applied to "corporation" in addition to the corporate entity means the  
 42 officers or directors and employees thereof.

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HB 1003—LS 6756/DI 92



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1 (7) "Commission" means the Indiana plumbing commission  
2 created by this chapter.

3 (8) "License" means a certificate issued by the commission  
4 established by this chapter which confers upon the holder the privilege  
5 to act as a plumbing contractor or a journeyman plumber as defined in  
6 this chapter.

7 (9) "Farmstead" means a farm dwelling together with other  
8 buildings, structures, equipment, piping, and other plumbing materials  
9 and supplies, located upon a parcel of real estate used primarily for  
10 agricultural purposes located outside the corporate limits of a  
11 municipality and not connected to a public water supply.

12 (10) "Licensing agency" means the Indiana professional licensing  
13 agency established under IC 25-1-5-3.

14 (11) "Apprentice plumber" means an individual who:

15 (A) is learning the plumbing trade; and

16 (B) is under the direction and immediate supervision of a  
17 licensed plumbing contractor or a licensed journeyman plumber.

18 (12) "Registration" means the granting of a certificate by the  
19 commission that authorizes an individual to act as an apprentice  
20 plumber.

21 SECTION 432. IC 25-30-1-5, AS AMENDED BY P.L.141-2021,  
22 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
23 JULY 1, 2027]: Sec. 5. This chapter does not require any of the  
24 following persons to be a licensee:

25 (1) A law enforcement officer of the United States, a state, or a  
26 political subdivision of a state to the extent that the officer or  
27 employee is engaged in the performance of the officer's or  
28 employee's official duties.

29 (2) Any person to the extent that the person is engaged in the  
30 business of furnishing and obtaining information concerning the  
31 financial rating of other persons.

32 (3) A collection agency licensed by the secretary of state or its  
33 employee acting within the scope of the employee's employment,  
34 to the extent that the person is making an investigation incidental  
35 to the business of the agency, including an investigation of the  
36 location of a debtor or a debtor's assets in a property that the  
37 client has an interest in or a lien upon.

38 (4) An attorney or employee of an attorney to the extent that the  
39 person is engaged in investigative matters incident to the  
40 delivery of professional services that constitute the practice of  
41 law.

42 (5) An insurance adjuster to the extent that the adjuster is

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HB 1003—LS 6756/DI 92



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1 employed in the investigation and settlement of claims made  
 2 against insurance companies or persons insured by insurance  
 3 companies if the adjuster is a regular employee of the insurance  
 4 company and the insurance company is authorized to do business  
 5 in Indiana and is complying with the laws regulating insurance  
 6 companies in Indiana.  
 7 (6) A person primarily engaged in the business of furnishing  
 8 information for:  
 9 (A) business decisions and transactions in connection with  
 10 credit, employment, or marketing; or  
 11 (B) insurance underwriting purposes;  
 12 including a consumer reporting agency as defined by the Fair  
 13 Credit Reporting Act (15 U.S.C. 1681 et seq.).  
 14 (7) A retail merchant or an employee of the retail merchant to  
 15 the extent that the person is hiring a private investigator for the  
 16 purposes of loss prevention investigations for the retail  
 17 merchant's retail establishment.  
 18 (8) A professional engineer registered under ~~IC 25-31~~ **IC 25-4-3**  
 19 or a person acting under a registered professional engineer's  
 20 supervision, to the extent the professional engineer is engaged in  
 21 an investigation incident to the practice of engineering.  
 22 (9) An architect with a certificate of registration under IC 25-4,  
 23 to the extent the architect is engaged in an investigation incident  
 24 to the practice of architecture.  
 25 (10) A professional surveyor with a certificate of registration  
 26 under IC 25-21.5, to the extent the professional surveyor is  
 27 engaged in an investigation incident to the practice of surveying.  
 28 (11) A certified public accountant with a certificate under  
 29 IC 25-2.1-3, to the extent that the person is engaged in an  
 30 investigation incident to the practice of accountancy.  
 31 (12) An independent consultant employed by the attorney  
 32 general under IC 32-34-1.5-60, to the extent that the independent  
 33 consultant is engaged in providing services for the attorney  
 34 general.  
 35 SECTION 433. IC 25-31 IS REPEALED [EFFECTIVE JULY 1,  
 36 2027]. (Professional Engineers).  
 37 SECTION 434. IC 25-31.5-1-1 IS AMENDED TO READ AS  
 38 FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 1. This article does not  
 39 apply to the following individuals:  
 40 (1) An officer or employee of:  
 41 (A) the federal government;  
 42 (B) state government; or

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HB 1003—LS 6756/DI 92



- 1 (C) local government;
- 2 while providing soil science services for the officer's or
- 3 employee's employer.
- 4 (2) An individual engaged solely in soil science research or the
- 5 instruction of soil science.
- 6 (3) An individual not engaged in the public practice of soil
- 7 science.
- 8 (4) A professional engineer registered under ~~IC 25-31~~ **IC 25-4-3**
- 9 who applies soil science to the practice of engineering.
- 10 (5) A professional geologist certified under IC 25-17.6 who
- 11 applies soil science to the practice of geology.
- 12 (6) A person who is a certified professional erosion and sediment
- 13 control specialist (CPESC) or soil conservationist who uses soil
- 14 science in making land use decisions for the conservation of soil
- 15 and water resources.
- 16 (7) A professional wetlands specialist who applies soil science
- 17 to make wetland delineations or determinations.
- 18 SECTION 435. IC 25-35.6-2-1, AS AMENDED BY
- 19 P.L.249-2019, SECTION 135, IS AMENDED TO READ AS
- 20 FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 1. (a) There is
- 21 established the speech-language pathology and audiology board.
- 22 (b) The board shall be comprised of ~~five (5)~~ **four (4)** members,
- 23 who shall be appointed by the governor. Subject to IC 25-1-6.5-3, four
- 24 (4) board members shall have been residents of this state for at least
- 25 one (1) year immediately preceding their appointment and shall have
- 26 been engaged in rendering services to the public, teaching, or research
- 27 in speech-language pathology or audiology for at least five (5) years
- 28 immediately preceding their appointment. At least two (2) board
- 29 members shall be speech-language pathologists and at least two (2)
- 30 shall be audiologists. ~~Subject to IC 25-1-6.5-3, the fifth member of the~~
- 31 ~~board, to represent the general public, shall be a resident of this state~~
- 32 ~~who has never been associated with speech-language pathology or~~
- 33 ~~audiology in any way other than as a consumer. Except for the member~~
- 34 ~~representing the general public, All board members shall at all times be~~
- 35 holders of active and valid licenses for the practice of speech-language
- 36 pathology or audiology in this state.
- 37 (c) A member may be removed under IC 25-1-6.5-4.
- 38 (d) Appointments shall be:
- 39 (1) for members appointed before July 1, 2019, for a three year
- 40 term; and
- 41 (2) for members appointed after June 30, 2019, for a term under
- 42 IC 25-1-6.5.

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1 (e) The governor may consider, but shall not be bound to accept,  
 2 recommendations for board membership made by a statewide  
 3 association for speech-language and hearing. A statewide association  
 4 for speech-language and hearing may submit to the governor its  
 5 recommendations for board membership not less than sixty (60) days  
 6 after a vacancy. In the event of a mid-term vacancy, such association  
 7 may make recommendations for filling such vacancy.

8 (f) At the first meeting of the board each year, members shall elect  
 9 a chairperson for the subsequent twelve (12) month period. Further  
 10 meetings may be convened at the call of the chairperson or the written  
 11 request of any two (2) board members. All meetings of the board shall  
 12 be open to the public, except that the board may hold closed sessions  
 13 to prepare, approve, grade, or administer examinations or, upon request  
 14 of an applicant who fails an examination, to prepare a response  
 15 indicating any reason for the applicant's failure. All meetings of the  
 16 board must be held in Indiana.

17 (g) A quorum of the board consists of a majority of the appointed  
 18 members. A majority of the quorum may transact business. **The**  
 19 **chairperson of the board is not allowed to cast a vote on any matter**  
 20 **before the board unless the chairperson's vote is necessary to break**  
 21 **a tie.**

22 SECTION 436. IC 27-1-15.7-4, AS AMENDED BY  
 23 P.L.158-2024, SECTION 1, IS AMENDED TO READ AS FOLLOWS  
 24 [EFFECTIVE JULY 1, 2027]: Sec. 4. (a) The commissioner shall  
 25 approve and disapprove continuing education courses. ~~after~~  
 26 ~~considering recommendations made by the insurance producer~~  
 27 ~~education and continuing education commission established under~~  
 28 ~~section 6.5 of this chapter.~~

29 (b) The commissioner may not approve a course under this section  
 30 if the course:

- 31 (1) is designed to prepare an individual to receive an initial  
 32 license under this chapter;  
 33 (2) concerns only routine, basic office skills, including filing,  
 34 keyboarding, and basic computer skills; or  
 35 (3) may be completed by a licensee without supervision by an  
 36 instructor, unless the course involves an examination process  
 37 that is:

- 38 (A) completed and passed by the licensee as determined by  
 39 the provider of the course; and  
 40 (B) approved by the commissioner.

41 (c) The commissioner shall approve a course under this section  
 42 that is submitted for approval by an insurance trade association or

HB 1003—LS 6756/DI 92



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- 1 professional insurance association if:
- 2 (1) the objective of the course is to educate a manager or an
- 3 owner of a business entity that is required to obtain an insurance
- 4 producer license under IC 27-1-15.6-6(d);
- 5 (2) the course teaches insurance producer management and is
- 6 designed to result in improved efficiency in insurance producer
- 7 operations, systems use, or key functions;
- 8 (3) the course is designed to benefit consumers; and
- 9 (4) the course is not described in subsection (b).
- 10 (d) Approval of a continuing education course under this section
- 11 shall be for a period of not more than two (2) years.
- 12 (e) A prospective provider of a continuing education course shall
- 13 pay:
- 14 (1) a fee of forty dollars (\$40) for each course submitted for
- 15 approval of the commissioner under this section; or
- 16 (2) an annual fee of five hundred dollars (\$500) not later than
- 17 January 1 of a calendar year, which entitles the prospective
- 18 provider to submit an unlimited number of courses for approval
- 19 of the commissioner under this section during the calendar year.
- 20 The commissioner may waive all or a portion of the fee for a course
- 21 submitted under a reciprocity agreement with another state for the
- 22 approval or disapproval of continuing education courses. Fees collected
- 23 under this subsection shall be deposited in the department of insurance
- 24 fund established under IC 27-1-3-28.
- 25 (f) A prospective provider of a continuing education course may
- 26 electronically deliver to the commissioner any supporting materials for
- 27 the course.
- 28 (g) The commissioner shall adopt rules under IC 4-22-2 to
- 29 establish procedures for approving continuing education courses.
- 30 SECTION 437. IC 27-1-15.7-5, AS AMENDED BY
- 31 P.L.158-2024, SECTION 2, IS AMENDED TO READ AS FOLLOWS
- 32 [EFFECTIVE JULY 1, 2027]: Sec. 5. (a) To qualify as a certified
- 33 prelicensing course of study for purposes of IC 27-1-15.6-6, an
- 34 insurance producer program of study must meet all of the following
- 35 criteria:
- 36 (1) Be conducted or developed by an:
- 37 (A) insurance trade association;
- 38 (B) accredited college or university;
- 39 (C) educational organization certified by the ~~insurance~~
- 40 ~~producer education and continuing education~~ **commissioner;**
- 41 **commissioner;** or
- 42 (D) insurance company licensed to do business in Indiana.

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HB 1003—LS 6756/DI 92



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- 1 (2) Provide for self-study or instruction provided by an approved
- 2 instructor in a structured setting, as follows:
- 3 (A) For life insurance producers, not less than twenty (20)
- 4 hours of instruction in a structured setting or comparable
- 5 self-study on:
- 6 (i) ethical practices in the marketing and selling of
- 7 insurance;
- 8 (ii) requirements of the insurance laws and
- 9 administrative rules of Indiana; and
- 10 (iii) principles of life insurance.
- 11 (B) For health insurance producers, not less than twenty
- 12 (20) hours of instruction in a structured setting or
- 13 comparable self-study on:
- 14 (i) ethical practices in the marketing and selling of
- 15 insurance;
- 16 (ii) requirements of the insurance laws and
- 17 administrative rules of Indiana; and
- 18 (iii) principles of health insurance.
- 19 (C) For life and health insurance producers, not less than
- 20 forty (40) hours of instruction in a structured setting or
- 21 comparable self-study on:
- 22 (i) ethical practices in the marketing and selling of
- 23 insurance;
- 24 (ii) requirements of the insurance laws and
- 25 administrative rules of Indiana;
- 26 (iii) principles of life insurance; and
- 27 (iv) principles of health insurance.
- 28 (D) For property and casualty insurance producers, not less
- 29 than forty (40) hours of instruction in a structured setting or
- 30 comparable self-study on:
- 31 (i) ethical practices in the marketing and selling of
- 32 insurance;
- 33 (ii) requirements of the insurance laws and
- 34 administrative rules of Indiana;
- 35 (iii) principles of property insurance; and
- 36 (iv) principles of liability insurance.
- 37 (E) For personal lines producers, a minimum of twenty (20)
- 38 hours of instruction in a structured setting or comparable
- 39 self-study on:
- 40 (i) ethical practices in the marketing and selling of
- 41 insurance;
- 42 (ii) requirements of the insurance laws and

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- 1 administrative rules of Indiana; and
- 2 (iii) principles of property and liability insurance
- 3 applicable to coverages sold to individuals and families
- 4 for primarily noncommercial purposes.
- 5 (F) For title insurance producers, not less than ten (10)
- 6 hours of instruction in a structured setting or comparable
- 7 self-study on:
  - 8 (i) ethical practices in the marketing and selling of title
  - 9 insurance;
  - 10 (ii) requirements of the insurance laws and
  - 11 administrative rules of Indiana;
  - 12 (iii) principles of title insurance, including
  - 13 underwriting and escrow issues; and
  - 14 (iv) principles of the federal Real Estate Settlement
  - 15 Procedures Act (12 U.S.C. 2608).
- 16 (G) For annuity product producers, not less than four (4)
- 17 hours of instruction in a structured setting or comparable
- 18 self-study on:
  - 19 (i) types and classifications of annuities;
  - 20 (ii) identification of the parties to an annuity;
  - 21 (iii) the manner in which fixed, variable, and indexed
  - 22 annuity contract provisions affect consumers;
  - 23 (iv) income taxation of qualified and non-qualified
  - 24 annuities;
  - 25 (v) primary uses of annuities; and
  - 26 (vi) appropriate sales practices, replacement, and
  - 27 disclosure requirements.
- 28 (3) Instruction provided in a structured setting must be provided
- 29 only by individuals who meet the qualifications established by
- 30 the commissioner under subsection (b).
- 31 (b) The commissioner ~~after consulting with the insurance producer~~
- 32 ~~education and continuing education commission,~~ shall adopt rules
- 33 under IC 4-22-2 prescribing the criteria that a person must meet to
- 34 render instruction in a certified prelicensing course of study.
- 35 (c) The commissioner shall adopt rules under IC 4-22-2
- 36 prescribing the subject matter that an insurance producer program of
- 37 study must cover to qualify for certification as a certified prelicensing
- 38 course of study under this section.
- 39 (d) The commissioner may make recommendations that the
- 40 commissioner considers necessary for improvements in course
- 41 materials.
- 42 (e) The commissioner shall designate a program of study that

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1 meets the requirements of this section as a certified prelicensing course  
2 of study for purposes of IC 27-1-15.6-6.

3 (f) For each person that provides one (1) or more certified  
4 prelicensing courses of study, the commissioner shall annually  
5 determine, of all individuals who received classroom instruction in the  
6 certified prelicensing courses of study provided by the person, the  
7 percentage who passed the examination required by IC 27-1-15.6-5.  
8 The commissioner shall determine only one (1) passing percentage  
9 under this subsection for all lines of insurance described in  
10 IC 27-1-15.6-7(a) for which the person provides classroom instruction  
11 in certified prelicensing courses of study.

12 (g) The commissioner may, after notice and opportunity for a  
13 hearing, do the following:

14 (1) Withdraw the certification of a course of study that does not  
15 maintain reasonable standards, as determined by the  
16 commissioner for the protection of the public.

17 (2) Disqualify a person that is currently qualified under  
18 subsection (b) to render instruction in a certified prelicensing  
19 course of study from rendering the instruction if the passing  
20 percentage calculated under subsection (f) is less than forty-five  
21 percent (45%).

22 (h) Current course materials for a prelicensing course of study that  
23 is certified under this section must be submitted to the commissioner  
24 upon request, but not less frequently than once every three (3) years.

25 SECTION 438. IC 27-1-15.7-6.5 IS REPEALED [EFFECTIVE  
26 JULY 1, 2027]. Sec. 6-5: (a) As used in this section, "commission"  
27 refers to the insurance producer education and continuing education  
28 commission established by subsection (b):

29 (b) The insurance producer education and continuing education  
30 commission is established within the department. The commissioner  
31 shall appoint the following seven (7) individuals:

32 (1) One (1) individual nominated by the Professional Insurance  
33 Agents of Indiana or its successor organization:

34 (2) One (1) individual nominated by the Independent Insurance  
35 Agents of Indiana or its successor organization:

36 (3) One (1) individual nominated by the Indiana Association of  
37 Insurance and Financial Advisors or its successor organization:

38 (4) One (1) individual nominated by the Indiana State  
39 Association of Health Underwriters or its successor organization:

40 (5) One (1) individual nominated by the Association of Life  
41 Insurance Companies or its successor organization:

42 (6) One (1) individual nominated by the Insurance Institute of

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1 Indiana or its successor organization:

2 (7) One (1) individual nominated by the Indiana Land Title  
3 Association or its successor organization:

4 The commissioner shall solicit nominations from the entities set forth  
5 in this subsection. The commissioner may deny to make the  
6 appointment of an individual nominated under this subsection only if  
7 the commissioner determines that the individual is not in good standing  
8 with the department or is not qualified. If the commissioner denies the  
9 appointment of an individual nominated under this subsection, the  
10 commissioner shall provide the nominating entity with the reason for  
11 the denial and allow the nominating entity to submit an alternative  
12 nomination:

13 (c) A member of the commission serves for a term of three (3)  
14 years that expires June 30, 2027, and every third year thereafter. A  
15 member may not serve more than two (2) consecutive terms:

16 (d) The commissioner shall appoint a member of the commission  
17 to serve as chairperson, who serves at the will of the commissioner.  
18 The commission shall meet:

19 (1) at the call of the chairperson; and

20 (2) at least semiannually.

21 The department shall staff the commission. Four (4) members  
22 constitute a quorum of the commission:

23 (e) The commissioner shall fill a vacancy on the commission with  
24 a nomination from the entity that nominated the predecessor or the  
25 entity's successor. The individual appointed to fill the vacancy shall  
26 serve for the remainder of the predecessor's term:

27 (f) A member of the commission is entitled to the minimum salary  
28 per diem provided under IC 4-10-11-2.1(b). A member is also entitled  
29 to reimbursement for traveling expenses and other expenses actually  
30 incurred in connection with the member's duties, in accordance with  
31 state travel policies and procedures established by the Indiana  
32 department of administration and approved by the budget agency.  
33 Money paid under this subsection shall be paid from amounts  
34 appropriated to the department:

35 (g) The commission shall review and make recommendations to  
36 the commissioner concerning the following:

37 (1) Course materials and curriculum and instructor credentials  
38 for preclicensing courses of study for which certification by the  
39 commissioner is sought under section 5 of this chapter.

40 (2) Continuing education requirements for insurance producers.

41 (3) Continuing education courses for which the approval of the  
42 commissioner is sought under section 4 of this chapter.

HB 1003—LS 6756/DI 92



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1 (4) Rules proposed for adoption by the commissioner concerning  
2 continuing education under this chapter:

3 (h) A member of the commission or a designee of the  
4 commissioner is permitted access to any classroom while instruction  
5 is in progress to monitor the classroom instruction:

6 SECTION 439. IC 31-9-2-10.6, AS ADDED BY P.L.145-2006,  
7 SECTION 175, IS AMENDED TO READ AS FOLLOWS  
8 [EFFECTIVE JULY 1, 2027]: Sec. 10.6. (a) "Board", for purposes of  
9 IC 31-25-4, has the meaning set forth in IC 31-25-4-34(a).

10 (b) "Board", for purposes of IC 31-26-4, has the meaning set forth  
11 in IC 31-26-4-2.

12 SECTION 440. IC 31-9-2-21.5 IS ADDED TO THE INDIANA  
13 CODE AS A NEW SECTION TO READ AS FOLLOWS  
14 [EFFECTIVE JULY 1, 2027]: **Sec. 21.5. "Commission", for purposes  
15 of IC 31-26-4, has the meaning set forth in IC 31-26-4-2.1.**

16 SECTION 441. IC 31-26-4-2 IS REPEALED [EFFECTIVE JULY  
17 1, 2027]. **Sec. 2:** As used in this chapter, "board" refers to the Indiana  
18 kids first trust fund board established by section 5 of this chapter.

19 SECTION 442. IC 31-26-4-2.1 IS ADDED TO THE INDIANA  
20 CODE AS A NEW SECTION TO READ AS FOLLOWS  
21 [EFFECTIVE JULY 1, 2027]: **Sec. 2.1. As used in this chapter,  
22 "commission" refers to the commission on improving the status of  
23 children in Indiana established by IC 2-5-36-3.**

24 SECTION 443. IC 31-26-4-2.3, AS ADDED BY P.L.220-2011,  
25 SECTION 506, IS AMENDED TO READ AS FOLLOWS  
26 [EFFECTIVE JULY 1, 2027]: Sec. 2.3. (a) After June 30, 2003, and  
27 before July 1, 2027, any reference in a statute or rule referring to the  
28 Indiana children's trust fund board is considered a reference to the  
29 board.

30 (b) **This subsection does not apply after June 30, 2027.** On July  
31 1, 2003, the board becomes the owner of all the personal property and  
32 assets and assumes the obligations and liabilities of the Indiana  
33 children's trust fund board, as it existed before July 1, 2003.

34 (c) **After June 30, 2027, any reference in a statute or rule  
35 referring to the Indiana children's trust fund board is considered  
36 a reference to the commission.**

37 (d) **On July 1, 2027, the commission becomes the owner of all  
38 the personal property and assets and assumes the obligations and  
39 liabilities of the Indiana children's trust fund board, as it existed  
40 before July 1, 2027.**

41 SECTION 444. IC 31-26-4-5 IS REPEALED [EFFECTIVE JULY  
42 1, 2027]. **Sec. 5:** (a) The Indiana kids first trust fund board is

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1 established:

2 (b) The purpose of the board is to determine whether proposed

3 projects under this chapter should be approved and to perform other

4 duties given to the board by this chapter. The board shall approve

5 projects and recommend to the department that the projects receive

6 funds under sections 12 and 14 of this chapter.

7 (c) The board shall, before January 1 of each year, prepare a

8 budget for expenditures from the fund for the following state fiscal

9 year. The budget must contain priorities for expenditures from the fund

10 to accomplish the projects that have been approved under this chapter.

11 The budget shall be submitted to the department and the budget

12 committee.

13 (d) The board may employ staff necessary to carry out the duties

14 of the board.

15 (e) The board may establish a nonprofit subsidiary corporation

16 under section 17 of this chapter.

17 SECTION 445. IC 31-26-4-5.5 IS ADDED TO THE INDIANA

18 CODE AS A NEW SECTION TO READ AS FOLLOWS

19 [EFFECTIVE JULY 1, 2027]: **Sec. 5.5. (a) After June 30, 2027, the**

20 **commission shall determine whether proposed projects under this**

21 **chapter should be approved and to perform other duties as**

22 **directed by this chapter. The commission shall approve projects**

23 **and recommend to the department that the projects receive funds**

24 **under sections 12 and 14 of this chapter.**

25 (b) The commission shall annually prepare a budget for

26 expenditures from the fund for the following state fiscal year. The

27 budget must contain priorities for expenditures from the fund to

28 accomplish the projects that have been approved under this

29 chapter. The commission shall submit a budget to the department

30 and the budget committee before January 1, 2028, and each year

31 thereafter.

32 (c) The commission may employ staff necessary to carry out

33 the duties of the commission under this chapter.

34 (d) The commission may establish a nonprofit subsidiary

35 corporation under section 17 of this chapter (before its repeal).

36 SECTION 446. IC 31-26-4-6 IS REPEALED [EFFECTIVE JULY

37 1, 2027]. **Sec. 6. The board consists of the following ten (10) members:**

38 (1) Two (2) individuals who are not members of the general

39 assembly; appointed by the president pro tempore of the senate

40 with advice from the minority leader of the senate.

41 (2) Two (2) individuals who are not members of the general

42 assembly; appointed by the speaker of the house of

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- 1 representatives with advice from the minority leader of the house  
 2 of representatives.  
 3 (3) The director of the department or the director's designee:  
 4 (4) Four (4) individuals appointed by the governor as follows:  
 5 (A) One (1) individual who represents the general public.  
 6 (B) Two (2) individuals who represent child advocacy  
 7 organizations.  
 8 (C) One (1) individual who represents the medical  
 9 community.  
 10 (5) The commissioner of the Indiana department of health or the  
 11 commissioner's designee. An individual designated by the  
 12 commissioner under this subdivision must have knowledge of or  
 13 experience in issues relating to:  
 14 (A) the prevention of child abuse and neglect; and  
 15 (B) the reduction of infant mortality.
- 16 SECTION 447. IC 31-26-4-7 IS REPEALED [EFFECTIVE JULY  
 17 1, 2027]. Sec. 7: (a) The members shall annually choose a chairperson  
 18 and vice chairperson from among the members of the board under this  
 19 section.  
 20 (b) The director of the department or the director's designee may  
 21 not serve as chairperson or vice chairperson.  
 22 (c) If the member chosen as chairperson was appointed as a  
 23 member by the president pro tempore of the senate or the speaker of the  
 24 house of representatives; the vice chairperson must be chosen from  
 25 among the members appointed by the governor. If the member chosen  
 26 as chairperson was appointed as a member by the governor; the vice  
 27 chairperson must be chosen from among the members appointed by the  
 28 president pro tempore of the senate or the speaker of the house of  
 29 representatives.
- 30 SECTION 448. IC 31-26-4-8 IS REPEALED [EFFECTIVE JULY  
 31 1, 2027]. Sec. 8: (a) The board shall meet at least quarterly and at the  
 32 call of the chair.  
 33 (b) A majority of the appointed members of the board constitutes  
 34 a quorum. The board may take action only in the presence of a quorum.  
 35 (c) The affirmative vote of a majority of the members of the board  
 36 participating in a board meeting is necessary for the board to take any  
 37 action at the meeting.  
 38 (d) The board shall post the minutes of a meeting on the board's  
 39 Internet web site not later than ten (10) days after the minutes are  
 40 approved by the board.
- 41 SECTION 449. IC 31-26-4-9 IS REPEALED [EFFECTIVE JULY  
 42 1, 2027]. Sec. 9: (a) The term of a board member begins on the later of

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HB 1003—LS 6756/DI 92



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- 1 the following:
- 2 (1) The day the term of the member whom the individual is
- 3 appointed to succeed expires:
- 4 (2) The day the individual is appointed.
- 5 (b) The term of a member expires July 1 of the fourth year after the
- 6 member is appointed. However, a member serves at the pleasure of the
- 7 appointing authority.
- 8 (c) The appointing authority may reappoint a member for a new
- 9 term.
- 10 (d) The appointing authority shall appoint an individual to fill a
- 11 vacancy among the members:
- 12 SECTION 450. IC 31-26-4-10 IS REPEALED [EFFECTIVE
- 13 JULY 1, 2027]. Sec. 10: (a) Each member of the board who is not a
- 14 state employee is entitled to the minimum salary per diem provided by
- 15 IC 4-10-11-2.1(b). The member is also entitled to reimbursement for
- 16 traveling expenses as provided under IC 4-13-1-4 and other expenses
- 17 actually incurred in connection with the member's duties as provided
- 18 in the state policies and procedures established by the Indiana
- 19 department of administration and approved by the budget agency.
- 20 (b) Each member of the board who is a state employee is entitled
- 21 to reimbursement for traveling expenses as provided under IC 4-13-1-4
- 22 and other expenses actually incurred in connection with the member's
- 23 duties as provided in the state policies and procedures established by
- 24 the Indiana department of administration and approved by the budget
- 25 agency.
- 26 SECTION 451. IC 31-26-4-11, AS ADDED BY P.L.145-2006,
- 27 SECTION 272, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 28 JULY 1, 2027]: Sec. 11. The **board commission** shall
- 29 adopt and make available to the public:
- 30 (1) a strategic plan to implement the purposes of this chapter;
- 31 and
- 32 (2) a method for proposing projects and requesting funds from
- 33 the Indiana kids first trust fund.
- 34 SECTION 452. IC 31-26-4-12, AS AMENDED BY P.L.93-2021,
- 35 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 36 JULY 1, 2027]: Sec. 12. (a) The Indiana kids first trust fund is
- 37 established to carry out the purposes of this chapter.
- 38 (b) The fund consists of the following:
- 39 (1) Appropriations made by the general assembly.
- 40 (2) Interest as provided in subsection (e).
- 41 (3) Fees from kids first trust license plates issued under
- 42 IC 9-18-30 (before its expiration) or IC 9-18.5-14.

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HB 1003—LS 6756/DI 92



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- 1 (4) Money donated to the fund, including donations from a
- 2 nonprofit subsidiary corporation established under section 17 of
- 3 this chapter **(before its repeal)**.
- 4 (5) Money transferred to the fund from other funds.
- 5 (c) The treasurer of state shall administer the fund.
- 6 (d) The expenses of administering the fund and this chapter shall
- 7 be paid from the fund.
- 8 (e) The treasurer of state shall invest the money in the fund not
- 9 currently needed to meet the obligations of the fund in the same
- 10 manner as other public trust funds are invested. Interest that accrues
- 11 from these investments shall be deposited in the fund.
- 12 (f) An appropriation made by the general assembly to the fund
- 13 shall be allotted and allocated at the beginning of the fiscal period for
- 14 which the appropriation was made.
- 15 (g) Money in the fund at the end of a state fiscal year does not
- 16 revert to the state general fund or any other fund.
- 17 (h) Subject to this chapter, there is annually appropriated to the
- 18 department all money in the fund for the purposes of this chapter.
- 19 However, the department may not request the allotment of money from
- 20 the appropriation for a project that has not been approved and
- 21 recommended by the ~~board~~ **commission**.
- 22 SECTION 453. IC 31-26-4-14, AS AMENDED BY P.L.156-2011,
- 23 SECTION 40, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 24 JULY 1, 2027]: Sec. 14. (a) The infant mortality account is established
- 25 within the fund for the purpose of providing money for education and
- 26 programs approved by the ~~board~~ **commission** under section ~~5(b)~~ **5.5(a)**
- 27 of this chapter to reduce infant mortality in Indiana. The account shall
- 28 be administered by the treasurer of state.
- 29 (b) Expenses of administering the account shall be paid from
- 30 money in the account. The account consists of the following:
- 31 (1) Appropriations to the account.
- 32 (2) Money donated to the account.
- 33 (c) The treasurer of state shall invest the money in the account not
- 34 currently needed to meet the obligations of the account in the same
- 35 manner as other public money may be invested. Interest that accrues
- 36 from these investments shall be deposited in the account.
- 37 (d) Money in the account at the end of a state fiscal year does not
- 38 revert to the state general fund.
- 39 SECTION 454. IC 31-26-4-15, AS ADDED BY P.L.145-2006,
- 40 SECTION 272, IS AMENDED TO READ AS FOLLOWS
- 41 [EFFECTIVE JULY 1, 2027]: Sec. 15. **(a) This subsection applies to**
- 42 **a calendar year ending before January 1, 2027.** Before October 1 of

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HB 1003—LS 6756/DI 92



1 each year, the board shall prepare a report concerning the program  
 2 established by this chapter for the public and the general assembly. A  
 3 report prepared under this section for the general assembly must be in  
 4 an electronic format under IC 5-14-6.

5 **(b) This subsection applies to a calendar year beginning after**  
 6 **December 31, 2026. Before October 1 of each year, the commission**  
 7 **shall prepare a report concerning the program established by this**  
 8 **chapter for the public and the general assembly. The commission**  
 9 **shall submit the report to the general assembly in an electronic**  
 10 **format under IC 5-14-6.**

11 SECTION 455. IC 31-26-4-17 IS REPEALED [EFFECTIVE  
 12 JULY 1, 2027]. Sec. 17: (a) The board may establish a nonprofit  
 13 subsidiary corporation that is exempt from federal income taxation  
 14 under Section 501(c)(3) of the Internal Revenue Code to solicit and  
 15 accept private funding; gifts; donations; bequests; devises; and  
 16 contributions:

17 (b) The board shall study the topic of establishing a nonprofit  
 18 subsidiary corporation described in subsection (a). Not later than  
 19 December 31, 2021, the board shall submit a report to the general  
 20 assembly in an electronic format under IC 5-14-6 addressing the  
 21 board's findings and determinations under this subsection. If the board  
 22 determines to establish a nonprofit subsidiary corporation as described  
 23 in subsection (a), the report must also include an implementation plan  
 24 and estimated budget for the establishment of the nonprofit subsidiary  
 25 corporation:

26 (c) A subsidiary corporation established under this section is  
 27 governed by a board of directors comprised of members appointed by  
 28 the Indiana kids first trust fund board. Employees of the Indiana kids  
 29 first trust fund board may serve on the board of directors of the  
 30 subsidiary corporation. A subsidiary corporation established under this  
 31 section:

32 (1) shall use money received under subsection (a) to carry out,  
 33 in any manner, the purposes and programs of the board;

34 (2) shall report to the budget committee each year concerning:

35 (A) the use of money received; and

36 (B) the balances in any accounts or funds established by the  
 37 subsidiary corporation;

38 (3) may donate money received to the Indiana kids first trust  
 39 fund; and

40 (4) may deposit money received in an account or fund that is:

41 (A) administered by the subsidiary corporation; and

42 (B) not part of the state treasury.

HB 1003—LS 6756/DI 92



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1 (d) The board of directors of a subsidiary corporation established  
 2 under this section shall post the minutes of a meeting on the subsidiary  
 3 corporation's Internet web site not later than ten (10) days after the  
 4 minutes are approved by the board of directors.

5 (e) Employees of the Indiana kids first trust fund board shall  
 6 provide administrative support for a subsidiary corporation established  
 7 under this section. Employees of the board directly involved in the  
 8 subsidiary corporation may engage in fundraising activities on behalf  
 9 of the subsidiary corporation.

10 (f) The state board of accounts shall annually audit a subsidiary  
 11 corporation established under this section.

12 SECTION 456. IC 31-27-2-2, AS AMENDED BY P.L.56-2023,  
 13 SECTION 300, IS AMENDED TO READ AS FOLLOWS  
 14 [EFFECTIVE JULY 1, 2027]: Sec. 2. The department may do the  
 15 following:

16 (1) Prescribe forms for reports, statements, notices, and other  
 17 documents required by this article or by the rules adopted under  
 18 this article.

19 (2) Increase public awareness of this article and the rules  
 20 adopted under this article by preparing and publishing manuals  
 21 and guides explaining this article and the rules adopted under  
 22 this article.

23 (3) Facilitate compliance with and enforcement of this article  
 24 through the publication of materials under subdivision (2).

25 (4) Prepare reports and studies to advance the purpose of this  
 26 article.

27 (5) Seek the advice and recommendations of state agencies  
 28 whose information and knowledge would be of assistance in  
 29 writing, revising, or monitoring rules developed under this  
 30 article. These agencies, including the office of the attorney  
 31 general, Indiana department of health, division of mental health  
 32 and addiction, division of family resources, the state police  
 33 department, and ~~fire prevention and building safety commission;~~  
 34 **department of homeland security**, shall upon request supply  
 35 necessary information to the department.

36 (6) Make the directory of licensees available to the public for a  
 37 charge not to exceed the cost of reproducing the directory.

38 (7) Charge a reasonable processing fee for each license  
 39 application and renewal as follows:

40 (A) For a child caring institution or group home license, a  
 41 fee not to exceed three dollars (\$3) for each licensed bed  
 42 based on total licensed bed capacity not to exceed a

HB 1003—LS 6756/DI 92



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1 maximum fee of one hundred fifty dollars (\$150).  
 2 (B) For a child placing agency license, a fee not to exceed  
 3 fifty dollars (\$50).  
 4 (8) Exercise any other regulatory and administrative powers  
 5 necessary to carry out the functions of the department.  
 6 SECTION 457. IC 31-27-2-4, AS AMENDED BY P.L.1-2025,  
 7 SECTION 223, IS AMENDED TO READ AS FOLLOWS  
 8 [EFFECTIVE JULY 1, 2027]: Sec. 4. (a) The department shall adopt  
 9 rules under IC 4-22-2 concerning the licensing and inspection of:  
 10 (1) child caring institutions, foster family homes, group homes,  
 11 and child placing agencies after consultation with the:  
 12 (A) Indiana department of health; and  
 13 (B) ~~fire prevention and building safety commission;~~  
 14 **department of homeland security;** and  
 15 (2) child caring institutions and group homes that are licensed  
 16 for infants and toddlers after consultation with the division of  
 17 family resources.  
 18 (b) The rules adopted under subsection (a) shall be applied by the  
 19 department and state fire marshal in the licensing and inspection of  
 20 applicants for a license and licensees under this article.  
 21 (c) The rules adopted under IC 4-22-2 must establish minimum  
 22 standards for the care and treatment of children in a secure private  
 23 facility.  
 24 (d) The rules described in subsection (c) must include standards  
 25 governing the following:  
 26 (1) Admission criteria.  
 27 (2) General physical and environmental conditions.  
 28 (3) Services and programs to be provided to confined children.  
 29 (4) Procedures for ongoing monitoring and discharge planning.  
 30 (5) Procedures for the care and control of confined persons that  
 31 are necessary to ensure the health, safety, and treatment of  
 32 confined children.  
 33 (e) The department shall license a facility as a secure private  
 34 facility if the facility:  
 35 (1) meets the minimum standards required under subsection (c);  
 36 (2) provides a continuum of care and services; and  
 37 (3) is licensed under IC 31-27-3.  
 38 (f) A waiver of the rules may not be granted for treatment and  
 39 reporting requirements.  
 40 SECTION 458. IC 31-27-2-7, AS ADDED BY P.L.145-2006,  
 41 SECTION 273, IS AMENDED TO READ AS FOLLOWS  
 42 [EFFECTIVE JULY 1, 2027]: Sec. 7. (a) Except as provided in

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HB 1003—LS 6756/DI 92



1 subsections (b) and (c), the department shall exempt from licensure a  
 2 child caring institution and a group home operated by a church or  
 3 religious ministry that is a religious organization exempt from federal  
 4 income taxation under Section 501(c)(3) of the Internal Revenue Code  
 5 (as defined in IC 6-3-1-11) and that does not:

6 (1) accept for care:

7 (A) a child who is a delinquent child under IC 31-37-1-1 or  
 8 IC 31-37-2-1; or

9 (B) a child who is a child in need of services under  
 10 IC 31-34-1-1 through IC 31-34-1-9; or

11 (2) operate a residential facility that provides child care on a  
 12 twenty-four (24) hour basis for profit.

13 (b) The department shall adopt rules under IC 4-22-2 to govern the  
 14 inspection of a child caring institution and a group home operated by  
 15 a church or religious ministry with regard to sanitation.

16 (c) ~~The fire prevention and building safety commission~~  
 17 **department of homeland security** shall adopt rules under IC 4-22-2  
 18 to govern the inspection of a child caring institution and a group home  
 19 operated by a church or religious ministry under this section. The rules  
 20 must provide standards for fire alarms and fire drills.

21 (d) A child caring institution and a group home operated by a  
 22 church or religious ministry under this section shall comply with the  
 23 rules established by the department and the ~~fire prevention and~~  
 24 ~~building safety commission~~ **department of homeland security** under  
 25 this section.

26 SECTION 459. IC 31-27-2-8, AS AMENDED BY P.L.183-2017,  
 27 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 28 JULY 1, 2027]: Sec. 8. (a) Except as provided in subsection (f), the  
 29 department may grant a variance or waiver of a rule governing child  
 30 caring institutions, foster family homes, group homes, or child placing  
 31 agencies. A variance or waiver granted under this section must promote  
 32 statewide practices and must protect the rights of persons affected by  
 33 this article.

34 (b) The department may grant a variance to a rule if an applicant  
 35 for a license or a licensee under this article does the following:

36 (1) Submits to the department a written request for the variance  
 37 in the form and manner specified by the department.

38 (2) Documents that compliance with an alternative method of  
 39 compliance approved by the department will not be adverse to  
 40 the health, safety, or welfare of a child receiving services from  
 41 the applicant for the variance, as determined by the department.

42 (c) A variance granted under subsection (b) must be conditioned

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HB 1003—LS 6756/DI 92



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1 upon compliance with the alternative method approved by the  
2 department. Noncompliance constitutes the violation of a rule of the  
3 department and may be the basis for revoking the variance.

4 (d) The department may grant a waiver of a rule if an applicant for  
5 a license or a licensee under this article does the following:

6 (1) Submits to the department a written request for the waiver in  
7 the form and manner specified by the department.

8 (2) Documents that compliance with the rule specified in the  
9 application for the waiver will create an undue hardship on the  
10 applicant for the waiver, as determined by the department.

11 (3) Documents that the applicant for the waiver will be in  
12 substantial compliance with the rules adopted by the department  
13 after the waiver is granted, as determined by the department.

14 (4) Documents that noncompliance with the rule specified in the  
15 application for a waiver will not be adverse to the health, safety,  
16 or welfare of a child receiving services from the applicant for the  
17 waiver, as determined by the department.

18 (e) Except for a variance or waiver of a rule governing foster  
19 family homes, a variance or waiver of a rule under this section that  
20 conflicts with a building rule or fire safety rule adopted by the ~~fire~~  
21 ~~prevention and building safety commission~~ **department of homeland**  
22 **security** is not effective until the variance or waiver is approved by the  
23 ~~fire prevention and building safety commission~~ **department of**  
24 **homeland security**.

25 (f) A waiver may not be granted for an applicant who has been  
26 convicted of a nonwaivable offense, as defined in IC 31-9-2-84.8.

27 SECTION 460. IC 31-27-2-10, AS ADDED BY P.L.145-2006,  
28 SECTION 273, IS AMENDED TO READ AS FOLLOWS  
29 [EFFECTIVE JULY 1, 2027]: Sec. 10. (a) If the department determines  
30 that a waiver or variance expiring under section 9 of this chapter will  
31 continue to serve the public interest, the department may do the  
32 following:

33 (1) Renew the waiver or variance without modifications.

34 (2) Renew and modify the waiver or variance as needed to  
35 promote statewide practices and to protect the rights of persons  
36 affected by this chapter.

37 (b) Before taking an action under subsection (a), the department  
38 may require a licensee under this article to do the following:

39 (1) Apply for the renewal of a waiver or variance on the form  
40 specified by the department.

41 (2) Provide the information required by the department.

42 (c) Except for a variance or waiver of a rule governing foster

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1 family homes, before taking an action under subsection (a), the  
 2 department must obtain the approval of the ~~fire prevention and building~~  
 3 ~~safety commission~~ **department of homeland security, or if**  
 4 **applicable, the state building commissioner**, for the action if either  
 5 of the following occurs:

6 (1) The ~~fire prevention and building safety commission~~  
 7 ~~substantially~~ **department of homeland security or state**  
 8 **building commissioner** changes a building ~~rule~~ **requirement** or  
 9 fire safety rule **adopted by the department of homeland**  
 10 **security** affected by the waiver or variance after the date the  
 11 ~~commission~~ **department of homeland security or state**  
 12 **building commissioner** last approved the waiver or variance.

13 (2) The department substantially modifies any part of a waiver  
 14 or variance that conflicts with a building rule or fire safety rule  
 15 adopted by the ~~fire prevention and building safety commission~~  
 16 **department of homeland security**.

17 SECTION 461. IC 31-27-3-17, AS ADDED BY P.L.145-2006,  
 18 SECTION 273, IS AMENDED TO READ AS FOLLOWS  
 19 [EFFECTIVE JULY 1, 2027]: Sec. 17. The ~~fire prevention and~~  
 20 ~~building safety commission~~ **department of homeland security** may  
 21 not adopt rules requiring the installation of a sprinkler system in a  
 22 living unit of a licensed child caring institution in which fewer than  
 23 sixteen (16) children reside, each of whom is:

- 24 (1) ambulatory; and
- 25 (2) at least six (6) years of age.

26 SECTION 462. IC 31-27-4-4, AS ADDED BY P.L.145-2006,  
 27 SECTION 273, IS AMENDED TO READ AS FOLLOWS  
 28 [EFFECTIVE JULY 1, 2027]: Sec. 4. The ~~fire prevention and building~~  
 29 ~~safety commission~~ **department of homeland security** shall provide  
 30 consultation regarding the licensure of foster family homes to the  
 31 department upon request.

32 SECTION 463. IC 32-21-2.5-8, AS AMENDED BY P.L.26-2022,  
 33 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 34 JULY 1, 2027]: Sec. 8. (a) As used in this section, "paper document"  
 35 or "paper documents" means a tangible record that is received by a  
 36 county recorder in a form that is not electronic.

37 (b) On or before July 1, 2022, a county recorder shall receive for  
 38 recording, indexing, storage, archiving, access to, searching of,  
 39 retrieval, and transmittal all electronic documents proper for recording.  
 40 A county recorder shall also accept electronically any fee or tax that the  
 41 county recorder is authorized to collect under applicable laws. A  
 42 county recorder shall implement the processing of electronic

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HB 1003—LS 6756/DI 92



1 documents proper for recording in compliance with:

- 2 (1) this article;  
 3 (2) IC 33-42;  
 4 (3) IC 36-2-7.5;  
 5 (4) IC 36-2-11; and  
 6 (5) IC 36-2-13; and

7 the standards adopted by the electronic recording commission created  
 8 under section 9 of this chapter **(before its repeal)**.

9 (c) This section does not apply to the following documents:

- 10 (1) A military discharge under IC 10-17-2.  
 11 (2) A survey of real property.  
 12 (3) A plat of real property.

13 (d) A recorder who accepts electronic documents for recording  
 14 shall:

- 15 (1) continue to accept paper documents as authorized by state  
 16 law; and  
 17 (2) place entries for paper documents and electronic documents  
 18 in the same index.

19 (e) A recorder who accepts electronic documents for recording  
 20 may:

- 21 (1) convert paper documents accepted for recording into  
 22 electronic form;  
 23 (2) convert into electronic form information recorded before the  
 24 county recorder began to accept and index electronic documents;  
 25 or  
 26 (3) agree with other officials of a state or a political subdivision  
 27 of a state, or of the United States, on procedures or processes to  
 28 facilitate the electronic satisfaction of prior approvals and  
 29 conditions precedent to recording and the electronic payment of  
 30 fees and taxes.

31 SECTION 464. IC 32-21-2.5-9 IS REPEALED [EFFECTIVE  
 32 JULY 1, 2027]. ~~Sec. 9. (a) The electronic recording commission is~~  
 33 ~~established to adopt standards to implement this chapter before January~~  
 34 ~~1, 2018. The commission consists of the following five (5) members~~  
 35 ~~appointed by the governor:~~

- 36 ~~(1) Three (3) members must be county recorders.~~  
 37 ~~(2) One (1) member must be employed in Indiana in the banking~~  
 38 ~~or mortgage lending industry.~~  
 39 ~~(3) One (1) member must be employed in Indiana in the land~~  
 40 ~~title industry.~~

41 ~~(b) To keep the standards and practices of county recorders in~~  
 42 ~~Indiana in harmony with the standards and practices of recording~~

HB 1003—LS 6756/DI 92



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1 offices in other jurisdictions that enact substantially this chapter and to  
 2 keep the technology used by county recorders in Indiana compatible  
 3 with technology used by recording offices in other jurisdictions that  
 4 enact substantially this chapter; the electronic recording commission;  
 5 so far as is consistent with the purposes, policies, and provisions of this  
 6 chapter, in adopting, amending, and repealing standards shall consider:

- 7 (1) standards and practices of other jurisdictions;
- 8 (2) the most recent standards promulgated by national standard  
 9 setting bodies, such as the Property Records Industry  
 10 Association (PRIA);
- 11 (3) the views of interested persons and governmental officials  
 12 and entities;
- 13 (4) the needs of counties of varying size, population, and  
 14 resources; and
- 15 (5) standards requiring adequate information security protection  
 16 to ensure that electronic documents are accurate, authentic,  
 17 adequately preserved, and resistant to tampering.

18 SECTION 465. IC 32-21-5.2-3, AS ADDED BY P.L.157-2024,  
 19 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 20 JULY 1, 2027]: Sec. 3. As used in this chapter, "local building  
 21 department" means, in any county, city, or town, the department,  
 22 division, agency, section, or office that enforces the Indiana building  
 23 code adopted by the fire prevention and building safety commission;  
 24 **department of homeland security**, as required by IC 36-7-2-9(1).

25 SECTION 466. IC 34-13-3-2, AS AMENDED BY P.L.111-2021,  
 26 SECTION 102, IS AMENDED TO READ AS FOLLOWS  
 27 [EFFECTIVE JULY 1, 2027]: Sec. 2. This chapter applies to a claim  
 28 or suit in tort against any of the following:

- 29 (1) The bureau of motor vehicles commission established by  
 30 IC 9-14-9-1.
- 31 (2) A member of the bureau of motor vehicles commission board  
 32 established under IC 9-14-9-2.
- 33 (3) An employee of the bureau of motor vehicles commission.
- 34 (4) A member of the driver education advisory board established  
 35 by IC 9-27-6-5 **(before its repeal)**.
- 36 (5) An approved postsecondary educational institution (as  
 37 defined in IC 21-7-13-6(a)(1)), or an association acting on behalf  
 38 of an approved postsecondary educational institution, that:
  - 39 (A) shares data with the commission for higher education  
 40 under IC 21-12-12-1; and
  - 41 (B) is named as a defendant in a claim or suit in tort based  
 42 on any breach of the confidentiality of the data that occurs

HB 1003—LS 6756/DI 92



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- 1 after the institution has transmitted the data in compliance
- 2 with IC 21-12-12-1.
- 3 (6) The state fair commission established by IC 15-13-2-1.
- 4 (7) A member of the state fair commission established by
- 5 IC 15-13-2-1 or an employee of the state fair commission.
- 6 (8) The state fair board established by IC 15-13-5-1.
- 7 (9) A member of the state fair board established by IC 15-13-5-1.
- 8 SECTION 467. IC 34-30-2.1-12 IS REPEALED [EFFECTIVE
- 9 JANUARY 1, 2027]. ~~Sec. 12. IC 4-23-6-6 (Concerning medical~~
- 10 ~~examiners performing certain examinations or autopsies):~~
- 11 SECTION 468. IC 34-30-2.1-30 IS REPEALED [EFFECTIVE
- 12 JULY 1, 2027]. ~~Sec. 30. IC 5-2-2-14(b) (Concerning the state for~~
- 13 ~~violations of the law enforcement academy building commission law):~~
- 14 SECTION 469. IC 34-30-2.1-106 IS REPEALED [EFFECTIVE
- 15 JULY 1, 2027]. ~~Sec. 106. IC 9-27-6-5(h) (Concerning members of the~~
- 16 ~~driver education advisory board):~~
- 17 SECTION 470. IC 34-30-2.1-107 IS REPEALED [EFFECTIVE
- 18 JULY 1, 2027]. ~~Sec. 107. IC 9-27-7-6(c) (Concerning members of the~~
- 19 ~~advisory board to the motorcycle operator safety education program):~~
- 20 SECTION 471. IC 34-30-2.1-127 IS REPEALED [EFFECTIVE
- 21 JULY 1, 2027]. ~~Sec. 127. IC 10-18-1-2 (Concerning members of the~~
- 22 ~~Indiana war memorials commission):~~
- 23 SECTION 472. IC 34-30-2.1-252 IS REPEALED [EFFECTIVE
- 24 JULY 1, 2027]. ~~Sec. 252. IC 16-41-42.2-5(k) (Concerning members of~~
- 25 ~~the spinal cord and brain injury research board):~~
- 26 SECTION 473. IC 34-30-27-1, AS AMENDED BY P.L.2-2014,
- 27 SECTION 117, IS AMENDED TO READ AS FOLLOWS
- 28 [EFFECTIVE JULY 1, 2027]: Sec. 1. An architect registered under
- 29 IC 25-4-1, a professional surveyor registered under IC 25-21.5, or a
- 30 professional engineer registered under ~~IC 25-31-1~~ **IC 25-4-3** who, after
- 31 May 31, 2013, voluntarily, without compensation (other than expense
- 32 reimbursement), provides architectural, structural, electrical,
- 33 mechanical, or professional services:
- 34 (1) related to a declared national, state, or local emergency
- 35 caused by an earthquake, hurricane, tornado, fire, explosion,
- 36 gale, severe storm, flood, or collapse; and
- 37 (2) at the request of or with the approval of a federal or state
- 38 official with executive responsibility in the jurisdiction to
- 39 coordinate:
- 40 (A) law enforcement;
- 41 (B) public safety; or
- 42 (C) building inspection;

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1 believed by the registered architect, professional surveyor, or  
 2 professional engineer to be acting in an official capacity;  
 3 is not liable for any personal injury, wrongful death, property damage,  
 4 or other loss of any nature related to the registered architect's,  
 5 professional surveyor's, or professional engineer's acts, errors, or  
 6 omissions in the performance of the services.

7 SECTION 474. IC 35-44.2-3-3 IS REPEALED [EFFECTIVE  
 8 JULY 1, 2027]. ~~Sec. 3: A member or person employed by the law  
 9 enforcement academy building commission who has a conflict of  
 10 interest with respect to an action by the commission is subject to  
 11 criminal prosecution under IC 5-2-2-11.~~

12 SECTION 475. IC 35-47.5-2-3 IS REPEALED [EFFECTIVE  
 13 JULY 1, 2027]. ~~Sec. 3: "Commission" refers to the fire prevention and  
 14 building safety commission established by IC 22-12-2-1.~~

15 SECTION 476. IC 35-47.5-4-4, AS AMENDED BY  
 16 P.L.187-2021, SECTION 134, IS AMENDED TO READ AS  
 17 FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 4. (a) The department  
 18 shall issue a regulated explosives magazine permit to maintain an  
 19 explosives magazine to an applicant who qualifies under section 5 of  
 20 this chapter.

21 (b) A permit issued under subsection (a) expires one (1) year after  
 22 it is issued. The permit is limited to storage of the types and maximum  
 23 quantities of explosives specified in the permit in the place covered by  
 24 the permit and under the construction and location requirements  
 25 specified in the rules of the ~~commission~~ **department**.

26 SECTION 477. IC 35-47.5-4-4.5, AS AMENDED BY  
 27 P.L.187-2021, SECTION 135, IS AMENDED TO READ AS  
 28 FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 4.5. (a) This section  
 29 does not apply to:

- 30 (1) a person who is regulated under IC 14-34; or  
 31 (2) near surface or subsurface use of regulated explosives  
 32 associated with oil and natural gas:  
 33 (A) exploration;  
 34 (B) development;  
 35 (C) production; or  
 36 (D) abandonment activities or procedures.

37 (b) The ~~commission~~ **department** shall adopt rules under IC 4-22-2  
 38 to:

- 39 (1) govern the use of a regulated explosive; and  
 40 (2) establish requirements for the issuance of a license for the  
 41 use of a regulated explosive.  
 42 (c) The ~~commission~~ **department** shall include the following

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HB 1003—LS 6756/DI 92



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- 1 requirements in the rules adopted under subsection (b):
- 2 (1) Relicensure every three (3) years after the initial issuance of
- 3 a license.
- 4 (2) Continuing education as a condition of relicensure.
- 5 (3) An application for licensure or relicensure must be submitted
- 6 to the department on forms approved by the ~~commission;~~
- 7 **department.**
- 8 (4) A fee for licensure and relicensure.
- 9 (5) Reciprocal recognition of a license for the use of a regulated
- 10 explosive issued by another state if the licensure requirements of
- 11 the other state are substantially similar to the licensure
- 12 requirements established by the ~~commission;~~ **department.**
- 13 (d) A person may not use a regulated explosive unless the person
- 14 has a license issued under this section for the use of a regulated
- 15 explosive.
- 16 (e) The department shall carry out the licensing and relicensing
- 17 program under the rules adopted by the ~~commission;~~ **department.**
- 18 (f) As used in this section, "regulated explosive" does not include
- 19 either of the following:
- 20 (1) Consumer fireworks (as defined in 27 CFR 555.11).
- 21 (2) Commercially manufactured black powder in quantities not
- 22 to exceed fifty (50) pounds, if the black powder is intended to be
- 23 used solely for sporting, recreational, or cultural purposes in
- 24 antique firearms or antique devices.
- 25 SECTION 478. IC 35-47.5-4-5 IS AMENDED TO READ AS
- 26 FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 5. (a) To qualify for a
- 27 regulated explosives permit, an applicant must:
- 28 (1) submit information on the form provided by the state fire
- 29 marshal describing:
- 30 (A) the location of the affected magazine;
- 31 (B) the types and maximum quantities of explosives that
- 32 will be kept in the place covered by the application; and
- 33 (C) the distance that the affected magazine will be located
- 34 from the nearest highway, railway, and structure that is also
- 35 used as a place of habitation or assembly other than for the
- 36 manufacture of explosives;
- 37 (2) except as provided in subdivision (3), demonstrate through
- 38 an inspection that the magazine is constructed and located in
- 39 accordance with the rules adopted by the ~~commission;~~
- 40 **department;**
- 41 (3) demonstrate through an inspection that smoking, matches,
- 42 open flames, and spark producing devices are not allowed within

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- 1 a room containing an indoor magazine; and  
 2 (4) pay the fee under IC 22-12-6-6.  
 3 (b) To qualify for the renewal of a regulated explosives permit, the  
 4 applicant must pay the fee under IC 22-12-6-6.  
 5 SECTION 479. IC 35-47.5-4-6 IS AMENDED TO READ AS  
 6 FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 6. (a) This section does  
 7 not apply to storage that is exempted from the requirements of this  
 8 section in the rules adopted by the ~~commission~~ **department** under  
 9 IC 22-13-3.  
 10 (b) A person who:  
 11 (1) stores a regulated explosive;  
 12 (2) has control over a regulated explosive that is stored; or  
 13 (3) has control over a place where a regulated explosive is  
 14 stored;  
 15 without a regulated explosives magazine permit issued under this  
 16 chapter that covers the storage commits a Class C infraction.  
 17 SECTION 480. IC 35-47.5-5-11, AS AMENDED BY  
 18 P.L.158-2013, SECTION 617, IS AMENDED TO READ AS  
 19 FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 11. A person who  
 20 recklessly violates a rule regarding the use of a regulated explosive  
 21 adopted by the ~~commission~~ **department** under IC 35-47.5-4-4.5  
 22 commits a Class A misdemeanor. However, the offense is:  
 23 (1) a Level 6 felony if the violation of the rule proximately  
 24 causes bodily injury; and  
 25 (2) a Level 5 felony if the violation of the rule proximately  
 26 causes death.  
 27 SECTION 481. IC 35-52-5-3 IS REPEALED [EFFECTIVE JULY  
 28 1, 2027]. ~~Sec. 3: IC 5-2-2-11 defines a crime concerning the law~~  
 29 ~~enforcement academy building commission.~~  
 30 SECTION 482. IC 35-52-16-93 IS REPEALED [EFFECTIVE  
 31 JULY 1, 2027]. ~~Sec. 93: IC 16-46-6-12 defines a crime concerning~~  
 32 ~~state health grants and programs.~~  
 33 SECTION 483. IC 35-52-25-2.7 IS ADDED TO THE INDIANA  
 34 CODE AS A **NEW SECTION TO READ AS FOLLOWS**  
 35 **[EFFECTIVE JULY 1, 2027]: Sec. 2.7. IC 25-4-3-4 defines a crime**  
 36 **concerning engineers.**  
 37 SECTION 484. IC 35-52-25-2.8 IS ADDED TO THE INDIANA  
 38 CODE AS A **NEW SECTION TO READ AS FOLLOWS**  
 39 **[EFFECTIVE JULY 1, 2027]: Sec. 2.8. IC 25-4-3-15 defines a crime**  
 40 **concerning engineers.**  
 41 SECTION 485. IC 35-52-25-53 IS REPEALED [EFFECTIVE  
 42 JULY 1, 2027]. ~~Sec. 53: IC 25-31-1-13 defines a crime concerning~~

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HB 1003—LS 6756/DI 92



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1 engineers:

2 SECTION 486. IC 35-52-25-54 IS REPEALED [EFFECTIVE  
3 JULY 1, 2027]. ~~Sec. 54. IC 25-31-1-27 defines a crime concerning~~  
4 ~~engineers.~~

5 SECTION 487. IC 36-1-7-5 IS AMENDED TO READ AS  
6 FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 5. (a) Except as  
7 provided in subsection (b) and regardless of the requirements of section  
8 4 of this chapter, if an agreement under section 3 of this chapter  
9 concerns the provision of services or facilities that a state officer or  
10 state agency has power to control, the agreement must be submitted to  
11 that officer or agency for approval before it takes effect.

12 (b) If a reciprocal borrowing agreement under section 3 of this  
13 chapter concerns the provision of library services or facilities between  
14 public libraries that are of the same nature as the services provided  
15 under the statewide library card program under IC 4-23-7.1-5.1, the  
16 reciprocal borrowing agreement is not required to be submitted to the  
17 Indiana library ~~and historical~~ board for approval before the reciprocal  
18 borrowing agreement takes effect, but a copy of the reciprocal  
19 borrowing agreement shall be submitted to the state library.

20 (c) Approval or disapproval is governed by the same provisions  
21 prescribed by section 4(b) of this chapter for the attorney general.

22 SECTION 488. IC 36-1-12-7, AS AMENDED BY P.L.86-2025,  
23 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
24 JULY 1, 2027]: Sec. 7. (a) This section does not apply to public work  
25 that:

- 26 (1) is considered routine maintenance or upkeep; or  
27 (2) does not require a building permit issued by a city, town, or  
28 county.

29 (b) Public work performed or contracted for on a public building,  
30 the cost of which is more than one hundred thousand dollars  
31 (\$100,000), may be undertaken by the board only in accordance with  
32 plans and specifications approved by an architect or engineer licensed  
33 under ~~IC 25-4 or IC 25-34~~ IC 25-4-1 or IC 25-4-3 if the scope of the  
34 public work requires a design release under IC 22-15-3.

35 SECTION 489. IC 36-1-12-11, AS AMENDED BY P.L.187-2021,  
36 SECTION 138, IS AMENDED TO READ AS FOLLOWS  
37 [EFFECTIVE JULY 1, 2027]: Sec. 11. (a) The board must, within sixty  
38 (60) days after the completion of the public work project, file in the  
39 department of homeland security a complete set of final record  
40 drawings for the public work project. However, this requirement does  
41 not apply to a public work project constructed at a cost less than one  
42 hundred thousand dollars (\$100,000). In addition, the filing of the

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HB 1003—LS 6756/DI 92



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1 drawings is required only if the project involves a public building.

2 (b) The department of homeland security shall provide a  
3 depository for all final record drawings filed, and retain them for  
4 inspection and loan under regulated conditions. The ~~fire prevention and  
5 building safety commission~~ **department of homeland security** may  
6 designate the librarian of Indiana as the custodian of the final record  
7 drawings. The librarian shall preserve the final record drawings in the  
8 state archives as public documents.

9 SECTION 490. IC 36-1-12.5-3, AS AMENDED BY  
10 P.L.168-2006, SECTION 8, IS AMENDED TO READ AS FOLLOWS  
11 [EFFECTIVE JULY 1, 2027]: Sec. 3. (a) As used in this chapter,  
12 "qualified provider" means the following:

13 (1) Before July 1, 1999, the term means a person that satisfies  
14 both of the following:

15 (A) The person is experienced in the design,  
16 implementation, and installation of energy conservation  
17 measures.

18 (B) The person submits to the school corporation or  
19 political subdivision a performance bond to ensure the  
20 qualified provider's faithful performance of the qualified  
21 provider's obligations over the term of the guaranteed  
22 energy savings contract.

23 (2) After June 30, 1999, the term means a person that satisfies all  
24 of the following:

25 (A) Subject to subdivision (3), the person is experienced in  
26 the design, implementation, and installation of energy  
27 conservation measures.

28 (B) The person is certified and meets the requirements of  
29 IC 4-13.6-4. The person's response to the request for  
30 proposals must include a copy of the person's certificate of  
31 qualification issued under IC 4-13.6-4.

32 (C) Subject to subdivision (3), the person provides energy  
33 conservation engineering services by a professional  
34 engineer licensed under ~~IC 25-31~~ **IC 25-4-3** who is under  
35 the person's direct employment and supervision. The  
36 person's response to the request for proposals must include  
37 the license number of each professional engineer employed  
38 by the person to satisfy the requirement of this clause.

39 (D) The person provides:

- 40 (i) monitoring for the facility performance guarantee;  
41 and  
42 (ii) service personnel under the person's direct

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HB 1003—LS 6756/DI 92



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- 1 employment and supervision;  
 2 for the duration of the contract's guarantee.  
 3 (E) The person performs at least twenty percent (20%) of  
 4 the work (measured in dollars of the total contract price)  
 5 with its own workforce.  
 6 (F) The person submits to the school corporation or political  
 7 subdivision a performance bond to ensure the qualified  
 8 provider's faithful performance of the qualified provider's  
 9 obligations over the term of:  
 10 (i) the guaranteed energy savings contract; or  
 11 (ii) the guaranteed savings contract.  
 12 (3) With respect to conservation measures for which a contract  
 13 is executed after June 30, 2006, the term includes a person that  
 14 satisfies the following:  
 15 (A) The person is experienced in the design,  
 16 implementation, and installation of conservation measures.  
 17 (B) The person provides engineering services with respect  
 18 to conservation measures by a professional engineer  
 19 licensed under ~~IC 25-34~~ **IC 25-4-3** who is under the  
 20 person's direct employment and supervision. The person's  
 21 response to the request for proposals must include the  
 22 license number of each professional engineer employed by  
 23 the person to satisfy the requirement of this clause.  
 24 (b) For purposes of a guaranteed energy savings contract entered  
 25 into before July 1, 1999, a person who was a qualified provider under  
 26 subsection (a)(1) at the time the contract was entered into remains a  
 27 qualified provider for that contract after June 30, 1999. If the person  
 28 enters into:  
 29 (1) a guaranteed energy savings contract after June 30, 1999, and  
 30 before July 1, 2006, the person must satisfy the requirements of  
 31 subsection (a)(2); or  
 32 (2) a guaranteed savings contract after June 30, 2006, the person  
 33 must satisfy the requirements of subsection (a)(2) and (a)(3);  
 34 to be considered a qualified provider.  
 35 SECTION 491. IC 36-1-12.5-8, AS AMENDED BY P.L.56-2023,  
 36 SECTION 328, IS AMENDED TO READ AS FOLLOWS  
 37 [EFFECTIVE JULY 1, 2027]: Sec. 8. Conservation measures installed  
 38 under a utility efficiency program or a guaranteed savings contract  
 39 must be approved by the following:  
 40 (1) The Indiana department of health, department of homeland  
 41 security, and any other state agency designated by statute.  
 42 (2) An architect or engineer licensed under ~~IC 25-4~~ or ~~IC 25-31~~

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HB 1003—LS 6756/DI 92



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- 1           **IC 25-4-1 or IC 25-4-3** if the conservation measures have a cost  
 2           of more than fifty thousand dollars (\$50,000).
- 3           SECTION 492. IC 36-2-12-13 IS AMENDED TO READ AS  
 4           FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 13. (a) A person may,  
 5           for excavation, mineral extraction, or other purposes related to the  
 6           person's business, temporarily remove a monument marking a corner.  
 7           The person must notify in writing the county surveyor at least thirty  
 8           (30) days before removing the monument. The person must replace the  
 9           monument within a reasonable time at the person's expense under the  
 10          supervision of the county surveyor or, if the county surveyor is not  
 11          registered under IC 25-21.5 or ~~IC 25-31~~, **IC 25-4-3**, the registered  
 12          person who is selected under section 11 of this chapter. The surveyor  
 13          shall file a copy of the notice in the corner record book.
- 14          (b) Only a county surveyor or a designee may change the location  
 15          of any monument. A person who wishes to have the location of a  
 16          monument changed must make a request to the surveyor in writing and  
 17          furnish written approval of all landowners whose property is affected  
 18          by the proposed change. The surveyor may approve, reject, or modify  
 19          the request and shall file a copy of the notice and the landowners'  
 20          consents in the corner record book.
- 21          (c) When, in the construction or maintenance of a state, county, or  
 22          municipal road or street, it is necessary to remove or bury a monument  
 23          marking a corner, the owner of the public right-of-way shall notify the  
 24          county surveyor in writing at least fifteen (15) days before commencing  
 25          the work.
- 26          (d) A county legislative body may adopt an ordinance:  
 27              (1) prohibiting a person from moving, changing, or otherwise  
 28              altering a monument marking a corner without complying with  
 29              this section; and  
 30              (2) prescribing a monetary penalty for a violation of the  
 31              ordinance.
- 32          Any money collected shall be deposited in the county surveyor's corner  
 33          perpetuation fund.
- 34          (e) A person who damages or removes a monument marking a  
 35          corner or high accuracy reference network (HARN) point shall  
 36          reimburse the county for the cost of repairing or replacing the  
 37          monument.
- 38          (f) If a person who damages or removes a monument marking a  
 39          corner violates an ordinance under subsection (d), the person is liable  
 40          for:  
 41              (1) the amount of reimbursement under subsection (e); and  
 42              (2) any monetary penalty prescribed by the county legislative

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HB 1003—LS 6756/DI 92



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1 body for violation of the ordinance under subsection (d).  
 2 SECTION 493. IC 36-2-12-15, AS AMENDED BY P.L.127-2017,  
 3 SECTION 89, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 4 JULY 1, 2027]: Sec.15. (a) If the surveyor serves as highway  
 5 supervisor or county highway engineer and is compensated for that  
 6 service in an amount greater than the compensation fixed under this  
 7 title, then that compensation is in lieu of the compensation fixed under  
 8 this title.

9 (b) When fixing the compensation of county officers under this  
 10 title, the county fiscal body shall fix:

11 (1) compensation for the surveyor as if the surveyor is registered  
 12 under IC 25-21.5 or ~~IC 25-31~~; **IC 25-4-3**; and

13 (2) compensation for the surveyor as if the surveyor is not  
 14 registered under IC 25-21.5 or ~~IC 25-31~~; **IC 25-4-3**.

15 The compensation fixed under subdivision (1) must be one and  
 16 one-half (1 1/2) times that fixed under subdivision (2). The county  
 17 fiscal body shall then determine whether or not the surveyor is  
 18 registered under IC 25-21.5 or ~~IC 25-31~~ **IC 25-4-3** and shall fix the  
 19 surveyor's compensation in the proper amount.

20 (c) In addition to the compensation fixed under subsection (b), if  
 21 the surveyor describes and certifies the number of miles of active  
 22 regulated drains in the county to the county executive, the surveyor is  
 23 entitled, with the approval of the county executive, to:

24 (1) two dollars (\$2) per mile for each mile described and  
 25 certified, if the surveyor is not registered under IC 25-21.5 or  
 26 ~~IC 25-31~~; **IC 25-4-3**; or

27 (2) four dollars (\$4) per mile for each mile described and  
 28 certified, if the surveyor is registered under IC 25-21.5 or  
 29 ~~IC 25-31~~; **IC 25-4-3**.

30 (d) In addition to the compensation fixed under subsections (b)  
 31 and (c), the surveyor is entitled to:

32 (1) two dollars (\$2) for each corner reference required under  
 33 section 11 of this chapter, if the surveyor is not registered under  
 34 IC 25-21.5 or ~~IC 25-31~~; **IC 25-4-3**; or

35 (2) four dollars (\$4) for each corner reference required under  
 36 section 11 of this chapter, if the surveyor is registered under  
 37 IC 25-21.5 or ~~IC 25-31~~; **IC 25-4-3**.

38 SECTION 494. IC 36-7-2-9, AS AMENDED BY P.L.22-2005,  
 39 SECTION 50, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 40 JULY 1, 2027]: Sec. 9. Each unit shall require compliance with:

41 (1) the code of building laws and fire safety laws that is adopted  
 42 in the rules of the ~~fire prevention and building safety~~

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HB 1003—LS 6756/DI 92



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- 1 ~~commission~~ **department of homeland security** under IC 22-13;  
 2 (2) orders issued under IC 22-13-2-11 that grant a variance to the  
 3 code of building laws and fire safety laws described in  
 4 subdivision (1);  
 5 (3) orders issued under IC 22-12-7 that apply the code of  
 6 building laws described in subdivision (1);  
 7 (4) IC 22-15-3-7; and  
 8 (5) a written interpretation of a building law and fire safety law  
 9 binding on the unit under IC 22-13-5-3 or IC 22-13-5-4.
- 10 SECTION 495. IC 36-7-2-9.1, AS AMENDED BY THE  
 11 TECHNICAL CORRECTIONS BILL OF THE 2026 GENERAL  
 12 ASSEMBLY, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 13 JULY 1, 2027]: Sec. 9.1. (a) This section does not apply to:  
 14 (1) a manufactured housing community; or  
 15 (2) a mobile home community;  
 16 that is licensed, permitted, and inspected by the Indiana department of  
 17 health or a local board of health.  
 18 (b) This section applies only to a city, town, or county that requires  
 19 a building permit, plan review, or inspection for the construction of a  
 20 Class 2 structure.  
 21 (c) As used in this section, "Class 2 structure" has the meaning set  
 22 forth in IC 22-12-1-5.  
 23 (d) A city, town, or county shall allow the plan review or  
 24 inspection to be conducted by the following:  
 25 (1) An individual who is employed by the city, town, or county  
 26 as a building inspector.  
 27 (2) An individual who is employed by another city, town, or  
 28 county as a building inspector.  
 29 (3) A private provider who is:  
 30 (A) an architect registered under IC 25-4-1;  
 31 (B) a professional engineer registered under ~~IC 25-31-1;~~  
 32 **IC 25-4-3;** or  
 33 (C) a certified building official (as defined in  
 34 ~~IC 36-7-2.5-3).~~ **IC 36-7-2.5-4).**  
 35 (e) An applicant for a building permit may choose to have a  
 36 private provider under subsection (d)(3) conduct the plan review or  
 37 inspection as provided in IC 36-7-2.5.  
 38 SECTION 496. IC 36-7-2.5-9, AS ADDED BY P.L.146-2025,  
 39 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 40 JULY 1, 2027]: Sec. 9. As used in this chapter, "private provider"  
 41 means a person who:  
 42 (1) is:

HB 1003—LS 6756/DI 92



- 1 (A) an architect registered under IC 25-4-1;  
 2 (B) a professional engineer registered under ~~IC 25-31-1~~;  
 3 **IC 25-4-3**; or  
 4 (C) a certified building official;  
 5 (2) is not:  
 6 (A) an employee of;  
 7 (B) affiliated with; or  
 8 (C) financially interested in;  
 9 the person, firm, or corporation engaged in the project to be  
 10 reviewed or inspected; and  
 11 (3) is not an employee of a unit.

12 SECTION 497. IC 36-7-4-1108, AS AMENDED BY  
 13 P.L.134-2024, SECTION 9, IS AMENDED TO READ AS FOLLOWS  
 14 [EFFECTIVE JULY 1, 2027]: Sec. 1108. (a) This section applies only  
 15 to a child care home that is used as the primary residence of the person  
 16 who operates the child care home regardless of whether the child care  
 17 home meets the definition set forth in IC 12-7-2-28.6.

18 (b) A zoning ordinance may not do any of the following:

- 19 (1) Exclude a child care home from a residential area solely  
 20 because the child care home is a business.  
 21 (2) Impose limits on the number of children that may be served  
 22 by a child care home at any one (1) time that vary from the limits  
 23 set forth in IC 12-7-2-33.7 and IC 12-7-2-33.8.  
 24 (3) Impose requirements or restrictions upon child care homes  
 25 that vary from the requirements and restrictions imposed upon  
 26 child care homes by rules adopted by the division of family  
 27 resources or the ~~fire prevention and building safety commission~~.  
 28 **department of homeland security.**

29 (c) Notwithstanding subsection (b), a child care home may be  
 30 required to meet the same:

- 31 (1) zoning requirements;  
 32 (2) developmental standards; and  
 33 (3) building codes;

34 that apply to other residential structures in the same residential district  
 35 or classification as the child care home.

36 SECTION 498. IC 36-7-8-3, AS AMENDED BY P.L.208-2015,  
 37 SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 38 JULY 1, 2027]: Sec. 3. (a) The legislative body of a county having a  
 39 county department of buildings or joint city-county building  
 40 department may, by ordinance, adopt building, heating, ventilating, air  
 41 conditioning, electrical, plumbing, and sanitation standards for  
 42 unincorporated areas of the county. These standards take effect only on

HB 1003—LS 6756/DI 92



1 the legislative body's receipt of written approval from the ~~fire~~  
 2 ~~prevention and building safety commission.~~ **department of homeland**  
 3 **security.**

4 (b) An ordinance adopted under this section must be based on  
 5 occupancy, and it applies to:

6 (1) the construction, alteration, equipment, use, occupancy,  
 7 location, and maintenance of buildings, structures, and  
 8 appurtenances that are on land or over water and are:

9 (A) erected after the ordinance takes effect; and

10 (B) if expressly provided by the ordinance, existing when  
 11 the ordinance takes effect;

12 (2) conversions of buildings and structures, or parts of them,  
 13 from one occupancy classification to another; and

14 (3) the movement or demolition of buildings, structures, and  
 15 equipment for the operation of buildings and structures.

16 (c) The rules of the ~~fire prevention and building safety commission~~  
 17 **department of homeland security** are the minimum standards upon  
 18 which ordinances adopted under this section must be based.

19 (d) An ordinance adopted under this section does not apply to  
 20 private homes that are built by individuals and used for their own  
 21 occupancy. However, onsite sewage systems of a private home  
 22 described in this subsection must comply with state laws and rules.

23 SECTION 499. IC 36-7-8-4 IS AMENDED TO READ AS  
 24 FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 4. (a) The legislative  
 25 body of a county having a county department of buildings or a joint  
 26 city-county building department may, by ordinance, adopt minimum  
 27 housing standards for unincorporated areas of the county. These  
 28 standards must be consistent with the rules of the ~~fire prevention and~~  
 29 ~~building safety commission.~~ **department of homeland security.**

30 (b) An ordinance adopted under this section applies to:

31 (1) residential buildings;

32 (2) residential parts of mixed occupancy buildings; and

33 (3) conversions of buildings from nonresidential to residential or  
 34 partly residential.

35 (c) A municipality may elect, by ordinance, to make itself subject  
 36 to an ordinance adopted under this section.

37 (d) This section does not affect IC 16-41-26.

38 SECTION 500. IC 36-8-17-1 IS REPEALED [EFFECTIVE JULY  
 39 1, 2027]. Sec. 1. As used in this chapter, "commission" refers to the ~~fire~~  
 40 ~~prevention and building safety commission.~~

41 SECTION 501. IC 36-8-17-3 IS AMENDED TO READ AS  
 42 FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 3. As used in this

HB 1003—LS 6756/DI 92



1 chapter, "fire safety law" means any law, including rules and orders of  
 2 the ~~commission~~, **department**, safeguarding life or property from the  
 3 hazards of fire or explosion.

4 SECTION 502. IC 36-8-17-8, AS AMENDED BY P.L.107-2023,  
 5 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 6 JULY 1, 2027]: Sec. 8. (a) A fire department serving an area that does  
 7 not include a city may engage in an inspection program to promote  
 8 compliance with fire safety laws. Upon the request of an owner or a  
 9 primary lessee who resides in a private dwelling, the fire department  
 10 may inspect the interior of the private dwelling to determine  
 11 compliance with IC 22-11-18-3.5. The fire department shall maintain  
 12 a written report for each inspection. These reports shall be made  
 13 available to the department upon request.

14 (b) The fire department serving an area that includes a city shall  
 15 inspect every place and public way within the jurisdiction of the city,  
 16 except the interiors of private dwellings, for compliance with the fire  
 17 safety laws. Upon the request of an owner or a primary lessee who  
 18 resides in a private dwelling, the fire department may inspect the  
 19 interior of the private dwelling to determine compliance with  
 20 IC 22-11-18-3.5. Except as otherwise provided in the rules adopted by  
 21 the ~~commission~~, **department**, the fire chief of the fire department shall  
 22 specify the schedule under which places and public ways are inspected  
 23 and may exclude a class of places or public ways from inspection under  
 24 this section, if the fire chief determines that the public interest will be  
 25 served without inspection. The fire department shall maintain a written  
 26 report for each inspection. The fire department shall submit monthly  
 27 reports to the department, on forms prescribed by the department,  
 28 containing the following information:

- 29 (1) The total number of inspections made.  
 30 (2) The total number of defects found, classified as required by  
 31 the office.  
 32 (3) The total number of orders issued for correction of each class  
 33 of defect.  
 34 (4) The total number of orders complied with.

35 (c) Except as provided in subsection (d), an inspection may only  
 36 be carried out by an individual who:

- 37 (1) is a firefighter who meets, at a minimum, the training  
 38 requirements described in IC 36-8-10.5; or  
 39 (2) has:  
 40 (A) obtained certification as a:  
 41 (i) fire inspector I as described in 655 IAC 1-2.1-12;  
 42 (ii) fire inspector II as described in 655 IAC 1-2.1-13;

HB 1003—LS 6756/DI 92



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- 1 or  
 2 (iii) fire inspector I/II as described in 655  
 3 IAC 1-2.1-13.1; and  
 4 (B) in the case of an individual who is not an employee of  
 5 a fire department, completed at least two (2) years of  
 6 experience as a fire inspector described in clause (A)(i)  
 7 through (A)(iii).  
 8 (d) A volunteer fire department may carry out inspections under  
 9 this section only through an individual who is certified under  
 10 IC 22-14-2-6(c).  
 11 SECTION 503. IC 36-8-17-11 IS AMENDED TO READ AS  
 12 FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 11. (a) An order issued  
 13 under section 9 or 10 of this chapter may be appealed to the  
 14 **commission department** under IC 4-21.5-3-7. A decision to deny a  
 15 request to modify or reverse an order issued under section 10 of this  
 16 chapter is not appealable.  
 17 (b) If an order issued under section 9 or 10 of this chapter is  
 18 appealed, the **commission department** or its designee shall conduct all  
 19 administrative proceedings under IC 4-21.5. In its proceedings, the  
 20 **commission department** may modify or reverse the order.  
 21 SECTION 504. IC 36-8-17-13 IS AMENDED TO READ AS  
 22 FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 13. The **commission**  
 23 **department** may adopt rules under IC 4-22-2 to implement this  
 24 chapter.  
 25 SECTION 505. IC 36-9-7-3, AS AMENDED BY P.L.127-2017,  
 26 SECTION 288, IS AMENDED TO READ AS FOLLOWS  
 27 [EFFECTIVE JULY 1, 2027]: Sec. 3. (a) The personnel of the  
 28 department of traffic engineering consists of a city traffic engineer, the  
 29 traffic engineer's assistants, and other employees necessary to perform  
 30 the duties of the department. The city executive shall appoint the traffic  
 31 engineer.  
 32 (b) The traffic engineer must:  
 33 (1) have a thorough knowledge of modern traffic control  
 34 methods;  
 35 (2) be able to supervise and coordinate diversified traffic  
 36 engineering activities and prepare engineering reports; and  
 37 (3) either:  
 38 (A) be a registered professional engineer who has practiced  
 39 traffic engineering for at least one (1) year;  
 40 (B) have a certificate of engineer-in-training under ~~IC 25-31~~  
 41 **IC 25-4-3** and have practiced traffic engineering for at least  
 42 two (2) years; or

HB 1003—LS 6756/DI 92



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1 (C) have practiced traffic engineering for at least ten (10)  
2 years.

3 A person must furnish evidence of the person's qualifications under this  
4 subsection before the person may be appointed by the executive.

5 SECTION 506. IC 36-9-27-30, AS AMENDED BY P.L.57-2013,  
6 SECTION 101, IS AMENDED TO READ AS FOLLOWS  
7 [EFFECTIVE JULY 1, 2027]: Sec. 30. (a) Whenever the county  
8 surveyor is not registered under IC 25-21.5 or ~~IC 25-31~~ **IC 25-4-3** and  
9 that statute prohibits an unregistered person from performing any  
10 function that the county surveyor is directed to do under this chapter,  
11 the surveyor shall employ and fix the compensation of a person who is  
12 a professional engineer or professional surveyor in performing those  
13 functions. However, if the county surveyor does not employ a  
14 registered person within one (1) year of the acceptance of a petition for  
15 construction or reconstruction of a drain, the board may make the  
16 appointment of a registered person that this section requires.

17 (b) The person employed by the county surveyor, who shall be  
18 known as a qualified deputy, shall file with the county surveyor the  
19 original of all plans, specifications, and other documents made by the  
20 person in performing the work for which the person was employed.  
21 Those plans, specifications, and other documents become a part of the  
22 permanent file of the county surveyor's office, which the county  
23 surveyor shall maintain for the use of the board as provided in section  
24 109 of this chapter.

25 (c) The rate of compensation paid to a qualified deputy shall be  
26 assessed against the drainage project for which the deputy was  
27 employed.

28 (d) This subsection applies whenever the county surveyor is not  
29 registered under IC 25-21.5 or ~~IC 25-31~~, **IC 25-4-3**, and the county  
30 surveyor has not employed a registered person as provided in  
31 subsection (a). If the county has a full-time employee who is registered  
32 as a professional surveyor under IC 25-21.5 or as a professional  
33 engineer under ~~IC 25-31~~, **IC 25-4-3**, the board may, subject to the  
34 approval of the county executive and the county surveyor, designate  
35 that person to perform the functions of the county surveyor under this  
36 chapter that are allowed under the employee's license as a professional  
37 surveyor or professional engineer. If a designation is made and  
38 approved under this subsection, the county surveyor may not employ  
39 a registered person under subsection (a) to perform that same function.

40 SECTION 507. IC 36-9-27-31 IS AMENDED TO READ AS  
41 FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 31. If for any reason  
42 there is no elected county surveyor in any county, the board shall

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HB 1003—LS 6756/DI 92



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1 employ and fix the compensation of a part-time or full-time engineer  
 2 or surveyor. The engineer or surveyor, who must be registered under  
 3 IC 25-21.5 or ~~IC 25-31~~ **IC 25-4-3** and must be or become a resident of  
 4 Indiana, shall perform the functions required of the county surveyor in  
 5 this chapter.

6 SECTION 508. IC 36-9-27-71 IS AMENDED TO READ AS  
 7 FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 71. (a) When, in the  
 8 construction or reconstruction of a regulated drain, the county surveyor  
 9 determines that the proposed drain will cross a public highway or the  
 10 right-of-way of a railroad company at a point where:

11 (1) there is no crossing; or

12 (2) the crossing will not adequately handle or will be endangered  
 13 by the flow of water from the drain when completed;

14 the county surveyor shall include in the plans the grade and cross  
 15 section requirements for a new crossing, or the requirements for  
 16 altering, enlarging, repairing, or replacing the crossing. The surveyor  
 17 shall mail a copy of the requirements addressed to the owner of the  
 18 highway or right-of-way.

19 (b) When requested by the owner of the highway or right-of-way,  
 20 the county surveyor shall meet with the owner at a time and place to be  
 21 fixed by the surveyor. The surveyor shall hear objections to the  
 22 requirements, and may then change the requirements as justice may  
 23 require.

24 (c) When the board finds that in the construction, reconstruction,  
 25 or maintenance of a regulated drain it is necessary to:

26 (1) alter, enlarge, repair, or replace a crossing; or

27 (2) construct a new crossing where none existed before;

28 the cost of the work on the crossing shall be paid by the owner of the  
 29 public highway. This cost may not be considered by the county  
 30 surveyor or by the board in determining the cost of the work on the  
 31 drain or in assessing benefits and damages. However, if it is necessary  
 32 for the owner of a public highway to construct a new crossing because  
 33 of a cut-off for the purpose of shortening or straightening a regulated  
 34 drain, the owner of the public highway shall pay one-half (1/2) of the  
 35 cost of the new crossing, and the remainder shall be included in the  
 36 cost of the work on the drain.

37 (d) A railroad company with a right-of-way that is:

38 (1) crossed by the construction of a regulated drain; or

39 (2) affected by the altering or enlarging of a crossing;

40 shall pay one-half (1/2) of the cost of the work on the crossing and the  
 41 remainder shall be included in the cost of the work on the drain.

42 (e) If the county surveyor is registered under ~~IC 25-31~~, **IC 25-4-3**,

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**HB 1003—LS 6756/DI 92**



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1 the county surveyor must review and approve or disapprove the plans  
 2 and hydraulic data for an existing crossing that is to be altered,  
 3 enlarged, repaired, or replaced, or the construction of a new crossing  
 4 for a public highway or the right-of-way of a railroad company. The  
 5 county surveyor shall disapprove the plans and hydraulic data if they  
 6 do not show that the structure will meet hydraulic requirements that  
 7 will permit the drain to function properly.

8 (f) If the county surveyor is registered under IC 25-21.5, the  
 9 county surveyor must review and approve or disapprove the plans and  
 10 hydraulic data for an existing crossing that is to be altered, enlarged,  
 11 repaired, or replaced or the construction of a new crossing for a public  
 12 highway or the right-of-way of a railroad company. The county  
 13 surveyor shall disapprove the plans and hydraulic data if they do not  
 14 show that the structure will meet hydraulic requirements that will  
 15 permit the drain to function properly.

16 (g) Approval of the plans and hydraulic data by a person who is  
 17 registered under IC 25-21.5 or ~~IC 25-31~~ **IC 25-4-3** is required before  
 18 the work can take place. However, if the county surveyor is not  
 19 registered under IC 25-21.5 or ~~IC 25-31~~, **IC 25-4-3**, a registered person  
 20 who is selected under section 30 of this chapter shall:

- 21 (1) review and approve or disapprove the plans and
- 22 specifications described in this subsection;
- 23 (2) inform the county surveyor in writing of the approval or
- 24 disapproval; and
- 25 (3) submit all plans, specifications, and hydraulic data along
- 26 with the approval or disapproval.

27 SECTION 509. IC 36-12-1-2, AS ADDED BY P.L.1-2005,  
 28 SECTION 49, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 29 JULY 1, 2027]: Sec. 2. "Indiana library ~~and historical~~ board" refers to  
 30 the Indiana library ~~and historical~~ board established by IC 4-23-7-2.

31 SECTION 510. IC 36-12-3-16, AS AMENDED BY P.L.84-2012,  
 32 SECTION 24, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 33 JULY 1, 2027]: Sec. 16. (a) The library board may adopt a resolution  
 34 allowing money to be disbursed under this section for lawful library  
 35 purposes, including advertising and promoting the programs and  
 36 services of the library.

37 (b) With the prior written approval of the library board and if the  
 38 library board has adopted a resolution under subsection (a), claim  
 39 payments may be made in advance of library board allowance for any  
 40 of the following types of expenses:

- 41 (1) Property or services purchased or leased from the federal
- 42 government or the federal government's agencies and the state,

HB 1003—LS 6756/DI 92



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- 1 the state's agencies, or the state's political subdivisions.
- 2 (2) Dues, subscriptions, and publications.
- 3 (3) License or permit fees.
- 4 (4) Insurance premiums.
- 5 (5) Utility payments or connection charges.
- 6 (6) Federal grant programs where:
- 7 (A) advance funding is not prohibited; and
- 8 (B) the contracting party posts sufficient security to cover
- 9 the amount advanced.
- 10 (7) Grants of state funds authorized by statute.
- 11 (8) Maintenance and service agreements.
- 12 (9) Legal retainer fees.
- 13 (10) Conference fees.
- 14 (11) Expenses related to the educational or professional
- 15 development of an individual employed by the library board,
- 16 including:
- 17 (A) inservice training;
- 18 (B) attending seminars or other special courses of
- 19 instruction; and
- 20 (C) tuition reimbursement;
- 21 if the library board determines that the expenditures under this
- 22 subdivision directly benefit the library.
- 23 (12) Leases or rental agreements.
- 24 (13) Bond or coupon payments.
- 25 (14) Payroll costs.
- 26 (15) State, federal, or county taxes.
- 27 (16) Expenses that must be paid because of emergency
- 28 circumstances.
- 29 (17) Expenses incurred to advertise and promote the programs
- 30 and services of the library.
- 31 (18) Other expenses described in a library board resolution.
- 32 The library board shall review and allow the claim at the library board's
- 33 first regular or special meeting following the payment of a claim under
- 34 this section.
- 35 (c) Each payment of expenses lawfully incurred for library
- 36 purposes must be supported by a fully itemized invoice or other
- 37 documentation. The library director shall certify to the library board
- 38 before payment that each claim for payment is true and correct. The
- 39 certification must be on a form prescribed by the state board of
- 40 accounts.
- 41 (d) Purchases of books, magazines, pamphlets, films, filmstrips,
- 42 microforms, microfilms, slides, transparencies, phonodiscs,

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HB 1003—LS 6756/DI 92



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1 phonotapes, models, art reproductions, and all other forms of library  
2 and audiovisual materials are exempt from the restrictions imposed by  
3 IC 5-22.

4 (e) The purchase of library automation systems must meet the  
5 standards established by the Indiana library ~~and historical~~ board under  
6 IC 4-23-7.1-11(b).

7 SECTION 511. IC 36-12-11-2, AS ADDED BY P.L.1-2005,  
8 SECTION 49, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
9 JULY 1, 2027]: Sec. 2. As used in this chapter, "board" refers to the  
10 Indiana library ~~and historical~~ board established by IC 4-23-7-2.

11 SECTION 512. [EFFECTIVE JULY 1, 2027] **(a) As used in this**  
12 **SECTION, "commission" means the Indiana commission for arts**  
13 **and humanities in education created by IC 4-23-12-1 (before its**  
14 **repeal by this act).**

15 **(b) As used in this SECTION, "department" means the**  
16 **department of education.**

17 **(c) On July 1, 2027, all agreements and liabilities of the**  
18 **commission are transferred to the department, as the successor**  
19 **agency.**

20 **(d) On July 1, 2027, all records and property of the**  
21 **commission, including appropriations and other funds under the**  
22 **control or supervision of the commission, are transferred to the**  
23 **department, as the successor agency.**

24 **(e) After June 30, 2027, any amounts owed to the commission**  
25 **before July 1, 2027, are considered to be owed to the department,**  
26 **as the successor agency.**

27 **(f) After June 30, 2027, a reference to the commission in a**  
28 **statute, rule, contract, lease, or other document is considered a**  
29 **reference to the department, as the successor agency.**

30 **(g) All powers, duties, agreements, and liabilities of the**  
31 **commission with respect to bonds issued by the commission in**  
32 **connection with any trust agreement or indenture securing those**  
33 **bonds are transferred to the department, as the successor agency.**  
34 **The rights of the trustee under any trust agreement or indenture**  
35 **and the rights of the bondholders of the commission remain**  
36 **unchanged, although the powers, duties, agreements, and liabilities**  
37 **of the commission have been transferred to the department, as the**  
38 **successor agency.**

39 **(h) The terms of all members serving on the commission expire**  
40 **July 1, 2027.**

41 **(i) This SECTION expires July 1, 2028.**

42 SECTION 513. [EFFECTIVE JULY 1, 2027] **(a) As used in this**

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1 SECTION, "commission" means the law enforcement academy  
2 building commission created by IC 5-2-2-1 (before its repeal by this  
3 act).

4 (b) As used in this SECTION, "department" means the state  
5 police department.

6 (c) On July 1, 2027, all agreements and liabilities of the  
7 commission are transferred to the department, as the successor  
8 agency.

9 (d) On July 1, 2027, all records and property of the  
10 commission, including appropriations and other funds under the  
11 control or supervision of the commission, are transferred to the  
12 department, as the successor agency.

13 (e) After June 30, 2027, any amounts owed to the commission  
14 before July 1, 2027, are considered to be owed to the department,  
15 as the successor agency.

16 (f) After June 30, 2027, a reference to the commission in a  
17 statute, rule, contract, lease, or other document is considered a  
18 reference to the department, as the successor agency.

19 (g) All powers, duties, agreements, and liabilities of the  
20 commission with respect to bonds issued by the commission in  
21 connection with any trust agreement or indenture securing those  
22 bonds are transferred to the department, as the successor agency.  
23 The rights of the trustee under any trust agreement or indenture  
24 and the rights of the bondholders of the commission remain  
25 unchanged, although the powers, duties, agreements, and liabilities  
26 of the commission have been transferred to the department, as the  
27 successor agency.

28 (h) The terms of all members serving on the commission expire  
29 July 1, 2027.

30 (i) This SECTION expires July 1, 2028.

31 SECTION 514. [EFFECTIVE JULY 1, 2027] (a) As used in this  
32 SECTION, "CHLA" refers to the commission on Hispanic/Latino  
33 affairs established by IC 4-23-28-2 (before its repeal by this act).

34 (b) As used in this SECTION, "CSSBM" refers to the  
35 commission on the social status of black males established by  
36 IC 4-23-31-2 (before its repeal by this act).

37 (c) As used in this SECTION, "ICW" refers to the Indiana  
38 commission for women created by IC 4-23-25-3 (before its repeal  
39 by this act).

40 (d) As used in this SECTION, "NAIAC" refers to the Native  
41 American Indian affairs commission established by IC 4-23-32-3  
42 (before its repeal by this act).

HB 1003—LS 6756/DI 92



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1 (e) As used in this SECTION, "commission" refers to the  
 2 Indiana cultural commission established by IC 4-23-36-3 (as added  
 3 by this act).

4 (f) On July 1, 2027, all agreements and liabilities of the:

- 5 (1) CHLA;
- 6 (2) CSSBM;
- 7 (3) ICW; or
- 8 (4) NAIAC;

9 are transferred to the commission as the successor entity.

10 (g) On July 1, 2027, all records and property, including  
 11 appropriations and other funds under an entity's control or  
 12 supervision, of the:

- 13 (1) CHLA;
- 14 (2) CSSBM;
- 15 (3) ICW; or
- 16 (4) NAIAC;

17 are transferred to the commission as the successor entity.

18 (h) After June 30, 2027, any amount owed to the:

- 19 (1) CHLA;
- 20 (2) CSSBM;
- 21 (3) ICW; or
- 22 (4) NAIAC;

23 is considered to be owed to the commission as the successor entity.  
 24 The commission shall transfer any amounts received under this  
 25 subsection to the state comptroller for deposit in the state general  
 26 fund.

27 (i) After June 30, 2027, any reference to the:

- 28 (1) CHLA;
- 29 (2) CSSBM;
- 30 (3) ICW; or
- 31 (4) NAIAC;

32 in a statute, rule, or other document is considered a reference to  
 33 the commission as the successor entity.

34 (j) All powers, duties, agreements, and liabilities of the:

- 35 (1) CHLA;
- 36 (2) CSSBM;
- 37 (3) ICW; or
- 38 (4) NAIAC;

39 relating to bonds issued by the board in connection with any trust  
 40 agreement or indenture securing those bonds are transferred to the  
 41 commission as the successor entity. The rights of the trustee under  
 42 any trust agreement or indenture and the rights of bondholders

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1 described in this subsection remain unchanged although the  
 2 powers, duties, agreements, and liabilities of the ICW, CHLA,  
 3 CSSBM, and NAIAC, as applicable, have been transferred to the  
 4 commission as the successor entity.

5 (k) The term of any member serving as of June 30, 2027, on  
 6 the:

- 7 (1) CHLA;
- 8 (2) CSSBM;
- 9 (3) ICW; or
- 10 (4) NAIAC;

11 expires July 1, 2027.

12 (l) This SECTION expires July 1, 2028.

13 SECTION 515. [EFFECTIVE JULY 1, 2027] (a) As used in this  
 14 SECTION, "commission" means the occupational safety standards  
 15 commission created by IC 22-8-1.1-7 (before its repeal by this act).

16 (b) As used in this SECTION, "board" means the board of  
 17 safety review created by IC 22-8-1.1-30.1.

18 (c) On July 1, 2027, all agreements and liabilities of the  
 19 commission are transferred to the board, as the successor entity.

20 (d) On July 1, 2027, all records and property of the  
 21 commission, including appropriations and other funds under the  
 22 control or supervision of the commission, are transferred to the  
 23 board, as the successor entity.

24 (e) After June 30, 2027, any amounts owed to the commission  
 25 before July 1, 2027, are considered to be owed to the board, as the  
 26 successor entity.

27 (f) After June 30, 2027, a reference to the commission in a  
 28 statute, rule, contract, lease, or other document is considered a  
 29 reference to the board, as the successor entity.

30 (g) Proceedings pending before the commission on July 1,  
 31 2027, shall be transferred from the commission to the board and  
 32 treated as if initiated by the board.

33 (h) The rules adopted by the commission before July 1, 2027,  
 34 are considered, after June 30, 2027, rules of the board.

35 (i) All powers, duties, agreements, and liabilities of the  
 36 commission with respect to bonds issued by the commission in  
 37 connection with any trust agreement or indenture securing those  
 38 bonds are transferred to the board, as the successor agency. The  
 39 rights of the trustee under any trust agreement or indenture and  
 40 the rights of the bondholders of the commission remain unchanged,  
 41 although the powers, duties, agreements, and liabilities of the  
 42 commission have been transferred to the board, as the successor

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- 1 entity.
- 2 (j) The terms of all members serving on the commission expire  
3 June 30, 2027.
- 4 (k) This SECTION expires July 1, 2028.
- 5 SECTION 516. [EFFECTIVE JULY 1, 2027] (a) As used in this  
6 SECTION, "architect board" means the board of registration for  
7 architects and landscape architects established by IC 25-4-1-2  
8 (before the amendments made by this act).
- 9 (b) As used in this SECTION, "design professionals board"  
10 means the Indiana board of registration for design professionals  
11 established by IC 25-4-1-2.
- 12 (c) On July 1, 2027, all agreements and liabilities of the  
13 architect board are transferred to the design professionals board,  
14 as a successor.
- 15 (d) On July 1, 2027, all records and property of the architect  
16 board, including appropriations and other funds under the control  
17 or supervision of the architect board, are transferred to the design  
18 professionals board, as a successor.
- 19 (e) After July 1, 2027, any amounts owed to the architect  
20 board before July 1, 2027, are considered owed to the design  
21 professionals board, as a successor. The design professionals board  
22 shall transfer any amounts transferred under this subsection to the  
23 state comptroller for deposit in the state general fund.
- 24 (f) After June 30, 2027, a reference to the architect board in a  
25 statute, rule, or other document is considered a reference to the  
26 design professionals board, as a successor.
- 27 (g) All powers, duties, agreements, and liabilities of the  
28 architect board with respect to bonds issued by the architect board  
29 in connection with any trust agreement or indenture securing those  
30 bonds are transferred to the design professionals board, as a  
31 successor. The rights of the trustee under any trust agreement or  
32 indenture and the rights of the bondholders of the architect board  
33 remain unchanged, although the powers, duties, agreements, and  
34 liabilities of the architect board have been transferred to the design  
35 professionals board, as a successor.
- 36 (h) The terms of all members serving on the architect board  
37 expire July 1, 2027.
- 38 (i) This SECTION expires July 1, 2028.
- 39 SECTION 517. [EFFECTIVE JULY 1, 2027] (a) As used in this  
40 SECTION, "engineers board" means the state board of  
41 registration for professional engineers established by IC 25-31-1-3  
42 (before its repeal by this act).

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HB 1003—LS 6756/DI 92



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- 1           **(b) As used in this SECTION, "design professionals board"**
- 2           **means the Indiana board of registration for design professionals**
- 3           **established by IC 25-4-1-2.**
- 4           **(c) On July 1, 2027, all agreements and liabilities of the**
- 5           **engineers board are transferred to the design professionals board,**
- 6           **as a successor.**
- 7           **(d) On July 1, 2027, all records and property of the engineers**
- 8           **board, including appropriations and other funds under the control**
- 9           **or supervision of the engineers board, are transferred to the design**
- 10           **professionals board, as a successor.**
- 11           **(e) After June 30, 2027, any amounts owed to the engineers**
- 12           **board before July 1, 2027, are considered owed to the design**
- 13           **professionals board, as a successor. The design professionals board**
- 14           **shall transfer any amounts transferred under this subsection to the**
- 15           **state comptroller for deposit in the state general fund.**
- 16           **(f) After June 30, 2027, a reference to the engineers board in**
- 17           **a statute, rule, or other document is considered a reference to the**
- 18           **design professionals board, as a successor.**
- 19           **(g) All powers, duties, agreements, and liabilities of the**
- 20           **engineers board with respect to bonds issued by the engineers**
- 21           **board in connection with any trust agreement or indenture**
- 22           **securing those bonds are transferred to the design professionals**
- 23           **board, as a successor. The rights of the trustee under any trust**
- 24           **agreement or indenture and the rights of the bondholders of the**
- 25           **engineers board remain unchanged, although the powers, duties,**
- 26           **agreements, and liabilities of the engineers board have been**
- 27           **transferred to the design professionals board, as a successor.**
- 28           **(h) The terms of all members serving on the engineers board**
- 29           **expire July 1, 2027.**
- 30           **(i) This SECTION expires July 1, 2028.**
- 31           **SECTION 518. An emergency is declared for this act.**

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