

# HOUSE BILL No. 1098

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 20-20; IC 27-7-19.

**Synopsis:** Work based learning liability. Sets forth the responsibilities of an intermediary and an employer if an intermediary connects a student with an employer to obtain work experience as part of a work based learning course. Requires an intermediary to assume liability for any legal or administrative claims arising from the student's employment as part of a work based learning course. Prohibits an insurer from taking certain actions relating to a policy of employer's liability insurance, worker's compensation insurance, or any other class of insurance to provide coverage for a participant of a work based learning course solely on the basis that a student to be covered under the policy is less than 18 years of age or is enrolled in a work based learning course. Provides that any underwriting decision made by an insurer or rating factor applied to a participant must be based on objective risk based criteria that are applied uniformly and without regard to the age of the student to be covered under the policy.

**Effective:** July 1, 2026.

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## Commons

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January 5, 2026, read first time and referred to Committee on Insurance.

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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.

## HOUSE BILL No. 1098

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

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

1 SECTION 1. IC 20-20-38.5-5.5 IS ADDED TO THE INDIANA  
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
3 [EFFECTIVE JULY 1, 2026]: **Sec. 5.5. A policy to provide employer**  
4 **liability and worker's compensation insurance coverage under this**  
5 **chapter is subject to the requirements of IC 27-7-19.**

6 SECTION 2. IC 20-20-38.6 IS ADDED TO THE INDIANA CODE  
7 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE  
8 JULY 1, 2026]:

9 **Chapter 38.6. Work Based Learning Intermediaries**

10 **Sec. 1. As used in this chapter, "intermediary" has the meaning**  
11 **set forth in IC 21-18-1-3.5.**

12 **Sec. 2. As used in this chapter, "work based learning course"**  
13 **has the meaning set forth in IC 20-43-8-0.7.**

14 **Sec. 3. The following apply if an intermediary connects a**  
15 **student with an employer to obtain work experience as part of a**  
16 **work based learning course:**

17 **(1) The intermediary is responsible for:**



(A) obtaining employer liability insurance, worker's compensation insurance, and any other type of insurance necessary for the student to perform work for the employer; and

(B) ensuring compliance with:

(i) any requirements for participation in the work based learning course; and

(ii) all applicable federal and state laws and regulations.

(2) The employer is responsible for directing, supervising, training, and controlling the work of the student with respect to the business activities of the employer.

(3) The intermediary shall assume liability for any legal or administrative claims arising from the student's employment as part of the work based learning course.

SECTION 3. IC 27-7-19 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]:

**Chapter 19. Insurance Coverage for Participants of Work Based Learning Courses**

**Sec. 1.** This chapter applies to a policy that is entered into, amended, or renewed after June 30, 2026.

**Sec. 2.** As used in this chapter, "employer's liability insurance" means the type of insurance described in IC 27-1-5-1, Class 2(b).

**Sec. 3.** As used in this chapter, "insurer" means a company that is authorized under IC 27-1-3-20 to engage in the business of insurance in Indiana.

**Sec. 4.** As used in this chapter, "participant" refers to any of the following:

(1) An employer that employs a student in a work based learning course.

(2) A student who is enrolled in a work based learning course.

(3) An intermediary (as defined in IC 21-18-1-3.5).

(4) A school corporation (as defined in IC 20-18-2-16(a)).

**Sec. 5.** As used in this chapter, "work based learning course" has the meaning set forth in IC 20-43-8-0.7.

**Sec. 6.** An insurer that issues a policy of employer's liability insurance, worker's compensation insurance, or any other class of insurance described in IC 27-1-5-1 to provide coverage for a participant may not:

(1) deny or refuse to issue;

(2) refuse to renew or reissue;

(3) add a surcharge to a premium for;



1           (4) impose exclusions of;  
2           (5) require a participant to obtain supplemental or alternative  
3           insurance coverage as a condition of; or  
4           (6) otherwise terminate or restrict;  
5 coverage under the policy solely on the basis that a student to be  
6 covered under the policy is less than eighteen (18) years of age or  
7 is enrolled in a work based learning course.

8           Sec. 7. Any:

9           (1) underwriting decision made by an insurer; or  
10          (2) rating factor applied to a participant;  
11 for a policy described in section 6 of this chapter must be based on  
12 objective risk based criteria that are applied uniformly and  
13 without regard to the age of the student to be covered under the  
14 policy.

15          Sec. 8. A policy provision or underwriting guideline that  
16 conflicts with this chapter is:

- 17           (1) against public policy; and  
18           (2) void and unenforceable.

