



February 13, 2026

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# ENGROSSED HOUSE BILL No. 1302

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DIGEST OF HB 1302 (Updated February 11, 2026 1:27 pm - DI 153)

**Citations Affected:** IC 3-6; IC 3-11.5; IC 22-2; IC 22-9; IC 22-10.

**Synopsis:** Various labor and safety matters. Repeals various provisions concerning the Indiana department of labor employer data base for youth employment. Transfers the administration of certain age discrimination provisions from the Indiana department of labor to the civil rights commission. Removes provisions relating to a belt examiner certificate. Makes corresponding changes.

**Effective:** July 1, 2026.

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## Teshka

(SENATE SPONSOR — ROGERS)

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January 6, 2026, read first time and referred to Committee on Employment, Labor and Pensions.

January 22, 2026, amended, reported — Do Pass.

January 27, 2026, read second time, ordered engrossed.

January 28, 2026, engrossed. Read third time, passed. Yeas 92, nays 0.

#### SENATE ACTION

February 2, 2026, read first time and referred to Committee on Pensions and Labor.

February 12, 2026, amended, reported favorably — Do Pass.

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EH 1302—LS 6890/DI 141





February 13, 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.

## ENGROSSED HOUSE BILL No. 1302

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A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

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

- 1 SECTION 1. IC 3-6-6-39, AS AMENDED BY P.L.108-2021,  
2 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2026]: Sec. 39. (a) The county election board by unanimous  
4 vote of the entire membership of the board may permit an individual  
5 who is not a voter to serve in any capacity described in subsection (b),  
6 if the individual satisfies all the following:  
7 (1) The individual is at least sixteen (16) years of age but not  
8 eighteen (18) years of age or older.  
9 (2) The individual is a citizen of the United States.  
10 (3) The individual is a resident of the county.  
11 (4) The individual has a cumulative grade point average  
12 equivalent to not less than 3.0 on a 4.0 scale.  
13 (5) The individual:  
14 (A) either:  
15 (i) has the written approval of the principal of the school the  
16 individual attends at the time of the appointment; or  
17 (ii) attends a school that will not be in session on election

EH 1302—LS 6890/DI 141



- 1 day; or
- 2 (B) if the student is educated in the home, has the approval of
- 3 the individual responsible for the education of the student.
- 4 (6) The individual has the approval of the individual's parent or
- 5 legal guardian.
- 6 (7) The individual has satisfactorily completed any training
- 7 required by the county election board.
- 8 (8) The individual otherwise is eligible to serve as a precinct
- 9 election officer under this chapter but is not required to be a
- 10 registered voter of the county.
- 11 (b) An individual described in subsection (a) may serve in any of the
- 12 following capacities, as determined by the county election board:
- 13 (1) As any election officer, other than as an inspector, either
- 14 before election day, on election day, or both.
- 15 (2) Providing assistance to an election officer, either before
- 16 election day, on election day, or both.
- 17 (3) Providing assistance to the preparation of absentee ballots.
- 18 (c) An individual appointed as an election officer or assistant under
- 19 this section, while serving as an election officer or assistant:
- 20 (1) is not required to obtain an employment certificate under
- 21 IC 22-2-18 (before its expiration on June 30, 2021); and
- 22 (2) is not subject to the limitations on time and duration of
- 23 employment under IC 22-2-18 (before its expiration on June 30,
- 24 2021) or IC 22-2-18.1.
- 25 (d) ~~The county election board is not required to register as an~~
- 26 ~~employer under IC 22-2-18.1.~~
- 27 SECTION 2. IC 3-11.5-4-23, AS AMENDED BY P.L.153-2024,
- 28 SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 29 JULY 1, 2026]: Sec. 23. (a) Not later than noon fifty (50) days before
- 30 election day, each county election board shall notify the county
- 31 chairmen of the two (2) political parties that have appointed members
- 32 on the county election board of the number of:
- 33 (1) absentee voter boards;
- 34 (2) teams of absentee ballot counters; and
- 35 (3) teams of couriers;
- 36 to be appointed under section 22 of this chapter.
- 37 (b) The county chairmen shall make written recommendations for
- 38 the appointments to the county election board not later than forty-six
- 39 (46) days before election day. The county election board shall make the
- 40 appointments as recommended.
- 41 (c) If a county chairman fails to make any recommendations, then
- 42 the county election board may appoint any voters of the county who



1 comply with section 22 of this chapter.

2 (d) The county election board may permit an individual who is not  
3 a voter to serve as an absentee board member, other than a member of  
4 a board under IC 3-11-10-25, an absentee ballot counter, or a courier  
5 if the individual:

6 (1) satisfies the requirements under IC 3-6-6-39; and

7 (2) is approved by the unanimous vote of the entire membership  
8 of the county election board.

9 (e) An individual appointed to serve as an absentee board member,  
10 other than the member of a board under IC 3-11-10-25, an absentee  
11 ballot counter or a courier under subsection (d), while serving as an  
12 absentee ballot counter or courier:

13 (1) is not required to obtain an employment certificate under  
14 IC 22-2-18 (before its expiration on June 30, 2021); and

15 (2) is not subject to the limitations on time and duration of  
16 employment under IC 22-2-18 (before its expiration on June 30,  
17 2021) or IC 22-2-18.1.

18 ~~(f) The county election board is not required to register as an~~  
19 ~~employer under IC 22-2-18.1.~~

20 ~~(g)~~ (f) When the county election board makes an appointment under  
21 this section and the individual accepts the appointment by swearing the  
22 oath of office required under this title, a contract is created between the  
23 county election board and the individual in which the county election  
24 board retains the services of the appointed individual as an independent  
25 contractor.

26 ~~(h)~~ (g) For purposes of Article 2, Section 9 of the Constitution of the  
27 State of Indiana, the position of:

28 (1) member of an absentee voter board;

29 (2) member of an absentee ballot counter team; or

30 (3) member of a courier team;

31 is not a lucrative office.

32 SECTION 3. IC 22-2-18.1-25 IS REPEALED [EFFECTIVE JULY  
33 1, 2026]. Sec. 25: (a) ~~The department shall create and maintain a data~~  
34 ~~base that is accessible by the public and that displays each employer~~  
35 ~~that is required to register under this chapter.~~

36 ~~(b) The data base must include the name and electronic mail address~~  
37 ~~of each employer registered under this chapter.~~

38 SECTION 4. IC 22-2-18.1-26 IS REPEALED [EFFECTIVE JULY  
39 1, 2026]. Sec. 26: (a) Each employer that hires, employs, or permits at  
40 least five ~~(5)~~ minors who are:

41 ~~(1) at least fourteen (14) years of age; and~~

42 ~~(2) less than eighteen (18) years of age;~~



1 to work in a gainful occupation must register with the department.

2 (b) An employer that must register under this chapter must provide;  
3 in the form and manner prescribed by the department, the following  
4 information:

5 (1) The name of the employer:

6 (2) The electronic mail address of the employer:

7 (3) The number of minors whom the employer has hired;  
8 employed; or permitted to work in a gainful occupation: For  
9 purposes of this subdivision, the minor's date of hire is the first  
10 date on which the minor performs work for the employer:

11 (4) Any other information required by the department:

12 (c) On or before the fifteenth and last business day of each month;  
13 an employer that must register under this chapter shall enter any new  
14 or changed information regarding:

15 (1) a qualifying location; and

16 (2) the names and numbers of minors at each qualifying location:

17 SECTION 5. IC 22-2-18.1-27, AS AMENDED BY P.L.93-2024,  
18 SECTION 155, IS AMENDED TO READ AS FOLLOWS  
19 [EFFECTIVE JULY 1, 2026]: Sec. 27. (a) The department shall adopt  
20 rules under IC 4-22-2 to

21 (1) develop a schedule for the submission of the registration under  
22 section 26 of this chapter; and

23 (2) implement this chapter.

24 (b) The department may establish recommendations for rest breaks.

25 SECTION 6. IC 22-2-18.1-30, AS AMENDED BY P.L.104-2024,  
26 SECTION 46, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
27 JULY 1, 2026]: Sec. 30. (a) An employer that violates this chapter may  
28 be assessed the civil penalties described in this section by the  
29 department.

30 (b) For an hour violation of not more than thirty (30) minutes under  
31 section 17 of this chapter or a posting violation under section 22 of this  
32 chapter the civil penalties are as follows:

33 (1) A warning letter for any violations identified during an initial  
34 inspection.

35 (2) Fifty dollars (\$50) per instance for a second violation  
36 identified in a subsequent inspection.

37 (3) Seventy-five dollars (\$75) per instance for a third violation  
38 that is identified in a subsequent inspection.

39 (4) One hundred dollars (\$100) per instance for a fourth or  
40 subsequent violation that is identified in an inspection subsequent  
41 to the inspection under subdivision (3) and that occurs not more  
42 than two (2) years after a prior violation.



1 A civil penalty may not be assessed under this subsection for a  
2 violation of ten (10) minutes or less.

3 (c) For a failure to register or failure to register the correct number  
4 of minors employed under section 26 of this chapter, an hour violation  
5 of more than thirty (30) minutes under section 17 of this chapter, an  
6 age violation under section 12 of this chapter, each minor employed in  
7 violation of section 12(b) of this chapter, or a hazardous occupation  
8 violation under section 23 of this chapter the civil penalties are as  
9 follows:

10 (1) A warning letter for any violations identified during an initial  
11 inspection.

12 (2) One hundred dollars (\$100) per instance for each violation  
13 identified in a subsequent inspection.

14 (3) Two hundred dollars (\$200) per instance for a third violation  
15 that is identified in a subsequent inspection.

16 (4) Four hundred dollars (\$400) per instance for a fourth or  
17 subsequent violation that is identified in an inspection subsequent  
18 to the inspection under subdivision (3) and that occurs not more  
19 than two (2) years after a prior violation.

20 SECTION 7. IC 22-2-18.1-32, AS ADDED BY P.L.147-2020,  
21 SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
22 JULY 1, 2026]: Sec. 32. (a) There is established a labor education and  
23 youth employment fund to educate affected parties on the purposes and  
24 contents of this chapter and the responsibilities of all parties under this  
25 chapter.

26 (b) The labor education and youth employment fund shall be used  
27 each year for the expenses of hiring and salaries of additional  
28 inspectors to enforce this chapter under section 30 of this chapter. ~~and~~  
29 ~~to develop and maintain the data base under this chapter.~~ Any  
30 remaining funds may be used for the purpose of the education  
31 provision of this subsection and may be used to award grants to provide  
32 educational programs.

33 (c) The labor education and youth employment fund shall be  
34 administered by the department. The expenses of administering the  
35 labor education and youth employment fund shall be paid from money  
36 in the fund. The treasurer of state shall invest the money in the labor  
37 education and youth employment fund not currently needed to meet the  
38 obligations of the fund in the same manner as other public funds may  
39 be invested. Interest that accrues from these investments shall be  
40 deposited in the labor education and youth employment fund. Money  
41 in the labor education and youth employment fund at the end of a state  
42 fiscal year does not revert to the state general fund.



1 (d) Revenue received from civil penalties under section 30 of this  
 2 chapter shall be deposited in the labor education and youth  
 3 employment fund.

4 (e) All inspectors hired to enforce this chapter shall also be  
 5 available to educate affected parties on the purposes and contents of  
 6 this chapter and the responsibilities of all parties under this chapter.

7 SECTION 8. IC 22-9-2-5 IS AMENDED TO READ AS FOLLOWS  
 8 [EFFECTIVE JULY 1, 2026]: Sec. 5. The ~~commissioner of labor civil~~  
 9 **rights commission** shall investigate all complaints of discrimination,  
 10 and ~~for such purpose the commissioner in doing so~~ shall have full  
 11 power and authority:

12 (1) to receive, investigate and pass upon charges of discrimination  
 13 against any person employed within the state; and

14 (2) to enter any place of business or employment within the state  
 15 for the purpose of examination and making a transcript of records  
 16 in any way appertaining to or having a bearing upon the question  
 17 of the age of any person so employed.

18 SECTION 9. IC 22-9-2-6, AS AMENDED BY P.L.136-2018,  
 19 SECTION 127, IS AMENDED TO READ AS FOLLOWS  
 20 [EFFECTIVE JULY 1, 2026]: Sec. 6. (a) Every person shall keep true  
 21 and accurate records of the ages of all persons employed by the person  
 22 as reported by each employee, and shall upon demand furnish to the  
 23 ~~commissioner of labor; civil rights commission~~, or to the authorized  
 24 representative of the ~~commissioner of labor; commission~~, a true copy  
 25 of any ~~such~~ record, verified upon oath. ~~Such record~~ **Records** shall be  
 26 open to investigation by the ~~commissioner commission~~ at any  
 27 reasonable time.

28 (b) If on all the testimony taken, the ~~commissioner of labor civil~~  
 29 **rights commission** ~~shall make~~ **makes** a preliminary determination that  
 30 the employer has engaged in or is engaging in unfair employment  
 31 practices, the ~~commissioner commission~~ shall endeavor to eliminate  
 32 ~~such the~~ unfair employment practices by informal methods of  
 33 conference, conciliation and persuasion. If voluntary compliance  
 34 cannot be obtained, the ~~commissioner of labor commission~~ ~~shall be~~  
 35 ~~empowered to~~ **may** issue a complaint stating the charges and giving not  
 36 less than ten (10) days' notice of hearing before the ~~commissioner of~~  
 37 ~~labor commission~~ at a place fixed in the notice.

38 (c) Any complaint issued pursuant to this section must be ~~so~~ issued  
 39 within four (4) months after the alleged unfair employment practices  
 40 were committed. The respondent ~~shall have~~ **has** the right to file an  
 41 answer to ~~such a~~ complaint and may appear at ~~such the~~ hearing with  
 42 or without counsel to present evidence and to examine and



1 cross-examine witnesses. Upon the completion of testimony at ~~such the~~  
 2 hearing, if determination is made that unfair practices were committed,  
 3 the ~~commissioner of labor civil rights commission~~ shall state the  
 4 ~~commissioner's its~~ findings of fact and if ~~satisfied therewith,~~ may issue  
 5 the ~~commissioner's finding that may include a statement if the~~  
 6 employer has ceased to engage in unfair employment practices.

7 SECTION 10. IC 22-9-2-7 IS AMENDED TO READ AS  
 8 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 7. If:

9 (1) the ~~commissioner of labor shall find civil rights commission~~  
 10 ~~finds~~ no probable cause exists to substantiate the charges; or

11 (2) if upon all the evidence, ~~he shall find the civil rights~~  
 12 ~~commission finds~~ that an employer has not engaged in unfair  
 13 employment practices;

14 the ~~commissioner of labor commission~~ shall state in writing his  
 15 findings of fact and shall issue ~~and cause to be served on the~~  
 16 ~~complainant~~ an order dismissing the said complaint as to ~~such against~~  
 17 ~~the employer. The commission shall serve the order of dismissal on~~  
 18 ~~the complainant.~~

19 SECTION 11. IC 22-10-3-1, AS AMENDED BY P.L.10-2012,  
 20 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 21 JULY 1, 2026]: Sec. 1. As used in this article:

22 "Active workings" means all places in a mine that are ventilated and  
 23 inspected regularly.

24 "Belt examiner" means an individual designated by the mine  
 25 foreman to perform the functions as required by 30 CFR Part 75 in  
 26 connection with examinations to ensure that the belt, belt drives, dump  
 27 points, air movement, roof, and ribs of a mine are in safe condition.

28 "Board" refers to the mining board established under  
 29 IC 22-10-1.5-2.

30 "Commercial mine" means any underground mine from which coal  
 31 is produced for sale, exchange, or commercial use.

32 "Director" means the director of the bureau of mines and mine  
 33 safety established under IC 22-1-1-4.

34 "Hoisting engineer" means an individual who is capable of  
 35 transporting people and material in and out of a mine by means of a  
 36 hoist.

37 "Interested persons" means the director, safety personnel designated  
 38 by the operator, state and federal coal mine inspectors, and, to the  
 39 extent required by law, any other person.

40 "Mine" means an underground commercial coal mine.

41 "Mine electrician" means a properly certified individual who can  
 42 perform electrical work in:



- 1 (1) a surface coal mine;  
 2 (2) surface areas of underground coal mines; and  
 3 (3) underground coal mines.

4 "Mine examiner" means a properly certified person designated by  
 5 the mine foreman to examine the mine for gas and other dangers. A  
 6 mine examiner may temporarily act as a section foreman if designated  
 7 to act as such by the mine foreman.

8 "Mine foreman" means the person charged with the responsibility  
 9 of the general supervision of the underground working of a mine and  
 10 the persons employed in the mine and for the health and safety of those  
 11 employees.

12 "Mine inspector" means the person appointed to assist in  
 13 administering this article.

14 "Mine Safety Administration" refers to the Mine Safety and Health  
 15 Administration, United States Department of Labor.

16 "Mining laws" means:

- 17 (1) this article;  
 18 (2) IC 22-1-1-5(a);  
 19 (3) 30 CFR part 75; and  
 20 (4) 30 CFR part 77.

21 "Operator" means an individual, firm, association, partnership,  
 22 limited liability company, or corporation operating an underground  
 23 coal mine or any part of a mine.

24 "Shot-firer" means a properly certified person designated by the  
 25 mine foreman to perform the functions as required in this article in  
 26 connection with breaking down coal or rock.

27 SECTION 12. IC 22-10-3-9, AS AMENDED BY THE  
 28 TECHNICAL CORRECTIONS BILL OF THE 2026 GENERAL  
 29 ASSEMBLY, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 30 JULY 1, 2026]: Sec. 9. (a) The director shall keep a record of the  
 31 board's official actions concerning certificates issued under this chapter  
 32 and file the record together with questions and answers pertaining to  
 33 examinations established by the board, including the grade given for  
 34 the answer to each question. The record shall be open for inspection by  
 35 interested persons. If applications for certification are received, the  
 36 board shall meet at least quarterly at such time and place as it shall  
 37 consider advisable for the purpose of examining applicants for  
 38 certificates. These quarterly meetings shall be held in January, April,  
 39 July, and October. The date, time, and place of examination shall be  
 40 published at all coal mines in this state and posted on the ~~web site~~  
 41 **website** maintained by the bureau of mines and mine safety at least  
 42 thirty (30) days before the examination. By a majority vote, the board



1 shall establish its rules of procedure and provide suitable certificates.  
 2 The board shall adopt rules establishing standards for the competent  
 3 practice of mine foreman, ~~belt examiner~~, mine examiner, shot-firer,  
 4 mine electrician, and hoisting engineer.

5 (b) A person desiring certification for mine foreman, ~~belt examiner~~,  
 6 mine examiner, shot-firer, mine electrician, or hoisting engineer must  
 7 make written application to the board on forms supplied by the board  
 8 not later than ten (10) days prior to the examination date.

9 SECTION 13. IC 22-10-3-10, AS AMENDED BY P.L.10-2012,  
 10 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 11 JULY 1, 2026]: Sec. 10. (a) It is the duty of the board to examine any  
 12 person applying for a certificate for mine foreman, shot-firer, mine  
 13 examiner, hoisting engineer, **or** mine electrician **or** ~~belt examiner~~ and  
 14 to issue certificates of competency to the applicants who, upon  
 15 examination, prove themselves competent and qualified. A certificate  
 16 is valid only when the examination for certification has been held in the  
 17 presence of a member of the board and signed by the chairman of the  
 18 board. A certificate of competency may not be issued to any person  
 19 whose grade is less than seventy-five percent (75%) for any  
 20 certification other than that of a certificate for mine electrician, which  
 21 requires a passing grade of not less than eighty percent (80%). The  
 22 board shall observe the requirements set forth in this section in  
 23 conducting the examinations.

24 (b) An applicant for a mine foreman certificate must have at least  
 25 four (4) years of experience underground in coal mines. However, a  
 26 person who has graduated and holds a degree in engineering or an  
 27 approved four (4) year program in coal mining technology from an  
 28 accredited school, college, or university is required to have only two (2)  
 29 years of practical underground mining experience to qualify for the  
 30 examination. A person who has graduated and holds a two (2) year  
 31 associate in applied science degree in coal mining technology from an  
 32 accredited school, college, or university is required to have only three  
 33 (3) years of practical underground mining experience to qualify for the  
 34 examination. An applicant must prove to the board by written and oral  
 35 examination and by demonstration, where applicable, that the applicant  
 36 has a thorough knowledge of:

- 37 (1) the theory and practice of coal mining;
- 38 (2) the nature and properties of poisonous, noxious, and explosive  
 39 gases and methods for their detection and control;
- 40 (3) the requirements of the coal mining laws of this state; and
- 41 (4) the responsibilities and duties of a mine foreman under such  
 42 laws;



1 and that the applicant is otherwise qualified by law.

2 (c) An applicant for a mine examiner certificate must have at least  
3 three (3) years of experience underground in coal mines. However, a  
4 person who has graduated and holds a degree in engineering or an  
5 associate in applied science degree in coal mining technology from an  
6 accredited school, college, or university is required to have only two (2)  
7 years of practical underground mining experience to qualify for the  
8 examination. An applicant must prove to the board by written and oral  
9 examination and by demonstration, where applicable, that the applicant  
10 has a thorough knowledge of:

- 11 (1) the nature and properties of poisonous, noxious, and explosive  
12 gases and methods for their detection and control;
- 13 (2) the practical aspects of coal mining pertaining especially to  
14 ventilation and roof control; and
- 15 (3) the responsibilities of a mine examiner under coal mining laws  
16 of this state;

17 and that the applicant is otherwise qualified by law.

18 (d) An applicant for a shot-firer certificate must have at least one (1)  
19 year of underground experience and must have been properly trained  
20 in a course approved by the director in the safe use and handling of  
21 explosives. An applicant must prove to the board by written and oral  
22 examination and by demonstration, where applicable, that the applicant  
23 has a working knowledge of:

- 24 (1) the proper handling and use of explosives and blasting devices  
25 and the danger connected therewith;
- 26 (2) the nature and properties of poisonous, noxious, and explosive  
27 gases and methods for their detection;
- 28 (3) the coal mining laws of the state pertaining to ventilation, roof  
29 control, and blasting; and
- 30 (4) the responsibilities of a shot-firer under applicable mining  
31 laws;

32 and that the applicant is otherwise qualified by law.

33 (e) An applicant for a hoisting engineer certificate must prove to the  
34 board by written and oral examination and by demonstration, where  
35 applicable, that the applicant:

- 36 (1) is capable of operating a hoist;
- 37 (2) has a thorough knowledge of the coal mining laws of this state  
38 pertaining to hoisting operations;
- 39 (3) has at least one (1) year mining experience;
- 40 (4) has at least twenty (20) hours practical experience under the  
41 supervision of a certified hoisting engineer; and
- 42 (5) is otherwise qualified by law.



1           (f) An applicant for a belt examiner certificate must have at least  
2 one (1) year of experience in belt maintenance or installation work. The  
3 applicant must prove to the board by written and oral examination and  
4 by demonstration, where applicable, that the applicant has a thorough  
5 knowledge of:

6           (1) the requirements of the coal mining laws of this state with  
7 particular emphasis upon those laws pertaining to the use of  
8 electrical or belt equipment and the transmission of electrical  
9 energy into coal mines; and

10           (2) the responsibilities of a belt examiner under those laws;  
11 and that the applicant is otherwise qualified by law.

12           ~~(g)~~ (f) An applicant for a mine electrician certificate must have  
13 sufficient (but not less than one (1) year of) experience in performing  
14 electrical work. The applicant must prove to the board by written and  
15 oral examination and by demonstration, where applicable, that the  
16 applicant has a thorough knowledge of:

17           (1) the requirements of the coal mining laws of this state, with  
18 particular emphasis upon laws pertaining to electrical energy in  
19 coal mines;

20           (2) direct and alternating current theory and application;

21           (3) electric equipment and electrical circuits in coal mines;

22           (4) permissibility of electric equipment;

23           (5) 30 CFR 75 subparts F-K; and

24           (6) 30 CFR 77 subparts F-J and S.

25           ~~(h)~~ (g) An applicant for an examination under this section must pay  
26 the bureau of mines and mine safety an examination fee of twenty-five  
27 dollars (\$25). All fees collected under this subsection shall be  
28 deposited in the mine safety fund established by IC 22-10-12-16. The  
29 board may set a different fee by rule under IC 22-10-1.5-4.

30           ~~(i)~~ (h) A mine foreman, mine examiner, shot-firer, hoisting  
31 engineer, **or** mine electrician **or** belt examiner certificate issued before  
32 September 1, 1979, is valid under the mining laws of Indiana.

33           ~~(j)~~ (i) A person who was issued a fire-boss certificate before July 1,  
34 2007, shall be issued a replacement mine examiner certificate upon  
35 request to the director.

36           ~~(k)~~ (j) A person designated as mine superintendent or assistant mine  
37 superintendent, or acting in either capacity, must hold a mine foreman  
38 certificate.

39           ~~(l)~~ (k) A certificate may be granted to an applicant who presents to  
40 the board satisfactory evidence that the applicant has not been  
41 convicted of:

42           (1) an act which would constitute a ground for disciplinary



1 sanction under section 11.1(b) of this chapter; or  
 2 (2) a felony that has a direct bearing on the applicant's ability to  
 3 act competently as a mine foreman, shot-firer, mine examiner,  
 4 hoisting engineer, **or** mine electrician. ~~or belt examiner.~~

5 ~~(m)~~ **(l)** For the purpose of safety, the board may refuse to examine  
 6 an applicant who cannot:

- 7 (1) readily understand the written English language; or  
 8 (2) express himself or herself in the English language.

9 SECTION 14. IC 22-10-3-11, AS AMENDED BY P.L.10-2012,  
 10 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 11 JULY 1, 2026]: Sec. 11. (a) In event of loss or destruction of any  
 12 certificate issued under the mining laws of this state, the board, upon  
 13 satisfactory proof of such loss or destruction, shall issue a duplicate  
 14 certificate upon receipt of five dollars (\$5). The fee shall be deposited  
 15 into the mine safety fund established by IC 22-10-12-16. The board  
 16 may set a different fee by rule under IC 22-10-1.5-4.

17 (b) The holder of a mine foreman, mine examiner, shot-firer,  
 18 hoisting engineer, **or** mine electrician ~~or belt examiner~~ certificate must  
 19 present the same or a photostatic copy to the official of the mine where  
 20 the holder is employed, who shall file it in the office at such mine, and  
 21 such file shall be available for inspection by interested persons.

22 SECTION 15. IC 22-10-3-12, AS AMENDED BY P.L.10-2012,  
 23 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 24 JULY 1, 2026]: Sec. 12. (a) It is unlawful for any person to serve in the  
 25 capacity of mine foreman, mine examiner, shot-firer, hoisting engineer,  
 26 **or** mine electrician ~~or belt examiner~~ at any time unless the person is  
 27 properly certified. However, any person who meets the appropriate  
 28 experience requirements of this chapter and who is properly certified  
 29 in one (1) of these capacities or its equivalent in another state which  
 30 recognizes the certification of Indiana may serve in such a capacity  
 31 until the next examination by the board, when the person must apply to  
 32 the board for certification in the person's particular classification. A  
 33 mine electrician who is properly certified:

- 34 (1) by the federal Mine Safety and Health Administration; or  
 35 (2) in another state that recognizes the mine electrician  
 36 certification in Indiana;

37 may serve in the individual's certified capacity and be issued a mine  
 38 electrician certificate by the director in Indiana without the requirement  
 39 of applying to the board for examination. However, the individual must  
 40 obtain an Indiana miner's certificate of competency from the director.

41 (b) It is unlawful for an operator in this state to employ any person  
 42 in the capacity of mine superintendent, assistant mine superintendent,



1 mine foreman, mine examiner, shot-firer, hoisting engineer, **or** mine  
 2 electrician **or belt examiner** at any time unless the person is properly  
 3 certified.

4 (c) Before any person certified in another state may perform in the  
 5 capacity of mine superintendent, assistant mine superintendent, mine  
 6 foreman, mine examiner, shot-firer, hoisting engineer, **or** mine  
 7 electrician **or belt examiner** in Indiana, the person must present  
 8 personally to the director evidence of the out-of-state certificate or  
 9 certificates.

10 (d) Every inexperienced miner is required to wear an orange hard  
 11 hat until the miner receives a certificate of competency.

12 SECTION 16. IC 22-10-12-16, AS AMENDED BY P.L.10-2012,  
 13 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 14 JULY 1, 2026]: Sec. 16. (a) The mine safety fund is established to  
 15 provide funding for the purchase and maintenance of underground  
 16 mine rescue equipment.

17 (b) The department of labor shall administer the fund.

18 (c) The fund consists of:

19 (1) assessments collected by the mining board under  
 20 IC 22-10-1.5-5(a)(4) and deposited into the fund;

21 (2) fees:

22 (A) from examinations under ~~IC 22-10-3-10(h)~~;  
 23 **IC 22-10-3-10(g)**;

24 (B) for duplicate certificates under IC 22-10-3-11(a); and

25 (C) from applicants for a certificate under IC 22-10-3-13(d);  
 26 and

27 (3) interest from investments as accrued and deposited under  
 28 subsection (d).

29 (d) The treasurer of state shall invest the money in the fund not  
 30 currently needed to meet the obligations of the fund in the same  
 31 manner as other public money may be invested. Interest that  
 32 accumulates from these investments shall be deposited into the fund.

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



## COMMITTEE REPORT

Mr. Speaker: Your Committee on Employment, Labor and Pensions, to which was referred House Bill 1302, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, delete lines 14 through 37.

Page 9, delete lines 12 through 17.

Re-number all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1302 as introduced.)

VANNATTER

Committee Vote: yeas 11, nays 0.

## COMMITTEE REPORT

Mr. President: The Senate Committee on Pensions and Labor, to which was referred House Bill No. 1302, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, delete lines 1 through 17.

Page 2, delete lines 1 through 13, begin a new paragraph and insert:

"SECTION 1. IC 3-6-6-39, AS AMENDED BY P.L.108-2021, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 39. (a) The county election board by unanimous vote of the entire membership of the board may permit an individual who is not a voter to serve in any capacity described in subsection (b), if the individual satisfies all the following:

- (1) The individual is at least sixteen (16) years of age but not eighteen (18) years of age or older.
- (2) The individual is a citizen of the United States.
- (3) The individual is a resident of the county.
- (4) The individual has a cumulative grade point average equivalent to not less than 3.0 on a 4.0 scale.
- (5) The individual:
  - (A) either:
    - (i) has the written approval of the principal of the school the individual attends at the time of the appointment; or

**EH 1302—LS 6890/DI 141**



- (ii) attends a school that will not be in session on election day; or
- (B) if the student is educated in the home, has the approval of the individual responsible for the education of the student.
- (6) The individual has the approval of the individual's parent or legal guardian.
- (7) The individual has satisfactorily completed any training required by the county election board.
- (8) The individual otherwise is eligible to serve as a precinct election officer under this chapter but is not required to be a registered voter of the county.
- (b) An individual described in subsection (a) may serve in any of the following capacities, as determined by the county election board:
  - (1) As any election officer, other than as an inspector, either before election day, on election day, or both.
  - (2) Providing assistance to an election officer, either before election day, on election day, or both.
  - (3) Providing assistance to the preparation of absentee ballots.
- (c) An individual appointed as an election officer or assistant under this section, while serving as an election officer or assistant:
  - (1) is not required to obtain an employment certificate under IC 22-2-18 (before its expiration on June 30, 2021); and
  - (2) is not subject to the limitations on time and duration of employment under IC 22-2-18 (before its expiration on June 30, 2021) or IC 22-2-18.1.
- ~~(d) The county election board is not required to register as an employer under IC 22-2-18.1.~~

SECTION 2. IC 3-11.5-4-23, AS AMENDED BY P.L.153-2024, SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 23. (a) Not later than noon fifty (50) days before election day, each county election board shall notify the county chairmen of the two (2) political parties that have appointed members on the county election board of the number of:

- (1) absentee voter boards;
- (2) teams of absentee ballot counters; and
- (3) teams of couriers;

to be appointed under section 22 of this chapter.

(b) The county chairmen shall make written recommendations for the appointments to the county election board not later than forty-six (46) days before election day. The county election board shall make the appointments as recommended.

(c) If a county chairman fails to make any recommendations, then



the county election board may appoint any voters of the county who comply with section 22 of this chapter.

(d) The county election board may permit an individual who is not a voter to serve as an absentee board member, other than a member of a board under IC 3-11-10-25, an absentee ballot counter, or a courier if the individual:

- (1) satisfies the requirements under IC 3-6-6-39; and
- (2) is approved by the unanimous vote of the entire membership of the county election board.

(e) An individual appointed to serve as an absentee board member, other than the member of a board under IC 3-11-10-25, an absentee ballot counter or a courier under subsection (d), while serving as an absentee ballot counter or courier:

- (1) is not required to obtain an employment certificate under IC 22-2-18 (before its expiration on June 30, 2021); and
- (2) is not subject to the limitations on time and duration of employment under IC 22-2-18 (before its expiration on June 30, 2021) or IC 22-2-18.1.

~~(f)~~ The county election board is not required to register as an employer under IC 22-2-18.1.

~~(g)~~ (f) When the county election board makes an appointment under this section and the individual accepts the appointment by swearing the oath of office required under this title, a contract is created between the county election board and the individual in which the county election board retains the services of the appointed individual as an independent contractor.

~~(h)~~ (g) For purposes of Article 2, Section 9 of the Constitution of the State of Indiana, the position of:

- (1) member of an absentee voter board;
- (2) member of an absentee ballot counter team; or
- (3) member of a courier team;

is not a lucrative office.

SECTION 3. IC 22-2-18.1-25 IS REPEALED [EFFECTIVE JULY 1, 2026]. Sec. 25: (a) The department shall create and maintain a data base that is accessible by the public and that displays each employer that is required to register under this chapter.

(b) The data base must include the name and electronic mail address of each employer registered under this chapter.

SECTION 4. IC 22-2-18.1-26 IS REPEALED [EFFECTIVE JULY 1, 2026]. Sec. 26: (a) Each employer that hires, employs, or permits at least five ~~(5)~~ minors who are:

- ~~(1)~~ at least fourteen ~~(14)~~ years of age; and



- (2) less than eighteen (18) years of age;  
to work in a gainful occupation must register with the department.
- (b) An employer that must register under this chapter must provide, in the form and manner prescribed by the department, the following information:
  - (1) The name of the employer.
  - (2) The electronic mail address of the employer.
  - (3) The number of minors whom the employer has hired, employed, or permitted to work in a gainful occupation. For purposes of this subdivision, the minor's date of hire is the first date on which the minor performs work for the employer.
  - (4) Any other information required by the department.
- (c) On or before the fifteenth and last business day of each month, an employer that must register under this chapter shall enter any new or changed information regarding:
  - (1) a qualifying location; and
  - (2) the names and numbers of minors at each qualifying location.

SECTION 5. IC 22-2-18.1-27, AS AMENDED BY P.L.93-2024, SECTION 155, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 27. (a) The department shall adopt rules under IC 4-22-2 to

- (1) develop a schedule for the submission of the registration under section 26 of this chapter; and
- (2) implement this chapter.

(b) The department may establish recommendations for rest breaks.

SECTION 6. IC 22-2-18.1-30, AS AMENDED BY P.L.104-2024, SECTION 46, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 30. (a) An employer that violates this chapter may be assessed the civil penalties described in this section by the department.

(b) For an hour violation of not more than thirty (30) minutes under section 17 of this chapter or a posting violation under section 22 of this chapter the civil penalties are as follows:

- (1) A warning letter for any violations identified during an initial inspection.
- (2) Fifty dollars (\$50) per instance for a second violation identified in a subsequent inspection.
- (3) Seventy-five dollars (\$75) per instance for a third violation that is identified in a subsequent inspection.
- (4) One hundred dollars (\$100) per instance for a fourth or subsequent violation that is identified in an inspection subsequent to the inspection under subdivision (3) and that occurs not more



than two (2) years after a prior violation.

A civil penalty may not be assessed under this subsection for a violation of ten (10) minutes or less.

(c) ~~For a failure to register or failure to register the correct number of minors employed under section 26 of this chapter,~~ an hour violation of more than thirty (30) minutes under section 17 of this chapter, an age violation under section 12 of this chapter, each minor employed in violation of section 12(b) of this chapter, or a hazardous occupation violation under section 23 of this chapter the civil penalties are as follows:

- (1) A warning letter for any violations identified during an initial inspection.
- (2) One hundred dollars (\$100) per instance for each violation identified in a subsequent inspection.
- (3) Two hundred dollars (\$200) per instance for a third violation that is identified in a subsequent inspection.
- (4) Four hundred dollars (\$400) per instance for a fourth or subsequent violation that is identified in an inspection subsequent to the inspection under subdivision (3) and that occurs not more than two (2) years after a prior violation.

SECTION 7. IC 22-2-18.1-32, AS ADDED BY P.L.147-2020, SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 32. (a) There is established a labor education and youth employment fund to educate affected parties on the purposes and contents of this chapter and the responsibilities of all parties under this chapter.

(b) The labor education and youth employment fund shall be used each year for the expenses of hiring and salaries of additional inspectors to enforce this chapter under section 30 of this chapter. ~~and to develop and maintain the data base under this chapter.~~ Any remaining funds may be used for the purpose of the education provision of this subsection and may be used to award grants to provide educational programs.

(c) The labor education and youth employment fund shall be administered by the department. The expenses of administering the labor education and youth employment fund shall be paid from money in the fund. The treasurer of state shall invest the money in the labor education and youth employment fund not currently needed to meet the obligations of the fund in the same manner as other public funds may be invested. Interest that accrues from these investments shall be deposited in the labor education and youth employment fund. Money in the labor education and youth employment fund at the end of a state



fiscal year does not revert to the state general fund.

(d) Revenue received from civil penalties under section 30 of this chapter shall be deposited in the labor education and youth employment fund.

(e) All inspectors hired to enforce this chapter shall also be available to educate affected parties on the purposes and contents of this chapter and the responsibilities of all parties under this chapter.

SECTION 8. IC 22-9-2-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 5. The ~~commissioner of labor~~ **civil rights commission** shall investigate all complaints of discrimination, and ~~for such purpose the commissioner in doing so~~ shall have full power and authority:

- (1) to receive, investigate and pass upon charges of discrimination against any person employed within the state; and
- (2) to enter any place of business or employment within the state for the purpose of examination and making a transcript of records in any way appertaining to or having a bearing upon the question of the age of any person so employed.

SECTION 9. IC 22-9-2-6, AS AMENDED BY P.L.136-2018, SECTION 127, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 6. (a) Every person shall keep true and accurate records of the ages of all persons employed by the person as reported by each employee, and shall upon demand furnish to the ~~commissioner of labor,~~ **civil rights commission**, or to the authorized representative of the ~~commissioner of labor,~~ **commission**, a true copy of any ~~such~~ record, verified upon oath. ~~Such record~~ **Records** shall be open to investigation by the ~~commissioner~~ **commission** at any reasonable time.

(b) If on all the testimony taken, the ~~commissioner of labor~~ **civil rights commission** ~~shall make~~ **makes** a preliminary determination that the employer has engaged in or is engaging in unfair employment practices, the ~~commissioner~~ **commission** shall endeavor to eliminate ~~such the~~ unfair employment practices by informal methods of conference, conciliation and persuasion. If voluntary compliance cannot be obtained, the ~~commissioner of labor~~ **commission** ~~shall be empowered to~~ **may** issue a complaint stating the charges and giving not less than ten (10) days' notice of hearing before the ~~commissioner of labor~~ **commission** at a place fixed in the notice.

(c) Any complaint issued pursuant to this section must be ~~so~~ issued within four (4) months after the alleged unfair employment practices were committed. The respondent ~~shall have~~ **has** the right to file an answer to ~~such a~~ complaint and may appear at ~~such the~~ hearing with



or without counsel to present evidence and to examine and cross-examine witnesses. Upon the completion of testimony at ~~such the~~ hearing, if determination is made that unfair practices were committed, the ~~commissioner of labor civil rights commission~~ shall state ~~the commissioner's~~ **its** findings of fact and if ~~satisfied therewith,~~ **may** issue ~~the commissioner's finding that may include a statement if the~~ employer has ceased to engage in unfair employment practices.

SECTION 10. IC 22-9-2-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 7. If:

(1) the ~~commissioner of labor shall find~~ **civil rights commission finds** no probable cause exists to substantiate the charges; or

(2) if upon all the evidence, ~~he shall find the civil rights commission finds~~ that an employer has not engaged in unfair employment practices;

the ~~commissioner of labor~~ **commission** shall state in writing his findings of fact and shall issue ~~and cause to be served on the complainant~~ an order dismissing the ~~said~~ complaint as to ~~such~~ **against** the employer. **The commission shall serve the order of dismissal on the complainant."**

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1302 as printed January 22, 2026.)

ROGERS, Chairperson

Committee Vote: Yeas 8, Nays 0.

