

PROPOSED AMENDMENT

HB 1302 # 5

DIGEST

Employer data base. Repeals various provisions concerning the Indiana department of labor employer data base for youth employment.

- 1 Page 1, delete lines 1 through 17.
- 2 Page 2, delete lines 1 through 13, begin a new paragraph and insert:
- 3 "SECTION 1. IC 3-6-6-39, AS AMENDED BY P.L.108-2021,
- 4 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 5 JULY 1, 2026]: Sec. 39. (a) The county election board by unanimous
- 6 vote of the entire membership of the board may permit an individual
- 7 who is not a voter to serve in any capacity described in subsection (b),
- 8 if the individual satisfies all the following:
- 9 (1) The individual is at least sixteen (16) years of age but not
- 10 eighteen (18) years of age or older.
- 11 (2) The individual is a citizen of the United States.
- 12 (3) The individual is a resident of the county.
- 13 (4) The individual has a cumulative grade point average
- 14 equivalent to not less than 3.0 on a 4.0 scale.
- 15 (5) The individual:
- 16 (A) either:
- 17 (i) has the written approval of the principal of the school the
- 18 individual attends at the time of the appointment; or
- 19 (ii) attends a school that will not be in session on election
- 20 day; or
- 21 (B) if the student is educated in the home, has the approval of
- 22 the individual responsible for the education of the student.
- 23 (6) The individual has the approval of the individual's parent or
- 24 legal guardian.
- 25 (7) The individual has satisfactorily completed any training
- 26 required by the county election board.
- 27 (8) The individual otherwise is eligible to serve as a precinct

1 election officer under this chapter but is not required to be a
2 registered voter of the county.

3 (b) An individual described in subsection (a) may serve in any of the
4 following capacities, as determined by the county election board:

5 (1) As any election officer, other than as an inspector, either
6 before election day, on election day, or both.

7 (2) Providing assistance to an election officer, either before
8 election day, on election day, or both.

9 (3) Providing assistance to the preparation of absentee ballots.

10 (c) An individual appointed as an election officer or assistant under
11 this section, while serving as an election officer or assistant:

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

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

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

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

25 (1) absentee voter boards;

26 (2) teams of absentee ballot counters; and

27 (3) teams of couriers;

28 to be appointed under section 22 of this chapter.

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

33 (c) If a county chairman fails to make any recommendations, then
34 the county election board may appoint any voters of the county who
35 comply with section 22 of this chapter.

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

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

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

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

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

9 (2) is not subject to the limitations on time and duration of
10 employment under IC 22-2-18 (before its expiration on June 30,
11 2021) or IC 22-2-18.1.

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

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

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

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

25 is not a lucrative office.

26 SECTION 3. IC 22-2-18.1-25 IS REPEALED [EFFECTIVE JULY
27 1, 2026]. Sec. 25: (a) ~~The department shall create and maintain a data~~
28 ~~base that is accessible by the public and that displays each employer~~
29 ~~that is required to register under this chapter.~~

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

32 SECTION 4. IC 22-2-18.1-26 IS REPEALED [EFFECTIVE JULY
33 1, 2026]. Sec. 26: (a) ~~Each employer that hires, employs, or permits at~~
34 ~~least five (5) minors who are:~~

- 35 ~~(1) at least fourteen (14) years of age; and~~
36 ~~(2) less than eighteen (18) years of age;~~

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

38 ~~(b) An employer that must register under this chapter must provide,~~
39 ~~in the form and manner prescribed by the department, the following~~
40 ~~information:~~

- 1 (1) The name of the employer.
- 2 (2) The electronic mail address of the employer.
- 3 (3) The number of minors whom the employer has hired;
- 4 employed; or permitted to work in a gainful occupation. For
- 5 purposes of this subdivision, the minor's date of hire is the first
- 6 date on which the minor performs work for the employer.
- 7 (4) Any other information required by the department.

8 (c) On or before the fifteenth and last business day of each month;

9 an employer that must register under this chapter shall enter any new

10 or changed information regarding:

- 11 (1) a qualifying location; and
- 12 (2) the names and numbers of minors at each qualifying location.

13 SECTION 5. IC 22-2-18.1-27, AS AMENDED BY P.L.93-2024,

14 SECTION 155, IS AMENDED TO READ AS FOLLOWS

15 [EFFECTIVE JULY 1, 2026]: Sec. 27. (a) The department shall adopt

16 rules under IC 4-22-2 to

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

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

21 SECTION 6. IC 22-2-18.1-30, AS AMENDED BY P.L.104-2024,

22 SECTION 46, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

23 JULY 1, 2026]: Sec. 30. (a) An employer that violates this chapter may

24 be assessed the civil penalties described in this section by the

25 department.

26 (b) For an hour violation of not more than thirty (30) minutes under

27 section 17 of this chapter or a posting violation under section 22 of this

28 chapter the civil penalties are as follows:

- 29 (1) A warning letter for any violations identified during an initial
- 30 inspection.
- 31 (2) Fifty dollars (\$50) per instance for a second violation
- 32 identified in a subsequent inspection.
- 33 (3) Seventy-five dollars (\$75) per instance for a third violation
- 34 that is identified in a subsequent inspection.
- 35 (4) One hundred dollars (\$100) per instance for a fourth or
- 36 subsequent violation that is identified in an inspection subsequent
- 37 to the inspection under subdivision (3) and that occurs not more
- 38 than two (2) years after a prior violation.

39 A civil penalty may not be assessed under this subsection for a

40 violation of ten (10) minutes or less.

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

8 (1) A warning letter for any violations identified during an initial
 9 inspection.

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

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

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

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

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

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

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