

PRINTING CODE. Deletions appear in ~~this style type~~. Insertions appear in this style type. Typeface changes are shown in **this** *this* this style **type** or in **this** *this* this style **type**.

HOUSE BILL No. 1302

Proposed Changes to introduced printing by AM130201

DIGEST OF PROPOSED AMENDMENT

Residual asbestos injury fund. Removes language from the bill that: (1) repeals a chapter regarding the residual asbestos injury fund; and (2) transfers the balance of the funds remaining in the residual asbestos injury fund to the worker's compensation supplemental administrative fund.

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 22-2-18.1-26, AS AMENDED BY P.L.75-2024,
2 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2026]: Sec. 26. (a) Each employer that hires, employs, or
4 permits at least five (5) minors who are:
5 (1) at least fourteen (14) years of age; and
6 (2) less than eighteen (18) years of age;
7 to work in a gainful occupation must register with the department.
8 (b) An employer that must register under this chapter must
9 provide, in the form and manner prescribed by the department, the
10 following information:
11 (1) The name of the employer.
12 (2) The electronic mail address of the employer.
13 (3) The number of minors whom the employer has hired,
14 employed, or permitted to work in a gainful occupation. For
15 purposes of this subdivision, the minor's date of hire is the first
16 date on which the minor performs work for the employer.
17 (4) Any other information required by the department.
18 (c) ~~On or before the fifteenth and last business day of each month,~~
19 An employer that must register under this chapter shall enter any new

2026

IN 1302—LS 6890/DI 141



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

1 or changed must add, modify, or remove information in the data
 2 base regarding:

3 (1) a qualifying location; and
 4 (2) the legal names and numbers of minors currently working
 5 at each qualifying location;

6 not later than fourteen (14) calendar days after the event that
 7 caused the need for the addition, modification, or removal.
 8 However, an employer shall have not more than thirty (30)
 9 calendar days from the last date worked by a minor to terminate
 10 the minor from the data base, even if the minor is not terminated
 11 from the employer's payroll.

12 ~~SECTION 2. IC 22-3-5-6, AS AMENDED BY P.L.168-2011,~~
 13 ~~SECTION 10, IS AMENDED TO READ ASFOLLOWS [EFFECTIVE~~
 14 ~~JULY 1, 2026]. See. 6. (a) The worker's compensation supplemental~~
 15 ~~administrative fund is established for the purpose of carrying out the~~
 16 ~~administrative purposes and functions of the worker's compensation~~
 17 ~~board.~~

18 ~~(b) The fund consists of:~~

19 ~~(1) fees collected from employers under sections 1 through 2 of~~
 20 ~~this chapter;~~

21 ~~(2) fees collected under IC 22-3-2-14.5, IC 22-3-3-5(d),~~
 22 ~~IC 22-3-7-17(g), and IC 22-3-7-34.5; and~~

23 ~~(3) civil penalties assessed under IC 22-3-4-15, section 2.5 of~~
 24 ~~this chapter, and IC 22-3-7-34.3; and~~

25 ~~(4) money transferred from the residual asbestos injury fund~~
 26 ~~established by IC 22-3-11-1 (before its repeal).~~

27 ~~(c) The fund shall be administered by the worker's compensation~~
 28 ~~board. Money in the fund is annually appropriated to the worker's~~
 29 ~~compensation board and shall be used for all expenses incurred by the~~
 30 ~~worker's compensation board.~~

31 ~~(d) The money in the fund is not to be used to replace funds~~
 32 ~~otherwise appropriated to the board. Money in the fund at the end of~~
 33 ~~the state fiscal year does not revert to the state general fund.~~

34 ~~SECTION 3. IC 22-3-11 IS REPEALED [EFFECTIVE JULY 1,~~
 35 ~~2026]. (Residual Asbestos Injury Fund).~~

36 ~~> SECTION ~~2~~[2]. IC 22-10-3-1, AS AMENDED BY~~
 37 ~~P.L.10-2012, SECTION 1, IS AMENDED TO READ AS FOLLOWS~~
 38 ~~[EFFECTIVE JULY 1, 2026]: Sec. 1. As used in this article:~~

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

41 "Belt examiner" means an individual designated by the mine
 42 foreman to perform the functions as required by 30 CFR Part 75 in



1 connection with examinations to ensure that the belt, belt drives, dump
 2 points, air movement, roof, and ribs of a mine are in safe condition.

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

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

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

9 "Hoisting engineer" means an individual who is capable of
 10 transporting people and material in and out of a mine by means of a
 11 hoist.

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

15 "Mine" means an underground commercial coal mine.

16 "Mine electrician" means a properly certified individual who can
 17 perform electrical work in:

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

21 "Mine examiner" means a properly certified person designated by
 22 the mine foreman to examine the mine for gas and other dangers. A
 23 mine examiner may temporarily act as a section foreman if designated
 24 to act as such by the mine foreman.

25 "Mine foreman" means the person charged with the responsibility
 26 of the general supervision of the underground working of a mine and
 27 the persons employed in the mine and for the health and safety of those
 28 employees.

29 "Mine inspector" means the person appointed to assist in
 30 administering this article.

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

33 "Mining laws" means:

- 34 (1) this article;
- 35 (2) IC 22-1-1-5(a);
- 36 (3) 30 CFR part 75; and
- 37 (4) 30 CFR part 77.

38 "Operator" means an individual, firm, association, partnership,
 39 limited liability company, or corporation operating an underground
 40 coal mine or any part of a mine.

41 "Shot-firer" means a properly certified person designated by the
 42 mine foreman to perform the functions as required in this article in



1 connection with breaking down coal or rock.

2 SECTION ~~↔~~^{3]} IC 22-10-3-9, AS AMENDED BY THE
 3 TECHNICAL CORRECTIONS BILL OF THE 2026 GENERAL
 4 ASSEMBLY, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 5 JULY 1, 2026]: Sec. 9. (a) The director shall keep a record of the
 6 board's official actions concerning certificates issued under this chapter
 7 and file the record together with questions and answers pertaining to
 8 examinations established by the board, including the grade given for
 9 the answer to each question. The record shall be open for inspection by
 10 interested persons. If applications for certification are received, the
 11 board shall meet at least quarterly at such time and place as it shall
 12 consider advisable for the purpose of examining applicants for
 13 certificates. These quarterly meetings shall be held in January, April,
 14 July, and October. The date, time, and place of examination shall be
 15 published at all coal mines in this state and posted on the ~~web~~ site
 16 ~~website~~^{1]} maintained by the bureau of mines and mine safety at least
 17 thirty (30) days before the examination. By a majority vote, the board
 18 shall establish its rules of procedure and provide suitable certificates.
 19 The board shall adopt rules establishing standards for the competent
 20 practice of mine foreman, ~~belt~~ examiner, mine examiner, shot-firer,
 21 mine electrician, and hoisting engineer.

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

26 SECTION ~~↔~~^{4]} IC 22-10-3-10, AS AMENDED BY
 27 P.L.10-2012, SECTION 3, IS AMENDED TO READ AS FOLLOWS
 28 [EFFECTIVE JULY 1, 2026]: Sec. 10. (a) It is the duty of the board to
 29 examine any person applying for a certificate for mine foreman,
 30 shot-firer, mine examiner, hoisting engineer, ~~or~~ mine electrician ~~or~~ ~~belt~~
 31 ~~examiner~~ and to issue certificates of competency to the applicants who,
 32 upon examination, prove themselves competent and qualified. A
 33 certificate is valid only when the examination for certification has been
 34 held in the presence of a member of the board and signed by the
 35 chairman of the board. A certificate of competency may not be issued
 36 to any person whose grade is less than seventy-five percent (75%) for
 37 any certification other than that of a certificate for mine electrician,
 38 which requires a passing grade of not less than eighty percent (80%).
 39 The board shall observe the requirements set forth in this section in
 40 conducting the examinations.

41 (b) An applicant for a mine foreman certificate must have at least
 42 four (4) years of experience underground in coal mines. However, a



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

12 (1) the theory and practice of coal mining;
13 (2) the nature and properties of poisonous, noxious, and
14 explosive gases and methods for their detection and control;
15 (3) the requirements of the coal mining laws of this state; and
16 (4) the responsibilities and duties of a mine foreman under such
17 laws;

18 and that the applicant is otherwise qualified by law.

28 (1) the nature and properties of poisonous, noxious, and
29 explosive gases and methods for their detection and control;
30 (2) the practical aspects of coal mining pertaining especially to
31 ventilation and roof control; and
32 (3) the responsibilities of a mine examiner under coal mining
33 laws of this state;

34 and that the applicant is otherwise qualified by law.

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

41 (1) the proper handling and use of explosives and blasting
42 devices and the danger connected therewith;



1 pay the bureau of mines and mine safety an examination fee of
 2 twenty-five dollars (\$25). All fees collected under this subsection shall
 3 be deposited in the mine safety fund established by IC 22-10-12-16.
 4 The board may set a different fee by rule under IC 22-10-1.5-4.

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

8 ~~(f)~~ **(i)** A person who was issued a fire-boss certificate before July
 9 1, 2007, shall be issued a replacement mine examiner certificate upon
 10 request to the director.

11 ~~(f)~~ **(j)** A person designated as mine superintendent or assistant
 12 mine superintendent, or acting in either capacity, must hold a mine
 13 foreman certificate.

14 ~~(f)~~ **(k)** A certificate may be granted to an applicant who presents
 15 to the board satisfactory evidence that the applicant has not been
 16 convicted of:

17 (1) an act which would constitute a ground for disciplinary
 18 sanction under section 11.1(b) of this chapter; or

19 (2) a felony that has a direct bearing on the applicant's ability to
 20 act competently as a mine foreman, shot-firer, mine examiner,
 21 hoisting engineer, **or** mine electrician. **or** ~~belt examiner~~

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

24 (1) readily understand the written English language; or

25 (2) express himself or herself in the English language.

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

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

40 SECTION ~~↔~~**[6]**. IC 22-10-3-12, AS AMENDED BY
 41 P.L.10-2012, SECTION 5, IS AMENDED TO READ AS FOLLOWS
 42 [EFFECTIVE JULY 1, 2026]: Sec. 12. (a) It is unlawful for any person



1 to serve in the capacity of mine foreman, mine examiner, shot-firer,
 2 hoisting engineer, **or** mine electrician **or** ~~belt examiner~~ at any time
 3 unless the person is properly certified. However, any person who meets
 4 the appropriate experience requirements of this chapter and who is
 5 properly certified in one (1) of these capacities or its equivalent in
 6 another state which recognizes the certification of Indiana may serve
 7 in such a capacity until the next examination by the board, when the
 8 person must apply to the board for certification in the person's
 9 particular classification. A mine electrician who is properly certified:

10 (1) by the federal Mine Safety and Health Administration; or

11 (2) in another state that recognizes the mine electrician
 12 certification in Indiana;

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

17 (b) It is unlawful for an operator in this state to employ any person
 18 in the capacity of mine superintendent, assistant mine superintendent,
 19 mine foreman, mine examiner, shot-firer, hoisting engineer, **or** mine
 20 electrician **or** ~~belt examiner~~ at any time unless the person is properly
 21 certified.

22 (c) Before any person certified in another state may perform in the
 23 capacity of mine superintendent, assistant mine superintendent, mine
 24 foreman, mine examiner, shot-firer, hoisting engineer, **or** mine
 25 electrician **or** ~~belt examiner~~ in Indiana, the person must present
 26 personally to the director evidence of the out-of-state certificate or
 27 certificates.

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

30 SECTION ~~←~~[7]. IC 22-10-12-16, AS AMENDED BY
 31 P.L.10-2012, SECTION 6, IS AMENDED TO READ AS FOLLOWS
 32 [EFFECTIVE JULY 1, 2026]: Sec. 16. (a) The mine safety fund is
 33 established to provide funding for the purchase and maintenance of
 34 underground mine rescue equipment.

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

36 (c) The fund consists of:

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

39 (2) fees:

40 (A) from examinations under ~~IC 22-10-3-10(h)~~,
 41 IC 22-10-3-10(g);

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



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

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

11 ← SECTION 10. [EFFECTIVE JULY 1, 2026] (a) The balance of
12 the funds remaining in the residual asbestos injury fund
13 established by IC 22-3-11-1 (before its repeal by this act) shall be
14 transferred to the worker's compensation supplemental
15 administrative fund established by IC 22-3-5-6, as amended by this
16 act.

17 —(b) This SECTION expires January 1, 2027.➤

2026



IN 1302—LS 6890/DI 141

DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY