

PRINTING CODE. Deletions appear in <this style type>. Insertions appear in [this style type]. Typeface changes are shown in <this >> style >> type > or in [this] [style] [type].

HOUSE BILL No. 1302

Proposed Changes to January 22, 2026 printing by AM130204

DIGEST OF PROPOSED AMENDMENT

Age discrimination. Transfers the administration of certain age discrimination provisions from the Indiana department of labor to the civil rights commission.

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~~
- 20 ~~or changed~~ **must add, modify, or remove** information **in the data**

HB 1302—LS 6890/DI 141



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

M
a
r
k
u
p

1 base regarding:
 2 (1) a qualifying location; and
 3 (2) the **legal names and numbers** of minors **currently working**
 4 at each qualifying location;
 5 **not later than fourteen (14) calendar days after the event that**
 6 **caused the need for the addition, modification, or removal.**
 7 **However, an employer shall have not more than thirty (30)**
 8 **calendar days from the last date worked by a minor to terminate**
 9 **the minor from the data base, even if the minor is not terminated**
 10 **from the employer's payroll.**

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

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

22 SECTION 3. IC 22-9-2-6, AS AMENDED BY P.L.136-2018,
 23 SECTION 127, IS AMENDED TO READ AS FOLLOWS
 24 [EFFECTIVE JULY 1, 2026]: Sec. 6. (a) Every person shall keep true
 25 and accurate records of the ages of all persons employed by the person
 26 as reported by each employee, and shall upon demand furnish to the
 27 commissioner of labor, civil rights commission, or to the authorized
 28 representative of the commissioner of labor, commission, a true copy
 29 of any such record, verified upon oath. Such record Records shall be
 30 open to investigation by the commissioner commission at any
 31 reasonable time.

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

42 (c) Any complaint issued pursuant to this section must be se

M
a
r
k
u
p



1 issued within four (4) months after the alleged unfair employment
 2 practices were committed. The respondent ~~shall have~~ **has** the right to
 3 file an answer to ~~such a~~ complaint and may appear at ~~such the~~ hearing
 4 with or without counsel to present evidence and to examine and
 5 cross-examine witnesses. Upon the completion of testimony at ~~such the~~
 6 hearing, if determination is made that unfair practices were committed,
 7 the commissioner of labor **civil rights commission** shall state the
 8 commissioner's **its** findings of fact and if satisfied therewith, may issue
 9 the commissioner's **finding** that **may include a statement if** the
 10 employer has ceased to engage in unfair employment practices.

11 SECTION 4. IC 22-9-2-7 IS AMENDED TO READ AS
 12 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 7. If:

13 (1) the commissioner of labor shall **find civil rights commission**
 14 **finds** no probable cause exists to substantiate the charges; or
 15 (2) if upon all the evidence, he shall **find the civil rights**
 16 **commission finds** that an employer has not engaged in unfair
 17 employment practices;

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

23] SECTION ~~↔~~ [5]. IC 22-10-3-1, AS AMENDED BY
 24 P.L.10-2012, SECTION 1, IS AMENDED TO READ AS FOLLOWS
 25 [EFFECTIVE JULY 1, 2026]: Sec. 1. As used in this article:

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

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

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

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

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

38 "Hoisting engineer" means an individual who is capable of
 39 transporting people and material in and out of a mine by means of a
 40 hoist.

41 "Interested persons" means the director, safety personnel
 42 designated by the operator, state and federal coal mine inspectors, and,

HB 1302—LS 6890/DI 141



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

M
a
r
k
u
p

1 to the extent required by law, any other person.
 2 "Mine" means an underground commercial coal mine.
 3 "Mine electrician" means a properly certified individual who can
 4 perform electrical work in:
 5 (1) a surface coal mine;
 6 (2) surface areas of underground coal mines; and
 7 (3) underground coal mines.
 8 "Mine examiner" means a properly certified person designated by
 9 the mine foreman to examine the mine for gas and other dangers. A
 10 mine examiner may temporarily act as a section foreman if designated
 11 to act as such by the mine foreman.
 12 "Mine foreman" means the person charged with the responsibility
 13 of the general supervision of the underground working of a mine and
 14 the persons employed in the mine and for the health and safety of those
 15 employees.
 16 "Mine inspector" means the person appointed to assist in
 17 administering this article.
 18 "Mine Safety Administration" refers to the Mine Safety and Health
 19 Administration, United States Department of Labor.
 20 "Mining laws" means:
 21 (1) this article;
 22 (2) IC 22-1-1-5(a);
 23 (3) 30 CFR part 75; and
 24 (4) 30 CFR part 77.
 25 "Operator" means an individual, firm, association, partnership,
 26 limited liability company, or corporation operating an underground
 27 coal mine or any part of a mine.
 28 "Shot-firer" means a properly certified person designated by the
 29 mine foreman to perform the functions as required in this article in
 30 connection with breaking down coal or rock.
 31 SECTION ~~22-10-3-9~~[6]. IC 22-10-3-9, AS AMENDED BY THE
 32 TECHNICAL CORRECTIONS BILL OF THE 2026 GENERAL
 33 ASSEMBLY, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 34 JULY 1, 2026]: Sec. 9. (a) The director shall keep a record of the
 35 board's official actions concerning certificates issued under this chapter
 36 and file the record together with questions and answers pertaining to
 37 examinations established by the board, including the grade given for
 38 the answer to each question. The record shall be open for inspection by
 39 interested persons. If applications for certification are received, the
 40 board shall meet at least quarterly at such time and place as it shall
 41 consider advisable for the purpose of examining applicants for
 42 certificates. These quarterly meetings shall be held in January, April,

M
a
r
k
u
p

HB 1302—LS 6890/DI 141



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

1 July, and October. The date, time, and place of examination shall be
 2 published at all coal mines in this state and posted on the ~~web site~~
 3 ~~website~~ maintained by the bureau of mines and mine safety at least
 4 thirty (30) days before the examination. By a majority vote, the board
 5 shall establish its rules of procedure and provide suitable certificates.
 6 The board shall adopt rules establishing standards for the competent
 7 practice of mine foreman, ~~belt examiner~~, mine examiner, shot-firer,
 8 mine electrician, and hoisting engineer.

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

13 SECTION ~~↔~~ [7]. IC 22-10-3-10, AS AMENDED BY
 14 P.L.10-2012, SECTION 3, IS AMENDED TO READ AS FOLLOWS
 15 [EFFECTIVE JULY 1, 2026]: Sec. 10. (a) It is the duty of the board to
 16 examine any person applying for a certificate for mine foreman,
 17 shot-firer, mine examiner, hoisting engineer, ~~or~~ mine electrician ~~or belt~~
 18 ~~examiner~~ and to issue certificates of competency to the applicants who,
 19 upon examination, prove themselves competent and qualified. A
 20 certificate is valid only when the examination for certification has been
 21 held in the presence of a member of the board and signed by the
 22 chairman of the board. A certificate of competency may not be issued
 23 to any person whose grade is less than seventy-five percent (75%) for
 24 any certification other than that of a certificate for mine electrician,
 25 which requires a passing grade of not less than eighty percent (80%).
 26 The board shall observe the requirements set forth in this section in
 27 conducting the examinations.

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

- 41 (1) the theory and practice of coal mining;
- 42 (2) the nature and properties of poisonous, noxious, and

HB 1302—LS 6890/DI 141



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

M
a
r
k
u
p

- 1 explosive gases and methods for their detection and control;
 2 (3) the requirements of the coal mining laws of this state; and
 3 (4) the responsibilities and duties of a mine foreman under such
 4 laws;
 5 and that the applicant is otherwise qualified by law.
- 6 (c) An applicant for a mine examiner certificate must have at least
 7 three (3) years of experience underground in coal mines. However, a
 8 person who has graduated and holds a degree in engineering or an
 9 associate in applied science degree in coal mining technology from an
 10 accredited school, college, or university is required to have only two (2)
 11 years of practical underground mining experience to qualify for the
 12 examination. An applicant must prove to the board by written and oral
 13 examination and by demonstration, where applicable, that the applicant
 14 has a thorough knowledge of:
- 15 (1) the nature and properties of poisonous, noxious, and
 16 explosive gases and methods for their detection and control;
 17 (2) the practical aspects of coal mining pertaining especially to
 18 ventilation and roof control; and
 19 (3) the responsibilities of a mine examiner under coal mining
 20 laws of this state;
 21 and that the applicant is otherwise qualified by law.
- 22 (d) An applicant for a shot-firer certificate must have at least one
 23 (1) year of underground experience and must have been properly
 24 trained in a course approved by the director in the safe use and
 25 handling of explosives. An applicant must prove to the board by written
 26 and oral examination and by demonstration, where applicable, that the
 27 applicant has a working knowledge of:
- 28 (1) the proper handling and use of explosives and blasting
 29 devices and the danger connected therewith;
 30 (2) the nature and properties of poisonous, noxious, and
 31 explosive gases and methods for their detection;
 32 (3) the coal mining laws of the state pertaining to ventilation,
 33 roof control, and blasting; and
 34 (4) the responsibilities of a shot-firer under applicable mining
 35 laws;
 36 and that the applicant is otherwise qualified by law.
- 37 (e) An applicant for a hoisting engineer certificate must prove to
 38 the board by written and oral examination and by demonstration, where
 39 applicable, that the applicant:
- 40 (1) is capable of operating a hoist;
 41 (2) has a thorough knowledge of the coal mining laws of this
 42 state pertaining to hoisting operations;

HB 1302—LS 6890/DI 141



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

M
a
r
k
u
p

- 1 (3) has at least one (1) year mining experience;
 2 (4) has at least twenty (20) hours practical experience under the
 3 supervision of a certified hoisting engineer; and
 4 (5) is otherwise qualified by law.
- 5 ~~(f)~~ An applicant for a belt examiner certificate must have at least
 6 one (1) year of experience in belt maintenance or installation work. The
 7 applicant must prove to the board by written and oral examination and
 8 by demonstration, where applicable, that the applicant has a thorough
 9 knowledge of:
- 10 (1) the requirements of the coal mining laws of this state with
 11 particular emphasis upon those laws pertaining to the use of
 12 electrical or belt equipment and the transmission of electrical
 13 energy into coal mines; and
 14 (2) the responsibilities of a belt examiner under those laws;
 15 and that the applicant is otherwise qualified by law.
- 16 ~~(g)~~ ~~(f)~~ An applicant for a mine electrician certificate must have
 17 sufficient (but not less than one (1) year of) experience in performing
 18 electrical work. The applicant must prove to the board by written and
 19 oral examination and by demonstration, where applicable, that the
 20 applicant has a thorough knowledge of:
- 21 (1) the requirements of the coal mining laws of this state, with
 22 particular emphasis upon laws pertaining to electrical energy in
 23 coal mines;
 24 (2) direct and alternating current theory and application;
 25 (3) electric equipment and electrical circuits in coal mines;
 26 (4) permissibility of electric equipment;
 27 (5) 30 CFR 75 subparts F-K; and
 28 (6) 30 CFR 77 subparts F-J and S.
- 29 ~~(h)~~ ~~(g)~~ An applicant for an examination under this section must
 30 pay the bureau of mines and mine safety an examination fee of
 31 twenty-five dollars (\$25). All fees collected under this subsection shall
 32 be deposited in the mine safety fund established by IC 22-10-12-16.
 33 The board may set a different fee by rule under IC 22-10-1.5-4.
- 34 ~~(i)~~ ~~(h)~~ A mine foreman, mine examiner, shot-firer, hoisting
 35 engineer, ~~or~~ mine electrician ~~or~~ ~~belt examiner~~ certificate issued before
 36 September 1, 1979, is valid under the mining laws of Indiana.
- 37 ~~(j)~~ ~~(i)~~ A person who was issued a fire-boss certificate before July
 38 1, 2007, shall be issued a replacement mine examiner certificate upon
 39 request to the director.
- 40 ~~(k)~~ ~~(j)~~ A person designated as mine superintendent or assistant
 41 mine superintendent, or acting in either capacity, must hold a mine
 42 foreman certificate.

HB 1302—LS 6890/DI 141



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

M
a
r
k
u
p

1 (†) (k) A certificate may be granted to an applicant who presents
2 to the board satisfactory evidence that the applicant has not been
3 convicted of:

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

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

9 (†) (l) For the purpose of safety, the board may refuse to examine
10 an applicant who cannot:

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

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

13 SECTION ~~8~~ [8]. IC 22-10-3-11, AS AMENDED BY
14 P.L.10-2012, SECTION 4, IS AMENDED TO READ AS FOLLOWS
15 [EFFECTIVE JULY 1, 2026]: Sec. 11. (a) In event of loss or
16 destruction of any certificate issued under the mining laws of this state,
17 the board, upon satisfactory proof of such loss or destruction, shall
18 issue a duplicate certificate upon receipt of five dollars (\$5). The fee
19 shall be deposited into the mine safety fund established by
20 IC 22-10-12-16. The board may set a different fee by rule under
21 IC 22-10-1.5-4.

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

27 SECTION ~~9~~ [9]. IC 22-10-3-12, AS AMENDED BY
28 P.L.10-2012, SECTION 5, IS AMENDED TO READ AS FOLLOWS
29 [EFFECTIVE JULY 1, 2026]: Sec. 12. (a) It is unlawful for any person
30 to serve in the capacity of mine foreman, mine examiner, shot-firer,
31 hoisting engineer, **or** mine electrician ~~or belt examiner~~ at any time
32 unless the person is properly certified. However, any person who meets
33 the appropriate experience requirements of this chapter and who is
34 properly certified in one (1) of these capacities or its equivalent in
35 another state which recognizes the certification of Indiana may serve
36 in such a capacity until the next examination by the board, when the
37 person must apply to the board for certification in the person's
38 particular classification. A mine electrician who is properly certified:

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

40 (2) in another state that recognizes the mine electrician
41 certification in Indiana;

42 may serve in the individual's certified capacity and be issued a mine

HB 1302—LS 6890/DI 141



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

M
a
r
k
u
p

1 electrician certificate by the director in Indiana without the requirement
2 of applying to the board for examination. However, the individual must
3 obtain an Indiana miner's certificate of competency from the director.

4 (b) It is unlawful for an operator in this state to employ any person
5 in the capacity of mine superintendent, assistant mine superintendent,
6 mine foreman, mine examiner, shot-firer, hoisting engineer, **or** mine
7 electrician **or belt examiner** at any time unless the person is properly
8 certified.

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

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

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

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

23 (c) The fund consists of:

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

26 (2) fees:

27 (A) from examinations under ~~IC 22-10-3-10(h)~~;
28 IC 22-10-3-10(g);

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

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

31 and

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

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

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

40]

HB 1302—LS 6890/DI 141



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

M
a
r
k
u
p