

SENATE BILL No. 20

DIGEST OF INTRODUCED BILL

Citations Affected: IC 6-3-2-30.5; IC 22-2-21.5.

Synopsis: Voluntary family leave insurance program. Requires the department of insurance (department) to establish, not later than January 1, 2027, a voluntary family leave insurance program (program) for the purpose of providing benefits to employees who elect to participate in the program. Sets forth requirements for the program. Allows the department to contract with an outside vendor to administer the program. Requires the department, not later than November 1, 2026, to submit a report to the legislative council and the budget committee concerning the proposed program. Establishes the voluntary family leave insurance program trust fund (trust fund) for the purpose of paying program benefits. Provides that the trust fund consists of employer or employee contributions, appropriations from the general assembly, and money received from any other source. Provides that certain employers are entitled to an adjusted gross income tax deduction equal to the total amount of contributions made by the employer to the trust fund during the taxable year multiplied by 200%.

Effective: July 1, 2026.

Randolph Lonnie M

December 8, 2025, read first time and referred to Committee on Insurance and Financial Institutions.



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.

SENATE BILL No. 20

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 6-3-2-30.5 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2026]: **Sec. 30.5. (a) This section applies only to taxable years**
4 **beginning after December 31, 2026.**

5 **(b) For purposes of this section, "small business" means a**
6 **business entity that satisfies the following requirements during the**
7 **taxable year:**

8 **(1) The business entity employs less than fifty (50) employees**
9 **for each working day during each of twenty (20) or more**
10 **work weeks in the current or preceding calendar year.**

11 **(2) The majority of the employees of the business entity work**
12 **in Indiana.**

13 **(c) Each taxable year, an employer that:**

14 **(1) is a small business;**

15 **(2) participates in the voluntary family leave insurance**
16 **program established under IC 22-2-21.5-7; and**

17 **(3) pays some or all of an employee's contribution to the**



1 voluntary family leave insurance program trust fund under
2 IC 22-2-21.5-9(b)(1);
3 is entitled to a deduction from the employer's adjusted gross
4 income tax for the taxable year.

5 (d) The amount of the deduction is equal to:

6 (1) the total amount of the employer's contributions under
7 subsection (c) made to the voluntary family leave insurance
8 program trust fund established under IC 22-2-21.5-9 during
9 the taxable year; multiplied by

10 (2) two hundred percent (200%).

11 SECTION 2. IC 22-2-21.5 IS ADDED TO THE INDIANA CODE
12 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
13 JULY 1, 2026]:

14 **Chapter 21.5. Voluntary Family Leave Insurance Program**

15 Sec. 1. As used in this chapter, "Act" refers to the federal
16 Family and Medical Leave Act of 1993 (29 U.S.C. 2601 et seq.), as
17 in effect on July 1, 2026.

18 Sec. 2. As used in this chapter, "department" refers to the
19 department of insurance created by IC 27-1-1-1.

20 Sec. 3. As used in this chapter, "employee" means a person who
21 works directly for another person under an express or implied
22 contract of hire.

23 Sec. 4. As used in this chapter, "employer" has the meaning set
24 forth in IC 6-3-1-5. The term includes the state and its political
25 subdivisions.

26 Sec. 5. As used in this chapter, "program" refers to the
27 voluntary family leave insurance program established under
28 section 7 of this chapter.

29 Sec. 6. As used in this chapter, "trust fund" refers to the
30 voluntary family leave insurance program trust fund established
31 by section 9 of this chapter.

32 Sec. 7. (a) Not later than January 1, 2027, the department shall
33 establish a voluntary family leave insurance program for the
34 purpose of providing family leave insurance benefits to employees
35 who elect to participate in the program.

36 (b) In developing the program described in subsection (a), the
37 department may request assistance from and coordinate with the
38 department of labor created by IC 22-1-1-1.

39 (c) The department shall administer the program.

40 (d) The department shall adopt rules under IC 4-22-2 necessary
41 to administer the program.

42 (e) The department may contract with an outside vendor to



1 administer the program.

2 Sec. 8. The department shall do at least the following in
3 establishing the program under section 7 of this chapter:

4 (1) Establish the minimum criteria for voluntary participation
5 in the program by employees.

6 (2) Require each employee who elects to participate in the
7 program to contribute at a rate that is sufficient to fund the
8 program, including benefits paid and reasonable expenses
9 incurred. The department shall determine the rates at least
10 annually.

11 (3) Provide that an employer may pay some or all of the
12 employee's contribution.

13 (4) Require each participating employee to make the
14 employee's required contributions by payroll deduction.

15 (5) Establish employee benefit eligibility requirements that
16 include, at a minimum, the requirements that qualify an
17 employee for leave under the Act.

18 (6) Allow an employee the option to select both the benefit
19 amount and the number of weeks that the benefit will be paid
20 to the employee under the program. The department may
21 offer benefit levels of one hundred percent (100%),
22 seventy-five percent (75%), and fifty percent (50%) of an
23 employee's salary.

24 (7) Allow an employer that is exempt from the Act to
25 participate in the program.

26 Sec. 9. (a) The voluntary family leave insurance program trust
27 fund is established for the purpose of paying program benefits
28 under this chapter. Expenditures from the trust fund may be made
29 only to carry out the purposes of this chapter. The department
30 shall administer the trust fund.

31 (b) The trust fund consists of:

32 (1) money received by the department from employer or
33 employee contributions;

34 (2) appropriations from the general assembly; and

35 (3) money received from any other source.

36 (c) The expenses of administering the trust fund shall be paid
37 from money in the trust fund.

38 (d) The treasurer of state shall invest the money in the trust
39 fund not currently needed to meet the obligations of the trust fund
40 in the same manner as other public money may be invested.
41 Interest that accrues from these investments shall be deposited at
42 least quarterly into the trust fund.



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

3 Sec. 10. Not later than November 1, 2026, the department shall
4 submit a report in an electronic format under IC 5-14-6 to the
5 legislative council and to the budget committee concerning the
6 department's proposed program, including any legislative changes
7 needed to implement the program.

