

# PROPOSED AMENDMENT

## SB 204 # 5

### DIGEST

Project review. Removes the inflationary adjustment to the threshold amount that is being amended in the bill that is used to determine project review requirements for construction, land purchases, and repair and rehabilitation by a state educational institution. Requires each state educational institution to submit a report annually to the budget committee and the commission for higher education listing certain capital projects for the immediately preceding full calendar year that did not receive review by the commission. Specifies the contents of the report.

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- 1       Page 12, delete lines 27 through 42.
- 2       Delete page 13.
- 3       Page 14, delete lines 1 through 14, begin a new paragraph and
- 4       insert:
- 5       "SECTION 12. IC 21-33-3-5, AS AMENDED BY P.L.143-2014,
- 6       SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 7       JULY 1, 2026]: Sec. 5. (a) Subject to this section, in addition to
- 8       projects authorized by the general assembly, the board of trustees of a
- 9       state educational institution may engage in a project to:
- 10       (1) construct buildings or facilities of a cost greater than ~~two~~
- 11       **three** million dollars ~~(\$2,000,000); (\$3,000,000);~~ or
- 12       (2) purchase or lease-purchase land, buildings, or facilities the
- 13       principal value of which exceeds ~~two~~ **three** million dollars
- 14       ~~(\$2,000,000); (\$3,000,000);~~
- 15       only if there are funds available for the project, the project meets any
- 16       of the applicable conditions, and the project is reviewed by the
- 17       commission for higher education and approved by the governor upon
- 18       recommendation of the budget agency. The review by the commission
- 19       for higher education must be completed not later than ninety (90) days
- 20       after the project is submitted for review.
- 21       (b) If:
- 22       (1) any part of the cost of a project described in subsection (a) is
- 23       paid by state appropriated funds or by mandatory student fees
- 24       assessed all students for the project; and

- 1 (2) the project is to:
- 2 (A) construct new buildings or facilities of a cost greater than
- 3 ~~two~~ **three** million dollars ~~(\$2,000,000); (\$3,000,000);~~ or
- 4 (B) purchase or lease-purchase land, buildings, or facilities the
- 5 principal value of which exceeds ~~two~~ **three** million dollars
- 6 ~~(\$2,000,000); (\$3,000,000);~~

7 the project must also be approved by the general assembly.

8 (c) This section does not limit the board of trustees in

9 supplementing a project approved by the general assembly from gifts

10 or other available funds so long as approval for the expansion of the

11 project is given by the governor on review by the commission for

12 higher education and recommendation of the budget agency.

13 (d) The review and approval requirements of this section do not

14 apply to a project to:

- 15 (1) construct buildings or facilities; or
- 16 (2) purchase or lease-purchase land, buildings, or facilities;
- 17 if the project involves the expansion or improvement of housing for
- 18 students undertaken entirely by a fraternity or sorority at the state
- 19 educational institution.

20 SECTION 13. IC 21-33-3-6, AS AMENDED BY P.L.143-2014,

21 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

22 JULY 1, 2026]: Sec. 6. (a) Subject to subsection (b), in addition to

23 projects authorized by the general assembly, the board of trustees of a

24 state educational institution may engage in a repair and rehabilitation

25 project for which:

- 26 (1) the cost of the project exceeds ~~two~~ **three** million dollars
- 27 ~~(\$2,000,000); (\$3,000,000);~~ and
- 28 (2) any part of the cost of the project is paid by state appropriated
- 29 funds or by mandatory student fees assessed all students for the
- 30 project;

31 only if the project is reviewed by the commission for higher education

32 and approved by the governor, on recommendation of the budget

33 agency. The review by the commission for higher education must be

34 completed not later than ninety (90) days after the project is submitted

35 for review.

36 (b) If no part of the cost of a repair and rehabilitation project is paid

37 by state appropriated funds or by mandatory student fees assessed all

38 students for the project, the review and approval requirements of this

39 section apply only if the project exceeds ~~two~~ **three** million dollars

40 ~~(\$2,000,000); (\$3,000,000).~~

1       SECTION 14. IC 21-33-3-11 IS ADDED TO THE INDIANA  
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
3 [EFFECTIVE JULY 1, 2026]: **Sec. 11. Each state educational**  
4 **institution shall submit a report by April 1 of each year to the**  
5 **budget committee and the commission for higher education listing**  
6 **each capital project of the state educational institution for the**  
7 **immediately preceding full calendar year:**

8           (1) the cost of which is between two million dollars  
9           (\$2,000,000) and three millions dollars (\$3,000,000); and

10          (2) that did not receive review by the commission for higher  
11          education under this chapter.

12       **The report shall include for each capital project the location, cost,**  
13 **and funding source or sources of the capital project as well as any**  
14 **additional information required by the commission for higher**  
15 **education."**

16       Renumber all SECTIONS consecutively.

(Reference is to SB 204 as printed January 16, 2026.)