



STATE OF INDIANA
OFFICE OF THE GOVERNOR
State House, Second Floor
Indianapolis, Indiana 46204

Mike Braun
Governor

To: Governor Mike Braun, State of Indiana

From: Patrick Price, General Council, Office of Governor Mike Braun

Date: May 23, 2025

Requirements Under Executive Order 25-11

The Governor's General Counsel was directed to conduct a review of Executive Orders issued by former governors to determine which Executive Orders are still active.

Action Taken

A thorough review was conducted of the hundreds of Executive Orders issued by former governors for current use and continued need by each state agency, the results were reviewed by the Governor's legal team. Ten prior Executive Orders were identified to currently be active along with one prior Executive Order that has been amended and reissued. These Executive Orders, along with all active Executive Orders issued by Governor Braun, will be listed on a newly created website that contains all active Executive Orders so that State agencies and the public have transparency into government regulation and practices.

Importance of the Directives of 25-11 and Benefits to Hoosiers

The directives of Executive Order 25-11 and this report will lead to increased transparency, enhanced communication between state government and residents, better decision making, and streamlined services. The effects of the reorganization of prior Executive Orders and the establishment of the "Active Executive Orders" website will ensure a more efficient and effective delivery of public services, greater transparency and accountability, and straightforward accessibility of Governors' directives for Hoosiers statewide.

Executive Order 25-11

Report

On January 14, 2025, Governor Braun signed Executive Order 25-11 with the directive to improve transparency and effective governance through the review and reorganization of prior Executive Orders to determine which are still active. Prior to

governors were posted on their archived webpages, and older Executive Orders were maintained by the Indiana Archives and Records Administration. However, there was no streamlined way for state agencies or the public to discern which Executive Orders were still active without reviewing each one individually.

After reviewing over 400 Executive Orders issued by Indiana governors since 2004, and the hundreds issued since Indiana achieved statehood, we have found only ten necessary and active Executive Orders issued by former governors along with 64 Executive Orders issued by Governor Braun, which are still active. To satisfy the directives of EO 25-11, the General Counsel and his staff issued guidance to all executive state agencies to efficiently and thoroughly review the continued need for any prior Executive Orders. Agencies submitted 175 reports detailing current or prior reliance on previously issued Executive Orders, which were then reviewed by the Governor's legal team to evaluate the continued need. Both individual review by this office and agency recommendations were considered in determining that list and the results are listed in the "Active Executive Order" table, included as Exhibit A. This table will be used to create a website listing the "Active Executive Orders" so all state agencies and the public can clearly see the active directives.

During the review, we determined the need to reissue a prior Executive Order to continue the SERVE Indiana Commission through the Department of Workforce Development. Executive Order 05-16 created the Office of Faith-Based and Community Initiatives, and the Office was reestablished in Executive Order 13-16. Executive Order 17-10 continued the Office and Indiana Commission on Community Service and Volunteerism under the new title of SERVE Indiana Commission. Indiana Code § 4-12-15-1 codified the Office of Faith Based Community Initiatives but did not encapsulate the SERVE Indiana

Commission. A new executive order extending the SERVE Indiana Commission was therefore recommended and reissued in Executive Order 25-65.

Finally, of the prior Executive Orders agencies cited for previous or current reliance, there have been more than 30 set into statute or administrative rule making the continued need for these Executive Orders unnecessary. Most recently, the requirement for a state agency to provide the State Comptroller with a contract to post on the Indiana transparency portal within 30 days after the contract is fully executed, which was initially contained in Executive Order 05-07, was just codified this year in SEA 5 (2025).

In conclusion, after thorough review, we believe the Active Executive Order table contained in this report includes the extent of Executive Orders that Indiana agencies continue to rely upon, and full transparency can be provided to Hoosiers through the creation of the Active Executive Orders website.



Patrick Price

General Counsel

Office of Governor Mike Braun

Note: All Executive Orders pertaining to clemencies or ceremonial naming were omitted from this report. The exclusion of these orders is not to be seen as a rescission or reversal of any of these omitted orders.

Exhibit A

Prior Administrations Active EO Timetable

EO	Description	Issuing Administration	Applicable Agencies
90-5	Drug Free workplace requirement. Recognizes the harmful effects illegal drug use causes to the health and well being of Hoosiers and the negative impacts illegal drug use has in the workplace. Establishes the requirment that all corporations, partnerships, individuals, sole proprietors, joint stock companies, joint ventures, or any other private legal entities receiving grant or contract funds from any agency, commission, or board of state government shall be required to maintain a drug-free workplace.	Bayh	All
04-08	Prohibition on gift giving to Executive Branch Employees. Recognizes the simplification of the rules regarding receipt of gifts by state emoloyees and advances public confidence on the integrity of government which is essential to the exercise of good government.	Kernan	All
05-05	Establishment of “Buy Indiana” preferences for State contracting. Recognizes when our tax dollars are spent on goods and services provided by Indiana-based businesses that employ Hoosiers, our state benefits from increased employment opportunities, more tax revenues to fund our schools, roads, police and fire protection, health care, and other public services and enhanced oversight of public fiunds. Sets target at 90% of total procurement volume from Indiana businesses (up from 40% at time issued).	Daniels	Any agency contracting with private businesses
05-14	Providing a complaint procedure to state employees.	Daniels	All

	Recognizes that all state employees should have a complaint and hearing process for contested disciplinary actions where not available under statute or rule. Recinds all previous Executive Orders providing for collective bargaining.		
08-14	<p>Establishing an Energy Efficient State Building Initiative. Directs buildings be built with maximum efficiency to the extent cost-effective and for IDOA to develop efficiency standards</p> <p>Acknowledges that the cost of energy continues to increase dramatically and consumers, businesses, and the public sector must all continue to improve energy use and identify opportunities to reduce demand through energy-efficient practices. Recognizes that state government should set an example through efforts to increase the cost-effectiveness of government and its efficient use of resources. Directs all new state buildings, including all state agencies, departments, offices, boards, commissions, and public universities, shall henceforth be designed, constructed, operated, and maintained to achieve maximum energy efficiency to the extent this can be accomplished on a cost-effective basis, considering construction and operating costs over the life cycle of the building.</p>	Daniels	IDOA
13-01	<p>Requirement for Agency Ethics Officer.</p> <p>Recognizes Hoosiers deserve to know that government decisions are being made in the public interest, not because of gifts, political contributions, or undue influence; states all Indiana state employees should meet the highest standards of ethical conduct to ensure they maintain the public trust and the utmost level of integrity in government service and establishes the requirement for all agencies to</p>	Pence	All

	maintain an ethics officer to best accomplish these important aims.		
13-05	<p>Requirement for Family Impact Statements. Requires FSSA, DWD, DCS, Health, DOC, and ICJI to consider impacts on families when formulating policies and regulations and provide the analysis.</p> <p>Recognizes that the future productivity of Indiana's workforce depends heavily upon the skills, resources, and relationships gained in the family, and the well-being of children in Indiana is strongly related to the nature of the household in which they are raised. Directs all Indiana agencies to publish Family Impact Statements to ensure that said agencies do not disregard or disadvantage the formation and well-being of intact married families.</p>	Pence	FSSA, DWD, DCS, Health, DOC, and ICJI
17-07	<p>Continuing WGU Indiana Partnership.</p> <p>Recognizes that Western Governors University ("WGU") is a nationally-recognized non-profit and independent university that is regionally and nationally accredited offering on-line degrees based on demonstrating competency as opposed to degrees based on credit hours, clock hours, or grades and WGU is fully independent and requires no state direct financial participation for WGU to offer its curriculum to its students, that there is a significant need in Indiana to provide Hoosier adults with access to opportunities to obtain higher education degrees and for Indiana's citizens to be competitive in the global economy, more citizens need the skills and knowledge that come with degree completion and college credentials. Reaffirms that the State of Indiana desires to continue to enable WGU to provide services in the State of Indiana for the benefit of Hoosier adults.</p>	Holcomb	DOE

17-15	<p>Fair Chance Hiring Process. Removes general criminal background check requirements from State job postings unless a particular crime precludes employment in the position.</p> <p>Recognizes that individuals with a criminal record often possess skills and experience that contribute to our communities, that gainful employment is a major factor in reducing recidivism rates and providing financial stability for persons convicted and their families, and the State of Indiana is dedicated to removing unnecessary barriers that can make it difficult for individuals with a criminal record to have productive lives because of the stigma of their past</p>	Holcomb	All
17-31	<p>Parental Leave. Authorizes 150 hours of paid leave for a new child or adoption.</p> <p>Ensuring that Hoosiers are provided opportunities to succeed both in the workplace and with their families and further seeks to ensure that pursuing a career and caring for one's family is complementary, not contradictory; recognizing that children benefit from involved parents and that both mothers and fathers need time to care for their families, that the time to bond is most beneficial when it is available without concern over the loss of employment or wages and leave time for parents will strengthen families, their communities, and will improve the quality of life in Indiana;</p>	Holcomb	All

Exhibit B

Governor Braun Active EO Timetable

EO	Description	Agency Report Due	Order Exp.
25-1	<u>CREATION OF GOVERNOR'S CABINET</u>	N/A	Anticipated 07/01/2027
25-2	<u>CREATION OF THE OFFICE SECRETARY OF MANAGEMENT AND BUDGET</u>	N/A	Anticipated 07/01/2027
25-3	<u>CREATION OF THE OFFICE OF COMMERCE</u>	N/A	Anticipated 07/01/2027
25-4	<u>CREATION OF THE OFFICE OF HEALTH AND FAMILY SERVICES</u>	N/A	Anticipated 07/01/2027
25-5	<u>CREATION OF THE OFFICE OF SECRETARY OF PUBLIC SAFETY</u>	N/A	Anticipated 07/01/2027
25-6	<u>CREATION OF THE OFFICE OF ENERGY AND NATURAL RESOURCES</u>	N/A	Anticipated 07/01/2027
25-7	<u>CREATION OF THE OFFICE OF EDUCATION</u>	N/A	Anticipated 07/01/2027
25-8	<u>CREATION OF THE OFFICE OF TRANSPORTATION AND INFRASTRUCTURE</u>	N/A	Anticipated 07/01/2027
25-9	<u>CREATION OF THE OFFICE OF BUSINESS AFFAIRS</u>	N/A	Anticipated 07/01/2027
25-10	<u>CONTINUING THE INDIANA EXECUTIVE COUNCIL ON CYBERSECURITY</u>	N/A	Anticipated 07/01/2026
25-11	<u>REORGANIZE EXECUTIVE ORDERS</u>	06/01/2025	Ongoing
25-12	<u>BUDGET DISCIPLINE</u>	N/A	Ongoing
25-13	<u>KEY PERFORMANCE METRICS ALIGNED TO OUTCOMES THAT IMPACT HOOSIERS</u>	07/01/2025	Ongoing
25-14	<u>REPLACING DEI IN GOVERNMENT WITH MEI</u>	07/01/2025	Ongoing
25-15	<u>REMOVING DEGREE REQUIREMENTS FOR STATE JOBS</u>	N/A	Ongoing

25-16	RETURN TO WORK	N/A	Ongoing
25-17	REDUCING REGULATION / REGULATORY SUNSET	Annually by 12/31	Ongoing
25-18	PROFESSIONAL LICENSING DEREGULATION	09/01/2025	09/02/2025
25-19	IMPLEMENTATION OF STATERAMP	N/A	Ongoing until Amended or Rescinded
25-20	FAITHFUL EXECUTION OF PRO-LIFE LAWS	07/01/2025	Ongoing
25-21	IMPROVE PRICE TRANSPARENCY	11/30/2025	12/01/2025
25-22	HOSPITAL CHARITY CARE	11/30/2025	12/01/2025
25-23	HEALTHCARE AFFORDABILITY MEASURES	11/30/2025	12/01/2025
25-24	ASSESSING WASTE, FRAUD, AND ABUSE	11/30/2025	12/01/2025
25-25	HEALTH AND FAMILY SERVICES DASHBOARD	N/A	Ongoing
25-26	AGENCY DATA SHARING	N/A	Ongoing
25-27	340B PROGRAM	11/30/2025	12/01/2025
25-28	SPLIT RISK POOLS	11/30/2025	11/30/2026
25-29	SUPPORTING FEDERAL IMMIGRATION POLICY AND PROTECTING HOOSIER WORKERS BY INDIANA'S STATE AGENCIES	N/A	Ongoing
25-31	ASSURING PRUDENT USE OF TAXPAYER FUNDS BY EVALUATING APPROPRIATE PROVISION OF ABA SERVICES	11/30/2025	12/01/2025
25-32	PROMOTING LONG-TERM GROWTH AND FLOURISHING THROUGH WORKFORCE ENCOURAGEMENT FOR HOOSIERS WITHOUT JOBS	11/30/2025	11/30/2026
25-33	ASSURING PRUDENT USE OF TAXPAYER FUNDS BY CONDUCTING DATA CROSS CHECKS OF UNEMPLOYMENT INSURANCE CLAIMS	Quarterly	Ongoing

25-34	<u>PROMOTING FAMILIES AND STRENGTHENING THE STATE WORKFORCE THROUGH NEW PARENT LEAVE AND CHILDBIRTH RECOVERY LEAVE FOR STATE EMPLOYEES</u>	N/A	Ongoing
25-35	<u>ENSURING COMPLIANCE WITH COMMON-SENSE PROTECTIONS FOR WOMEN AND GIRLS IN EDUCATION AND SPORTS</u>	12/31/2025 & 12/31/2026	01/01/2027
25-36	<u>RESPECTING THE BIOLOGICAL DICHOTOMY BETWEEN MEN AND WOMEN AS FUNDAMENTAL & DEEPLY ROOTED LEGAL PRINCIPLE EMBEDDED IN INDIANA LAW</u>	N/A	Ongoing
25-37	<u>PROHIBITING THE USE OF ENVIRONMENTAL JUSTICE IN PERMITTING, ENFORCEMENT, OR GRANT DECISIONS</u>	N/A	Ongoing
25-38	<u>CREATING OPPORTUNITY THROUGH REDUCTION OF EXCESSIVE ENVIRONMENTAL REGULATION</u>	(3.) 07/01/2025 (4.) 12/31/2025	Ongoing
25-39	<u>ENSURING STUDENT SAFETY AT STATE EDUCATIONAL INSTITUTIONS</u>	11/30/2025 & 11/30/2026	Ongoing

25-40	<u>INCREASING OPPORTUNITY FOR INDIANA'S BUSINESSES AND HOOSIERS THROUGH PERMITTING TRANSPARENCY AND ACCOUNTABILITY</u>	N/A	Ongoing
25-41	<u>MAINTAINING BEST-IN-CLASS CUSTOMER SERVICE AND ENSURING PRUDENT USE OF TAXPAYER FUNDS BY ESTABLISHING A 5-YEAR STRATEGY FOR DIGITAL AND TECHNOLOGICAL ADVANCEMENT OF THE BUREAU OF MOTOR VEHICLES</u>	12/31/2025	01/01/2026
25-42	<u>MAINTAINING BEST-IN-CLASS CUSTOMER SERVICE AND ENSURING PRUDENT USE OF TAXPAYER FUNDS BY REFORMING PERMITTING ALONG INDIANA'S TRANSPORTATION NETWORK</u>	12/31/2025	Ongoing
25-43	<u>PROVIDING TRANSPARENCY FOR STATE GOVERNMENT AFFILIATED FOUNDATIONS</u>	12/31/2025	Ongoing
25-44	<u>PRIORITIZING WAGE GROWTH AND JOB CREATION IN ECONOMIC DEVELOPMENT INITIATIVES</u>	N/A	Ongoing
25-45	<u>STANDARDIZING WORKFORCE AND ECONOMIC DEVELOPMENT REGIONS IN INDIANA</u>	12/31/2025	Ongoing
25-46	<u>IMPROVING OPPORTUNITY AND REDUCING RECIDIVISM BY IMPROVING THE PATH FOR REENTRY WITHIN THE DEPARTMENT OF CORRECTIONS</u>	06/30/2026	Ongoing
25-47	<u>PROMOTING PUBLIC SAFETY AND PRISON SECURITY BY DIRECTING THE INDIANA DEPARTMENT OF CORRECTION TO IMPLEMENT STRATEGIES TO IMPROVE EMPLOYEE RETENTION</u>	06/30/2026	Ongoing
25-48	<u>CREATING ECONOMIC OPPORTUNITY AND SECURING INDIANA'S ENERGY FUTURE THROUGH ADVANCED NUCLEAR DEVELOPMENT</u>	Annually by 12/31	Ongoing

25-49	<u>ENCOURAGING PRACTICAL APPROACHES TO CLIMATE AND ENERGY SOLUTIONS BY REJECTING SOCIAL COST OF GREENHOUSE GASES AND CLIMATE ACTION PLANS</u>	12/31/2025	Ongoing
25-50	<u>ENSURING ECONOMIC OPPORTUNITY AND INDIANA'S ENERGY FUTURE BY SUPPORTING LIFE EXTENSIONS FOR COAL ENERGY GENERATION AND ASSESSING NATURAL GAS SUPPLIES</u>	Annually by 12/31	Ongoing
25-51	<u>REMOVING GOVERNMENT-IMPOSED TAX PENALTIES ON MARRIAGE</u>	07/01/2025 & 07/01/2026	07/01/2026
25-52	<u>PROMOTING LONG-TERM GROWTH AND FLOURISHING FOR HOOSIERS ON THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM BY WORKFORCE ENCOURAGEMENT</u>	06/30/2025	Ongoing
25-53	<u>INCREASING STATE ACCOUNTABILITY THROUGH SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM ASSET VERIFICATION</u>	Quarterly	Ongoing
25-54	<u>INFORMING FEDERAL LAWMAKERS ON ENABLING ENTREPRENEURIAL ADMINISTRATION OF SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM BENEFITS BY THE STATES</u>	12/31/2025	01/01/2026
25-55	<u>MAKING INDIANA HEALTHY AGAIN BY ENHANCING NUTRITION IN THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM</u>	Quarterly	Ongoing
25-56	<u>MAKING INDIANA HEALTHY AGAIN BY INCREASING CONSUMER TRANSPARENCY RELATED TO FOOD DYES AND ADDITIVES</u>	07/01/2026	Ongoing

25-57	<u>MAKING INDIANA HEALTHY AGAIN BY DEVELOPING A COMPREHENSIVE DIET-RELATED CHRONIC DISEASE PLAN</u>	Quarterly & 07/01/2026	Ongoing
25-58	<u>MAKING INDIANA HEALTHY AGAIN BY INCREASING HOOSIER ACCESS TO LOCAL FOODS</u>	07/01/2026	Ongoing
25-59	<u>MAKING INDIANA HEALTHY AGAIN BY PROMOTING THE HEALTH AND WELLNESS OF HOOSIER STUDENTS</u>	12/31/2025	Ongoing
25-60	<u>ASSURING PRUDENT USE OF TAXPAYER FUNDS BY ENSURING INTEGRITY IN THE INDIANA MEDICAID PROGRAM</u>	Quarterly	Ongoing
25-62	<u>SUPPORTING ENVIRONMENTAL HEALTH AND ECONOMIC LEADERSHIP THROUGH RECOVERY OF RARE EARTH METALS AND CRITICAL MATERIALS FROM INDIANA COAL SITES</u>	Annually by 12/31	07/30/2027
25-63	<u>ENSURING FUTURE ECONOMIC PROSPERITY AND OPPORTUNITY FOR HOOSIERS BY THE DEVELOPMENT OF A STATEWIDE WATER INVENTORY AND MANAGEMENT PLAN</u>	12/31/2026	Ongoing
25-64	<u>PROTECTING CRITICAL INFRASTRUCTURE AND HOOSIER RESOURCES BY INCREASING PROHIBITIONS ON DEALING WITH CERTAIN FOREIGN ADVERSARIES</u>	07/31/2025	Ongoing
25-65	<u>CONTINUING THE SERVE INDIANA COMMISSION AS A DIVISION OF THE DEPARTMENT OF WORKFORCE DEVELOPMENT</u>	N/A	Ongoing
25-66	<u>CREATING A STATE ENERGY STRATEGY TO MEET GROWING DEMAND AND SUPPORT RELIABILITY AND AFFORDABILITY</u>	12/31/2025	Ongoing

STATE OF INDIANA

EXECUTIVE DEPARTMENT

INDIANAPOLIS

EXECUTIVE ORDER: 17-31

FOR: PARENTAL LEAVE FOR STATE EMPLOYEES

TO ALL WHOM THESE PRESENTS MAY COME, GREETINGS:

WHEREAS, Indiana is committed to ensuring that Hoosiers are provided opportunities to succeed both in the workplace and with their families and further seeks to ensure that pursuing a career and caring for one's family is complementary, not contradictory;

WHEREAS, Indiana also recognizes that children benefit from involved parents and that both mothers and fathers need time to care for their families;

WHEREAS, authorizing policies to support parents in raising the next generation is an important and sound investment for the thriving future of our state;

WHEREAS, the birth or adoption of a child is an important and pivotal event where the family benefits from time spent together;

WHEREAS, the time to nurture and bond with the new family member contributes to better health and development of the child;

WHEREAS, the time to bond is most beneficial when it is available without concern over the loss of employment or wages;

WHEREAS, leave time for parents will strengthen families, their communities, and will improve the quality of life in Indiana;

WHEREAS, the availability of parental leave will also assist state government in recruiting the best individuals to serve Hoosiers and will help build and sustain a flourishing workforce;

WHEREAS, a parental leave policy will assist in retaining a talented workforce by lowering employee turnover and increasing morale and engagement, and will work to foster a diverse, highly skilled, and professional workforce; and

WHEREAS, it is an objective of the State of Indiana, as an employer, to facilitate opportunities to enrich both the workplace and families;

NOW, THEREFORE, I, Eric J. Holcomb, by virtue of the authority vested in me as Governor of the State of Indiana do hereby order that:

1. A full-time state employee who has been employed by the state for six (6) consecutive months may request and receive up to one hundred fifty (150) hours of paid leave, and a

part-time employee who has been employed by the state for six (6) consecutive months may request up to seventy-five (75) hours of paid leave, upon one of the following events:

- a. the birth of the employee's child;
- b. the birth of a child to the employee's spouse; or
- c. the placement of a child for adoption with the employee.

2. Requests for parental leave shall be granted.

3. Parental leave runs concurrently with Family and Medical Leave Act for those employees who are eligible for such leave.

4. Any parental leave not taken:

- a. within the six (6) months after the birth or the placement for adoption; or
- b. prior to separation from employment;

is forfeited at the earlier of those two events.

5. This Order applies to Executive Branch employees as defined in Ind. Code § 4-2-6-1(a)(2) and becomes effective January 1, 2018.

IN TESTIMONY WHEREOF, I, Eric J. Holcomb, have hereunto set my hand and caused to be affixed the Great Seal of the State of Indiana on this 11th day of December, 2017.

Eric J. Holcomb

Governor of Indiana

STATE OF INDIANA

EXECUTIVE DEPARTMENT

INDIANAPOLIS

EXECUTIVE ORDER: 17-15

FOR: FAIR CHANCE HIRING PROCESS

TO ALL WHOM THESE PRESENTS MAY COME, GREETINGS.

WHEREAS, the State of Indiana is dedicated to removing unnecessary barriers that can make it difficult for individuals with a criminal record to have productive lives because of the stigma of their past;

WHEREAS, individuals with a criminal record often possess skills and experience that contribute to our communities;

WHEREAS, gainful employment is a major factor in reducing recidivism rates and providing financial stability for persons convicted and their families;

WHEREAS, a "fair chance" hiring approach to Executive Branch state job applications will ensure that a criminal record does not operate as an initial disqualification from receiving an interview or further consideration for employment, except as required by law, however, the State will eventually conduct background checks on applicants;

WHEREAS, this policy will allow those who have a criminal record with the opportunity to explain their record, discuss any inaccuracies and enable the State to consider all relevant factors in hiring decisions;

NOW, THEREFORE, I, Eric J. Holcomb, by virtue of the authority vested in me as Governor of the State of Indiana, do hereby order that:

1. Job applications for positions in the Executive Branch of the State of Indiana shall be amended to remove questions regarding convictions and criminal history, unless a conviction of a particular crime precludes the person from employment in the particular job to which she or he applied.
2. A background check or inquiry, including information pertaining to a person's criminal history, typically will be conducted at a later point in the application and hiring process.
3. Executive Branch agencies as defined in Ind. Code § 4-2-6-1(a)(2) shall take all steps necessary to implement the provisions of this Executive Order.
4. This Executive Order shall be effective July 1, 2017 and will remain in effect until amended, rescinded, or superseded.

IN TESTIMONY WHEREOF, I, Eric J. Holcomb, have hereunto set my hand and caused to be affixed the Great Seal of the State of Indiana on this 29th day of June, 2017.

Eric J. Holcomb
Governor of Indiana

STATE OF INDIANA

EXECUTIVE DEPARTMENT

INDIANAPOLIS

EXECUTIVE ORDER: 17-07

**FOR: CONTINUING WGU INDIANA IN PARTNERSHIP WITH WESTERN
GOVERNORS UNIVERSITY TO EXPAND HIGHER EDUCATION
OPPORTUNITIES FOR HOOSIERS THROUGH ON-LINE COMPETENCY-BASED
EDUCATION**

TO ALL TO WHOM THESE PRESENTS MAY COME, GREETINGS.

WHEREAS, there is a significant need in Indiana to provide Hoosier adults with access to opportunities to obtain higher education degrees;

WHEREAS, Indiana's Commission For Higher Education has a goal of producing the equivalent of 10,000 additional Hoosier Bachelor's degrees each year through 2025;

WHEREAS, for Indiana's citizens to be competitive in the global economy, more citizens need the skills and knowledge that come with degree completion and college credentials;

WHEREAS, Western Governors University ("WGU") is a nationally-recognized non-profit and independent university that is regionally and nationally accredited offering on-line degrees based on demonstrating competency as opposed to degrees based on credit hours, clock hours, or grades;

WHEREAS, WGU is fully independent and requires no state direct financial participation for WGU to offer its curriculum to its students;

WHEREAS, Indiana helped start WGU in 1998 to provide access to affordable education and training opportunities through on-line, competency-based programs, and pledged to take appropriate actions to create policy to support the goals of WGU;

WHEREAS, WGU provides a viable and self-sustaining complement to traditional learning methods through on-line, competency-based distance learning methods;

WHEREAS, WGU has demonstrated success in providing on-line, competency-based education to Hoosiers, and shares Indiana's and the Commission for Higher Education's goals for increasing the number of adults in our State who have obtained high-quality Bachelor's degrees through cost-effective, flexible, and quickly initiated means; and

WHEREAS, the State of Indiana desires to continue to enable WGU to provide services in the State of Indiana for the benefit of Hoosier adults.

NOW, THEREFORE, I, Eric J. Holcomb, by virtue of the authority vested in me as Governor of the State of Indiana, do hereby commit the State of Indiana to continue to

partner with WGU through WGU Indiana to meet the needs of Hoosier students by providing on-line, competency-based educational opportunities. To accomplish these purposes, the State will take the following actions:

1. Indiana will continue to partner with WGU to establish a state-based institution chartered as WGU Indiana to provide enhanced access for Hoosiers to on-line, competency-based higher education degree programs.
2. The Indiana Commission for Higher Education ("CHE") shall:
 - a. recognize and endorse on-line, competency-based education as an important component of Indiana's higher education system;
 - b. work to eliminate unnecessary barriers to the delivery of such education programs provided by WGU Indiana; and
 - c. work with WGU Indiana, as appropriate, to integrate WGU Indiana's academic programs and services in the State's higher education policy and strategy.
3. The Indiana Department of Workforce Development shall continue to explore methods for promoting on-line, competency-based educational opportunities like WGU Indiana for those dislocated workers and other Hoosiers in need of higher education achievement and Bachelor's degrees.
4. The Division of Student Financial Aid ("SFA") shall take all necessary steps now and in the future to ensure that WGU Indiana students will be eligible to apply for and receive student financial aid on the same basis as students at Indiana's public universities.
5. CHE and SFA shall work with WGU Indiana to create appropriate data sharing processes, as may be required by state and Federal guidelines for higher education providers, to assess WGU Indiana's performance, and determine the extent to which it helps the State achieve certain CHE goals for Indiana's higher education system.
6. WGU Indiana shall have an advisory board whose members shall be appointed jointly by the Governor and WGU.
7. The State of Indiana recognizes that the steps taken herein are consistent with the goals and objectives of the CHE as well as the State of Indiana to improve access to higher education opportunities for Hoosier adults.

IN TESTIMONY WHEREOF, I, Eric J. Holcomb, have hereunto set my hand and caused to be affixed the Great Seal of the State of Indiana, on this 9th day of January, 2017.

Eric J. Holcomb

Governor of Indiana

STATE OF INDIANA

EXECUTIVE DEPARTMENT

INDIANAPOLIS

EXECUTIVE ORDER: 13-05

**FOR: CREATION OF FAMILY IMPACT STATEMENTS IN CERTAIN INDIANA
STATE DEPARTMENTS AND AGENCIES**

TO ALL WHOM THESE PRESENTS COME, GREETINGS.

WHEREAS, each day in Indiana parents and other adults make heroic sacrifices for our children, and Hoosier children benefit greatly from these sacrifices;

WHEREAS, only 5.4 percent of children in Indiana were born to unmarried parents in 1964 compared to 44 percent today;

WHEREAS, children in intact married families in Indiana are 85 percent less likely to live in poverty compared to children in single-parent families, as 39.4 percent of single-parent households with children are below the poverty line in Indiana, compared to 6.1 percent of married-parent households with children;

WHEREAS, independent researchers have found that unmarried childbearing accounts for more than 15 percent, and possibly as much as 40 percent, of measured income inequality in America;

WHEREAS, children growing up in unmarried families are more than twice as likely to be arrested for a crime, twice as likely to be expelled from school, a third more likely to drop out of high school, twice as likely to be treated for behavioral and emotional problems, and fifty percent more likely to experience poverty in adulthood than children growing up in homes with their married parents;

WHEREAS, an established body of research conclusively shows that poverty is negligible among the population of people who finish high school, work full-time even at the minimum wage, and delay childbearing until marriage; and

WHEREAS, the future productivity of Indiana's workforce depends heavily upon the skills, resources, and relationships gained in the family, and the well-being of children in Indiana is strongly related to the nature of the household in which they are raised.

NOW, THEREFORE, I, Michael R. Pence, by virtue of the authority vested in me as Governor of the State of Indiana, do hereby order that:

1. All Indiana agencies set forth immediately below shall publish Family Impact Statements to ensure that said agencies do not disregard or disadvantage the formation and well-being of intact married families, intentionally or unintentionally, whenever promulgating rules; the applicable agencies are as follows:

- a. Family and Social Services Administration
 - b. Department of Workforce Development
 - c. Department of Child Services
 - d. State Department of Health
 - e. Department of Correction, and
 - f. Criminal Justice Institute, including its Victim Services Division
2. In formulating and implementing policies and rules that may have a significant impact on family formation and the general well-being of families, Indiana agencies shall assess such measures in light of the following determinations:
- a. Whether or not this action by government strengthens or erodes the stability of the family and the marital commitment.
 - b. Whether or not this action encourages or discourages nonmarital childbearing.
 - c. Whether or not this action respects or inhibits the rights of parents to raise their children and make the best choices about their children's education, health, and well-being.
 - d. Whether or not this action increases or decreases private family earnings or the incentive for parents to provide materially and emotionally for their children.
 - e. What message, intended or otherwise, does this program send to the public concerning the status of the family?
 - f. What message does the action send to children about the relationship between their present choices and their future well-being?
3. For every new rule and regulation that has a real or potential impact on family well-being or family formation, the head of the agency shall certify in writing that such measure has been assessed in light of the questions *supra* in Section 2(a)-(f). If the proposal contains a potentially negative impact on family well-being or family formation, the head of the agency must include an explanation of why the proposal is necessary. Such certifications and explanations shall be transmitted to the Indiana Office of Management and Budget (OMB) or its designee for review and comment. OMB or its designee shall review the proposed rule and submit its comments to the proposing agency no later than seven (7) days before the date of the public hearing set forth in the agency's notice under Ind. Code § 4-22-2-24.
4. Reports from agencies documenting the implementation of this Order will be submitted to the Governor within 180 days from the date of this Order. Such reports will be submitted to the Governor annually thereafter.

5. OMB or its designee will take action to ensure that the policies of the applicable Indiana departments and agencies are applied in light of the foregoing criteria.

IN TESTIMONY WHEREOF, I, Michael R. Pence, have hereunto set my hand and caused to be affixed the Great Seal of the State of Indiana on this 14th day of January 2013.

Michael R. Pence

Governor of Indiana

STATE OF INDIANA

EXECUTIVE DEPARTMENT

INDIANAPOLIS

EXECUTIVE ORDER: 13-01

FOR: DIRECTIVE TO NAME AN AGENCY ETHICS OFFICER AND TO HOLD AN ANNUAL LEGAL AND ETHICS CONFERENCE

TO ALL WHOM THESE PRESENTS MAY COME, GREETINGS.

WHEREAS, Hoosiers deserve to know that government decisions are being made in the public interest, not because of gifts, political contributions, or undue influence;

WHEREAS, all Indiana state employees should meet the highest standards of ethical conduct to ensure they maintain the public trust and the utmost level of integrity in government service;

WHEREAS, the State of Indiana has established clear ethics laws in the Indiana Code and the Indiana Administrative Code;

WHEREAS, the State of Indiana has established an Office of Inspector General, who is responsible for addressing fraud, waste, abuse and wrongdoing in state agencies;

WHEREAS, along with investigating wrongdoing in state government, the Office of Inspector General is tasked with ensuring that all state employees are properly trained in the Code of Ethics; and

WHEREAS, consistent with its responsibilities, the Office of Inspector General has encouraged all state agencies to appoint an agency ethics officer and has held an annual Legal and Ethics Conference to provide additional ethics training to state employees.

NOW, THEREFORE, I, Michael R. Pence, by virtue of the authority vested in me as Governor of the State of Indiana, do hereby order that:

1. Each state agency, as defined in [IC 4-2-6-1](#) (Ethics and Conflict of Interest), shall name an ethics officer to serve as an advisor to the agency's leader and advise employees on ethics matters.
2. Each state agency's ethics officer shall coordinate ethics training for all agency employees as required by the State Ethics Code and by the Office of the Inspector General.
3. Each state agency's ethics officer shall ensure that an agency's written ethics policies are on file with the Office of the Inspector General as required by [42 IAC 1-6-1](#).
4. The Office of Inspector General shall hold an annual Legal and Ethics Conference to provide additional ethics training to state employees.

5. Each state agency shall support the annual Legal and Ethics Conference and participate in the Conference to the maximum extent possible.

IN TESTIMONY WHEREOF, I, Michael R. Pence, have hereunto set my hand and caused to be affixed the Great Seal of the State of Indiana on this 14th day of January 2013.

Michael R. Pence

Governor of Indiana

STATE OF INDIANA

EXECUTIVE DEPARTMENT

INDIANAPOLIS

EXECUTIVE ORDER: 08-14

FOR: ESTABLISHMENT OF ENERGY EFFICIENT STATE BUILDING INITIATIVE
TO ALL TO WHOM THESE PRESENTS MAY COME, GREETINGS.

WHEREAS, The cost of energy continues to increase dramatically and consumers, businesses, and the public sector must all continue to improve energy use and identify opportunities to reduce demand through energy-efficient practices;

WHEREAS, state government should set an example through efforts to increase the cost-effectiveness of government and its efficient use of resources;

WHEREAS, the construction and renovation of buildings utilizing energy efficient design and materials can serve the needs of citizens and promote the health, productivity, and safety of employees while reducing the operating costs of government;

WHEREAS, the use of local materials minimizes the transportation costs of raw materials and finished products while supporting the regional economy; and

WHEREAS, the Department of Administration (DOA) has demonstrated that new state buildings can be built cost effectively utilizing energy efficient design, having constructed five new buildings since 2005 which were certified by the U.S. Green Building Council as meeting Leadership in Energy and Environmental Design (LEED) standards;

NOW, THEREFORE, I, Mitchell E. Daniels, Jr., by virtue of the authority vested in me as Governor of the State of Indiana do hereby order that:

1. All new state buildings, including all state agencies, departments, offices, boards, commissions, and public universities, shall henceforth be designed, constructed, operated, and maintained to achieve maximum energy efficiency to the extent this can be accomplished on a cost effective basis, considering construction and operating costs over the life cycle of the building.
2. The DOA shall develop design standards for all new state buildings which require the analysis of the cost effectiveness of building with the goal of achieving energy efficiency. "Efficiency" may be demonstrated through design which achieves:
 - (1) The silver rating under the LEED rating system;
 - (2) The two globes rating under the Green Globes rating system;
 - (3) Environmental Protection Agency's ENERGY STAR®; or

(4) Equivalent under a rating system that is accredited by the American National Standards Institute.

3. Repair or renovation of all existing state buildings shall be designed to achieve maximum energy efficiency to the extent this can be accomplished on a cost effective basis, considering construction and operating costs over the life cycle of the building. Such design may be based on LEED, Green Globes, and/or other comparable guidelines and rating systems. Historic aesthetic and local sourced materials shall be afforded value in the cost analysis.

4. Indiana hardwood lumber, further, should be considered for use in all projects, where practicable, as a local source material. The 2006 study "Sustainability of Indiana's Forest Resources" indicates that Indiana timberland acreage and volume has steadily increased since 1967.

IN TESTIMONY WHEREOF, I, Mitchell E. Daniels, Jr., have hereunto set my hand and caused to be affixed the Great Seal of the State of Indiana on this 24th day of June, 2008.

Mitchell E. Daniels, Jr.

Governor of Indiana

STATE OF INDIANA
EXECUTIVE DEPARTMENT
INDIANAPOLIS

05-14

EXECUTIVE ORDER _____

FOR: PROVIDING A COMPLAINT PROCEDURE TO STATE EMPLOYEES AND
RESCINDING CERTAIN PRIOR EXECUTIVE ORDERS

TO ALL WHOM THESE PRESENTS MAY COME, GREETINGS.

WHEREAS, state employees should have available a complaint and hearing process for contested disciplinary actions; and

WHEREAS, the State must move forward with meaningful reforms, including improvements in the State's personnel system, while acknowledging the right of state employees to voluntarily belong to a union;

NOW, THEREFORE, I, Mitchell E. Daniels, Jr., by virtue of the authority vested in me as Governor of the State of Indiana, do hereby order that:

1. The following complaint procedure is established:
 - a. An employee of the non-merit service, as defined in 31 IAC 1-1-1, who:
 - i. Does not have standing to file a complaint under a statute or rule,
 - ii. Has at least six (6) months of continuous full-time or twelve (12) months of continuous part-time employment,
 - iii. Is not classified in the ESM or SAM/PAT job categories, and
 - iv. Is not employed on a temporary or intermittent basismay file a complaint concerning the employee's dismissal, demotion, or suspension without pay.
 - b. The complaint must be filed in writing with the State Employees Appeals Commission, within thirty (30) calendar days from the date the employee receives notice of the disciplinary action.
 - c. The State Employees Appeals Commission will determine whether the suspension, demotion, or dismissal was based on inadequate performance or inappropriate behavior.
 - d. Determinations by the State Employee Appeals Commission are subject to judicial review in accordance with the Administrative Orders and Procedures Act.
2. Executive Orders 90-6, 97-8, and 03-35 are rescinded and declared null and void.
3. Executive Orders 03-44, 03-45, and 04-01, together with all prior Executive Orders approving union Settlements, are rescinded and declared null and void.

STATE OF INDIANA
EXECUTIVE DEPARTMENT
INDIANAPOLIS

EXECUTIVE ORDER 05-05

FOR: ESTABLISHMENT OF THE "BUY INDIANA" PRESUMPTION

TO ALL WHOM THESE PRESENTS MAY COME, GREETINGS.

WHEREAS, over \$.40 of every public purchasing dollar in state government is being spent outside Indiana and, as a result, the public's business is being transacted with out-of-state companies out of the public's view; and

WHEREAS, when our tax dollars are spent on goods and services provided by Indiana-based businesses that employ Hoosiers, our State benefits from increased employment opportunities, more tax revenues to fund our schools, roads, police and fire protection, health care, and other public services, and enhanced oversight of the use of public funds;

NOW, THEREFORE, I, Mitchell E. Daniels, Jr., by virtue of the authority vested in me as Governor of the State of Indiana, do hereby order that:

1. Subject to such policies and procedures as may be developed and approved in accordance with paragraph 3 below, state procurement shall be subject to a "Buy Indiana" presumption requiring state agencies to buy their supplies and services from "Indiana businesses," as defined by IC 5-22-15-20.5.
2. The Department of Administration (DOA) shall undertake all efforts to increase the percentage of state procurement from Indiana businesses to 90 percent of the State's total procurement volume.
3. In furtherance of such efforts, the Commissioner of Administration shall, as soon as practicable following the date hereof, develop procurement policies and procedures to give effect to the "Buy Indiana" presumption. Such policies and procedures, which shall be subject to the Governor's approval, shall set forth the guidelines (and any *de minimis* or other exceptions thereto) to be followed by state agencies in conducting their procurement efforts on the basis of the "Buy Indiana" presumption.
4. The DOA shall also promulgate rules and, if necessary, recommend such legislative reform as may be necessary to implement more fully this "Buy Indiana" presumption.
5. State contracts that do not meet any of the *de minimis* or other exceptions under the Buy Indiana policies and procedures shall only be awarded to "out-of-state businesses," as defined by IC 5-22-15-20(b), upon the DOA's approval of a written request by the contracting agency for a waiver of the "Buy Indiana" presumption. This written request shall set forth (a) the reasons for seeking the waiver and (b) list each Indiana business that submitted a bid to provide the goods or perform the services sought by the State.
6. This Executive Order shall not be deemed to authorize any state agency, as defined in IC 4-13-1-1, to conduct its purchasing functions in a manner contrary to applicable law, nor shall it create any right or benefit, substantive or procedural, enforceable at law or equity by any person against the State, its agencies or instrumentalities, its officers or employees, or any other person.
7. This Executive Order shall not apply to procurement of supplies and services to address immediate and serious government needs at a time of emergency, including without limitation a threat to the public health, welfare, or safety such as may arise by reason of floods, epidemics, riots, acts of terrorism, major power failures, or such other threat as may be proclaimed by the Governor or determined by the Commissioner of Administration.

STATE OF INDIANA
EXECUTIVE DEPARTMENT
INDIANAPOLIS

EXECUTIVE ORDER 04-08

FOR: GIFT-GIVING TO EXECUTIVE BRANCH EMPLOYEES

TO ALL WHOM THESE PRESENTS MAY COME, GREETINGS.

WHEREAS, the State of Indiana is served by tens of thousands of public employees who strive daily to do their jobs well for the benefit of their fellow Hoosiers; and

WHEREAS, many state employees have contact with a variety of vendors, contractors, and others who do business with the state; and

WHEREAS, current ethics rules regarding receipt of gifts by state employees have proved unnecessarily difficult to understand and cumbersome to apply; and

WHEREAS, simplification of the rules regarding receipt of gifts by state employees will advance public confidence in the integrity of government, which is essential to the exercise of good government.

NOW, THEREFORE, I, JOSEPH E. KERNAN, by virtue of the authority vested in me as Governor of the State of Indiana, do hereby order that:

1. As of July 5, 2004, no agency employee shall accept gifts, favors, services, entertainment, food, or drink in any amount from a person who has a business relationship with the employee's agency, except as permitted under 40 Indiana Administrative Code § 2-1-6(a) or 40 Indiana Administrative Code § 2-1-6(b)(1)-(6), or any amendments thereto.
2. As of July 5, 2004, no person who has a business relationship with an employee's agency shall provide gifts, favors, services, entertainment, food, or drink in any amount to such employee, except as permitted under 40 Indiana Administrative Code § 2-1-6(a) or 40 Indiana Administrative Code § 2-1-6(b)(1)-(6), or any amendments thereto.
3. The Indiana State Ethics Commission shall educate agency employees regarding their new obligations under this Executive Order.
4. The Indiana State Ethics Commission shall educate persons who have a business relationship with an agency regarding their new obligations under this Executive Order.
5. The Indiana State Ethics Commission shall consider amending the state ethics rules to reflect the changes contained in this Executive Order.
6. The Commissioner of the Department of Administration shall ensure that all future contracts and other agreements with persons who contract with agencies shall contain a provision requiring that the contractor and its agents shall abide by all ethical requirements that apply to persons who have a business relationship with an agency, as set forth in Indiana Code § 4-2-6 *et seq.*, the regulations promulgated thereunder, and this Executive Order. The Commissioner shall further require that if the contractor is not familiar with these ethical requirements, the contractor should refer any questions to the Indiana State Ethics Commission, or visit the Indiana State Ethics Commission website at <http://www.in.gov/ethics/>. The Commissioner shall

further require that if the contractor or its agents violate any applicable ethical standards, the agency may terminate the contract immediately in its sole discretion.

7. Independent bodies corporate and politic shall follow the requirements of this Executive Order if they have adopted State Ethics Commission rules. Independent bodies corporate and politic that have not adopted State Ethics Commission rules shall revise their ethics policies to substantially comply with the terms of this Executive Order.
8. Terms used herein have the same meaning as like terms defined in Indiana Code § 4-2-6-1.

STATE OF INDIANA
EXECUTIVE DEPARTMENT
INDIANAPOLIS

EXECUTIVE ORDER 90-5

FOR: THE PROMOTION OF A DRUG-FREE INDIANA

TO ALL TO WHOM THESE PRESENTS MAY COME, GREETINGS:

WHEREAS, the use of illegal drugs is a major threat to the health and well-being of the State of Indiana, and

WHEREAS, the use of illegal drugs contributes directly to loss of productivity, increased absenteeism, increased health care costs, and more job-related accidents among Indiana's workers in both the public and private sectors; and

WHEREAS, workplace problems created by the use of illegal drugs can be decreased and even eliminated through the implementation of comprehensive drug-free workplace programs; and

WHEREAS, low-income persons are disproportionately impacted by illegal drug use; and

WHEREAS, some provisions are needed to insure that Medicaid benefits reach the recipients for which they are intended and are not diverted to illegal drug trafficking; and

WHEREAS, drug use and drug dealing in many public housing projects threaten the physical safety and quality of life of the residents and community around the housing projects.

NOW, THEREFORE, I, Evan Bayh, by virtue of the authority vested in me as Governor of the State of Indiana, do hereby order that:

1. All corporations, partnerships, individuals, sole proprietors, joint stock companies, joint ventures, or any other private legal entities receiving grant or contract funds from any agency, commission or board of state government shall be required to maintain drug-free workplaces; and
2. Said grantees and contractors shall be required to certify in applications for funding that they will provide drug-free workplaces, by:
 - a. publishing a statement notifying all employees that the unlawful manufacture, sale, distribution or possession of a controlled substance is prohibited and will lead to specified sanctions;
 - b. establishing a drug-free awareness program that informs employees about the dangers of drugs in the workplace, the availability of treatment programs, and the company's anti-drug policy and penalties;
 - c. providing each employee with a copy of the drug-free workplace statement; and
 - d. notifying each employee in the drug-free workplace that compliance with the statement is a condition of the employee's employment. To remain in compliance, employees must notify the employer within five days of any conviction for a drug violation in the workplace. Upon receiving such notice, the employer has ten days to notify the contracting government agency of the conviction. Upon receiving notice of a conviction by an employee, the company has 30 days to take disciplinary action or send the employee to treatment; and
3. All grants and contracts issued by state government agencies, commissions or boards shall contain a stipulation that failure to meet the drug-free workplace requirements constitutes a breach of contract; and
4. The State Department of Administration shall administer paragraphs One through Three of this Order. The Department may exempt contracts and grants in amounts less than the maximum Small Purchase Procurement Authority set forth in I.C. 4-13.4-5-5(a).
5. The State Department of Administration shall promulgate a rule prohibiting state employees, with the exception of law enforcement officers carrying out authorized undercover operations, from operating state vehicles at any time with any measurable amount of alcohol or illegal drug in their blood, the violation of which shall result in appropriate sanctions; and

6. The State Personnel Department, in conjunction with the State Department of Mental Health, shall prepare a plan for the establishment by July 1, 1991, of an Employee Assistance Program for all employees of state government; and

7. The State Department of Public Welfare, in collaboration with the State Department of Mental Health, shall seek a waiver from the federal government to allow the State of Indiana to appoint a "protective payee" to administer the AFDC benefits for the family when a family member receiving AFDC benefits is convicted of a drug felony. Following an assessment that indicates a need for drug treatment and the successful completion of a state-certified drug treatment program, the AFDC benefits may again be made payable directly to the family; and

8. The Indiana Housing Finance Authority shall require that all mutual housing association contracts include a requirement that all officers of the mutual housing association remain free of a drug-felony conviction, and that all contractors developing housing with the assistance of the Low Income Housing Trust Fund remain free of any drug-felony conviction; and

9. The Indiana Department of Human Services shall develop procedures at the earliest possible date to implement the final rule currently under consideration by the United States Department of Housing and Urban Development that would permit the denial or termination of assistance to applicants and participants in the Section 8 housing assistance programs on drug-related grounds. Following an assessment that indicates a need for drug treatment, individuals may have the denial or termination of assistance held in abeyance pending the successful completion of a state-certified drug treatment program, to the extent not inconsistent with federal and state law and regulation.