

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 2022 Regular Session of the General Assembly.

## HOUSE ENROLLED ACT No. 1001

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AN ACT to amend the Indiana Code concerning state and local administration and to make an appropriation.

*Be it enacted by the General Assembly of the State of Indiana:*

### SECTION 1. [EFFECTIVE JULY 1, 2023]

(a) The following definitions apply throughout this act:

(1) "Augmentation allowed" means the governor and the budget agency are authorized to add to an appropriation in this act from revenues accruing to the fund from which the appropriation was made.

(2) "Biennium" means the period beginning July 1, 2023, and ending June 30, 2025. Appropriations appearing in the biennial column for construction or other permanent improvements do not revert under IC 4-13-2-19 and may be allotted.

(3) "Equipment" includes machinery, implements, tools, furniture, furnishings, vehicles, and other articles that have a calculable period of service that exceeds twelve (12) calendar months.

(4) "Fee replacement" includes payments to universities to be used to pay indebtedness resulting from financing the cost of planning, purchasing, rehabilitation, construction, repair, leasing, lease-purchasing, or otherwise acquiring land, buildings, facilities, and equipment to be used for academic and instructional purposes.

(5) "Other operating expense" includes payments for "services other than personal", "services by contract", "supplies, materials, and parts", "grants, subsidies, refunds, and awards", "in-state travel", "out-of-state travel", and "equipment".

(6) "Personal services" includes payments for salaries and wages to officers and employees of the state (either regular or temporary), payments for compensation awards, and the employer's share of Social Security, health insurance, life insurance, dental insurance, vision insurance, deferred compensation - state match, leave



conversion, disability, and retirement fund contributions.

(7) "State agency" means:

(A) each office, officer, board, commission, department, division, bureau, committee, fund, agency, authority, council, or other instrumentality of the state;

(B) each hospital, penal institution, and other institutional enterprise of the state;

(C) the judicial department of the state; and

(D) the legislative department of the state.

However, this term does not include cities, towns, townships, school cities, school townships, school districts, other municipal corporations or political subdivisions of the state, or universities and colleges supported in whole or in part by state funds.

(8) "Total operating expense" includes payments for both "personal services" and "other operating expense".

(b) The state board of finance may authorize advances to boards or persons having control of the funds of any institution or department of the state of a sum of money out of any appropriation available at such time for the purpose of establishing working capital to provide for payment of expenses in the case of emergency when immediate payment is necessary or expedient. Advance payments shall be made by warrant by the state comptroller, and properly itemized and receipted bills or invoices shall be filed by the board or persons receiving the advance payments.

(c) All money appropriated by this act shall be considered either a direct appropriation or an appropriation from a rotary or revolving fund.

(1) Direct appropriations are subject to withdrawal from the state treasury and for expenditure for such purposes, at such time, and in such manner as may be prescribed by law. Direct appropriations are not subject to return and rewithdrawal from the state treasury, except for the correction of an error which may have occurred in any transaction or for reimbursement of expenditures which have occurred in the same fiscal year.

(2) A rotary or revolving fund is any designated part of a fund that is set apart as working capital in a manner prescribed by law and devoted to a specific purpose or purposes. The fund consists of earnings and income only from certain sources or combination of sources. The money in the fund shall be used for the purpose designated by law as working capital. The fund at any time consists of the original appropriation to the fund, if any, all receipts accrued to the fund, and all money withdrawn from the fund and invested or to be invested. The fund shall be kept intact by separate entries in the state comptroller's office, and no part of the fund shall be used for any purpose other than the lawful purpose of the fund or revert to any other fund at any time. However, any unencumbered excess above any prescribed amount may be transferred to the state general fund at the close of each fiscal year unless otherwise specified in the Indiana Code.

## SECTION 2. [EFFECTIVE JULY 1, 2023]

For the conduct of state government, its offices, funds, boards, commissions, departments, societies, associations, services, agencies, and undertakings, and

HEA 1001 — CC 1



for other appropriations not otherwise provided by statute, the following sums in SECTIONS 3 through 10 are appropriated for the periods of time designated from the general fund of the state of Indiana or other specifically designated funds.

In this act, whenever there is no specific fund or account designated, the appropriation is from the general fund.

**SECTION 3. [EFFECTIVE JULY 1, 2023]**

**GENERAL GOVERNMENT**

**A. LEGISLATIVE**

**FOR THE GENERAL ASSEMBLY**

**LEGISLATORS' SALARIES - HOUSE**

Total Operating Expense	8,373,634	9,871,096
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**HOUSE EXPENSES**

Total Operating Expense	13,138,750	13,138,750
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**LEGISLATORS' SALARIES - SENATE**

Total Operating Expense	2,700,000	2,800,000
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**SENATE EXPENSES**

Total Operating Expense	12,599,700	13,799,700
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Included in the above appropriations for house and senate expense are funds for a legislative business per diem allowance, meals, and other usual and customary expenses associated with legislative affairs. Each member of the house is entitled, when authorized by the speaker of the house, to the legislative business per diem allowance for every day the member is engaged in official business. The speaker shall authorize the legislative business per diem allowance to be consistent with law and house rules.

Each member of the senate is entitled, when authorized by the president pro tempore of the senate, to the legislative business per diem allowance for every day the member is engaged in official business. The president pro tempore of the senate shall authorize the legislative business per diem allowance to be consistent with law and senate rules.

Each member of the general assembly is entitled, when authorized by the speaker of the house or the president pro tempore of the senate, to the legislative business per diem allowance for every day the member is engaged in official business.

The legislative business per diem allowance that each member of the general assembly is entitled to receive equals the maximum daily amount allowable to employees of the executive branch of the federal government for subsistence expenses while away from home in travel status in the Indianapolis area. The legislative business per diem changes each time there is a change in that maximum daily amount.



**In addition to the legislative business per diem allowance, each member of the general assembly shall receive the mileage allowance in an amount equal to the standard mileage rates for personally owned transportation equipment established by the federal Internal Revenue Service for each mile necessarily traveled from the member's usual place of residence to the state capitol. However, if the member traveled by a means other than by motor vehicle, and the member's usual place of residence is more than one hundred (100) miles from the state capitol, the member is entitled to reimbursement in an amount equal to the lowest air travel cost incurred in traveling from the usual place of residence to the state capitol. During the period the general assembly is convened in regular or special session, the mileage allowance shall be limited to one (1) round trip each week per member.**

**Any member of the general assembly who is appointed by the governor, speaker of the house, president or president pro tempore of the senate, house or senate minority floor leader, or Indiana legislative council to serve on any research, study, or survey committee or commission, or who attends any meetings authorized or convened under the auspices of the Indiana legislative council, including pre-session conferences and federal-state relations conferences, is entitled, when authorized by the legislative council, to receive the legislative business per diem allowance for each day the member is in actual attendance and is also entitled to a mileage allowance, at the rate specified above, for each mile necessarily traveled from the member's usual place of residence to the state capitol, or other in-state site of the committee, commission, or conference. The per diem allowance and the mileage allowance permitted under this paragraph shall be paid from the legislative council appropriation for legislator and lay member travel unless the member is attending an out-of-state meeting, as authorized by the speaker of the house of representatives or the president pro tempore of the senate, in which case the member is entitled to receive:**

- (1) the legislative business per diem allowance for each day the member is engaged in approved out-of-state travel; and**
- (2) reimbursement for traveling expenses actually incurred in connection with the member's duties, as provided in the state travel policies and procedures established by the legislative council.**

**Notwithstanding the provisions of this or any other statute, the legislative council may adopt, by resolution, travel policies and procedures that apply only to members of the general assembly or to the staffs of the house of representatives, senate, and legislative services agency, or both members and staffs. The legislative council may apply these travel policies and procedures to lay members serving on research, study, or survey committees or commissions that are under the jurisdiction of the legislative council. Notwithstanding any other law, rule, or policy, the state travel policies and procedures established by the Indiana department of administration and approved by the budget agency do not apply to members of the general assembly, to the staffs of the house of representatives, senate, or legislative services agency, or to lay members serving on research, study, or survey committees or commissions**



under the jurisdiction of the legislative council (if the legislative council applies its travel policies and procedures to lay members under the authority of this SECTION), except that, until the legislative council adopts travel policies and procedures, the state travel policies and procedures established by the Indiana department of administration and approved by the budget agency apply to members of the general assembly, to the staffs of the house of representatives, senate, and legislative services agency, and to lay members serving on research, study, or survey committees or commissions under the jurisdiction of the legislative council. The executive director of the legislative services agency is responsible for the administration of travel policies and procedures adopted by the legislative council. The state comptroller shall approve and process claims for reimbursement of travel related expenses under this paragraph based upon the written affirmation of the speaker of the house of representatives, the president pro tempore of the senate, or the executive director of the legislative services agency that those claims comply with the travel policies and procedures adopted by the legislative council. If the funds appropriated for the house and senate expenses and legislative salaries are insufficient to pay all the necessary expenses incurred, including the cost of printing the journals of the house and senate, there is appropriated such further sums as may be necessary to pay such expenses.

<b>LEGISLATORS' EXPENSES - HOUSE</b>		
Total Operating Expense	3,445,311	3,445,311
<b>LEGISLATORS' EXPENSES - SENATE</b>		
Total Operating Expense	1,870,000	1,950,000

Each member of the general assembly is entitled to a subsistence allowance of forty percent (40%) of the maximum daily amount allowable to employees of the executive branch of the federal government for subsistence expenses while away from home in travel status in the Indianapolis area for:

- (1) each day that the general assembly is not convened in regular or special session; and
- (2) each day after the first session day held in November and before the first session day held in January.

However, the subsistence allowance under subdivision (2) may not be paid with respect to any day after the first session day held in November and before the first session day held in January with respect to which all members of the general assembly are entitled to a legislative business per diem, and the subsistence allowance under subdivision (3) may not be paid to a member after the final recess day in April with respect to any day in which the chamber in which the individual is a member meets as a body or in any period in which the chamber is in recess for less than six (6) consecutive days.

The subsistence allowance is payable from the appropriations for legislators' subsistence.

The officers of the senate are entitled to the following amounts annually in addition to the subsistence allowance: president pro tempore, \$7,000; assistant president



pro tempore, \$3,000; majority floor leader, \$5,500; assistant majority floor leader(s), \$3,500; majority floor leader emeritus, \$2,500; majority caucus chair, \$5,500; assistant majority caucus chair(s), \$1,500; appropriations committee chair, \$5,500; tax and fiscal policy committee chair, \$5,500; appropriations committee ranking majority member, \$2,000; tax and fiscal policy committee ranking majority member, \$2,000; majority whip, \$4,000; assistant majority whip, \$2,000; minority floor leader, \$6,000; minority leader emeritus, \$1,500; minority caucus chair, \$5,000; assistant minority floor leader, \$5,000; appropriations committee ranking minority member, \$2,000; tax and fiscal policy committee ranking minority member, \$2,000; minority whip(s), \$2,000; assistant minority whip, \$1,000; assistant minority caucus chair(s), \$1,000; agriculture committee chair, \$1,000; natural resources committee chair, \$1,000; public policy committee chair, \$1,000; corrections and criminal law committee chair, \$1,000; civil law committee chair, \$1,000; education and career development chair, \$1,000; elections committee chair, \$1,000; environmental affairs committee chair, \$1,000; family and children services committee chair, \$1,000; pensions and labor committee chair, \$1,000; health and provider services committee chair, \$1,000; homeland security and transportation committee chair, \$1,000; veterans affairs and the military committee chair, \$1,000; insurance and financial institutions committee chair, \$1,000; judiciary committee chair, \$1,000; local government committee chair, \$1,000; utilities committee chair, \$1,000; commerce and technology committee chair, \$1,000; appointments and claims committee chair, \$1,000; rules and legislative procedure committee chair, \$1,000; and ethics committee chair, \$1,000. If an officer fills more than one (1) leadership position, the officer shall be paid for the higher paid position.

Officers of the house of representatives are entitled to the following amounts annually in addition to the subsistence allowance: speaker of the house, \$7,000; speaker pro tempore, \$5,000; deputy speaker pro tempore, \$2,000; majority floor leader, \$5,500; majority caucus chair, \$5,500; majority whip, \$4,000; assistant majority floor leader(s), \$3,500; assistant majority caucus chair(s), \$2,000; assistant majority whip(s), \$2,000; ways and means committee chair, \$5,500; ways and means committee vice chair, \$4,000; ways and means k-12 subcommittee chair, \$1,500; ways and means higher education subcommittee chair, \$1,500; ways and means budget subcommittee chair, \$3,000; ways and means health and human services subcommittee chair, \$1,500; ways and means local government subcommittee chair, \$1,500; minority leader, \$6,000; minority floor leader, \$4,500; minority caucus chair, \$4,500; minority whip, \$3,000; assistant minority leader(s), \$1,500; assistant minority floor leader(s), \$1,500; assistant minority caucus chair(s), \$1,500; assistant minority whip(s), \$1,500; ways and means committee ranking minority member, \$3,500; agriculture and rural development committee chair, \$1,000; commerce, small business, and economic development committee chair, \$1,000; courts and criminal code committee chair, \$1,000; education committee chair, \$1,000; elections and apportionment committee chair, \$1,000; employment, labor, and pensions committee chair, \$1,000; environmental affairs committee chair, \$1,000; statutory committee on legislative ethics committee chair, \$1,000; family, children, and human affairs committee chair, \$1,000; financial institutions committee chair, \$1,000; insurance committee chair, \$1,000; government and regulatory reform

HEA 1001 — CC 1



committee chair, \$1,000; judiciary committee chair, \$1,000; local government committee chair, \$1,000; natural resources committee chair, \$1,000; public health committee chair, \$1,000; public policy committee chair, \$1,000; roads and transportation committee chair, \$1,000; rules and legislative procedures committee chair, \$1,000; utilities, energy and telecommunications committee chair, \$1,000; and veterans affairs and public safety committee chair, \$1,000. If an officer fills more than one (1) leadership position, the officer may be paid for each of the paid positions.

If the senate or house of representatives eliminates a committee or officer referenced in this SECTION and replaces the committee or officer with a new committee or position, the above appropriations for subsistence shall be used to pay for the new committee or officer. However, this does not permit any additional amounts to be paid under this SECTION for a replacement committee or officer than would have been spent for the eliminated committee or officer. If the senate or house of representatives creates a new, additional committee or officer, or assigns additional duties to an existing officer, the above appropriations for subsistence shall be used to pay for the new committee or officer, or to adjust the annual payments made to the existing officer, in amounts determined by the legislative council.

If the funds appropriated for legislators' subsistence are insufficient to pay all the subsistence incurred, there are hereby appropriated such further sums as may be necessary to pay such subsistence.

**FOR THE LEGISLATIVE COUNCIL AND THE LEGISLATIVE SERVICES AGENCY**

<b>Total Operating Expense</b>	<b>19,603,227</b>	<b>20,759,416</b>
<b>LEGISLATOR AND LAY MEMBER TRAVEL</b>		
<b>Total Operating Expense</b>	<b>700,000</b>	<b>700,000</b>

Included in the above appropriations for the legislative council and legislative services agency expenses are funds for usual and customary expenses associated with legislative services.

If the funds above appropriated for the legislative council and the legislative services agency and for legislator and lay member travel are insufficient to pay all the necessary expenses incurred, there are hereby appropriated such further sums as may be necessary to pay those expenses.

Any person other than a member of the general assembly who is appointed by the governor, speaker of the house, president or president pro tempore of the senate, house or senate minority floor leader, or legislative council to serve on any research, study, or survey committee or commission is entitled, when authorized by the legislative council, to a per diem instead of subsistence of \$75 per day during the biennium. In addition to the per diem, such a person is entitled to mileage reimbursement, at the rate specified for members of the general assembly, for each mile necessarily traveled from the person's usual place of residence to the state capitol or other in-state site of the committee,



commission, or conference. However, reimbursement for any out-of-state travel expenses claimed by lay members serving on research, study, or survey committees or commissions under the jurisdiction of the legislative council shall be based on SECTION 14 of this act, until the legislative council applies those travel policies and procedures that govern legislators and their staffs to such lay members as authorized elsewhere in this SECTION. The allowance and reimbursement permitted in this paragraph shall be paid from the legislative council appropriations for legislative and lay member travel unless otherwise provided for by a specific appropriation.

Included in the above appropriations for the legislative council and legislative services agency are funds for the printing and distribution of documents published by the legislative council, including journals, bills, resolutions, enrolled documents, the acts of the first and second regular sessions of the 123rd general assembly, the supplements to the Indiana Code for the biennium and the publication of the Indiana Administrative Code and the Indiana Register. Upon completion of the distribution of the Acts and the supplements to the Indiana Code, as provided in IC 2-6-1.5, remaining copies may be sold at a price or prices periodically determined by the legislative council. If the above appropriations for the printing and distribution of documents published by the legislative council are insufficient to pay all of the necessary expenses incurred, there are hereby appropriated such sums as may be necessary to pay such expenses.

**TECHNOLOGY INFRASTRUCTURE, SOFTWARE, AND SERVICES**

Total Operating Expense	4,117,323	5,789,168
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If the above appropriations for technology infrastructure, software, and services are insufficient to pay all of the necessary expenses incurred, there are hereby appropriated such sums as may be necessary to pay such expenses, including state video streaming services and legislative closed captioning services. The above appropriations or any part thereof remaining unexpended and unencumbered at the close of any fiscal year remain available for expenditure until the earlier of June 30, 2027, or the purposes for which the appropriations were made are accomplished or abandoned. If any part of the appropriations have not been allotted or encumbered before the expiration of the biennium, the personnel subcommittee of the legislative council may determine that any part of the balance of the appropriations may be reverted to the state general fund.

The legislative services agency shall charge the following fees, unless the legislative council sets these or other fees at different rates:

Annual subscription to the session document service for sessions ending in odd-numbered years: \$900

Annual subscription to the session document service for sessions ending in even-numbered years: \$500





	<i>FY 2023-2024 Appropriation</i>	<i>FY 2024-2025 Appropriation</i>	<i>Biennial Appropriation</i>
<b>Per page charge for copies of legislative documents: \$0.15</b>			
<b>NATIONAL ASSOCIATION DUES</b>			
Total Operating Expense	640,474	672,497	
<b>RULEMAKING TRANSPARENCY PROJECT</b>			
Total Operating Expense	1,700,000	1,700,000	
Augmentation allowed.			
<b>FOR THE COMMISSION ON UNIFORM STATE LAWS</b>			
Total Operating Expense	100,000	100,000	
<b>FOR THE INDIANA LOBBY REGISTRATION COMMISSION</b>			
Total Operating Expense	434,230	452,255	
<b>FOR THE INDIANA PUBLIC RETIREMENT SYSTEM LEGISLATORS' RETIREMENT FUND</b>			
Total Operating Expense	745	745	
<b>B. JUDICIAL</b>			
<b>FOR THE SUPREME COURT</b>			
Total Operating Expense	21,841,985	22,330,232	
The above appropriations include the subsistence allowance provided by IC 33-38-5-8.			
<b>LOCAL JUDGES' SALARIES</b>			
Total Operating Expense	97,008,265	99,627,132	
<b>COUNTY PROSECUTORS' SALARIES</b>			
Total Operating Expense	34,670,665	35,794,283	
<b>SUPREME COURT TITLE IV-D</b>			
Total Operating Expense	1,950,000	1,950,000	
<b>TRIAL COURT OPERATIONS</b>			
Total Operating Expense	746,075	746,075	
<b>INDIANA COURT TECHNOLOGY</b>			
Total Operating Expense	17,588,380	17,588,380	
<b>INDIANA CONFERENCE FOR LEGAL EDUCATION OPPORTUNITY</b>			
Total Operating Expense	778,750	778,750	
<b>GUARDIAN AD LITEM</b>			
Total Operating Expense	6,337,810	6,337,810	

The Office of Judicial Administration shall use the above appropriations to administer an office of guardian ad litem and court appointed special advocate services and to provide matching funds to counties that are required to implement, in courts with juvenile jurisdiction, a guardian ad litem and court appointed special advocate program for children who are alleged to be victims of child abuse or neglect under



**IC 31-33. A county may use these matching funds to supplement amounts collected as fees under IC 31-40-3 to be used for the operation of guardian ad litem and court appointed special advocate programs. The county fiscal body shall appropriate adequate funds for the county to be eligible for these matching funds.**

**ADULT GUARDIANSHIP**

<b>Total Operating Expense</b>	<b>1,500,000</b>	<b>1,500,000</b>
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**The above appropriations are for the administration of the office of adult guardianship and to provide matching funds to county courts with probate jurisdiction that implement and administer programs for volunteer advocates for seniors and incapacitated adults who are appointed a guardian under IC 29. Volunteer advocates for seniors and incapacitated adults programs shall provide a match of 50% of the funds appropriated by the office of judicial administration of which up to half may be an in-kind match and the remainder must be county funds or other local county resources. Only programs certified by the supreme court are eligible for matching funds. The above appropriations include funds to maintain an adult guardianship registry to serve as a data repository for adult guardianship cases and guardians appointed by the courts.**

**CIVIL LEGAL AID**

<b>Total Operating Expense</b>	<b>3,000,000</b>	<b>3,000,000</b>
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**SPECIAL JUDGES - COUNTY COURTS**

<b>Total Operating Expense</b>	<b>149,000</b>	<b>149,000</b>
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**If the funds appropriated above for special judges of county courts are insufficient to pay all of the necessary expenses that the state is required to pay under IC 34-35-1-4, there are hereby appropriated such further sums as may be necessary to pay these expenses.**

**COMMISSION ON RACE AND GENDER FAIRNESS**

<b>Total Operating Expense</b>	<b>880,996</b>	<b>880,996</b>
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**Of the above appropriations, \$500,000 each fiscal year is for court interpreters.**

**INTERSTATE COMPACT FOR ADULT OFFENDERS**

<b>Total Operating Expense</b>	<b>236,180</b>	<b>236,180</b>
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**COMMISSION ON IMPROVING THE STATUS OF CHILDREN**

<b>Total Operating Expense</b>	<b>350,000</b>	<b>350,000</b>
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**PROBATION OFFICERS TRAINING**

<b>Total Operating Expense</b>	<b>750,000</b>	<b>750,000</b>
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**DRUG AND ALCOHOL PROGRAMS**

<b>Total Operating Expense</b>	<b>100,000</b>	<b>100,000</b>
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**PRE-TRIAL COMPLIANCE**

<b>Total Operating Expense</b>	<b>4,000,000</b>	<b>4,000,000</b>
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**COLLABORATIVE JUSTICE**

<b>Total Operating Expense</b>	<b>6,000,000</b>	<b>6,000,000</b>
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**HEA 1001 — CC 1**



The above appropriations are for the purpose of supporting problem-solving courts and other specialized courts, including veterans problem-solving courts, commercial courts, and family recovery courts.

**FOR THE PUBLIC DEFENDER COMMISSION**

<b>Total Operating Expense</b>	<b>34,073,811</b>	<b>34,073,811</b>
<b>Public Defense Fund (IC 33-40-6)</b>		
<b>Total Operating Expense</b>	<b>7,400,000</b>	<b>7,400,000</b>

The above appropriations from the public defense fund are made from the distribution authorized by IC 33-37-7-9(c) for the purpose of reimbursing counties for indigent defense services provided to a defendant. Administrative costs may be paid from the public defense fund. Any balance in the public defense fund is appropriated to the public defender commission.

**FOR THE COURT OF APPEALS**

<b>Total Operating Expense</b>	<b>15,033,411</b>	<b>15,043,411</b>
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The above appropriations include the subsistence allowance provided by IC 33-38-5-8.

**FOR THE TAX COURT**

<b>Total Operating Expense</b>	<b>966,629</b>	<b>966,629</b>
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**FOR THE PUBLIC DEFENDER**

<b>Total Operating Expense</b>	<b>8,832,205</b>	<b>8,832,205</b>
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**FOR THE PUBLIC DEFENDER COUNCIL**

<b>Total Operating Expense</b>	<b>1,946,666</b>	<b>1,946,666</b>
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**AT RISK YOUTH AND FAMILIES**

<b>Total Operating Expense</b>	<b>250,000</b>	<b>250,000</b>
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**FOR THE PROSECUTING ATTORNEYS COUNCIL**

<b>Total Operating Expense</b>	<b>1,584,755</b>	<b>1,584,755</b>
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**DRUG PROSECUTION**

**Substance Abuse Prosecution Fund (IC 33-39-8-6)**

<b>Total Operating Expense</b>	<b>161,815</b>	<b>161,815</b>
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**Augmentation allowed.**

**HIGH TECH CRIMES UNIT PROGRAM**

<b>Total Operating Expense</b>	<b>3,000,000</b>	<b>3,000,000</b>
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**PROSECUTING ATTORNEYS TITLE IV-D**

<b>Total Operating Expense</b>	<b>1,950,000</b>	<b>1,950,000</b>
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**TITLE IV-D REIMBURSEMENT**

<b>Total Operating Expense</b>	<b>1,952,000</b>	<b>1,952,000</b>
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	<i>FY 2023-2024 Appropriation</i>	<i>FY 2024-2025 Appropriation</i>	<i>Biennial Appropriation</i>
<b>FOR THE INDIANA PUBLIC RETIREMENT SYSTEM</b>			
<b>JUDGES' RETIREMENT FUND</b>			
Total Operating Expense	14,513,793	15,087,963	
<b>PROSECUTING ATTORNEYS RETIREMENT FUND</b>			
Total Operating Expense	4,397,795	4,514,337	
 <b>C. EXECUTIVE</b>			
 <b>FOR THE GOVERNOR'S OFFICE AND RESIDENCE</b>			
Total Operating Expense	3,390,000	3,390,000	
<b>SUBSTANCE ABUSE PREVENTION, TREATMENT, AND ENFORCEMENT</b>			
State Unrestricted Opioid Settlement Account (IC 4-12-16.2-5(1))			
Total Operating Expense	5,000,000	5,000,000	
 <b>FOR THE LIEUTENANT GOVERNOR</b>			
Total Operating Expense	4,154,682	4,154,682	
 <b>FOR THE SECRETARY OF STATE</b>			
<b>ADMINISTRATION</b>			
Total Operating Expense	6,083,487	6,083,487	
<b>ELECTION SECURITY</b>			
Total Operating Expense	3,180,000	3,180,000	
<b>VOTER EDUCATION OUTREACH</b>			
Total Operating Expense	749,972	749,972	
<b>VOTING SYSTEM TECHNICAL OVERSIGHT PROGRAM</b>			
Total Operating Expense	749,972	749,972	
 <b>FOR THE ATTORNEY GENERAL</b>			
Total Operating Expense	29,344,488	29,344,488	
Agency Settlement Fund (IC 4-12-16-2)			
Personal Services	5,554,032	5,554,032	
Augmentation allowed.			
Homeowner Protection Unit Account (IC 4-6-12-9)			
Personal Services	473,186	473,186	
Augmentation allowed.			
Real Estate Appraiser Investigative Fund (IC 25-34.1-8-7.5)			
Personal Services	50,000	50,000	
Augmentation allowed.			
Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)			
Personal Services	818,916	818,916	
Augmentation allowed.			
Abandoned Property Fund (IC 32-34-1.5)			
Personal Services	2,054,730	2,054,730	
Augmentation allowed.			
<b>MEDICAID FRAUD CONTROL UNIT</b>			

HEA 1001 — CC 1



<b>Total Operating Expense</b>	<b>2,696,000</b>	<b>2,171,000</b>	
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**Of the above appropriation, \$525,000 in FY 2024 shall be used for an audit concerning prescription drug costs for the Medicaid program in accordance with IC 12-15-13.6-1.**

**The above appropriation is the state's matching share of funding for the state Medicaid fraud control unit under IC 4-6-10 as prescribed by 42 U.S.C. 1396b(q). Augmentation allowed from collections.**

**CONSUMER DATA PRIVACY**

<b>Total Operating Expense</b>	<b>500,000</b>	<b>500,000</b>	
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**UNCLAIMED PROPERTY**

**Abandoned Property Fund (IC 32-34-1.5)**

<b>Total Operating Expense</b>	<b>7,883,908</b>	<b>7,883,908</b>	
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**Augmentation allowed.**

**D. FINANCIAL MANAGEMENT**

**FOR THE STATE COMPTROLLER**

<b>Total Operating Expense</b>	<b>8,633,335</b>	<b>8,633,335</b>	
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**FOR THE STATE BOARD OF ACCOUNTS**

<b>Total Operating Expense</b>	<b>19,606,095</b>	<b>21,006,767</b>	
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**EXAMINATIONS**

**Examinations Fund (IC 5-11-4-3)**

<b>Total Operating Expense</b>	<b>15,292,119</b>	<b>15,292,119</b>	
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**Augmentation allowed.**

**FOR THE OFFICE OF MANAGEMENT AND BUDGET**

<b>Total Operating Expense</b>	<b>974,946</b>	<b>974,946</b>	
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**FOR THE DISTRESSED UNIT APPEAL BOARD**

<b>Total Operating Expense</b>	<b>4,391,987</b>	<b>4,391,987</b>	
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**FOR THE MANAGEMENT PERFORMANCE HUB**

<b>Total Operating Expense</b>	<b>9,056,905</b>	<b>9,815,800</b>	
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**FOR THE STATE BUDGET AGENCY**

<b>Total Operating Expense</b>	<b>4,869,265</b>	<b>4,869,265</b>	
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**STATE AGENCY CONTINGENCY FUND**

<b>Total Operating Expense</b>	<b>33,000,000</b>	<b>66,000,000</b>	
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**State Agency Contingency Fund (IC 4-12-17-1)**

<b>Total Operating Expense</b>	<b>1</b>	<b>1</b>	
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**Augmentation allowed.**

**HEA 1001 — CC 1**



The above appropriations shall be allotted in the amount requested by the judicial branch, the legislative branch, and statewide elected officials by the budget agency. The above appropriations may be allotted to departments, institutions, and all state agencies by the budget agency with the approval of the governor.

**OUTSIDE ACTS**

Total Operating Expense	1	1
Augmentation allowed after budget committee review.		

**STATE BUDGET COMMITTEE**

Total Operating Expense	96,312	96,312
Augmentation allowed.		

Notwithstanding IC 4-12-1-11(b), the salary per diem of the legislative members of the budget committee is equal to one hundred fifty percent (150%) of the legislative business per diem allowance.

**LOCAL PUBLIC HEALTH**

Total Operating Expense	75,000,000	150,000,000
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The above appropriations shall be used to establish a partnership responsibility between the state, local government, and health care providers for the provision of core public health services.

**CHARTER SCHOOL CAPITAL GRANTS**

Total Operating Expense	25,000,000	0
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**REGIONAL MENTAL HEALTH FACILITY GRANTS**

Total Operating Expense	10,000,000	0
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The above appropriation shall be awarded to counties that commit to providing mental health services for incarcerated individuals who have been determined by a court of competent jurisdiction to be in need of mental health treatment. Grant awards may only be used to construct new facilities or renovate existing county facilities. Grant awards may not be used for the operational costs of a new or existing county facility. In order to be eligible to receive a grant award, the county must submit an application to the state budget agency and the division of mental health and addiction that demonstrates that the county has agreed to provide mental health services to a multi-county district and that the grant award will not exceed fifty percent (50%) of the cost of constructing a new facility or renovating an existing facility. The state budget agency and division of mental health and addiction may award grants after budget committee review. Grant awards may not exceed two million five hundred thousand dollars (\$2,500,000) per county.

**FOR THE INDIANA PUBLIC RETIREMENT SYSTEM  
PUBLIC SAFETY PENSION**

HEA 1001 — CC 1



	<i>FY 2023-2024 Appropriation</i>	<i>FY 2024-2025 Appropriation</i>	<i>Biennial Appropriation</i>
<b>Total Operating Expense</b>	<b>152,500,000</b>	<b>152,500,000</b>	
<b>Augmentation allowed.</b>			
<b>LOCAL PENSION REPORT</b>			
<b>Total Operating Expense</b>	<b>30,000</b>	<b>30,000</b>	
<b>FOR THE TREASURER OF STATE</b>			
<b>Total Operating Expense</b>	<b>2,079,463</b>	<b>2,080,057</b>	
<b>ABLE AUTHORITY (IC 12-11-14)</b>			
<b>Total Operating Expense</b>	<b>337,647</b>	<b>375,635</b>	
<b>CAREER SCHOLARSHIP ACCOUNTS</b>			
<b>Total Operating Expense</b>	<b>5,000,000</b>	<b>10,000,000</b>	

The treasurer of state shall use the above appropriations to deposit \$5,000 into each eligible career scholarship participant's career scholarship account each fiscal year.

**INDIANA EDUCATION SCHOLARSHIP ACCOUNT PROGRAM (IC 20-51.4)**

**Total Operating Expense**                      **10,000,000**                      **10,000,000**

**INDIANA EDUCATION SCHOLARSHIP ACCOUNT ADMINISTRATION (IC 20-51.4-4-3.5)**

**Total Operating Expense**                      **1,500,000**                      **1,500,000**

**E. TAX ADMINISTRATION**

**FOR THE DEPARTMENT OF REVENUE  
COLLECTION AND ADMINISTRATION**

**Total Operating Expense**                      **80,914,450**                      **80,914,450**

With the approval of the governor and the budget agency, the department shall annually reimburse the general fund for expenses incurred in support of the collection of dedicated fund revenue according to the department's cost allocation plan.

With the approval of the governor and the budget agency, the above appropriations may be augmented to an amount not exceeding in total, together with the above specific amounts, one and one-tenth percent (1.1%) of the amount of money collected by the department from taxes and fees.

**OUTSIDE COLLECTIONS**

**Total Operating Expense**                      **4,585,887**                      **4,585,887**

With the approval of the governor and the budget agency, the above appropriations may be augmented to an amount not exceeding in total, together with the above specific amounts, one and one-tenth percent (1.1%) of the amount of money collected by the department from taxes and fees.

**MOTOR CARRIER REGULATION**

HEA 1001 — CC 1



	<i>FY 2023-2024 Appropriation</i>	<i>FY 2024-2025 Appropriation</i>	<i>Biennial Appropriation</i>
<b>Motor Carrier Regulation Fund (IC 8-2.1-23)</b>			
<b>Total Operating Expense</b>	<b>10,029,579</b>	<b>10,029,579</b>	
<b>Augmentation allowed.</b>			

**FOR THE INDIANA GAMING COMMISSION**

<b>State Gaming Fund (IC 4-33-13-2)</b>			
<b>Total Operating Expense</b>	<b>3,086,703</b>	<b>3,124,001</b>	
<b>Augmentation allowed.</b>			
<b>Gaming Investigations (IC 4-33-4-18(b))</b>			
<b>Total Operating Expense</b>	<b>1,380,073</b>	<b>1,380,073</b>	
<b>Augmentation allowed.</b>			

The above appropriations are made from revenues accruing to the state gaming fund under IC 4-33 before any distribution is made under IC 4-33-13-5.

**GAMING SALARY MATRIX ADJUSTMENT**

<b>State Gaming Fund (IC 4-33-13-2)</b>			
<b>Total Operating Expense</b>	<b>518,784</b>	<b>518,784</b>	

**GAMING RESEARCH DIVISION**

<b>Total Operating Expense</b>	<b>325,000</b>	<b>325,000</b>	
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**ATHLETIC COMMISSION**

<b>State Gaming Fund (IC 4-33-13-2)</b>			
<b>Total Operating Expense</b>	<b>15,137</b>	<b>16,383</b>	
<b>Augmentation allowed.</b>			

<b>Athletic Fund (IC 4-33-22-9)</b>			
<b>Total Operating Expense</b>	<b>55,070</b>	<b>55,123</b>	
<b>Augmentation allowed.</b>			

**FANTASY SPORTS REGULATION AND ADMINISTRATION**

<b>Fantasy Sports Regulation and Administration Fund (IC 4-33-24-28)</b>			
<b>Total Operating Expense</b>	<b>49,990</b>	<b>49,990</b>	
<b>Augmentation allowed.</b>			

**FOR THE INDIANA HORSE RACING COMMISSION**

<b>Indiana Horse Racing Commission Operating Fund (IC 4-31-10-2)</b>			
<b>Total Operating Expense</b>	<b>3,761,624</b>	<b>3,795,825</b>	

The above appropriations are made from revenues accruing to the Indiana horse racing commission before any distribution is made under IC 4-31-9.

**STANDARD BRED ADVISORY BOARD**

<b>Indiana Horse Racing Commission Operating Fund (IC 4-31-10-2)</b>			
<b>Total Operating Expense</b>	<b>193,500</b>	<b>193,500</b>	
<b>Augmentation allowed.</b>			

**FOR THE DEPARTMENT OF LOCAL GOVERNMENT FINANCE**

HEA 1001 — CC 1





	<i>FY 2023-2024 Appropriation</i>	<i>FY 2024-2025 Appropriation</i>	<i>Biennial Appropriation</i>
<b>Total Operating Expense</b>	<b>4,653,314</b>	<b>4,653,314</b>	
<b>Assessment Training Fund (IC 6-1.1-5.5-4.7)</b>			
<b>Total Operating Expense</b>	<b>1,341,280</b>	<b>1,341,280</b>	
<b>Augmentation allowed.</b>			

**FOR THE INDIANA BOARD OF TAX REVIEW**

<b>Total Operating Expense</b>	<b>1,835,276</b>	<b>1,835,276</b>	
<b>Assessment Training Fund (IC 6-1.1-5.5-4.7)</b>			
<b>Total Operating Expense</b>	<b>320,628</b>	<b>320,628</b>	
<b>Augmentation allowed.</b>			

**F. ADMINISTRATION**

**FOR THE DEPARTMENT OF ADMINISTRATION**

<b>Total Operating Expense</b>	<b>25,718,160</b>	<b>26,374,291</b>	
<b>INDIANA HISTORICAL SOCIETY BUILDING</b>			
<b>Total Operating Expense</b>	<b>984,966</b>	<b>984,966</b>	

The department of administration shall use the above appropriations for expenses at the Indiana Historical Society building authorized by IC 4-13-12.1-8(d).

**MOTOR POOL ROTARY FUND**

<b>Total Operating Expense</b>	<b>22,133,950</b>	<b>21,310,300</b>	
<b>Gaming Enforcement Agents (IC 4-35-4-5)</b>			
<b>Total Operating Expense</b>	<b>21,500</b>	<b>0</b>	
<b>Charity Gaming Enforcement Fund (IC 4-32.3-7-1)</b>			
<b>Total Operating Expense</b>	<b>42,500</b>	<b>91,500</b>	
<b>Fire and Building Services Fund (IC 22-12-6-1)</b>			
<b>Total Operating Expense</b>	<b>430,500</b>	<b>438,500</b>	
<b>State Highway Fund (IC 8-23-9-54)</b>			
<b>Total Operating Expense</b>	<b>2,906,150</b>	<b>3,659,200</b>	
<b>Integrated Public Safety Communications Fund (IC 5-26-4-1)</b>			
<b>Total Operating Expense</b>	<b>0</b>	<b>110,000</b>	
<b>ATC Enforcement and Administration Fund (IC 7.1-4-10-1)</b>			
<b>Total Operating Expense</b>	<b>525,000</b>	<b>540,000</b>	
<b>State Parks &amp; Reservoirs Special Revenue Fund (IC 14-19-8-2)</b>			
<b>Total Operating Expense</b>	<b>1,102,000</b>	<b>666,400</b>	
<b>Indiana Correctional Industries Fund (IC 11-10-6-6)</b>			
<b>Total Operating Expense</b>	<b>223,000</b>	<b>197,000</b>	
<b>Motorcycle Operator Safety Education Fund (IC 9-27-7-7)</b>			
<b>Total Operating Expense</b>	<b>49,500</b>	<b>0</b>	
<b>Bureau of Motor Vehicles Commission Fund (IC 9-14-14-1)</b>			
<b>Total Operating Expense</b>	<b>0</b>	<b>42,000</b>	

The budget agency may transfer portions of the above dedicated fund appropriations

HEA 1001 — CC 1



from the department of administration back to the agency that provided the appropriation if necessary.

In addition to the above appropriations, the budget agency with the approval of the governor may transfer appropriations to the motor pool rotary fund established in IC 4-13-1-4 for the purchase of vehicles and related equipment.

**FOR THE STATE PERSONNEL DEPARTMENT**

<b>Total Operating Expense</b>	<b>4,033,364</b>	<b>4,036,024</b>
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**GOVERNOR'S FELLOWSHIP PROGRAM**

<b>Total Operating Expense</b>	<b>338,589</b>	<b>338,589</b>
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**OFFICE OF ADMINISTRATIVE LAW PROCEEDINGS**

<b>Total Operating Expense</b>	<b>1,856,820</b>	<b>1,768,674</b>
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**PCORI FEE**

<b>Total Operating Expense</b>	<b>145,000</b>	<b>145,000</b>
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Augmentation allowed.

**FOR THE STATE EMPLOYEES' APPEALS COMMISSION**

<b>Total Operating Expense</b>	<b>192,256</b>	<b>192,256</b>
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**FOR THE OFFICE OF TECHNOLOGY**

**INDIANA MAPPING DATA AND STANDARDS (GIS)**

<b>Total Operating Expense</b>	<b>7,100,000</b>	<b>7,100,000</b>
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**FOR THE INDIANA ARCHIVES AND RECORDS ADMINISTRATION**

<b>Total Operating Expense</b>	<b>2,549,534</b>	<b>2,555,513</b>
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**FOR THE OFFICE OF THE PUBLIC ACCESS COUNSELOR**

<b>Total Operating Expense</b>	<b>356,938</b>	<b>357,253</b>
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**G. OTHER**

**FOR THE OFFICE OF THE INSPECTOR GENERAL AND THE STATE ETHICS COMMISSION**

<b>Total Operating Expense</b>	<b>1,566,836</b>	<b>1,572,201</b>
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**FOR THE SECRETARY OF STATE**

**ELECTION DIVISION**

<b>Total Operating Expense</b>	<b>1,817,800</b>	<b>1,818,209</b>
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**VOTER LIST MAINTENANCE**

<b>Total Operating Expense</b>	<b>2,250,000</b>	<b>2,250,000</b>
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**VOTER REGISTRATION SYSTEM**

<b>Total Operating Expense</b>	<b>3,361,759</b>	<b>3,361,759</b>
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**SECTION 4. [EFFECTIVE JULY 1, 2023]**

HEA 1001 — CC 1



**PUBLIC SAFETY**

**A. CORRECTION**

**FOR THE DEPARTMENT OF CORRECTION**

**CENTRAL OFFICE**

Total Operating Expense	29,883,617	28,340,824
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**ESCAPEE COUNSEL AND TRIAL EXPENSE**

Total Operating Expense	199,736	199,736
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**COUNTY JAIL MISDEMEANANT HOUSING**

Total Operating Expense	4,152,639	4,152,639
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**ADULT CONTRACT BEDS**

Total Operating Expense	1,048,200	1,048,200
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**STAFF DEVELOPMENT AND TRAINING**

Total Operating Expense	2,906,366	2,906,366
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**PAROLE BOARD**

Total Operating Expense	950,259	950,259
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**INFORMATION MANAGEMENT SERVICES**

Total Operating Expense	1,671,739	1,671,739
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**JUVENILE TRANSITION**

Total Operating Expense	1,476,286	1,476,286
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**COMMUNITY CORRECTIONS PROGRAMS**

Total Operating Expense	72,625,165	72,625,165
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The above appropriations for community corrections programs are not subject to transfer to any other fund or transfer, assignment, or reassignment for any other use or purpose by the state board of finance notwithstanding IC 4-9.1-1-7 and IC 4-13-2-23 or by the budget agency notwithstanding IC 4-12-1-12 or any other law. Notwithstanding IC 4-13-2-19 and any other law, the above appropriations for community corrections programs do not revert to the state general fund or another fund at the close of a state fiscal year but remain available in subsequent state fiscal years for the purposes of the programs.

**HOOSIER INITIATIVE FOR RE-ENTRY (HIRE)**

Total Operating Expense	832,806	832,806
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**CENTRAL EMERGENCY RESPONSE**

Total Operating Expense	1,469,866	1,469,866
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**HEPATITIS C TREATMENT**

Total Operating Expense	24,037,000	24,037,000
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**DRUG ABUSE PREVENTION**

**Drug Abuse Fund (IC 11-8-2-11)**

Total Operating Expense	127,500	127,500
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Augmentation allowed.

**CORRECTIONAL FACILITIES CALLING SYSTEM**

Correctional Fac. Calling System Fund (IC 5-22-23-7)



	<i>FY 2023-2024 Appropriation</i>	<i>FY 2024-2025 Appropriation</i>	<i>Biennial Appropriation</i>
<b>Total Operating Expense Augmentation allowed.</b>	<b>11,000,000</b>	<b>11,000,000</b>	
<b>EXONERATION</b>			
<b>Total Operating Expense Augmentation allowed.</b>	<b>1</b>	<b>1</b>	

The above appropriations shall be used for expenses relating to the restitution of wrongfully incarcerated persons pursuant to IC 5-2-23. The department shall collaborate with the Indiana Criminal Justice Institute to administer this program.

**COUNTY JAIL MAINTENANCE CONTINGENCY**

<b>Total Operating Expense</b>	<b>34,000,000</b>	<b>34,000,000</b>
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The above appropriations for the county jail maintenance contingency fund are for reimbursing sheriffs for the costs of 1) persons convicted of level 6 felonies and 2) jail and parole holds.

Of the above appropriations, the department of correction may distribute up to \$25,300,000 to sheriffs for the cost of persons convicted of level 6 felonies that are incarcerated in county jails pursuant to IC 35-38-3-3(d). The department shall adopt a formula, subject to approval by the state budget agency, that allocates this funding to sheriffs in a manner that considers previous reimbursements for persons convicted of level 6 felonies and the current number of level 6 abstracts in a county jail in proportion to all county jails.

Of the above appropriations, the department of correction may distribute up to \$8,700,000 each year to sheriffs for the costs of jail and parole holds. The department shall reimburse sheriffs up to \$40 per day for the costs of persons incarcerated in county jails that are convicted of felonies. Reimbursement shall be based on the later of: 1) the dates of incarceration when persons are incarcerated for more than five (5) days after the day of sentencing; or 2) the date upon which the department receives the abstract of judgment and sentencing order. All requests for reimbursement shall be in conformity with department policy. In addition to the per diem of up to \$40, the state shall reimburse the sheriffs for expenses determined by the sheriff to be medically necessary medical care to the convicted persons. If the sheriff or county receives money with respect to a convicted person (from a source other than the county), the per diem or medical expense reimbursement with respect to the convicted person shall be reduced by the amount received. A sheriff shall not be required to comply with IC 35-38-3-4(a) or transport convicted persons within five (5) days after the day of sentencing if the department of correction does not have the capacity to receive the convicted person.

**FOOD, EDUCATIONAL, AND MEDICAL SERVICES**

<b>Total Operating Expense</b>	<b>219,325,080</b>	<b>225,063,624</b>
<b>JUVENILE DETENTION ALTERNATIVES INITIATIVE (JDAI)</b>		

HEA 1001 — CC 1



	<i>FY 2023-2024 Appropriation</i>	<i>FY 2024-2025 Appropriation</i>	<i>Biennial Appropriation</i>
<b>Total Operating Expense</b>	<b>3,052,398</b>	<b>3,052,398</b>	
<b>PAROLE DIVISION</b>			
<b>Total Operating Expense</b>	<b>16,475,519</b>	<b>16,486,593</b>	
<b>HERITAGE TRAIL CORRECTIONAL FACILITY</b>			
<b>Total Operating Expense</b>	<b>9,430,259</b>	<b>9,752,457</b>	
<b>SOUTH BEND COMMUNITY RE-ENTRY CENTER</b>			
<b>Total Operating Expense</b>	<b>2,425,122</b>	<b>2,426,783</b>	
<b>Work Release Fund (IC 11-10-8-6.5)</b>			
<b>Total Operating Expense</b>	<b>655,820</b>	<b>655,820</b>	
<b>Augmentation allowed.</b>			
<b>INDIANA STATE PRISON</b>			
<b>Total Operating Expense</b>	<b>44,868,695</b>	<b>44,897,937</b>	
<b>PENDLETON CORRECTIONAL FACILITY</b>			
<b>Total Operating Expense</b>	<b>40,775,552</b>	<b>40,817,988</b>	
<b>CORRECTIONAL INDUSTRIAL FACILITY</b>			
<b>Total Operating Expense</b>	<b>25,779,534</b>	<b>25,794,561</b>	
<b>INDIANA WOMEN'S PRISON</b>			
<b>Total Operating Expense</b>	<b>15,520,738</b>	<b>15,529,596</b>	
<b>PUTNAMVILLE CORRECTIONAL FACILITY</b>			
<b>Total Operating Expense</b>	<b>38,789,435</b>	<b>38,867,541</b>	
<b>WABASH VALLEY CORRECTIONAL FACILITY</b>			
<b>Total Operating Expense</b>	<b>50,116,795</b>	<b>50,141,595</b>	
<b>BRANCHVILLE CORRECTIONAL FACILITY</b>			
<b>Total Operating Expense</b>	<b>21,837,019</b>	<b>21,849,255</b>	
<b>WESTVILLE CORRECTIONAL FACILITY</b>			
<b>Total Operating Expense</b>	<b>55,239,799</b>	<b>55,355,175</b>	
<b>ROCKVILLE CORRECTIONAL FACILITY FOR WOMEN</b>			
<b>Total Operating Expense</b>	<b>19,917,666</b>	<b>19,928,973</b>	
<b>PLAINFIELD CORRECTIONAL FACILITY</b>			
<b>Total Operating Expense</b>	<b>30,178,849</b>	<b>30,195,892</b>	
<b>RECEPTION AND DIAGNOSTIC CENTER</b>			
<b>Total Operating Expense</b>	<b>18,660,189</b>	<b>18,670,439</b>	
<b>MIAMI CORRECTIONAL FACILITY</b>			
<b>Total Operating Expense</b>	<b>38,154,954</b>	<b>38,207,805</b>	
<b>NEW CASTLE CORRECTIONAL FACILITY</b>			
<b>Total Operating Expense</b>	<b>42,958,542</b>	<b>44,147,221</b>	
<b>CHAIN O' LAKES CORRECTIONAL FACILITY</b>			
<b>Total Operating Expense</b>	<b>2,093,762</b>	<b>2,095,207</b>	
<b>MADISON CORRECTIONAL FACILITY</b>			
<b>Total Operating Expense</b>	<b>15,281,612</b>	<b>15,307,892</b>	
<b>EDINBURGH CORRECTIONAL FACILITY</b>			
<b>Total Operating Expense</b>	<b>5,206,835</b>	<b>5,209,888</b>	
<b>NORTH CENTRAL JUVENILE CORRECTIONAL FACILITY</b>			
<b>Total Operating Expense</b>	<b>14,465,238</b>	<b>14,473,379</b>	
<b>LAPORTE JUVENILE CORRECTIONAL FACILITY</b>			

HEA 1001 — CC 1



	<i>FY 2023-2024 Appropriation</i>	<i>FY 2024-2025 Appropriation</i>	<i>Biennial Appropriation</i>
<b>Total Operating Expense</b>	<b>4,962,825</b>	<b>4,965,672</b>	
<b>PENDLETON JUVENILE CORRECTIONAL FACILITY</b>			
<b>Total Operating Expense</b>	<b>20,377,883</b>	<b>20,390,529</b>	

**FOR THE DEPARTMENT OF ADMINISTRATION  
DEPARTMENT OF CORRECTION OMBUDSMAN BUREAU**

<b>Total Operating Expense</b>	<b>250,902</b>	<b>250,902</b>	
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**B. LAW ENFORCEMENT**

**FOR THE INDIANA STATE POLICE AND MOTOR CARRIER INSPECTION**

<b>Total Operating Expense</b>	<b>160,607,701</b>	<b>160,607,701</b>	
<b>Motor Carrier Regulation Fund (IC 8-2.1-23)</b>			
<b>Other Operating Expense</b>	<b>5,684,355</b>	<b>5,684,355</b>	
<b>Augmentation allowed from the motor carrier regulation fund.</b>			

The above appropriations include funds for the state police minority recruiting program.

The above appropriations for the Indiana state police and motor carrier inspection include funds for the police security detail to be provided to the Indiana state fair board. However, amounts actually expended to provide security for the Indiana state fair board as determined by the budget agency shall be reimbursed by the Indiana state fair board to the state general fund.

**ISP SALARY MATRIX ADJUSTMENT**

<b>Total Operating Expense</b>	<b>37,302,235</b>	<b>37,419,066</b>	
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The above appropriations are for adjustments to the ISP, motor carrier services, and capitol police salary matrices. The above appropriations include funding to increase probationary trooper salaries to the same level as first year trooper salaries.

**ISP OPEB CONTRIBUTION**

<b>Total Operating Expense</b>	<b>6,006,409</b>	<b>6,006,409</b>	
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**INTERNET CRIMES AGAINST CHILDREN**

<b>Total Operating Expense</b>	<b>1,000,000</b>	<b>1,000,000</b>	
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**INDIANA INTELLIGENCE FUSION CENTER**

<b>Total Operating Expense</b>	<b>1,305,529</b>	<b>1,305,529</b>	
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**FORENSIC AND HEALTH SCIENCES LABORATORIES**

<b>Total Operating Expense</b>	<b>14,899,242</b>	<b>14,899,242</b>	
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**Motor Carrier Regulation Fund (IC 8-2.1-23)**

<b>Other Operating Expense</b>	<b>1,320,708</b>	<b>1,320,708</b>	
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**Augmentation allowed from the motor carrier regulation fund.**

**ENFORCEMENT AID**

<b>Total Operating Expense</b>	<b>59,791</b>	<b>59,791</b>	
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HEA 1001 — CC 1



The above appropriations for enforcement aid are to meet unforeseen emergencies of a confidential nature. They are to be expended under the direction of the superintendent and to be accounted for solely on the superintendent's authority.

**RETIREMENT PENSION FUND**

Total Operating Expense	37,628,220	37,628,220
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The above appropriations shall be paid into the state police pension fund provided for in IC 10-12-2 in twelve (12) equal installments on or before July 30 and on or before the 30th of each succeeding month thereafter.

If the amount actually required under IC 10-12-2 is greater than the above appropriations, the above appropriations may be augmented from the general fund with the approval of the governor and the budget agency.

**BENEFIT TRUST FUND**

Total Operating Expense	6,000,000	6,000,000
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All benefits to members shall be paid by warrant drawn on the treasurer of state by the state comptroller on the basis of claims filed and approved by the trustees of the state police pension and benefit funds created by IC 10-12-2.

If the amount actually required under IC 10-12-2 is greater than the above appropriations, the above appropriations may be augmented from the general fund with the approval of the governor and the budget agency.

**PRE-1987 RETIREMENT**

Total Operating Expense	5,450,000	5,450,000
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If the amount actually required under IC 10-12-5 is greater than the above appropriations, then, with the approval of the governor and the budget agency, the above appropriations may be augmented from the general fund.

**ACCIDENT REPORTING**

Accident Report Account (IC 9-26-9-3)

Total Operating Expense	4,122	4,122
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Augmentation allowed.

**DRUG INTERDICTION**

Drug Interdiction Fund (IC 10-11-7)

Total Operating Expense	202,249	202,249
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Augmentation allowed.

**DNA SAMPLE PROCESSING**

DNA Sample Processing Fund (IC 10-13-6-9.5)

Total Operating Expense	1,789,875	1,789,875
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HEA 1001 — CC 1



**Augmentation allowed.**

**FOR THE INTEGRATED PUBLIC SAFETY COMMISSION**

**Integrated Public Safety Communications Fund (IC 5-26-4-1)**

<b>Total Operating Expense</b>	<b>14,855,548</b>	<b>14,912,849</b>
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**Augmentation allowed.**

**FOR THE ADJUTANT GENERAL**

<b>Total Operating Expense</b>	<b>10,183,839</b>	<b>10,183,839</b>
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**CAMP ATTERBURY MUSCATATUCK CENTER FOR COMPLEX OPERATIONS**

<b>Total Operating Expense</b>	<b>561,396</b>	<b>561,396</b>
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**MUTC - MUSCATATUCK URBAN TRAINING CENTER**

<b>Total Operating Expense</b>	<b>1,248,002</b>	<b>1,248,002</b>
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**HOOSIER YOUTH CHALLENGE ACADEMY**

<b>Total Operating Expense</b>	<b>2,524,593</b>	<b>2,524,593</b>
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**GOVERNOR'S CIVIL AND MILITARY CONTINGENCY FUND**

<b>Total Operating Expense</b>	<b>250,000</b>	<b>250,000</b>
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The above appropriations for the governor's civil and military contingency fund are made under IC 10-16-11-1.

**FOR THE CRIMINAL JUSTICE INSTITUTE**

<b>Total Operating Expense</b>	<b>3,295,028</b>	<b>3,295,028</b>
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**Violent Crime Victims Compensation Fund (IC 5-2-6.1-40)**

<b>Total Operating Expense</b>	<b>10,000</b>	<b>10,000</b>
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**Augmentation allowed.**

**Victim and Witness Assistance Fund (IC 5-2-6-14)**

<b>Total Operating Expense</b>	<b>50,000</b>	<b>50,000</b>
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**Augmentation allowed.**

**State Drug Free Communities Fund (IC 5-2-10-2)**

<b>Total Operating Expense</b>	<b>50,000</b>	<b>50,000</b>
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**Augmentation allowed.**

**DRUG ENFORCEMENT MATCH**

<b>Total Operating Expense</b>	<b>250,000</b>	<b>250,000</b>
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To facilitate the duties of the Indiana criminal justice institute as outlined in IC 5-2-6-3, the above appropriations are not subject to the provisions of IC 4-9.1-1-7 when used to support other state agencies through the awarding of state match dollars.

**VICTIM AND WITNESS ASSISTANCE**

**Victim and Witness Assistance Fund (IC 5-2-6-14)**

<b>Total Operating Expense</b>	<b>381,833</b>	<b>381,833</b>
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**Augmentation allowed.**

**ALCOHOL AND DRUG COUNTERMEASURES**





	<i>FY 2023-2024 Appropriation</i>	<i>FY 2024-2025 Appropriation</i>	<i>Biennial Appropriation</i>
<b>Alcohol and Drug Countermeasures Fund (IC 9-27-2-11)</b>			
<b>Total Operating Expense</b>	<b>335,000</b>	<b>335,000</b>	
<b>Augmentation allowed.</b>			
<b>STATE DRUG FREE COMMUNITIES</b>			
<b>State Drug Free Communities Fund (IC 5-2-10-2)</b>			
<b>Total Operating Expense</b>	<b>362,845</b>	<b>362,845</b>	
<b>Augmentation allowed.</b>			
<b>INDIANA LOCAL LAW ENFORCEMENT TRAINING DISTRIBUTION</b>			
<b>Total Operating Expense</b>	<b>5,000,000</b>	<b>5,000,000</b>	

The above appropriations are for the purpose of providing distributions to city, town, and county law enforcement agencies to conduct law enforcement training, including the purchase of supplies and training materials. A distribution to a law enforcement agency in a fiscal year may not exceed the amount that the law enforcement agency received from fees collected pursuant to IC 35-47-2-3 in calendar year 2020.

**OFFICE OF TRAFFIC SAFETY**

<b>Total Operating Expense</b>	<b>707,633</b>	<b>707,633</b>
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The above appropriations for the office of traffic safety may be used as the state match requirement for this program according to the current highway safety plan approved by the governor and the budget agency.

**SEXUAL ASSAULT VICTIMS' ASSISTANCE**

<b>Total Operating Expense</b>	<b>4,000,000</b>	<b>4,000,000</b>
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**VICTIMS OF VIOLENT CRIME ADMINISTRATION**

<b>Total Operating Expense</b>	<b>3,708,133</b>	<b>3,708,133</b>
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**Violent Crime Victims Compensation Fund (IC 5-2-6.1-40)**

<b>Total Operating Expense</b>	<b>3,325,844</b>	<b>3,325,844</b>
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**Augmentation allowed from the violent crime victims compensation fund.**

If the above appropriations are insufficient to pay eligible claims, the budget agency may augment the above appropriations from the general fund.

**DOMESTIC VIOLENCE PREVENTION AND TREATMENT**

<b>Total Operating Expense</b>	<b>8,000,000</b>	<b>8,000,000</b>
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**Domestic Violence Prevention and Treatment Fund (IC 5-2-6.7-4)**

<b>Total Operating Expense</b>	<b>1,226,800</b>	<b>1,226,800</b>
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**Augmentation allowed from the domestic violence prevention and treatment fund.**

The above appropriations may not be used to construct a new domestic violence shelter but may be used to repair existing shelters.

**JUVENILE DIVERSION GRANT PROGRAM**

<b>Total Operating Expense</b>	<b>5,000,000</b>	<b>5,000,000</b>
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HEA 1001 — CC 1



<b>JUVENILE COMMUNITY ALTERNATIVES PROGRAM</b>		
Total Operating Expense	5,000,000	5,000,000
<b>JUVENILE BEHAVIORAL HEALTH COMPETITIVE PILOT PROGRAM</b>		
Total Operating Expense	20,000,000	20,000,000
<b>JUVENILE RECIDIVISM REDUCTION PILOT PROJECT</b>		
Total Operating Expense	100,000	100,000

The above appropriations shall be granted to county detention centers on an application basis to provide resources to youth in, or at-risk of, detainment. Counties must match grants received on a dollar for dollar basis.

<b>FOR THE DEPARTMENT OF TOXICOLOGY</b>		
Total Operating Expense	2,760,026	2,760,026

<b>BREATH TEST TRAINING AND CERTIFICATION</b>		
Breath Test Training and Certification Fund (IC 10-20-2-9)		
Total Operating Expense	355,000	355,000
Augmentation allowed from the Breath Test Training and Certification Fund.		

<b>FOR THE CORONERS TRAINING BOARD</b>		
Coroners Training and Continuing Education Fund (IC 4-23-6.5-8)		
Total Operating Expense	475,000	475,000
Augmentation allowed.		

The department of health shall administer the coroners training and continuing education fund.

<b>FOR THE LAW ENFORCEMENT TRAINING ACADEMY</b>		
Total Operating Expense	4,561,018	4,561,018
Law Enforcement Academy Fund (IC 5-2-1-13)		
Total Operating Expense	2,938,086	2,938,086
Augmentation allowed from the Law Enforcement Academy Fund.		

**C. REGULATORY AND LICENSING**

<b>FOR THE BUREAU OF MOTOR VEHICLES</b>		
Total Operating Expense	30,409,772	30,825,556
<b>STATE MOTOR VEHICLE TECHNOLOGY</b>		
State Motor Vehicle Technology Fund (IC 9-14-14-3)		
Total Operating Expense	6,850,000	6,850,000
Augmentation allowed.		
Bureau of Motor Vehicles Commission Fund (IC 9-14-14-1)		
Total Operating Expense	11,112,300	11,241,800
Augmentation allowed.		
<b>MOTORCYCLE OPERATOR SAFETY</b>		



	<i>FY 2023-2024 Appropriation</i>	<i>FY 2024-2025 Appropriation</i>	<i>Biennial Appropriation</i>
<b>Motorcycle Operator Safety Education Fund (IC 9-27-7-7)</b>			
<b>Total Operating Expense</b>	<b>1,705,022</b>	<b>1,705,222</b>	
Augmentation allowed.			
<b>LICENSE BRANCHES</b>			
<b>Bureau of Motor Vehicles Commission Fund (IC 9-14-14-1)</b>			
<b>Total Operating Expense</b>	<b>133,975,381</b>	<b>135,819,542</b>	
Augmentation allowed.			
<b>FOR THE DEPARTMENT OF LABOR</b>			
<b>Total Operating Expense</b>	<b>917,250</b>	<b>917,250</b>	
<b>BUREAU OF MINES AND SAFETY</b>			
<b>Total Operating Expense</b>	<b>190,604</b>	<b>190,604</b>	
<b>QUALITY, METRICS, AND STATISTICS (M.I.S.)</b>			
<b>Total Operating Expense</b>	<b>151,682</b>	<b>151,682</b>	
<b>OCCUPATIONAL SAFETY AND HEALTH</b>			
<b>Total Operating Expense</b>	<b>3,367,616</b>	<b>3,367,616</b>	

The above appropriations for occupational safety and health and M.I.S. research and statistics reflect only the general fund portion of the total program costs of the Indiana occupational safety and health plan as approved by the U.S. Department of Labor. It is the intent of the general assembly that the Indiana department of labor apply to the federal government for the federal share of the total program costs.

**EMPLOYMENT OF YOUTH**

**Labor Education and Youth Employment Fund (IC 22-2-18.1-32)**

<b>Total Operating Expense</b>	<b>541,908</b>	<b>541,908</b>
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    Augmentation allowed.

**INSAFE**

**Special Fund for Safety and Health Consultation Services (IC 22-8-1.1-48)**

<b>Total Operating Expense</b>	<b>380,873</b>	<b>380,873</b>
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    Augmentation allowed.

**FOR THE DEPARTMENT OF INSURANCE**

**Department of Insurance Fund (IC 27-1-3-28)**

<b>Total Operating Expense</b>	<b>13,440,746</b>	<b>18,095,972</b>
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    Augmentation allowed.

**ALL PAYER CLAIMS DATABASE**

**Department of Insurance Fund (IC 27-1-3-28)**

<b>Total Operating Expense</b>	<b>5,512,442</b>	<b>4,512,442</b>
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    Augmentation allowed.

**BAIL BOND DIVISION**

**Bail Bond Enforcement and Administration Fund (IC 27-10-5-1)**

<b>Total Operating Expense</b>	<b>81,880</b>	<b>81,880</b>
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    Augmentation allowed.

**PATIENT'S COMPENSATION AUTHORITY**

HEA 1001 — CC 1



	<i>FY 2023-2024 Appropriation</i>	<i>FY 2024-2025 Appropriation</i>	<i>Biennial Appropriation</i>
<b>Patient's Compensation Fund (IC 34-18-6-1)</b>			
<b>Total Operating Expense</b>	<b>4,216,705</b>	<b>4,216,705</b>	
Augmentation allowed.			
<b>POLITICAL SUBDIVISION RISK MANAGEMENT</b>			
<b>Political Subdivision Risk Management Fund (IC 27-1-29-10)</b>			
<b>Other Operating Expense</b>	<b>133,108</b>	<b>133,108</b>	
Augmentation allowed.			
<b>MINE SUBSIDENCE INSURANCE</b>			
<b>Mine Subsidence Insurance Fund (IC 27-7-9-7)</b>			
<b>Total Operating Expense</b>	<b>2,400,000</b>	<b>2,400,000</b>	
Augmentation allowed.			
<b>TITLE INSURANCE ENFORCEMENT OPERATING</b>			
<b>Title Insurance Enforcement Fund (IC 27-7-3.6-1)</b>			
<b>Total Operating Expense</b>	<b>941,121</b>	<b>941,121</b>	
Augmentation allowed.			
<b>FOR THE ALCOHOL AND TOBACCO COMMISSION</b>			
<b>Enforcement and Administration Fund (IC 7.1-4-10-1)</b>			
<b>Total Operating Expense</b>	<b>14,251,067</b>	<b>14,543,329</b>	
Augmentation allowed.			
The above appropriations include \$500,000 each fiscal year for the purchase and maintenance of excise officer body cameras.			
<b>YOUTH TOBACCO EDUCATION AND ENFORCEMENT</b>			
<b>Richard D. Doyle Youth Tobacco Education and Enforcement Fund (IC 7.1-6-2-6)</b>			
<b>Total Operating Expense</b>	<b>72,849</b>	<b>72,849</b>	
Augmentation allowed.			
<b>ATC SALARY MATRIX ADJUSTMENT</b>			
<b>Enforcement and Administration Fund (IC 7.1-4-10-1)</b>			
<b>Total Operating Expense</b>	<b>2,940,000</b>	<b>2,940,000</b>	
The above appropriations are for an adjustment to the ATC salary matrix.			
<b>ATC OPEB CONTRIBUTION</b>			
<b>Enforcement and Administration Fund (IC 7.1-4-10-1)</b>			
<b>Total Operating Expense</b>	<b>658,617</b>	<b>658,617</b>	
Augmentation allowed.			
<b>FOR THE DEPARTMENT OF FINANCIAL INSTITUTIONS</b>			
<b>Financial Institutions Fund (IC 28-11-2-9)</b>			
<b>Total Operating Expense</b>	<b>12,476,782</b>	<b>12,472,649</b>	
Augmentation allowed.			
<b>FOR THE PROFESSIONAL LICENSING AGENCY</b>			



	<i>FY 2023-2024 Appropriation</i>	<i>FY 2024-2025 Appropriation</i>	<i>Biennial Appropriation</i>
<b>Total Operating Expense</b>	<b>9,605,261</b>	<b>10,332,727</b>	
<b>CONTROLLED SUBSTANCES DATA FUND (INSPECT)</b>			
<b>Controlled Substances Data Fund (IC 25-26-24-23)</b>			
<b>Total Operating Expense</b>	<b>1,459,572</b>	<b>1,459,572</b>	
Augmentation allowed.			
<b>PRENEED CONSUMER PROTECTION</b>			
<b>Preneed Consumer Protection Fund (IC 30-2-13-28)</b>			
<b>Total Operating Expense</b>	<b>67,000</b>	<b>67,000</b>	
Augmentation allowed.			
<b>BOARD OF FUNERAL AND CEMETERY SERVICE</b>			
<b>Funeral Service Education Fund (IC 25-15-9-13)</b>			
<b>Total Operating Expense</b>	<b>250</b>	<b>250</b>	
Augmentation allowed.			
<b>DENTAL PROFESSION INVESTIGATION</b>			
<b>Dental Compliance Fund (IC 25-14-1-3.7)</b>			
<b>Total Operating Expense</b>	<b>175,014</b>	<b>175,014</b>	
Augmentation allowed.			
<b>PHYSICIAN INVESTIGATION</b>			
<b>Physician Compliance Fund (IC 25-22.5-2-8)</b>			
<b>Total Operating Expense</b>	<b>7,586</b>	<b>7,586</b>	
Augmentation allowed.			
 <b>FOR THE CIVIL RIGHTS COMMISSION</b>			
<b>Total Operating Expense</b>	<b>2,374,855</b>	<b>2,375,745</b>	
 The above appropriations for the Indiana civil rights commission reflect only the general fund portion of the total program costs for the processing of employment and housing discrimination complaints. It is the intent of the general assembly that the commission shall apply to the federal government for funding based upon the processing of employment and housing discrimination complaints.			
 <b>COMMISSION FOR WOMEN</b>			
<b>Total Operating Expense</b>	<b>113,601</b>	<b>113,601</b>	
<b>COMMISSION ON THE SOCIAL STATUS OF BLACK MALES</b>			
<b>Total Operating Expense</b>	<b>135,431</b>	<b>135,431</b>	
<b>NATIVE AMERICAN INDIAN AFFAIRS COMMISSION</b>			
<b>Total Operating Expense</b>	<b>109,378</b>	<b>109,378</b>	
<b>COMMISSION ON HISPANIC/LATINO AFFAIRS</b>			
<b>Total Operating Expense</b>	<b>120,268</b>	<b>120,268</b>	
<b>DR. MARTIN LUTHER KING JR. HOLIDAY COMMISSION</b>			
<b>Total Operating Expense</b>	<b>50,000</b>	<b>50,000</b>	
 <b>FOR THE UTILITY CONSUMER COUNSELOR</b>			
<b>Public Utility Fund (IC 8-1-6-1)</b>			
<b>Total Operating Expense</b>	<b>8,381,408</b>	<b>8,389,807</b>	

HEA 1001 — CC 1



	<i>FY 2023-2024 Appropriation</i>	<i>FY 2024-2025 Appropriation</i>	<i>Biennial Appropriation</i>
<b>Augmentation allowed.</b>			
<b>EXPERT WITNESS FEES AND AUDIT</b>			
<b>Public Utility Fund (IC 8-1-6-1)</b>			
<b>Total Operating Expense</b>	<b>787,998</b>	<b>787,998</b>	
<b>Augmentation allowed.</b>			
<b>FOR THE UTILITY REGULATORY COMMISSION</b>			
<b>Public Utility Fund (IC 8-1-6-1)</b>			
<b>Total Operating Expense</b>	<b>11,648,621</b>	<b>11,647,441</b>	
<b>Augmentation allowed.</b>			
<b>FOR THE WORKER'S COMPENSATION BOARD</b>			
<b>Total Operating Expense</b>	<b>2,139,488</b>	<b>2,145,329</b>	
<b>Worker's Compensation Supplemental Administrative Fund (IC 22-3-5-6)</b>			
<b>Total Operating Expense</b>	<b>409,155</b>	<b>409,155</b>	
<b>Augmentation allowed from the worker's compensation supplemental administrative fund.</b>			
<b>FOR THE STATE BOARD OF ANIMAL HEALTH</b>			
<b>Total Operating Expense</b>	<b>6,838,582</b>	<b>6,888,952</b>	
<b>INDEMNITY</b>			
<b>Total Operating Expense</b>	<b>42,500</b>	<b>42,500</b>	
<b>Augmentation allowed.</b>			
<b>MEAT &amp; POULTRY</b>			
<b>Total Operating Expense</b>	<b>2,463,215</b>	<b>2,485,974</b>	
<b>CAPTIVE CERVIDAE PROGRAMS</b>			
<b>Captive Cervidae Programs Fund (IC 15-17-14.7-16)</b>			
<b>Total Operating Expense</b>	<b>47,000</b>	<b>47,000</b>	
<b>Augmentation allowed.</b>			
<b>FOR THE DEPARTMENT OF HOMELAND SECURITY</b>			
<b>Total Operating Expense</b>	<b>3,120,181</b>	<b>3,120,181</b>	
<b>Fire and Building Services Fund (IC 22-12-6-1)</b>			
<b>Total Operating Expense</b>	<b>17,794,774</b>	<b>17,914,929</b>	
<b>Augmentation allowed.</b>			
<b>REGIONAL PUBLIC SAFETY TRAINING</b>			
<b>Total Operating Expense</b>	<b>9,086,185</b>	<b>9,086,185</b>	
<b>MOBILE INTEGRATION HEALTHCARE GRANTS</b>			
<b>Total Operating Expense</b>	<b>500,000</b>	<b>500,000</b>	
<b>PFAS BIOMONITORING PILOT PROGRAM</b>			
<b>Total Operating Expense</b>	<b>200,000</b>	<b>0</b>	
<b>RADIOLOGICAL HEALTH</b>			
<b>Total Operating Expense</b>	<b>74,145</b>	<b>74,145</b>	
<b>INDIANA SECURED SCHOOL SAFETY</b>			
<b>Total Operating Expense</b>	<b>24,600,000</b>	<b>24,600,000</b>	

HEA 1001 — CC 1



**Indiana Secured School Fund (IC 10-21-1-2)**

Total Operating Expense	400,000	400,000
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Augmentation allowed from the Indiana Secured School Fund.

Of the above appropriations, the department shall make \$400,000 available each fiscal year to provide grants to school corporations, charter schools, and accredited nonpublic schools for bullying prevention programs.

Of the above appropriations, the department shall make \$1,000,000 available each fiscal year to provide grants to school corporations, charter schools, and accredited nonpublic schools to implement a student and parent support services plan.

Of the above appropriations, the department shall make \$700,000 available each fiscal year to accredited nonpublic schools that apply for grants for the purchase of security equipment or other security upgrades. The department shall prioritize grants to nonpublic schools that demonstrate a heightened risk of security threats.

**EMERGENCY MANAGEMENT CONTINGENCY FUND**

Total Operating Expense	97,288	97,288
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Augmentation allowed.

The above appropriations for the emergency management contingency fund are made under IC 10-14-3-28. The state budget agency shall report any augmentations of the emergency management contingency fund to the state budget committee no more than 60 days after the augmentation is made.

**PUBLIC ASSISTANCE GRANT PROGRAM**

Total Operating Expense	1	1
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Augmentation allowed.

**INDIANA EMERGENCY RESPONSE COMMISSION**

Total Operating Expense	57,152	57,152
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Local Emergency Planning and Right to Know Fund (IC 13-25-2-10.5)

Total Operating Expense	74,413	74,413
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Augmentation allowed.

**STATE DISASTER RELIEF**

State Disaster Relief Fund (IC 10-14-4-5)

Total Operating Expense	149,784	149,784
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Augmentation allowed.

**FIRE PREVENTION AND PUBLIC SAFETY**

Fire Prevention and Public Safety Fund (IC 22-14-7-27)

Total Operating Expense	32,000	32,000
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Augmentation allowed.

**STATEWIDE FIRE AND BUILDING SAFETY EDUCATION**

Statewide Fire and Building Safety Education Fund (IC 22-12-6-3)

Total Operating Expense	120,959	120,959
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**Augmentation allowed.**

<b>EMERGENCY MEDICAL SERVICES (EMS) READINESS</b>		
<b>Total Operating Expense</b>	<b>6,450,000</b>	<b>8,200,000</b>

The above appropriations shall be used to improve the readiness and sustainability of emergency medical services. Eligible uses of the funding include the following:

- (1) To fund initiatives that address EMS recruitment, training, retention, and other workforce challenges;
- (2) To fund mobile integrated healthcare programs;
- (3) To improve EMS availability for interfacility transfers;
- (4) To reduce the financial burden on EMS provider organizations or EMS training institutions to purchase EMS equipment;
- (5) To conduct a feasibility analysis regarding how computer aided dispatch systems used by public safety answering points in Indiana can be interoperable with the intent to facilitate the closest and most appropriate EMS response; and
- (6) To fund technology and data connectivity for computer aided dispatch systems used by public safety answering points in Indiana to be interoperable to facilitate the closest and most appropriate EMS response.

The department may use any portion of the above appropriations to award grants.

**SECTION 5. [EFFECTIVE JULY 1, 2023]**

**CONSERVATION AND ENVIRONMENT**

**A. NATURAL RESOURCES**

**FOR THE DEPARTMENT OF NATURAL RESOURCES - ADMINISTRATION**

<b>Total Operating Expense</b>	<b>13,176,511</b>	<b>13,176,511</b>
<b>OPEB TRUST FUND - DNR</b>		
<b>Total Operating Expense</b>	<b>2,454,372</b>	<b>2,454,372</b>
<b>ENTOMOLOGY AND PLANT PATHOLOGY</b>		
<b>Total Operating Expense</b>	<b>1,018,158</b>	<b>1,018,158</b>
<b>Entomology and Plant Pathology Fund (IC 14-24-10-3)</b>		
<b>Total Operating Expense</b>	<b>302,415</b>	<b>302,415</b>
<b>DNR ENGINEERING DIVISION</b>		
<b>Total Operating Expense</b>	<b>2,343,059</b>	<b>2,343,059</b>
<b>DIVISION OF HISTORIC PRESERVATION AND ARCHAEOLOGY</b>		
<b>Total Operating Expense</b>	<b>1,093,517</b>	<b>1,093,517</b>
<b>NATURE PRESERVES DIVISION</b>		
<b>Total Operating Expense</b>	<b>553,378</b>	<b>553,378</b>
<b>WATER DIVISION</b>		
<b>Total Operating Expense</b>	<b>5,756,144</b>	<b>5,756,144</b>

All revenues accruing from state and local units of government and from private





utilities and industrial concerns as a result of water resources study projects, and as a result of topographic and other mapping projects, shall be deposited into the general fund and used for water resources studies. The above appropriations include \$200,000 each fiscal year for the monitoring of water resources.

**DEER RESEARCH AND MANAGEMENT**

Deer Research and Management Fund (IC 14-22-5-2)

Total Operating Expense	90,180	90,180
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Augmentation allowed.

**OIL AND GAS DIVISION**

Total Operating Expense	822,540	822,540
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Oil and Gas Fund (IC 6-8-1-27)

Total Operating Expense	1,356,665	1,356,665
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Augmentation allowed.

**STATE PARKS AND RESERVOIRS**

Total Operating Expense	3,590,713	3,590,713
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State Parks and Reservoirs Special Revenue Fund (IC 14-19-8-2)

Total Operating Expense	43,591,652	43,591,652
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Augmentation allowed from the State Parks and Reservoirs Special Revenue Fund.

**SNOWMOBILE FUND**

Off-Road Vehicle and Snowmobile Fund (IC 14-16-1-30)

Total Operating Expense	78,209	78,209
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Augmentation allowed.

**DNR LAW ENFORCEMENT DIVISION**

Total Operating Expense	15,242,981	15,242,981
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Fish and Wildlife Fund (IC 14-22-3-2)

Total Operating Expense	11,659,137	11,416,367
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Augmentation allowed from the Fish and Wildlife Fund.

**DNR SALARY MATRIX ADJUSTMENT**

Total Operating Expense	10,317,545	10,344,506
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The above appropriations are for adjustments to the DNR officer salary matrix. The above appropriations include funding to increase probationary officer salaries to the same level as first year officer salaries.

**SPORTSMEN'S BENEVOLENCE**

Total Operating Expense	145,500	145,500
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**LAW ENFORCEMENT WATERCRAFT**

Total Operating Expense	900,000	900,000
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**FISH AND WILDLIFE DIVISION**

Fish and Wildlife Fund (IC 14-22-3-2)

Total Operating Expense	16,825,151	16,825,151
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Augmentation allowed.

**FORESTRY DIVISION**

Total Operating Expense	7,988,120	7,988,120
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<b>State Forestry Fund (IC 14-23-3-2)</b>			
Total Operating Expense	3,643,741	3,643,741	
Augmentation allowed from the State Forestry Fund.			

In addition to any of the above appropriations for the department of natural resources, any federal funds received by the state of Indiana for the planning, acquisition, and development of approved outdoor recreation projects under the provisions of the federal Land and Water Conservation Fund Act, P.L.88-578, are appropriated for the uses and purposes for which the funds were paid to the state, and shall be distributed by the department of natural resources to state agencies and other governmental units in accordance with the provisions under which the funds were received.

**LAKE MICHIGAN COASTAL PROGRAM MATCH**

<b>Cigarette Tax Fund (IC 6-7-1-28.1)</b>			
Total Operating Expense	117,313	117,313	
Augmentation allowed.			

**LAKE AND RIVER ENHANCEMENT**

<b>Lake and River Enhancement Fund (IC 14-22-3.5-1)</b>			
Total Operating Expense	2,079,013	2,079,013	
Augmentation allowed.			

**PRESIDENT BENJAMIN HARRISON CONSERVATION TRUST**

<b>Benjamin Harrison Conservation Trust Fund (IC 14-12-2-25)</b>			
Total Operating Expense	811,750	811,750	
Augmentation allowed.			

**INSTITUTIONAL ROAD CONSTRUCTION**

<b>State Highway Fund (IC 8-23-9-54)</b>			
Total Operating Expense	5,000,000	5,000,000	

Subject to approval by the Budget Director, the above appropriations for institutional road construction may be used for road and bridge construction, relocation, and other related improvement projects at state-owned properties managed by the department of natural resources.

**B. OTHER NATURAL RESOURCES**

**FOR THE INDIANA STATE MUSEUM AND HISTORIC SITES CORPORATION**

Total Operating Expense	11,174,503	11,208,503	
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In lieu of billing the University of Southern Indiana, the above appropriations include \$25,000 each fiscal year for the purpose of maintaining historic properties in New Harmony.

**FOR THE WAR MEMORIALS COMMISSION**

Total Operating Expense	1,752,012	1,753,995	
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All revenues received as rent for space in the buildings located at 777 North Meridian Street and 700 North Pennsylvania Street, in the city of Indianapolis, that exceed the costs of operation and maintenance of the space rented, shall be deposited into the general fund.

**FOR THE WHITE RIVER STATE PARK DEV COMMISSION**

Total Operating Expense	1,041,710	1,046,630
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**FOR THE MAUMEE RIVER BASIN COMMISSION**

Total Operating Expense	101,850	101,850
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**FOR THE ST. JOSEPH RIVER BASIN COMMISSION**

Total Operating Expense	104,974	104,974
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**FOR THE KANKAKEE RIVER BASIN COMMISSION**

Total Operating Expense	79,487	79,487
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**C. ENVIRONMENTAL MANAGEMENT**

**FOR THE DEPARTMENT OF ENVIRONMENTAL MANAGEMENT**

**OPERATING**

Total Operating Expense	28,199,894	28,948,985
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**OFFICE OF ENVIRONMENTAL RESPONSE**

Total Operating Expense	2,723,210	2,723,210
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**POLLUTION PREVENTION AND TECHNICAL ASSISTANCE**

Total Operating Expense	756,264	756,264
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**RIVERSIDE CLEAN-UP**

Total Operating Expense	515,611	515,611
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**STATE SOLID WASTE GRANTS MANAGEMENT**

State Solid Waste Management Fund (IC 13-20-22-2)

Total Operating Expense	3,702,735	3,702,735
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Augmentation allowed.

**RECYCLING PROMOTION AND ASSISTANCE PROGRAM**

Indiana Recycling Promotion and Assistance Fund (IC 4-23-5.5-14)

Total Operating Expense	2,225,116	2,225,116
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Augmentation allowed.

**VOLUNTARY CLEAN-UP PROGRAM**

Voluntary Remediation Fund (IC 13-25-5-21)

Total Operating Expense	1,520,376	1,520,376
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Augmentation allowed.

**TITLE V AIR PERMIT PROGRAM**

Title V Operating Permit Program Trust Fund (IC 13-17-8-1)

Total Operating Expense	11,567,859	11,567,859
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Augmentation allowed.

**WATER MANAGEMENT PERMITTING**



	<i>FY 2023-2024</i>	<i>FY 2024-2025</i>	<i>Biennial</i>
	<i>Appropriation</i>	<i>Appropriation</i>	<i>Appropriation</i>
<b>Environmental Management Permit Operation Fund (IC 13-15-11-1)</b>			
Total Operating Expense	7,799,674	7,799,674	
Augmentation allowed.			
<b>SOLID WASTE MANAGEMENT PERMITTING</b>			
<b>Environmental Management Permit Operation Fund (IC 13-15-11-1)</b>			
Total Operating Expense	4,278,656	4,278,656	
Augmentation allowed.			
<b>CFO/CAFO INSPECTIONS</b>			
Total Operating Expense	2,620,777	2,620,777	
<b>HAZARDOUS WASTE MANAGEMENT PERMITTING</b>			
<b>Environmental Management Permit Operation Fund (IC 13-15-11-1)</b>			
Total Operating Expense	1,221,577	1,221,577	
Augmentation allowed.			
<b>Environmental Management Special Fund (IC 13-14-12-1)</b>			
Total Operating Expense	1,500,000	1,500,000	
<b>ENVIRONMENTAL MANAGEMENT SPECIAL OPERATING</b>			
<b>Environmental Management Special Fund (IC 13-14-12-1)</b>			
Total Operating Expense	3,136,726	3,136,726	
<b>Underground Petroleum Storage Tank Trust Fund (IC 13-23-6-1)</b>			
Total Operating Expense	110,000	110,000	
<b>Underground Petroleum Storage Tank Excess Liability Trust Fund (IC 13-23-7-1)</b>			
Total Operating Expense	1,500,000	1,500,000	
<b>ELECTRONIC WASTE</b>			
<b>Electronic Waste Fund (IC 13-20.5-2-3)</b>			
Total Operating Expense	213,685	213,685	
Augmentation allowed.			
<b>AUTO EMISSIONS TESTING PROGRAM</b>			
Total Operating Expense	5,096,491	5,096,491	

The above appropriations for auto emissions testing are the maximum amounts available for this purpose. If it becomes necessary to conduct additional tests in other locations, the above appropriations shall be prorated among all locations.

<b>HAZARDOUS WASTE SITES - STATE CLEAN-UP</b>			
<b>Hazardous Substances Response Trust Fund (IC 13-25-4-1)</b>			
Total Operating Expense	3,565,961	3,565,961	
Augmentation allowed.			
<b>HAZARDOUS WASTE - NATURAL RESOURCE DAMAGES</b>			
<b>Hazardous Substances Response Trust Fund (IC 13-25-4-1)</b>			
Total Operating Expense	237,215	237,215	
Augmentation allowed.			
<b>SUPERFUND MATCH</b>			
<b>Hazardous Substances Response Trust Fund (IC 13-25-4-1)</b>			
Total Operating Expense	1,500,000	1,500,000	
Augmentation allowed.			

HEA 1001 — CC 1



**ASBESTOS TRUST - OPERATING**

Asbestos Trust Fund (IC 13-17-6-3)

Total Operating Expense	595,641	595,641
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Augmentation allowed.

**UNDERGROUND PETROLEUM STORAGE TANK - OPERATING**

Underground Petroleum Storage Tank Excess Liability Trust Fund (IC 13-23-7-1)

Total Operating Expense	37,260,610	37,260,610
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Augmentation allowed.

**WASTE TIRE MANAGEMENT**

Waste Tire Management Fund (IC 13-20-13-8)

Total Operating Expense	1,586,492	1,586,492
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Augmentation allowed.

**CCR STATE PERMIT PROGRAM**

CCR State Permit Program (IC 13-19-3-3.2)

Total Operating Expense	450,000	450,000
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Augmentation allowed.

**VOLUNTARY COMPLIANCE**

Environmental Management Special Fund (IC 13-14-12-1)

Total Operating Expense	604,856	604,856
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Augmentation allowed.

**PETROLEUM TRUST - OPERATING**

Underground Petroleum Storage Tank Trust Fund (IC 13-23-6-1)

Total Operating Expense	1,110,000	1,110,000
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Augmentation allowed.

Notwithstanding any other law, with the approval of the governor and the budget agency, the above appropriations for hazardous waste management permitting, wetlands protection, groundwater program, underground storage tank program, air management operating, asbestos trust operating, water management, safe drinking water program, and any other appropriation eligible to be included in a performance partnership grant may be used to fund activities incorporated into a performance partnership grant between the United States Environmental Protection Agency and the department of environmental management.

**FOR THE OFFICE OF ENVIRONMENTAL ADJUDICATION**

Total Operating Expense	457,626	434,626
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**SECTION 6. [EFFECTIVE JULY 1, 2023]**

**ECONOMIC DEVELOPMENT**

**A. AGRICULTURE**

**FOR THE DEPARTMENT OF AGRICULTURE**

Total Operating Expense	2,460,276	2,460,276
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The above appropriations include \$5,000 each fiscal year to purchase plaques for the recipients of the Hoosier Homestead award.

<b>DISTRIBUTIONS TO FOOD BANKS</b>		
Total Operating Expense	2,000,000	2,000,000
<b>CLEAN WATER INDIANA</b>		
Total Operating Expense	6,000,000	6,000,000
Cigarette Tax Fund (IC 6-7-1-28.1)		
Total Operating Expense	2,519,014	2,519,014
<b>SOIL CONSERVATION DIVISION</b>		
Cigarette Tax Fund (IC 6-7-1-28.1)		
Total Operating Expense	1,629,324	1,629,324
Augmentation allowed.		
<b>GRAIN BUYERS AND WAREHOUSE LICENSING</b>		
Total Operating Expense	600,000	600,000
Grain Buyers and Warehouse Licensing Agency License Fee Fund (IC 26-3-7-6.3)		
Total Operating Expense	675,768	675,768
Augmentation allowed.		

**B. COMMERCE**

<b>FOR THE LIEUTENANT GOVERNOR</b>		
<b>INDIANA GROWN</b>		
Total Operating Expense	250,000	250,000
<b>RURAL ECONOMIC DEVELOPMENT</b>		
Total Operating Expense	1,000,000	1,000,000
<b>OFFICE OF COMMUNITY AND RURAL AFFAIRS</b>		
Total Operating Expense	1,798,432	1,798,432
<b>FOR THE INDIANA DESTINATION DEVELOPMENT CORP.</b>		
Total Operating Expense	20,000,000	20,000,000

The above appropriations include \$500,000 each fiscal year to assist the department of natural resources with marketing efforts.

The office may retain any advertising revenue generated by the office. Any revenue received is in addition to the above appropriations and is appropriated for the purposes of the office.

<b>LINCOLN AMPHITHEATER OPERATIONS</b>		
Total Operating Expense	329,240	346,610
<b>VETERANS CAREER AND RELOCATION ASSISTANCE</b>		
Total Operating Expense	2,000,000	2,000,000
<b>STATEWIDE SPORTS AND TOURISM BID FUND</b>		

HEA 1001 — CC 1



	<i>FY 2023-2024 Appropriation</i>	<i>FY 2024-2025 Appropriation</i>	<i>Biennial Appropriation</i>
<b>Total Operating Expense</b>	<b>5,000,000</b>	<b>5,000,000</b>	

The above appropriations for the statewide sports and tourism bid fund are pursuant to IC 5-33-6.5-8.

<b>INDIANA SPORTS CORPORATION</b>			
<b>Total Operating Expense</b>	<b>750,000</b>	<b>750,000</b>	
<b>FUTURE FARMERS OF AMERICA</b>			
<b>Total Operating Expense</b>	<b>500,000</b>	<b>500,000</b>	
<b>GRISSOM AIR MUSEUM</b>			
<b>Total Operating Expense</b>	<b>75,000</b>	<b>75,000</b>	
<b>STUDEBAKER MUSEUM</b>			
<b>Total Operating Expense</b>	<b>50,000</b>	<b>50,000</b>	

The Studebaker Museum distribution requires a \$50,000 match.

<b>FOR THE OFFICE OF ENERGY DEVELOPMENT</b>			
<b>Total Operating Expense</b>	<b>584,121</b>	<b>589,501</b>	
<b>GRID RESILIENCE MATCH</b>			
<b>Total Operating Expense</b>	<b>700,000</b>	<b>700,000</b>	

<b>FOR THE INDIANA ECONOMIC DEVELOPMENT CORPORATION</b>			
<b>ADMINISTRATIVE AND FINANCIAL SERVICES</b>			
<b>Total Operating Expense</b>	<b>9,528,904</b>	<b>9,528,904</b>	
<b>Skills Enhancement Fund (IC 5-28-7-5)</b>			
<b>Total Operating Expense</b>	<b>180,061</b>	<b>180,061</b>	
<b>Industrial Development Grant Fund (IC 5-28-25-4)</b>			
<b>Total Operating Expense</b>	<b>50,570</b>	<b>50,570</b>	
<b>INDIANA 21ST CENTURY RESEARCH &amp; TECHNOLOGY FUND</b>			
<b>Total Operating Expense</b>	<b>32,750,000</b>	<b>32,750,000</b>	
<b>MANUFACTURING READINESS GRANTS</b>			
<b>Total Operating Expense</b>	<b>20,000,000</b>	<b>20,000,000</b>	
<b>SKILLS ENHANCEMENT FUND</b>			
<b>Total Operating Expense</b>	<b>11,500,000</b>	<b>11,500,000</b>	
<b>OFFICE OF SMALL BUSINESS AND ENTREPRENEURSHIP</b>			
<b>Total Operating Expense</b>	<b>2,300,000</b>	<b>2,300,000</b>	
<b>INDIANA OFFICE OF DEFENSE DEVELOPMENT</b>			
<b>Total Operating Expense</b>	<b>823,627</b>	<b>823,627</b>	
<b>DIRECT FLIGHTS</b>			
<b>Total Operating Expense</b>	<b>5,000,000</b>	<b>5,000,000</b>	
<b>CAREER CONNECTIONS AND TALENT</b>			
<b>Total Operating Expense</b>	<b>674,432</b>	<b>674,432</b>	
<b>BUSINESS PROMOTION AND INNOVATION</b>			
<b>Total Operating Expense</b>	<b>17,000,000</b>	<b>17,000,000</b>	

HEA 1001 — CC 1



The above appropriations may be used to promote business investment and encourage entrepreneurship and innovation. The corporation may use the above appropriations to advance innovation and entrepreneurship education through strategic partnerships with higher education institutions and communities, provide innovation vouchers to small Hoosier businesses, support efforts to attract amateur sporting events, including contributions to bid funds, promote and enhance the motor sports industry in Indiana, and support activities that promote international trade.

<b>INDUSTRIAL DEVELOPMENT GRANT PROGRAM</b>		
Total Operating Expense	4,850,000	4,850,000
<b>ECONOMIC DEVELOPMENT FUND</b>		
Total Operating Expense	947,344	947,344

**FOR THE HOUSING AND COMMUNITY DEVELOPMENT AUTHORITY**  
**HOUSING FIRST PROGRAM**

Total Operating Expense	1,000,000	1,000,000
<b>LOW BARRIER HOMELESS SHELTER GRANT PROGRAM</b>		
Total Operating Expense	20,000,000	0

The above appropriation shall be used to support the establishment of low barrier homeless shelters in Indiana.

<b>HOMELESSNESS PREVENTION GRANTS</b>		
Total Operating Expense	5,000,000	0

The above appropriation shall be used to support programs that seek to prevent homelessness among vulnerable populations, including but not limited to foster youth and expectant mothers.

<b>INDIANA INDIVIDUAL DEVELOPMENT ACCOUNTS</b>		
Total Operating Expense	609,945	609,945

The housing and community development authority shall collect and report to the family and social services administration (FSSA) all data required for FSSA to meet the data collection and reporting requirements in 45 CFR Part 265.

The division of family resources shall apply all qualifying expenditures for individual development account deposits toward Indiana's maintenance of effort under the federal Temporary Assistance for Needy Families (TANF) program (45 CFR 260 et seq.).

<b>FOR THE INDIANA FINANCE AUTHORITY</b>		
<b>ENVIRONMENTAL REMEDIATION REVOLVING LOAN PROGRAM</b>		
Underground Petroleum Storage Tank Excess Liability Trust Fund (IC 13-23-7-1)		
Total Operating Expense	4,000,000	4,000,000





**C. EMPLOYMENT SERVICES**

**FOR THE DEPARTMENT OF WORKFORCE DEVELOPMENT**

**ADMINISTRATION**

Total Operating Expense	2,141,748	2,892,753
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**SERVE INDIANA ADMINISTRATION**

Total Operating Expense	239,560	239,560
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**OFFICE OF WORK-BASED LEARNING AND APPRENTICESHIP**

Total Operating Expense	255,000	255,000
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**PROPRIETARY EDUCATIONAL INSTITUTIONS**

Total Operating Expense	53,243	53,243
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**NEXT LEVEL JOBS EMPLOYER TRAINING GRANT PROGRAM**

Total Operating Expense	17,064,066	17,064,066
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**INDIANA CONSTRUCTION ROUNDTABLE FOUNDATION**

Total Operating Expense	1,000,000	1,000,000
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**WORKFORCE READY GRANTS**

Total Operating Expense	6,000,000	6,000,000
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**DROPOUT PREVENTION**

Total Operating Expense	8,000,000	8,000,000
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**ADULT EDUCATION DISTRIBUTION**

Total Operating Expense	16,985,041	20,985,041
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It is the intent of the general assembly that the above appropriations for adult education shall be the total allowable state expenditure for such program. If disbursements are anticipated to exceed the total appropriation for a state fiscal year, the department of workforce development shall reduce the distributions proportionately.

**FOR THE WORKFORCE CABINET**

Total Operating Expense	8,000,000	8,000,000
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The above appropriations to the workforce cabinet include \$7,500,000 each fiscal year for workforce initiatives. Notwithstanding IC 4-9.1-1-7, the budget agency with the approval of the governor may transfer up to \$7,500,000 each fiscal year to other agencies to implement the workforce cabinet's recommendations.

**WORKFORCE DIPLOMA REIMBURSEMENT PROGRAM**

Total Operating Expense	1,500,000	1,500,000
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**PERKINS STATE MATCH**

Total Operating Expense	744,000	744,000
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**INTERMEDIARY CAPACITY BUILDING GRANTS**

Total Operating Expense	5,000,000	0
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**PROMOTED INDUSTRY CERTIFICATION EXAMS**

Total Operating Expense	2,000,000	2,000,000
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The above appropriations are for the purpose of reimbursing students enrolled in



school corporations, charter schools, and accredited nonpublic schools for the fees incurred for taking exams required to earn certifications on Indiana's promoted industry certification list.

**D. OTHER ECONOMIC DEVELOPMENT**

**FOR THE INDIANA STATE FAIR BOARD**

Total Operating Expense	2,604,539	2,604,539
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**SECTION 7. [EFFECTIVE JULY 1, 2023]**

**TRANSPORTATION**

**FOR THE DEPARTMENT OF TRANSPORTATION  
RAILROAD GRADE CROSSING IMPROVEMENT**

**Motor Vehicle Highway Account (IC 8-14-1)**

Total Operating Expense	1,000,000	1,000,000
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**HIGH SPEED RAIL**

**High Speed Rail Development Fund (IC 8-23-25)**

Total Operating Expense	20,000	20,000
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**PUBLIC MASS TRANSPORTATION**

Total Operating Expense	45,000,000	45,000,000
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The above appropriations for public mass transportation are to be used solely for the promotion and development of public transportation.

The department of transportation may distribute public mass transportation funds to an eligible grantee that provides public transportation in Indiana.

The state funds can be used to match federal funds available under the Federal Transit Act (49 U.S.C. 5301 et seq.) or local funds from a requesting grantee.

Before funds may be disbursed to a grantee, the grantee must submit its request for financial assistance to the department of transportation for approval. Allocations must be approved by the governor and the budget agency and shall be made on a reimbursement basis. Only applications for capital and operating assistance may be approved. Only those grantees that have met the reporting requirements under IC 8-23-3 are eligible for assistance under this appropriation.

The distribution formula established by the department is subject to approval by the budget director to ensure that a public mass transportation system located in a county other than an eligible county (as defined by IC 8-25-1-4) is not adversely affected by a public transportation project carried out under IC 8-25. This applies in a calendar year beginning after December 31 of a calendar year in which an eligible county begins to carry out a public transportation project approved under IC 8-25.



**AIRPORT DEVELOPMENT**

**Airport Development Grant Fund (IC 8-21-11)**

<b>Total Operating Expense</b>	<b>3,600,000</b>	<b>3,600,000</b>
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Augmentation allowed.

**HIGHWAY OPERATING**

**State Highway Fund (IC 8-23-9-54)**

<b>Total Operating Expense</b>	<b>429,726,386</b>	<b>435,051,877</b>
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Augmentation allowed.

**HIGHWAY VEHICLE AND ROAD MAINTENANCE EQUIPMENT**

**State Highway Fund (IC 8-23-9-54)**

<b>Other Operating Expense</b>	<b>34,854,424</b>	<b>35,936,185</b>
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Augmentation allowed.

**HIGHWAY MAINTENANCE WORK PROGRAM**

**State Highway Fund (IC 8-23-9-54)**

<b>Total Operating Expense</b>	<b>137,111,669</b>	<b>143,967,253</b>
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Augmentation allowed.

The above appropriations for the highway maintenance work program may be used for:

- (1) materials for patching roadways and shoulders;
- (2) repairing and painting bridges;
- (3) installing signs and signals and painting roadways for traffic control;
- (4) mowing, herbicide application, and brush control;
- (5) drainage control;
- (6) maintenance of rest areas, public roads on properties of the department of natural resources, and driveways on the premises of all state facilities;
- (7) materials for snow and ice removal;
- (8) utility costs for roadway lighting; and
- (9) other maintenance and support activities consistent with the program.

**HIGHWAY CAPITAL IMPROVEMENTS**

**State Highway Fund (IC 8-23-9-54)**

<b>Right-of-Way Expense</b>	<b>50,000,000</b>	<b>50,000,000</b>
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<b>Formal Contracts Expense</b>	<b>894,557,441</b>	<b>933,426,729</b>
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<b>Consulting Services Expense</b>	<b>100,000,000</b>	<b>100,000,000</b>
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<b>Institutional Road Construction</b>	<b>7,500,000</b>	<b>7,500,000</b>
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Augmentation allowed for the highway capital improvements program.

The above appropriations for the capital improvements program may be used for:

- (1) bridge rehabilitation and replacement;
- (2) road construction, reconstruction, or replacement;
- (3) construction, reconstruction, or replacement of travel lanes, intersections, grade separations, rest parks, and weigh stations;
- (4) relocation and modernization of existing roads;
- (5) resurfacing;



- (6) erosion and slide control;
- (7) construction and improvement of railroad grade crossings, including the use of the appropriations to match federal funds for projects;
- (8) small structure replacements;
- (9) safety and spot improvements; and
- (10) right-of-way, relocation, and engineering and consulting expenses associated with any of the above types of projects.

Subject to approval by the state budget director, the above appropriations for institutional road construction may be used for road, bridge, and parking lot construction, maintenance, and improvement projects at any state-owned property.

No appropriation from the state highway fund may be used to fund any toll road or toll bridge project except as specifically provided for under IC 8-15-2-20.

**TOLL ROAD COUNTIES STATE HIGHWAY PROGRAM**

Toll Road Lease Amendment Proceeds Fund (IC 8-14-14.2)

Total Operating Expense	26,000,000	6,000,000
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Augmentation allowed.

**HIGHWAY PLANNING AND RESEARCH PROGRAM**

State Highway Fund (IC 8-23-9-54)

Total Operating Expense	3,780,000	3,780,000
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Augmentation allowed.

**STATE HIGHWAY ROAD CONSTRUCTION AND IMPROVEMENT PROGRAM**

State Highway Road Construction and Improvement Fund (IC 8-14-10-5)

Lease Rental Payments Expense	70,000,000	70,000,000
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Augmentation allowed.

The above appropriations for the state highway road construction and improvement program shall be first used for payment of rentals and leases relating to projects under IC 8-14.5. If any funds remain, the funds may be used for the following purposes:

- (1) road and bridge construction, reconstruction, or replacement;
- (2) construction, reconstruction, or replacement of travel lanes, intersections, and grade separations;
- (3) relocation and modernization of existing roads; and
- (4) right-of-way, relocation, and engineering and consulting expenses associated with any of the above types of projects.

**CROSSROADS 2000 PROGRAM**

Crossroads 2000 Fund (IC 8-14-10-9)

Lease Rental Payment Expense	29,541,652	29,627,309
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Augmentation allowed.

The above appropriations for the crossroads 2000 program shall be first used for payment of rentals and leases relating to projects under IC 8-14-10-9. If any funds



remain, the funds may be used for the following purposes:

- (1) road and bridge construction, reconstruction, or replacement;
- (2) construction, reconstruction, or replacement of travel lanes, intersections, and grade separations;
- (3) relocation and modernization of existing roads; and
- (4) right-of-way, relocation, and engineering and consulting expenses associated with any of the above types of projects.

**JOINT MAJOR MOVES CONSTRUCTION**

Major Moves Construction Fund (IC 8-14-14-5)

Total Operating Expense	500,000	500,000
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Augmentation allowed.

**FEDERAL APPORTIONMENT**

Total Federal Operating Expense	1,472,994,484	1,499,442,852
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The department may establish an account to be known as the "local government revolving account". The account is to be used to administer the federal-local highway construction program. All contracts issued and all funds received for federal-local projects under this program shall be entered into this account.

If the federal apportionments for the fiscal years covered by this act exceed the above estimated appropriations for the department or for local governments, the excess federal apportionment is hereby appropriated for use by the department with the approval of the governor and the budget agency.

The department shall bill, in a timely manner, the federal government for all department payments that are eligible for total or partial reimbursement.

The department may let contracts and enter into agreements for construction and preliminary engineering during each year of the biennium that obligate not more than one-third (1/3) of the amount of state funds estimated by the department to be available for appropriation in the following year for formal contracts and consulting engineers for the capital improvements program.

Under IC 8-23-5-7(a), the department, with the approval of the governor, may construct and maintain roadside parks and highways where highways will connect any state highway now existing, or hereafter constructed, with any state park, state forest reserve, state game preserve, or the grounds of any state institution. There is appropriated to the department of transportation an amount sufficient to carry out the provisions of this paragraph. Under IC 8-23-5-7(d), such appropriations shall be made from the motor vehicle highway account before distribution to local units of government.

**LOCAL TECHNICAL ASSISTANCE AND RESEARCH**

Motor Vehicle Highway Account (IC 8-14-1)

HEA 1001 — CC 1



<b>Total Operating Expense</b>	<b>250,000</b>	<b>250,000</b>
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The above appropriations are for developing and maintaining a centralized electronic statewide asset management data base that may be used to aggregate data on local road conditions. The data base shall be developed in cooperation with the department and the office of management and budget per IC 8-14-3-3.

Under IC 8-14-1-3(6), there is appropriated to the department of transportation an amount sufficient for:

- (1) the program of technical assistance under IC 8-23-2-5(a)(6); and
- (2) the research and highway extension program conducted for local government under IC 8-17-7-4.

The department shall develop an annual program of work for research and extension in cooperation with those units being served, listing the types of research and educational programs to be undertaken. The commissioner of the department of transportation may make a grant under this appropriation to the institution or agency selected to conduct the annual work program. Under IC 8-14-1-3(6), appropriations for the program of technical assistance and for the program of research and extension shall be taken from the local share of the motor vehicle highway account.

Under IC 8-14-1-3(7), there is hereby appropriated such sums as are necessary to maintain a sufficient working balance in accounts established to match federal and local money for highway projects. These funds are appropriated from the following sources in the proportion specified:

- (1) one-half (1/2) from the thirty-eight percent (38%) set aside of the motor vehicle highway account under IC 8-14-1-3(7); and
- (2) for counties and for those cities and towns with a population greater than five thousand (5,000), one-half (1/2) from the distressed road fund under IC 8-14-8-2.

**OHIO RIVER BRIDGE**

State Highway Fund (IC 8-23-9-54)

<b>Total Operating Expense</b>	<b>500,000</b>	<b>500,000</b>
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**SECTION 8. [EFFECTIVE JULY 1, 2023]**

**FAMILY AND SOCIAL SERVICES, HEALTH, AND VETERANS' AFFAIRS**

**A. FAMILY AND SOCIAL SERVICES**

**FOR THE FAMILY AND SOCIAL SERVICES ADMINISTRATION**

**FAMILY AND SOCIAL SERVICES ADMINISTRATION - CENTRAL OFFICE**

<b>Total Operating Expense</b>	<b>16,881,895</b>	<b>16,881,895</b>
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**SOCIAL SERVICES DATA WAREHOUSE**

HEA 1001 — CC 1



	<i>FY 2023-2024 Appropriation</i>	<i>FY 2024-2025 Appropriation</i>	<i>Biennial Appropriation</i>
<b>Total Operating Expense</b>	<b>38,273</b>	<b>38,273</b>	
<b>211 SERVICES</b>			
<b>Total Operating Expense</b>	<b>3,055,344</b>	<b>3,055,344</b>	
<b>INDIANA PRESCRIPTION DRUG PROGRAM</b>			
<b>Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)</b>			
<b>Total Operating Expense</b>	<b>443,315</b>	<b>443,315</b>	
<b>CHILDREN'S HEALTH INSURANCE PROGRAM</b>			
<b>Total Operating Expense</b>	<b>67,603,000</b>	<b>64,603,000</b>	
<b>OMPP STATE PROGRAMS</b>			
<b>Total Operating Expense</b>	<b>27,618,940</b>	<b>27,618,940</b>	

Of the above appropriations, \$25,312,606 each fiscal year is for the full state coverage for DCS children in qualified residential treatment program (QRTP) settings.

**MEDICAID ADMINISTRATION**

<b>Total Operating Expense</b>	<b>48,924,787</b>	<b>49,571,248</b>
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**MEDICAID ASSISTANCE**

<b>Total Operating Expense</b>	<b>3,721,500,000</b>	<b>4,196,600,000</b>
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The above appropriations for Medicaid assistance and for Medicaid administration are for the purpose of enabling the office of Medicaid policy and planning to carry out all services as provided in IC 12-8-6.5. The office of Medicaid policy and planning shall reimburse physician services across all managed care and FFS programs at 100% of prior year Medicare rates. Of the above appropriations, the office of Medicaid policy and planning shall utilize up to \$254,100,000 in FY 2024 and up to \$339,800,000 in FY 2025 to update reimbursement rates for providers of home health, dental services, non-emergency medical transportation, division of aging waivers, division of disability and rehabilitative services waivers, and the child mental health wraparound program. In addition to the above appropriations, all money received from the federal government and paid into the state treasury as a grant or allowance is appropriated and shall be expended by the office of Medicaid policy and planning for the respective purposes for which the money was allocated and paid to the state. Subject to the provisions of IC 12-8-1.5-11, if the sums herein appropriated for Medicaid assistance and for Medicaid administration are insufficient to enable the office of Medicaid policy and planning to meet its obligations, then there is appropriated from the general fund such further sums as may be necessary for that purpose, subject to the approval of the governor and the budget agency.

**HEALTHY INDIANA PLAN**

**Healthy Indiana Plan Trust Fund (IC 12-15-44.2-17)**

<b>Total Operating Expense</b>	<b>78,337,180</b>	<b>76,054,160</b>
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Augmentation allowed.

**MARION COUNTY HEALTH AND HOSPITAL CORPORATION**

<b>Total Operating Expense</b>	<b>38,000,000</b>	<b>38,000,000</b>
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**MENTAL HEALTH ADMINISTRATION**

HEA 1001 — CC 1



<b>Total Operating Expense</b>	<b>3,800,593</b>	<b>3,800,593</b>
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Of the above appropriations, \$218,525 each fiscal year is for the Child Assessment Needs Survey (CANS). Of the above appropriations, the administration shall distribute \$275,000 each fiscal year to neighborhood-based community service programs.

**MENTAL HEALTH AND ADDICTION FORENSIC TREATMENT SERVICES GRANT**

<b>Total Operating Expense</b>	<b>25,000,000</b>	<b>25,000,000</b>
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**COMMUNITY MENTAL HEALTH**

<b>Total Operating Expense</b>	<b>50,000,000</b>	<b>50,000,000</b>
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The above appropriations shall be used to:

- (1) establish certified community behavioral health clinics and
- (2) provide crisis response services including mobile crisis teams and crisis receiving and stabilization services.

**CHILD PSYCHIATRIC SERVICES**

<b>Total Operating Expense</b>	<b>14,537,030</b>	<b>14,537,030</b>
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The above appropriations include \$5,500,000 each year for the Family and Social Services Administration to contract with no more than three regionally diverse social services providers to implement an evidence-based program that partners with school corporations, charter schools, and accredited nonpublic schools to provide social work services and evidence-based prevention programs to children, parents, caregivers, teachers, and the community to prevent substance abuse, promote healthy behaviors, and maximize student success. In making contracts, the Family and Social Services Administration shall require the contracted social services providers to secure matching funds that obligate the state to no more than sixty-five percent (65%) of the total program cost and require the contracted social services providers to have experience in providing similar services including independent evaluation of those services.

**SERIOUSLY EMOTIONALLY DISTURBED**

<b>Total Operating Expense</b>	<b>14,571,352</b>	<b>14,571,352</b>
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**SERIOUSLY MENTALLY ILL**

<b>Total Operating Expense</b>	<b>90,811,518</b>	<b>90,811,518</b>
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**COMMUNITY MENTAL HEALTH CENTERS**

**Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)**

<b>Total Operating Expense</b>	<b>7,200,000</b>	<b>7,200,000</b>
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The above appropriations for comprehensive community mental health services include the intragovernmental transfers necessary to provide the nonfederal share of reimbursement under the Medicaid rehabilitation option.

The comprehensive community mental health centers shall submit their proposed annual





**budgets (including income and operating statements) to the budget agency on or before August 1 of each year. All federal funds shall be used to augment the above appropriations rather than supplant any portion of the appropriation. The office of the secretary, with the approval of the budget agency, shall determine an equitable allocation of the appropriation among the mental health centers.**

<b>GAMBLERS' ASSISTANCE</b>		
Addiction Services Fund (IC 12-23-2)		
Total Operating Expense	3,063,652	3,063,652
Augmentation allowed.		
<b>SUBSTANCE ABUSE TREATMENT</b>		
State Unrestricted Opioid Settlement Account (IC 4-12-16.2-5(1))		
Total Operating Expense	9,100,000	9,100,000
<b>QUALITY ASSURANCE/RESEARCH</b>		
Total Operating Expense	304,711	304,711
<b>PREVENTION</b>		
Addiction Services Fund (IC 12-23-2)		
Total Operating Expense	1,672,675	1,672,675
Augmentation allowed.		
<b>METHADONE DIVERSION CONTROL AND OVERSIGHT (MDCO) PROGRAM</b>		
Opioid Treatment Program Fund (IC 12-23-18-4)		
Total Operating Expense	427,010	427,010
Augmentation allowed.		
<b>DMHA YOUTH TOBACCO REDUCTION SUPPORT PROGRAM</b>		
Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)		
Total Operating Expense	250,000	250,000
Augmentation allowed.		
<b>EVANSVILLE PSYCHIATRIC CHILDREN'S CENTER</b>		
Total Operating Expense	2,039,447	2,039,447
Mental Health Fund (IC 12-24-14-4)		
Total Operating Expense	2,209,422	2,209,422
Augmentation allowed.		
<b>EVANSVILLE STATE HOSPITAL</b>		
Total Operating Expense	27,038,955	27,038,955
Mental Health Fund (IC 12-24-14-4)		
Total Operating Expense	4,340,134	4,340,134
Augmentation allowed.		
<b>LOGANSPOUR STATE HOSPITAL</b>		
Total Operating Expense	34,432,668	34,432,668
Mental Health Fund (IC 12-24-14-4)		
Total Operating Expense	1,410,464	1,410,464
Augmentation allowed.		
<b>MADISON STATE HOSPITAL</b>		
Total Operating Expense	27,830,228	27,830,228
Mental Health Fund (IC 12-24-14-4)		



	<i>FY 2023-2024 Appropriation</i>	<i>FY 2024-2025 Appropriation</i>	<i>Biennial Appropriation</i>
<b>Total Operating Expense</b>	<b>2,796,667</b>	<b>2,796,667</b>	
Augmentation allowed.			
<b>RICHMOND STATE HOSPITAL</b>			
<b>Total Operating Expense</b>	<b>37,533,559</b>	<b>37,533,559</b>	
<b>Mental Health Fund (IC 12-24-14-4)</b>			
<b>Total Operating Expense</b>	<b>2,062,201</b>	<b>2,062,201</b>	
Augmentation allowed.			
<b>NEURODIAGNOSTIC INSTITUTE</b>			
<b>Total Operating Expense</b>	<b>30,105,859</b>	<b>30,105,859</b>	
<b>Mental Health Fund (IC 12-24-14-4)</b>			
<b>Total Operating Expense</b>	<b>7,500,000</b>	<b>7,500,000</b>	
Augmentation allowed.			
<b>PATIENT PAYROLL</b>			
<b>Total Operating Expense</b>	<b>148,533</b>	<b>148,533</b>	

The federal share of revenue accruing to the state mental health institutions under IC 12-15, based on the applicable Federal Medical Assistance Percentage (FMAP), shall be deposited in the mental health fund established by IC 12-24-14, and the remainder shall be deposited in the general fund.

<b>DIVISION OF FAMILY RESOURCES ADMINISTRATION</b>			
<b>Total Operating Expense</b>	<b>2,102,400</b>	<b>2,102,400</b>	
<b>EBT ADMINISTRATION</b>			
<b>Total Operating Expense</b>	<b>122,299</b>	<b>122,299</b>	
<b>DFR - COUNTY ADMINISTRATION</b>			
<b>Total Operating Expense</b>	<b>113,798,164</b>	<b>114,858,982</b>	
<b>INDIANA ELIGIBILITY SYSTEM</b>			
<b>Total Operating Expense</b>	<b>11,149,723</b>	<b>11,149,723</b>	
<b>SNAP/IMPACT ADMINISTRATION</b>			
<b>Total Operating Expense</b>	<b>9,555,726</b>	<b>9,555,726</b>	
<b>TEMPORARY ASSISTANCE TO NEEDY FAMILIES – STATE APPROPRIATION</b>			
<b>Total Operating Expense</b>	<b>17,886,301</b>	<b>17,886,301</b>	
<b>BURIAL EXPENSES</b>			
<b>Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)</b>			
<b>Total Operating Expense</b>	<b>5,861,121</b>	<b>5,861,121</b>	
Augmentation allowed.			
<b>DIVISION OF AGING ADMINISTRATION</b>			
<b>Total Operating Expense</b>	<b>774,574</b>	<b>774,574</b>	
<b>DIVISION OF AGING SERVICES</b>			
<b>Total Operating Expense</b>	<b>1,267,723</b>	<b>1,267,723</b>	
<b>ROOM AND BOARD ASSISTANCE (R-CAP)</b>			
<b>Total Operating Expense</b>	<b>6,496,669</b>	<b>6,496,669</b>	
<b>DEMENCIA CARE SPECIALIST PROGRAM (IC 12-10-5.7)</b>			
<b>Total Operating Expense</b>	<b>1,500,000</b>	<b>1,500,000</b>	
<b>AMYOTROPHIC LATERAL SCLEROSIS HOSPICE CARE</b>			

HEA 1001 — CC 1



	<i>FY 2023-2024 Appropriation</i>	<i>FY 2024-2025 Appropriation</i>	<i>Biennial Appropriation</i>
<b>Total Operating Expense</b>	<b>1,000,000</b>	<b>1,000,000</b>	
<b>C.H.O.I.C.E. IN-HOME SERVICES</b>			
<b>Total Operating Expense</b>	<b>48,765,643</b>	<b>48,765,643</b>	

The above appropriations for C.H.O.I.C.E. In-Home Services include intragovernmental transfers to provide the nonfederal share of the Medicaid aged and disabled waiver.

The intragovernmental transfers for use in the Medicaid aged and disabled waiver may not exceed \$12,500,000 annually.

The division of aging shall conduct an annual evaluation of the cost effectiveness of providing home and community-based services. Before January of each year, the division shall submit a report to the budget committee, the budget agency, and the legislative council (in an electronic format under IC 5-14-6) that covers all aspects of the division's evaluation and such other information pertaining thereto as may be requested by the budget committee, the budget agency, or the legislative council, including the following:

- (1) the number and demographic characteristics of the recipients of home and community-based services during the preceding fiscal year, including a separate count of individuals who received no services other than case management services (as defined in 455 IAC 2-4-10) during the preceding fiscal year; and
- (2) the total cost and per recipient cost of providing home and community-based services during the preceding fiscal year.

The division shall obtain from providers of services data on their costs and expenditures regarding implementation of the program and report the findings to the budget committee, the budget agency, and the legislative council. The report to the legislative council must be in an electronic format under IC 5-14-6.

**OLDER HOOSIERS ACT**

<b>Total Operating Expense</b>	<b>1,573,446</b>	<b>1,573,446</b>
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**ADULT PROTECTIVE SERVICES**

**Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)**

<b>Total Operating Expense</b>	<b>5,459,948</b>	<b>5,459,948</b>
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Augmentation allowed.

The above appropriations may be used for emergency adult protective services placement. Funds shall be used to the extent that such services are not available to an individual through a policy of accident and sickness insurance, a health maintenance organization contract, the Medicaid program, the federal Medicare program, or any other federal program.

**ADULT GUARDIANSHIP SERVICES**

<b>Total Operating Expense</b>	<b>405,565</b>	<b>405,565</b>
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**BUREAU OF DEVELOPMENTAL DISABILITIES SERVICES - DAY SERVICES**

<b>Total Operating Expense</b>	<b>3,418,884</b>	<b>3,418,884</b>
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HEA 1001 — CC 1



**DIVISION OF DISABILITY AND REHABILITATIVE SERVICES ADMINISTRATION**

Total Operating Expense	535,823	535,823
<b>BUREAU OF REHABILITATIVE SERVICES - VOCATIONAL REHABILITATION</b>		
Total Operating Expense	17,077,538	17,077,538
<b>INDEPENDENT LIVING</b>		
Total Operating Expense	2,000,000	2,000,000
<b>REHABILITATIVE SERVICES - DEAF AND HARD OF HEARING SERVICES</b>		
Total Operating Expense	271,262	271,262
<b>TURNSTONE</b>		
Total Operating Expense	2,000,000	0
<b>BLIND VENDING - STATE APPROPRIATION</b>		
Total Operating Expense	73,552	73,552
<b>FIRST STEPS</b>		
Total Operating Expense	25,546,118	25,546,118
<b>BUREAU OF DEVELOPMENTAL DISABILITIES SERVICES - OPERATING</b>		
Total Operating Expense	6,736,877	6,736,877

In the development of new community residential settings for persons with developmental disabilities, the division of disability and rehabilitative services must give priority to the appropriate placement of such persons who are eligible for Medicaid and currently residing in intermediate care or skilled nursing facilities and, to the extent permitted by law, such persons who reside with aged parents or guardians or families in crisis.

**SCHOOL AGE CHILD CARE PROJECT FUND**

Total Operating Expense	812,413	812,413
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The above appropriations are made under IC 6-7-1-30.2(c) and not in addition to the transfer required by IC 6-7-1-30.2(c).

**EARLY CHILDHOOD LEARNING**

Total Operating Expense	34,695,097	40,073,967
<b>PRE-K EDUCATION PILOT</b>		
Total Operating Expense	22,058,017	27,436,887

The above appropriations shall be transferred into the prekindergarten pilot program fund established in IC 12-17.2-7.2-13.5. Of the above appropriations, \$1,000,000 shall be used each fiscal year for reimbursement of technology based in-home early education services under IC 12-17.2-7.5.

**FOR THE DEPARTMENT OF CHILD SERVICES**

**CHILD SERVICES ADMINISTRATION**

Total Operating Expense	298,988,569	301,452,728
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With the above appropriations, the department shall award grants to All Pro Dad chapters located in Indiana in an amount of \$350,000 each fiscal year for the purpose



of building relationships between fathers and their children.

With the above appropriations, the department shall award grants to the Boys and Girls Clubs Indiana Alliance in an amount of \$2,000,000 each fiscal year for the purpose of providing grants to Indiana Boys and Girls Clubs for the promotion of the social welfare of youth.

**CHILD WELFARE PROGRAM**

Total Operating Expense	91,423,093	91,423,093
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The above appropriations include state matching funds for Title IV-D and Title IV-E federal grants. The above appropriations for the department of child services Title IV-D of the federal Social Security Act are made under, and not in addition to, IC 31-25-4-28.

**CHILD WELFARE SERVICES STATE GRANTS**

Total Operating Expense	11,416,415	11,416,415
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**FAMILY AND CHILDREN FUND**

Total Operating Expense	512,973,384	513,873,384
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Augmentation allowed.

The above appropriations include \$18,800,000 in FY 2024 and \$19,700,000 in FY 2025 for home and community based rate increases per a DCS rate study initiated in 2022. With the above appropriations, the department may operate a home-based early intervention program pursuant to IC 31-33-8-16.

**CHILD WELFARE PROVIDER STABILIZATION GRANTS**

Total Operating Expense	30,000,000	0
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With the above appropriation in FY 2024, the department of child services shall award grants to community-based providers, residential treatment services providers (as described in IC 31-27-3 and IC 31-27-5), and licensed child placing agencies (as described in IC 31-27-6) that are located in Indiana for the purpose of improving direct care staff recruitment and retention.

**YOUTH SERVICE BUREAU**

Total Operating Expense	1,008,947	1,008,947
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**PROJECT SAFEPLACE**

Total Operating Expense	112,000	112,000
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**HEALTHY FAMILIES INDIANA**

Total Operating Expense	3,093,145	5,093,145
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**INSURING FOSTER YOUTH TRUST PROGRAM (IC 31-26-4.5)**

Total Operating Expense	1,000,000	1,000,000
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**ADOPTION SERVICES**

Total Operating Expense	26,862,735	26,862,735
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	<i>FY 2023-2024 Appropriation</i>	<i>FY 2024-2025 Appropriation</i>	<i>Biennial Appropriation</i>
<b>Total Operating Expense</b>	<b>280,806</b>	<b>280,806</b>	
<b>HIV/AIDS SERVICES</b>			
<b>Total Operating Expense</b>	<b>2,955,410</b>	<b>2,957,104</b>	
<b>Addiction Services Fund (IC 12-23-2)</b>			
<b>Total Operating Expense</b>	<b>900,000</b>	<b>900,000</b>	
<b>CANCER PREVENTION</b>			
<b>Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)</b>			
<b>Total Operating Expense</b>	<b>1,078,595</b>	<b>1,079,442</b>	
<b>MATERNAL &amp; CHILD HEALTH INITIATIVES</b>			
<b>Total Operating Expense</b>	<b>8,239,639</b>	<b>8,239,639</b>	
<b>TUBERCULOSIS TREATMENT</b>			
<b>Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)</b>			
<b>Total Operating Expense</b>	<b>100,000</b>	<b>100,000</b>	
<b>STATE CHRONIC DISEASES</b>			
<b>Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)</b>			
<b>Total Operating Expense</b>	<b>869,482</b>	<b>870,329</b>	

Of the above appropriations, \$82,560 each fiscal year shall be distributed as grants to community groups and organizations as provided in IC 16-46-7-8. The department may consider grants to the Kidney Foundation not to exceed \$50,000.

**MY HEALTHY BABY**

<b>Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)</b>			
<b>Total Operating Expense</b>	<b>3,300,000</b>	<b>3,300,000</b>	

The department shall before November 1, 2023 and each year thereafter present a report to the Interim Study Committee on Public Health, Behavioral Health, and Human Services on the metrics used to evaluate the My Healthy Baby program. The report must be in an electronic format under IC 5-14-6.

**ADOPTION HISTORY**

<b>Adoption History Fund (IC 31-19-18-6)</b>			
<b>Total Operating Expense</b>	<b>195,163</b>	<b>195,163</b>	
<b>Augmentation allowed.</b>			

**CHILDREN WITH SPECIAL HEALTH CARE NEEDS**

<b>Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)</b>			
<b>Total Operating Expense</b>	<b>15,031,160</b>	<b>15,033,700</b>	
<b>Augmentation allowed.</b>			

**NEWBORN SCREENING PROGRAM**

<b>Newborn Screening Fund (IC 16-41-17-11)</b>			
<b>Total Operating Expense</b>	<b>2,797,711</b>	<b>2,802,821</b>	
<b>Augmentation allowed.</b>			

**CENTER FOR DEAF AND HARD OF HEARING EDUCATION**

<b>Total Operating Expense</b>	<b>2,962,147</b>	<b>2,977,538</b>	
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**VISUALLY IMPAIRED PRESCHOOL SERVICES**

HEA 1001 — CC 1



	<i>FY 2023-2024 Appropriation</i>	<i>FY 2024-2025 Appropriation</i>	<i>Biennial Appropriation</i>
<b>Total Operating Expense</b>	<b>600,000</b>	<b>600,000</b>	
<b>RADON GAS TRUST FUND</b>			
<b>Radon Gas Trust Fund (IC 16-41-38-8)</b>			
<b>Total Operating Expense</b>	<b>10,670</b>	<b>10,670</b>	
Augmentation allowed.			
<b>SAFETY PIN PROGRAM</b>			
<b>Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)</b>			
<b>Total Operating Expense</b>	<b>11,020,091</b>	<b>11,020,938</b>	
<b>REAL ALTERNATIVES, INC.</b>			
<b>Total Operating Expense</b>	<b>3,000,000</b>	<b>4,000,000</b>	
<b>TELECARE WOMEN'S CLINIC PILOT PROGRAM</b>			
<b>Total Operating Expense</b>	<b>1,000,000</b>	<b>0</b>	

The above appropriation shall be used to support a telecare women's clinic program that uses outreach strategies to connect individuals in crisis or at risk of crisis to health and human services resources.

<b>BIRTH PROBLEMS REGISTRY</b>			
<b>Birth Problems Registry Fund (IC 16-38-4-17)</b>			
<b>Total Operating Expense</b>	<b>73,517</b>	<b>73,517</b>	
Augmentation allowed.			
<b>MOTOR FUEL INSPECTION PROGRAM</b>			
<b>Motor Fuel Inspection Fund (IC 16-44-3-10)</b>			
<b>Total Operating Expense</b>	<b>245,196</b>	<b>246,043</b>	
Augmentation allowed.			
<b>DONATED DENTAL SERVICES</b>			
<b>Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)</b>			
<b>Total Operating Expense</b>	<b>200,000</b>	<b>200,000</b>	

The above appropriations shall be used by the Indiana foundation for dentistry to provide dental services to individuals with disabilities.

<b>BONE MARROW DONOR RECRUITMENT PROGRAM (IC 16-46-12-3.5)</b>			
<b>Total Operating Expense</b>	<b>100,000</b>	<b>100,000</b>	
<b>OFFICE OF WOMEN'S HEALTH</b>			
<b>Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)</b>			
<b>Total Operating Expense</b>	<b>96,970</b>	<b>96,970</b>	
<b>SPINAL CORD AND BRAIN INJURY</b>			
<b>Spinal Cord and Brain Injury Fund (IC 16-41-42.2-3)</b>			
<b>Total Operating Expense</b>	<b>1,700,000</b>	<b>1,700,000</b>	
Augmentation allowed.			
<b>IMMUNIZATIONS AND HEALTH INITIATIVES</b>			
<b>Healthy Indiana Plan Trust Fund (IC 12-15-44.2-17)</b>			
<b>Total Operating Expense</b>	<b>10,665,435</b>	<b>10,665,435</b>	
<b>WEIGHTS AND MEASURES FUND</b>			

HEA 1001 — CC 1





	<i>FY 2023-2024</i>	<i>FY 2024-2025</i>	<i>Biennial</i>
	<i>Appropriation</i>	<i>Appropriation</i>	<i>Appropriation</i>
<b>Weights and Measures Fund (IC 16-19-5-4)</b>			
<b>Total Operating Expense</b>	<b>7,106</b>	<b>7,106</b>	
<b>Augmentation allowed.</b>			
<b>MINORITY EPIDEMIOLOGY</b>			
<b>Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)</b>			
<b>Total Operating Expense</b>	<b>750,000</b>	<b>750,000</b>	
<b>COMMUNITY HEALTH CENTERS</b>			
<b>Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)</b>			
<b>Total Operating Expense</b>	<b>14,453,000</b>	<b>14,453,000</b>	
<b>PRENATAL SUBSTANCE USE &amp; PREVENTION</b>			
<b>Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)</b>			
<b>Total Operating Expense</b>	<b>119,965</b>	<b>119,965</b>	
<b>OPIOID OVERDOSE INTERVENTION</b>			
<b>State Unrestricted Opioid Settlement Account (IC 4-12-16.2-5(1))</b>			
<b>Total Operating Expense</b>	<b>250,000</b>	<b>250,000</b>	
<b>NURSE FAMILY PARTNERSHIP</b>			
<b>Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)</b>			
<b>Total Operating Expense</b>	<b>15,000,000</b>	<b>15,000,000</b>	
<b>HEARING AND BLIND SERVICES</b>			
<b>Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)</b>			
<b>Total Operating Expense</b>	<b>500,000</b>	<b>500,000</b>	

Of the above appropriations, \$375,000 shall be deposited each fiscal year into the Hearing Aid Fund established under IC 16-35-8-3.

**TOBACCO USE PREVENTION AND CESSATION PROGRAM**

<b>Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)</b>			
<b>Total Operating Expense</b>	<b>7,607,919</b>	<b>7,612,152</b>	
<b>Agency Settlement Fund (IC 4-12-16-2)</b>			
<b>Total Operating Expense</b>	<b>1,500,000</b>	<b>1,500,000</b>	

A minimum of 90% of the above appropriations shall be distributed as grants to local agencies and other entities with programs designed to reduce smoking.

**FOR THE INDIANA SCHOOL FOR THE BLIND AND VISUALLY IMPAIRED**

<b>Total Operating Expense</b>	<b>14,841,681</b>	<b>14,841,681</b>	
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The above appropriations include \$2,000,000 each fiscal year to purchase refreshable Braille and tactile graphics tablets.

**FOR THE INDIANA SCHOOL FOR THE DEAF**

<b>Total Operating Expense</b>	<b>18,282,483</b>	<b>18,357,483</b>	
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**FOR THE GOVERNOR'S COUNCIL FOR PEOPLE WITH DISABILITIES**

<b>Total Operating</b>	<b>450,000</b>	<b>450,000</b>	
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HEA 1001 — CC 1



**C. VETERANS' AFFAIRS**

**FOR THE INDIANA DEPARTMENT OF VETERANS' AFFAIRS**

<b>Total Operating Expense</b>	<b>3,125,148</b>	<b>3,125,148</b>
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The above appropriations include funding for a women's veteran services officer and \$300,000 each year for six state veteran services officers.

**VETERAN SERVICE ORGANIZATIONS**

<b>Total Operating Expense</b>	<b>1,200,000</b>	<b>1,200,000</b>
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The above appropriations shall be used by the Indiana Department of Veterans' Affairs to provide grants to organizations in accordance with Section 5902 (formerly Section 3402) of Title 38, United States Code (U.S.C.) and subsections 14.628(a) and (c) of 38 C.F.R. Eligible organizations shall have an accredited Veteran Service Officer with a presence in Indiana. Awarded grant funds shall be used to assist veterans in securing available benefits.

**OPERATION OF VETERANS' CEMETERY**

<b>Total Operating Expense</b>	<b>529,841</b>	<b>529,841</b>
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**GRANTS FOR VETERANS' SERVICES**

**Veterans' Affairs Trust Fund (IC 10-17-13-3)**

<b>Total Operating Expense</b>	<b>1,000,000</b>	<b>1,250,000</b>
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Augmentation allowed.

**VETERAN SUICIDE PREVENTION**

<b>Total Operating Expense</b>	<b>1,000,000</b>	<b>1,000,000</b>
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**SEMIQUINCENTENNIAL COMMISSION**

<b>Total Operating Expense</b>	<b>50,000</b>	<b>75,000</b>
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**INDIANA VETERANS' HOME**

**Veterans' Home Comfort and Welfare Fund (IC 10-17-9-7(d))**

<b>Total Operating Expense</b>	<b>10,939,169</b>	<b>10,939,169</b>
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**IVH Medicaid Reimbursement Fund**

<b>Total Operating Expense</b>	<b>14,500,000</b>	<b>14,500,000</b>
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Augmentation allowed from the Veterans' Home Comfort and Welfare Fund and the IVH Medicaid Reimbursement Fund.

**SECTION 9. [EFFECTIVE JULY 1, 2023]**

**EDUCATION**

**A. HIGHER EDUCATION**

**FOR INDIANA UNIVERSITY  
BLOOMINGTON CAMPUS**

HEA 1001 — CC 1



	<i>FY 2023-2024 Appropriation</i>	<i>FY 2024-2025 Appropriation</i>	<i>Biennial Appropriation</i>
<b>Total Operating Expense</b>	<b>204,987,419</b>	<b>207,085,684</b>	
<b>Outcomes-Based Prospective Model</b>	<b>1,986,629</b>	<b>3,979,258</b>	
<b>Subject to CHE review of outcomes-based funding formula performance under IC 21-18-16-7.</b>			
<b>Fee Replacement</b>	<b>20,558,723</b>	<b>20,550,838</b>	
<b>INDIANAPOLIS CAMPUS</b>			
<b>Total Operating Expense</b>	<b>10,000,000</b>	<b>135,000,000</b>	
<b>FOR INDIANA UNIVERSITY REGIONAL CAMPUSES</b>			
<b>EAST</b>			
<b>Total Operating Expense</b>	<b>15,427,198</b>	<b>15,576,705</b>	
<b>Outcomes-Based Prospective Model</b>	<b>150,427</b>	<b>300,854</b>	
<b>Subject to CHE review of outcomes-based funding formula performance under IC 21-18-16-7.</b>			
<b>KOKOMO</b>			
<b>Total Operating Expense</b>	<b>17,051,715</b>	<b>17,214,834</b>	
<b>Outcomes-Based Prospective Model</b>	<b>165,262</b>	<b>330,524</b>	
<b>Subject to CHE review of outcomes-based funding formula performance under IC 21-18-16-7.</b>			
<b>NORTHWEST</b>			
<b>Total Operating Expense</b>	<b>20,217,223</b>	<b>20,410,921</b>	
<b>Outcomes-Based Prospective Model</b>	<b>196,081</b>	<b>392,163</b>	
<b>Subject to CHE review of outcomes-based funding formula performance under IC 21-18-16-7.</b>			
<b>Fee Replacement</b>	<b>2,989,625</b>	<b>2,987,125</b>	
<b>SOUTH BEND</b>			
<b>Total Operating Expense</b>	<b>26,034,530</b>	<b>26,284,312</b>	
<b>Outcomes-Based Prospective Model</b>	<b>252,667</b>	<b>505,334</b>	
<b>Subject to CHE review of outcomes-based funding formula performance under IC 21-18-16-7.</b>			
<b>Fee Replacement</b>	<b>1,451,125</b>	<b>1,445,000</b>	
<b>SOUTHEAST</b>			
<b>Total Operating Expense</b>	<b>21,902,088</b>	<b>22,110,646</b>	
<b>Outcomes-Based Prospective Model</b>	<b>211,818</b>	<b>423,636</b>	
<b>Subject to CHE review of outcomes-based funding formula performance under IC 21-18-16-7.</b>			
<b>FORT WAYNE HEALTH SCIENCES PROGRAM</b>			
<b>Total Operating Expense</b>	<b>5,070,675</b>	<b>5,120,388</b>	

**TOTAL APPROPRIATION - INDIANA UNIVERSITY REGIONAL CAMPUSES**  
**348,653,205 479,718,222**

**FOR INDIANA UNIVERSITY - PURDUE UNIVERSITY  
AT INDIANAPOLIS (IUPUI)**

<b>I.U. SCHOOLS OF MEDICINE AND DENTISTRY</b>			
<b>Total Operating Expense</b>	<b>109,983,594</b>	<b>111,061,865</b>	
<b>Fee Replacement</b>	<b>6,980,287</b>	<b>6,969,186</b>	

**FOR INDIANA UNIVERSITY SCHOOL OF MEDICINE  
INDIANA UNIVERSITY SCHOOL OF MEDICINE - EVANSVILLE**

<b>Total Operating Expense</b>	<b>2,302,024</b>	<b>2,324,593</b>	
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HEA 1001 — CC 1



<b>INDIANA UNIVERSITY SCHOOL OF MEDICINE - FORT WAYNE</b>		
Total Operating Expense	2,151,682	2,172,777
<b>INDIANA UNIVERSITY SCHOOL OF MEDICINE - NORTHWEST - GARY</b>		
Total Operating Expense	2,878,305	2,906,524
<b>INDIANA UNIVERSITY SCHOOL OF MEDICINE - LAFAYETTE</b>		
Total Operating Expense	2,614,839	2,640,475
<b>INDIANA UNIVERSITY SCHOOL OF MEDICINE - MUNCIE</b>		
Total Operating Expense	2,393,948	2,417,418
<b>INDIANA UNIVERSITY SCHOOL OF MEDICINE - SOUTH BEND</b>		
Total Operating Expense	2,250,907	2,272,975
<b>INDIANA UNIVERSITY SCHOOL OF MEDICINE - TERRE HAUTE</b>		
Total Operating Expense	2,602,023	2,627,533

The Indiana University School of Medicine - Indianapolis shall submit to the Indiana commission for higher education before May 15 of each year an accountability report containing data on the number of medical school graduates who entered primary care physician residencies in Indiana from the school's most recent graduating class.

**FOR INDIANA UNIVERSITY - PURDUE UNIVERSITY AT INDIANAPOLIS (IUPUI)**

**GENERAL ACADEMIC DIVISIONS**

Total Operating Expense	130,000,000	0
Fee Replacement	4,344,355	4,340,992

**TOTAL APPROPRIATIONS - IUPUI**

134,344,355	4,340,992
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Transfers of allocations between campuses to correct for errors in allocation among the campuses of Indiana University can be made by the institution with the approval of the commission for higher education and the budget agency. Indiana University shall maintain current operations at all statewide medical education sites.

**DUAL CREDIT**

Total Operating Expense	4,824,800	4,824,800
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**CLINICAL AND TRANSLATIONAL SCIENCES INSTITUTE**

Total Operating Expense	2,500,000	2,500,000
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**GLOBAL NETWORK OPERATIONS CENTER**

Total Operating Expense	721,861	721,861
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**SPINAL CORD AND HEAD INJURY RESEARCH CENTER**

Total Operating Expense	553,429	553,429
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**INSTITUTE FOR THE STUDY OF DEVELOPMENTAL DISABILITIES**

Total Operating Expense	2,105,824	2,105,824
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**GEOLOGICAL SURVEY**

Total Operating Expense	2,783,782	2,783,782
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**I-LIGHT NETWORK OPERATIONS**

Total Operating Expense	1,508,628	1,508,628
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HEA 1001 — CC 1



	<i>FY 2023-2024 Appropriation</i>	<i>FY 2024-2025 Appropriation</i>	<i>Biennial Appropriation</i>
<b>GIGAPOP PROJECT</b>			
Total Operating Expense	672,562	672,562	
<b>FOR PURDUE UNIVERSITY</b>			
<b>WEST LAFAYETTE</b>			
Total Operating Expense	230,254,137	232,471,525	
Outcomes-Based Prospective Model	2,059,277	4,118,554	
Subject to CHE review of outcomes-based funding formula performance under IC 21-18-16-7.			
Fee Replacement	28,127,200	28,114,700	
<b>INDIANAPOLIS</b>			
Total Operating Expense	10,000,000	17,000,000	
<b>NORTHWEST</b>			
Total Operating Expense	49,602,659	50,081,908	
Outcomes-Based Prospective Model	482,976	965,951	
Subject to CHE review of outcomes-based funding formula performance under IC 21-18-16-7.			
Fee Replacement	3,820,870	3,829,030	
<b>FORT WAYNE</b>			
Total Operating Expense	46,178,265	46,622,162	
Outcomes-Based Prospective Model	448,564	897,128	
Subject to CHE review of outcomes-based funding formula performance under IC 21-18-16-7.			
Fee Replacement	3,041,750	3,046,250	
<b>COLLEGE OF VETERINARY MEDICINE</b>			
Total Operating Expense	18,786,006	18,973,866	

Transfers of allocations between campuses to correct for errors in allocation among the campuses of Purdue University can be made by the institution with the approval of the commission for higher education and the budget agency.

**DUAL CREDIT**

Total Operating Expense	1,059,650	1,059,650
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**ANIMAL DISEASE DIAGNOSTIC LABORATORY SYSTEM**

Total Operating Expense	5,000,000	5,000,000
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The above appropriations shall be used to fund the animal disease diagnostic laboratory system (ADDL), which consists of the main ADDL at West Lafayette, the bangs disease testing service at West Lafayette, and the southern branch of ADDL Southern Indiana Purdue Agricultural Center (SIPAC) in Dubois County. The above appropriations are in addition to any user charges that may be established and collected under IC 21-46-3-5. Notwithstanding IC 21-46-3-4, the trustees of Purdue University may approve reasonable charges for testing for pseudorabies.

**PURDUE POLYTECHNIC STATEWIDE**

Total Operating Expense	6,695,258	6,695,258
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**COUNTY AGRICULTURAL EXTENSION EDUCATORS**

Total Operating Expense	8,000,000	8,000,000
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HEA 1001 — CC 1



	<i>FY 2023-2024 Appropriation</i>	<i>FY 2024-2025 Appropriation</i>	<i>Biennial Appropriation</i>
<b>AGRICULTURAL RESEARCH AND EXTENSION - CROSSROADS</b>			
Total Operating Expense	9,000,000	9,000,000	
<b>CENTER FOR PARALYSIS RESEARCH</b>			
Total Operating Expense	522,558	522,558	
<b>IN TECH ASST. AND ADV. MFG. COMPETITIVENESS PROGRAM</b>			
Total Operating Expense	4,430,212	4,430,212	
<b>FOR INDIANA STATE UNIVERSITY</b>			
Total Operating Expense	76,181,922	76,924,790	
Outcomes-Based Prospective Model	744,990	1,489,979	
Subject to CHE review of outcomes-based funding formula performance under IC 21-18-16-7.			
Fee Replacement	11,058,684	11,062,733	
<b>DUAL CREDIT</b>			
Total Operating Expense	202,950	202,950	
<b>NURSING PROGRAM</b>			
Total Operating Expense	204,000	204,000	
<b>PRINCIPAL LEADERSHIP ACADEMY</b>			
Total Operating Expense	600,000	600,000	
<b>DEGREE LINK</b>			
Total Operating Expense	446,438	446,438	
<b>FOR UNIVERSITY OF SOUTHERN INDIANA</b>			
Total Operating Expense	52,617,944	53,122,180	
Outcomes-Based Prospective Model	510,380	1,020,760	
Subject to CHE review of outcomes-based funding formula performance under IC 21-18-16-7.			
Fee Replacement	12,318,621	12,321,210	
<b>DUAL CREDIT</b>			
Total Operating Expense	510,900	510,900	
<b>HISTORIC NEW HARMONY</b>			
Total Operating Expense	486,878	486,878	
<b>EARLY COLLEGE BRIDGE PROGRAM</b>			
Total Operating Expense	600,000	600,000	
<b>FOR BALL STATE UNIVERSITY</b>			
Total Operating Expense	135,706,951	137,036,667	
Outcomes-Based Prospective Model	1,330,110	2,660,219	
Subject to CHE review of outcomes-based funding formula performance under IC 21-18-16-7.			
Fee Replacement	23,512,863	21,841,263	
<b>DUAL CREDIT</b>			
Total Operating Expense	290,050	290,050	
<b>ENTREPRENEURIAL COLLEGE</b>			
Total Operating Expense	2,500,000	2,500,000	
<b>ACADEMY FOR SCIENCE, MATHEMATICS, AND HUMANITIES</b>			
Total Operating Expense	4,384,956	4,384,956	

HEA 1001 — CC 1



	<i>FY 2023-2024</i> <i>Appropriation</i>	<i>FY 2024-2025</i> <i>Appropriation</i>	<i>Biennial</i> <i>Appropriation</i>
<b>FOR VINCENNES UNIVERSITY</b>			
<b>Total Operating Expense</b>	<b>45,635,761</b>	<b>46,077,538</b>	
<b>Outcomes-Based Prospective Model</b>	<b>444,754</b>	<b>889,508</b>	
<b>Subject to CHE review of outcomes-based funding formula performance under IC 21-18-16-7.</b>			
<b>Fee Replacement</b>	<b>4,913,442</b>	<b>4,926,545</b>	
<b>DUAL CREDIT</b>			
<b>Total Operating Expense</b>	<b>4,882,450</b>	<b>4,882,450</b>	
<b>AVIONICS TRAINING AND EMPLOYMENT PARTNERSHIP</b>			
<b>Total Operating Expense</b>	<b>4,500,000</b>	<b>0</b>	
<b>CAREER AND TECHNICAL EARLY COLLEGE PROGRAM</b>			
<b>Total Operating Expense</b>	<b>3,000,000</b>	<b>3,000,000</b>	

**Additional Early College sites may be established upon approval by the Commission for Higher Education and after review by the budget committee.**

<b>FOR IVY TECH COMMUNITY COLLEGE</b>			
<b>Total Operating Expense</b>	<b>242,730,279</b>	<b>245,049,320</b>	
<b>Outcomes-Based Prospective Model</b>	<b>2,351,104</b>	<b>4,702,207</b>	
<b>Subject to CHE review of outcomes-based funding formula performance under IC 21-18-16-7.</b>			
<b>Fee Replacement</b>	<b>27,960,488</b>	<b>27,802,223</b>	
<b>DUAL CREDIT</b>			
<b>Total Operating Expense</b>	<b>18,676,150</b>	<b>18,676,150</b>	
<b>NURSING EXPANSION</b>			
<b>Total Operating Expense</b>	<b>9,000,000</b>	<b>9,000,000</b>	
<b>TESTING CENTERS</b>			
<b>Total Operating Expense</b>	<b>710,810</b>	<b>710,810</b>	
<b>INDIANA RURAL EDUCATION INITIATIVE</b>			
<b>Total Operating Expense</b>	<b>1,057,738</b>	<b>1,057,738</b>	

**The above appropriations to Indiana University, Purdue University, Indiana State University, University of Southern Indiana, Ball State University, Vincennes University, and Ivy Tech Community College are in addition to all income of said institutions, respectively, from all permanent fees and endowments and from all land grants, fees, earnings, and receipts, including gifts, grants, bequests, and devises, and receipts from any miscellaneous sales from whatever source derived.**

**All such income and all such fees, earnings, and receipts on hand June 30, 2023, and all such income and fees, earnings, and receipts accruing thereafter are hereby appropriated to the boards of trustees or directors of the aforementioned institutions and may be expended for any necessary expenses of the respective institutions, including university hospitals, schools of medicine, nurses' training schools, schools of dentistry, and agricultural extension and experimental stations. However, such income, fees, earnings, and receipts may be used for land and structures only if approved by the governor and the budget agency.**



**The above appropriations to Indiana University, Purdue University, Indiana State University, University of Southern Indiana, Ball State University, Vincennes University, and Ivy Tech Community College include the employers' share of Social Security payments for university employees under the public employees' retirement fund, or institutions covered by the Indiana state teachers' retirement fund. The funds appropriated also include funding for the employers' share of payments to the public employees' retirement fund and to the Indiana state teachers' retirement fund at a rate to be established by the retirement funds for both fiscal years for each institution's employees covered by these retirement plans.**

**The treasurers of Indiana University, Purdue University, Indiana State University, University of Southern Indiana, Ball State University, Vincennes University, and Ivy Tech Community College shall, at the end of each three (3) month period, prepare and file with the state comptroller a financial statement that shall show in total all revenues received from any source, together with a consolidated statement of disbursements for the same period. The budget director shall establish the requirements for the form and substance of the reports.**

**The reports of the treasurer also shall contain in such form and in such detail as the governor and the budget agency may specify, complete information concerning receipts from all sources, together with any contracts, agreements, or arrangements with any federal agency, private foundation, corporation, or other entity from which such receipts accrue.**

**All such treasurers' reports are matters of public record and shall include without limitation a record of the purposes of any and all gifts and trusts with the sole exception of the names of those donors who request to remain anonymous.**

**Notwithstanding IC 4-10-11, the state comptroller shall draw warrants to the treasurers of Indiana University, Purdue University, Indiana State University, University of Southern Indiana, Ball State University, Vincennes University, and Ivy Tech Community College on the basis of vouchers stating the total amount claimed against each fund or account, or both, but not to exceed the legally made appropriations.**

**For universities and colleges supported in whole or in part by state funds, grant applications and lists of applications need only be submitted upon request to the budget agency for review and approval or disapproval and, unless disapproved by the budget agency, federal grant funds may be requested and spent without approval by the budget agency.**

**For all university special appropriations, an itemized list of intended expenditures, in such form as the governor and the budget agency may specify, shall be submitted to support the allotment request. All budget requests for university special appropriations shall be furnished in a like manner and as a part of the operating budgets of the state universities.**





The trustees of Indiana University, the trustees of Purdue University, the trustees of Indiana State University, the trustees of University of Southern Indiana, the trustees of Ball State University, the trustees of Vincennes University, and the trustees of Ivy Tech Community College are hereby authorized to accept federal grants, subject to IC 4-12-1.

Fee replacement funds are to be distributed as requested by each institution, on payment due dates, subject to available appropriations.

**FOR THE COMMISSION FOR HIGHER EDUCATION**

Total Operating Expense	7,758,893	7,758,893
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The above appropriations include funding for Learn More Indiana, commission technology, and the administration of the 21st Century scholars program.

**FREEDOM OF CHOICE GRANTS**

Total Operating Expense	66,225,902	66,225,902
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**HIGHER EDUCATION AWARD PROGRAM**

Total Operating Expense	101,425,081	101,425,081
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For the higher education awards and freedom of choice grants made for the biennium, the following guidelines shall be used, notwithstanding current administrative rule or practice:

- (1) The commission shall maintain the proportionality of award maximums for public, private, and proprietary institutions when setting forth amounts under IC 21-12-1.7.
- (2) Minimum Award: No award shall be less than \$600.
- (3) The commission shall reduce award amounts as necessary to stay within the available funding.

**TUITION AND FEE EXEMPTION FOR CHILDREN OF VETERANS AND PUBLIC SAFETY OFFICERS**

Total Operating Expense	31,773,696	31,773,696
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**MIDWEST HIGHER EDUCATION COMPACT**

Total Operating Expense	115,000	115,000
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**ADULT STUDENT GRANT APPROPRIATION**

Total Operating Expense	7,579,858	7,579,858
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Priority for awards made from the above appropriations shall be given first to eligible students meeting TANF income eligibility guidelines as determined by the family and social services administration and second to eligible students who received awards from the adult grant fund during the school year associated with the biennial budget year. Funds remaining shall be distributed according to procedures established by the commission. The maximum grant that an applicant may receive for a particular academic term shall be established by the commission but shall in no case be greater



than a grant for which an applicant would be eligible under IC 21-12-3 if the applicant were a full-time student. The commission shall collect and report to the family and social services administration (FSSA) all data required for FSSA to meet the data collection and reporting requirements in 45 CFR Part 265.

The family and social services administration, division of family resources, shall apply all qualifying expenditures for the part-time grant program toward Indiana's maintenance of effort under the federal Temporary Assistance for Needy Families (TANF) program (45 CFR 260 et seq.).

**STEM TEACHER RECRUITMENT FUND**

<b>Total Operating Expense</b>	<b>5,000,000</b>	<b>5,000,000</b>
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The above appropriations may be used to provide grants to nonprofit organizations that place new science, technology, engineering, and math teachers in elementary and high schools located in underserved areas.

**TEACHER RESIDENCY GRANT PILOT PROGRAM (IC 21-18-15.1)**

<b>Total Operating Expense</b>	<b>1,000,000</b>	<b>1,000,000</b>
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**MINORITY TEACHER SCHOLARSHIP FUND (IC 21-13-2-1)**

<b>Total Operating Expense</b>	<b>400,000</b>	<b>400,000</b>
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**NEXT GENERATION HOOSIER MINORITY EDUCATORS SCHOLARSHIP (IC 21-12-16.5)**

<b>Total Operating Expense</b>	<b>600,000</b>	<b>600,000</b>
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**HIGH NEED STUDENT TEACHING STIPEND (IC 21-13-7)**

<b>Total Operating Expense</b>	<b>450,000</b>	<b>450,000</b>
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**MINORITY STUDENT TEACHING SCHOLARSHIP (IC 21-13-8)**

<b>Total Operating Expense</b>	<b>100,000</b>	<b>100,000</b>
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**EARN INDIANA WORK STUDY PROGRAM**

<b>Total Operating Expense</b>	<b>2,606,099</b>	<b>2,606,099</b>
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**21ST CENTURY SCHOLAR AWARDS**

<b>Total Operating Expense</b>	<b>166,270,623</b>	<b>166,270,623</b>
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The commission shall collect and report to the family and social services administration (FSSA) all data required for FSSA to meet the data collection and reporting requirements in 45 CFR 265.

The division of family resources shall apply all qualifying expenditures for the 21st century scholars program toward Indiana's maintenance of effort under the federal Temporary Assistance for Needy Families (TANF) program (45 CFR 260 et seq.).

**INSTITUTE FOR WORKFORCE EXCELLENCE**

<b>Total Operating Expense</b>	<b>400,000</b>	<b>400,000</b>
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**NEXT GENERATION HOOSIER EDUCATORS**

<b>Total Operating Expense</b>	<b>12,000,000</b>	<b>12,000,000</b>
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**NATIONAL GUARD TUITION SCHOLARSHIP**



<b>Total Operating Expense</b>	<b>3,676,240</b>	<b>3,676,240</b>
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The above appropriations for national guard scholarships plus reserve balances in the fund shall be the total allowable state expenditure for the program in the biennium.

**PRIMARY CARE SCHOLARSHIP**

**Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)**

<b>Total Operating Expense</b>	<b>2,000,000</b>	<b>2,000,000</b>
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The above appropriations for primary care scholarships shall be distributed in accordance with IC 21-13-9.

**HIGH VALUE WORKFORCE READY CREDIT BEARING GRANT (IC 21-12-8)**

<b>Total Operating Expense</b>	<b>6,036,567</b>	<b>6,036,567</b>
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**MEDICAL EDUCATION BOARD**

**FAMILY PRACTICE RESIDENCIES**

**Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)**

<b>Total Operating Expense</b>	<b>2,382,197</b>	<b>2,382,197</b>
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Of the above appropriations, \$1,000,000 each year shall be distributed as grants for the purpose of improving family practice residency programs serving medically underserved areas.

**GRADUATE MEDICAL EDUCATION BOARD**

**MEDICAL RESIDENCY EDUCATION GRANTS**

**Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)**

<b>Total Operating Expense</b>	<b>7,000,000</b>	<b>7,000,000</b>
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The above appropriations for medical residency education grants are to be distributed in accordance with IC 21-13-6.5.

**FOR THE DEPARTMENT OF ADMINISTRATION**

**COLUMBUS LEARNING CENTER LEASE PAYMENT**

<b>Total Operating Expense</b>	<b>5,047,000</b>	<b>5,106,000</b>
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Notwithstanding IC 4-12-14-7 or any other law, after January 1, 2025, the sublease entered into using the above appropriations may be extended by an additional ten (10) years.

**B. ELEMENTARY AND SECONDARY EDUCATION**

**FOR THE DEPARTMENT OF EDUCATION**

<b>Total Operating Expense</b>	<b>19,856,457</b>	<b>19,856,457</b>
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**Professional Standards Fund (IC 20-28-2-10)**

<b>Other Operating Expense</b>	<b>1,237,940</b>	<b>1,237,940</b>
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**Augmentation allowed from the Professional Standards Fund.**

The above appropriations include funds to provide state support to educational service centers.

**STATE BOARD OF EDUCATION**

Total Operating Expense	1,853,810	1,853,810
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**PUBLIC TELEVISION DISTRIBUTION**

Total Operating Expense	3,675,000	3,675,000
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The Indiana Public Broadcasting Stations, Inc., shall submit a distribution plan for the eight Indiana public television stations for approval by the budget agency after review by the budget committee. Of the above appropriations, at least one seventh of the funds each year shall be set aside and distributed equally among all of the public radio stations.

**STEM PROGRAM ALIGNMENT**

Total Operating Expense	8,550,000	8,550,000
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The above appropriations for STEM program alignment shall be used to provide competitive grants to school corporations, charter schools, and other entities for the purpose of increasing access to high quality STEM programming, implementing qualified STEM curricula and professional development plans, to develop methods of evaluating STEM curricula and professional development plans for the purpose of awarding STEM grants, and to develop a system for measuring student growth in critical thinking, problem-solving, and other STEM-based skills in schools that receive STEM grants. The department shall provide an annual report to the general assembly, the office of the governor, and the state board of education describing the department's progress toward implementing the state's STEM plan. All data collected by the department shall be tracked electronically and shared with the management and performance hub for the purpose of collecting longitudinal data.

Of the above appropriations, up to \$1,200,000 in each fiscal year shall be used to provide grants to colleges or universities for the purpose of supporting programs and statewide initiatives dedicated to increasing student enrollment and improving student scores in math and science Advanced Placement courses.

Of the above appropriations, \$4,000,000 each fiscal year shall be used to support robotics programs, as defined by IC 20-20-45.5, and the Indiana Bar Foundation's We the People programs at school corporations and charter schools.

Of the above appropriations, \$300,000 each fiscal year shall be used to partner with the commission for higher education to provide professional development and technical assistance to schools that pilot the transitions math course for students



transitioning from secondary to post-secondary education.

**VR-FUTURES PROJECT STATE MATCH**

Total Operating Expense	1,500,000	0
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Before the budget agency may allot funds for the VR-Futures Project, the department must demonstrate that VR-Futures will contribute \$2 of private matching funds for every \$1 of state appropriation.

**RILEY HOSPITAL**

Total Operating Expense	250,000	250,000
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**BEST BUDDIES**

Total Operating Expense	206,125	206,125
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**SCHOOL TRAFFIC SAFETY**

Total Operating Expense	227,143	227,143
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**OFFICE OF KINDERGARTEN READINESS**

Total Operating Expense	522,851	522,851
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**ACADEMIC IMPROVEMENT INITIATIVES**

Total Operating Expense	50,000,000	50,000,000
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The above appropriations may be used for the following purposes:

- (1) Up to \$20,000,000 each fiscal year may be used to support the department's initiatives related to the Science of Reading;
- (2) Up to \$2,500,000 each fiscal year may be used for the Crossing the Finish Line initiative;
- (3) Up to \$10,000,000 each fiscal year may be used for literacy achievement grants to school corporations and charter schools; and
- (4) Up to \$17,500,000 each fiscal year may be used for the same purposes as permitted under IC 20-32-8.7. However, school corporations and charter schools may not receive awards for this purpose unless the school corporation or charter school has expended all of the federal dollars received by the school corporation or charter school from the federal ESSER I, ESSER II, or ESSER III programs.

**CAREER ADVISING GRANT PROGRAM**

Total Operating Expense	10,000,000	15,000,000
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**TEACHER HIGHER EDUCATION AND INDUSTRY COLLABORATION**

Pokagon Band Tribal-State Compact Fund (IC 4-12-1-20)

Total Operating Expense	1,000,000	1,000,000
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**SPECIAL EDUCATION (S-5)**

Total Operating Expense	29,070,000	29,070,000
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The above appropriations for special education (S-5) are for the services described in IC 20-35-6-2. The department of education shall review the processes and procedures for allocating special education (S-5) funds to identify ways to improve special education services for students by providing schools with better information



on provider services, availability and capacity and by identifying efficiencies that will increase the cost effectiveness of the program. The department of education shall collaborate with the department of child services and the family and social services administration when conducting the review. The department of education shall present the findings of the review to the state budget committee by no later than December 31, 2023.

**CHARTER AND INNOVATION NETWORK SCHOOL GRANT PROGRAM**

Total Operating Expense	52,600,000	52,600,000
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Augmentation allowed.

**AUDITORY-VERBAL ACCELERATED EDUCATION PROGRAM (IC 20-35-13)**

Total Operating Expense	2,000,000	2,000,000
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**NEXT LEVEL COMPUTER SCIENCE PROGRAM**

Total Operating Expense	3,000,000	3,000,000
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**TEACHERS' SOCIAL SECURITY AND RETIREMENT DISTRIBUTION**

Total Operating Expense	2,157,521	2,157,521
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The above appropriations shall be distributed by the department of education on a monthly basis in equal payments to special education cooperatives, area career and technical education schools, and other governmental entities that received state teachers' Social Security distributions for certified education personnel (excluding the certified education personnel funded through federal grants) during the fiscal year beginning July 1, 1992, and ending June 30, 1993, and for the units under the Indiana state teachers' retirement fund, the amount they received during the 2002-2003 state fiscal year for teachers' retirement. If the total amount to be distributed is greater than the total appropriation, the department of education shall reduce each entity's distribution proportionately.

**DISTRIBUTION FOR TUITION SUPPORT**

Total Operating Expense	8,840,000,000	9,030,000,000
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The above appropriations are to be distributed in accordance with a statute enacted for this purpose during the 2023 session of the general assembly.

If the above appropriations are more than the amount required by statute, the excess appropriations shall revert to the general fund at the end of each fiscal year.

The above appropriations shall be distributed under a schedule set by the budget agency and approved by the governor. The schedule shall provide for at least twelve (12) payments made at least once every forty (40) days, and the aggregate of the payments in each fiscal year shall equal the amount required by statute.

**TEACHER APPRECIATION GRANTS**

Total Operating Expense	37,500,000	37,500,000
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HEA 1001 — CC 1



**It is the intent of the general assembly that the above appropriations for teacher appreciation grants shall be the total allowable state expenditure for the program. If disbursements are anticipated to exceed the total appropriation for a state fiscal year, the department of education shall reduce the distributions proportionately.**

**DISTRIBUTION FOR SUMMER SCHOOL**

<b>Total Operating Expense</b>	<b>18,360,000</b>	<b>18,360,000</b>
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**It is the intent of the general assembly that the above appropriations for summer school shall be the total allowable state expenditure for the program. Therefore, if the expected disbursements are anticipated to exceed the total appropriation for that state fiscal year, then the department of education shall reduce the distributions proportionately.**

**CURRICULAR MATERIAL REIMBURSEMENT**

<b>Total Operating Expense</b>	<b>160,000,000</b>	<b>160,000,000</b>
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**Before a school corporation or an accredited nonpublic school may receive a distribution under the curricular material reimbursement program, the school corporation or accredited nonpublic school shall provide to the department the requirements established in IC 20-33-5-2. The department shall provide to the family and social services administration (FSSA) all data required for FSSA to meet the data collection reporting requirement in 45 CFR 265. The family and social services administration, division of family resources, shall apply all qualifying expenditures for the curricular material reimbursement program toward Indiana's maintenance of effort under the federal Temporary Assistance for Needy Families (TANF) program (45 CFR 260 et seq.).**

**DISTRIBUTION FOR ADULT LEARNERS**

<b>Total Operating Expense</b>	<b>44,512,500</b>	<b>52,512,500</b>
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**NATIONAL SCHOOL LUNCH PROGRAM**

<b>Total Operating Expense</b>	<b>5,108,582</b>	<b>5,108,582</b>
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**TESTING**

<b>Total Operating Expense</b>	<b>22,355,000</b>	<b>22,355,000</b>
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**The above appropriations are for assessments, including special education alternate assessments, as determined by the state board of education and the department of education.**

**REMEDATION TESTING**

<b>Total Operating Expense</b>	<b>14,126,474</b>	<b>14,126,474</b>
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**The above appropriations for remediation testing are for grants to school corporations, charter schools, and accredited nonpublic schools through the department of education. School corporations, charter schools, and accredited nonpublic schools shall use the grants to fund formative tests to identify students who require remediation.**



**GRADUATION PATHWAYS POST-SECONDARY COMPETENCIES**

<b>Total Operating Expense</b>	<b>5,600,000</b>	<b>5,600,000</b>
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The above appropriations are to provide funding for students enrolled in school corporations, charter schools, and accredited nonpublic schools to take the Advanced Placement and Cambridge International exams. A maximum of three (3) exams per student may be funded. Any remaining funds available after exam fees have been paid shall be prioritized for use by teachers of Advanced Placement or Cambridge International courses to attend professional development training.

**PSAT PROGRAM**

<b>Total Operating Expense</b>	<b>2,710,000</b>	<b>2,710,000</b>
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The above appropriations for the PSAT program are to provide funding for students enrolled in school corporations, charter schools, and accredited nonpublic schools in grade 10 and 11 to take the PSAT exam.

**NON-ENGLISH SPEAKING PROGRAM**

<b>Total Operating Expense</b>	<b>200,000</b>	<b>200,000</b>
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The above appropriations shall be distributed to the department of correction, the Indiana school for the blind and visually impaired, the Indiana school for the deaf, the Excel Centers for Adult Learners, the Christel House DORS Centers, and the Gary Middle College charter schools to support non-English speaking programs. Funds may only be used to educate students who are less than twenty-three (23) years of age.

**GIFTED AND TALENTED EDUCATION PROGRAM**

<b>Total Operating Expense</b>	<b>15,000,000</b>	<b>15,000,000</b>
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Each fiscal year, the department shall make \$750,000 available to school corporations and charter schools to purchase verbal and quantitative reasoning tests to be administered to all students within the corporation or charter school that are enrolled in kindergarten, second grade, and fifth grade.

**ALTERNATIVE EDUCATION**

<b>Total Operating Expense</b>	<b>5,306,394</b>	<b>5,306,394</b>
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The above appropriations include funding to provide \$10,000 for each child in recovery from alcohol or drug abuse who attends a charter school accredited by the National Association of Recovery Schools. This funding is in addition to any funding received by the charter school from the student funding formula.

**SENATOR DAVID C. FORD EDUCATIONAL TECHNOLOGY PROGRAM**

<b>Total Operating Expense</b>	<b>5,000,000</b>	<b>5,000,000</b>
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The department shall use the above appropriations to make grants to school corporations and charter schools to promote student learning through the use of technology and to acquire innovative education technologies that can be accessed and utilized by all school corporations and charter schools.

Of the above appropriations, \$1,350,000 shall be used for each fiscal year to provide grants to school corporations and charter schools to purchase robotic technology and provide professional development endorsed by the Council of Administrators of Special Education to improve the social and behavioral skills for students with autism.

**SCHOOL BUSINESS OFFICIALS LEADERSHIP ACADEMY**

Total Operating Expense	150,000	150,000
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The department shall make the above appropriations available to the Indiana Association of School Business Officials to operate an academy designed to strengthen the management and leadership skills of practicing Indiana school business officials employed by school corporations and charter schools.

**SCHOOL SUPERINTENDENTS LEADERSHIP ACADEMY**

Total Operating Expense	150,000	150,000
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The department shall make the above appropriations available to the Indiana Association of Public School Superintendents to operate an academy designed to strengthen the management and leadership skills of practicing Indiana school superintendents and leaders of charter schools.

**SCHOOL INTERNET CONNECTION**

Total Operating Expense	3,415,000	3,415,000
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**DUAL IMMERSION PILOT PROGRAM**

Total Operating Expense	425,000	425,000
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**SCHOOL SAFETY SPECIALIST TRAINING AND CERTIFICATION PROGRAM**

Total Operating Expense	1,000,000	1,000,000
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**FOR THE INDIANA CHARTER SCHOOL BOARD**

Total Operating Expense	538,239	541,752
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**FOR THE INDIANA PUBLIC RETIREMENT SYSTEM**

**TEACHERS' RETIREMENT FUND DISTRIBUTION**

Other Operating Expense	1,035,200,000	1,066,300,000
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Augmentation allowed.

If the amount required under the pre-1996 account of the teachers' retirement fund for actual benefits for the Post Retirement Pension Increases that are funded on a "pay as you go" basis plus the base benefits under the pre-1996 account of the



teachers' retirement fund is:

- (1) greater than the above appropriations for a year, after notice to the governor and the budget agency of the deficiency, the above appropriation for the year shall be augmented from the state general fund. Any augmentation shall be included in the required pension stabilization calculation under IC 5-10.4; or
- (2) less than the above appropriations for a year, the excess shall be retained in the state general fund. The portion of the benefit funded by the annuity account and the actuarially funded Post Retirement Pension Increases shall not be part of this calculation.

**C. OTHER EDUCATION**

**FOR THE EDUCATION EMPLOYMENT RELATIONS BOARD**

Total Operating Expense	1,249,452	1,291,810
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**FOR THE STATE LIBRARY**

Total Operating Expense	3,745,494	3,749,310
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**STATEWIDE LIBRARY SERVICES**

Total Operating Expense	1,508,166	1,508,535
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**LIBRARY SERVICES FOR THE BLIND - ELECTRONIC NEWSLINES**

Total Operating Expense	180,000	180,000
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**ACADEMY OF SCIENCE**

Total Operating Expense	4,357	4,357
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**HISTORICAL MARKER PROGRAM**

Total Operating Expense	8,649	8,649
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**INSPIRE**

Total Operating Expense	1,382,250	1,382,250
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**LOCAL LIBRARY CONNECTIVITY GRANT**

Total Operating Expense	1,382,250	1,382,250
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**IMAGINATION LIBRARY PROGRAM**

Total Operating Expense	2,000,000	4,000,000
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**FOR THE ARTS COMMISSION**

Total Operating Expense	5,197,761	5,198,192
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The above appropriations to the arts commission include \$650,000 each year to provide grants to:

- (1) arts organizations that have recently qualified for general operating support as major arts organizations, as determined by the arts commission; and
- (2) regional organizations that have recently qualified for general operating support as mid-major arts organizations, as determined by the arts commission and its regional re-granting partners.

**SECTION 10. [EFFECTIVE JULY 1, 2023]**

HEA 1001 — CC 1



**DISTRIBUTIONS**

**FOR THE STATE COMPTROLLER  
GAMING TAX**

<b>Total Operating Expense</b>	<b>50,500,000</b>	<b>50,500,000</b>
<b>Augmentation allowed.</b>		

The above appropriations include \$48,000,000 each year for the supplemental wagering tax distribution in IC 4-33-13-5 and \$2,500,000 each year for the historic hotel district community support fee distribution in IC 4-35-8.3-4.

**SECTION 11. [EFFECTIVE JULY 1, 2023]**

Federal funds are available for career and technical education under the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2301 et seq. for Career and Technical Education). Funds shall be received by the workforce cabinet and may be allocated by the budget agency after consultation with the workforce cabinet and any other state agencies, commissions, or organizations required by state law.

**SECTION 12. [EFFECTIVE JULY 1, 2023]**

In accordance with IC 20-20-38, the budget agency, upon the request of the workforce cabinet, may proportionately augment or reduce an allocation of federal funds made under SECTION 11 of this act.

**SECTION 13. [EFFECTIVE JULY 1, 2023]**

Utility bills for the month of June, travel claims covering the period June 16 to June 30, payroll for the period of the last half of June, any interdepartmental bills for supplies or services for the month of June, and any other miscellaneous expenses incurred during the period June 16 to June 30 shall be charged to the appropriation for the succeeding year. No interdepartmental bill shall be recorded as a refund of expenditure to any current year allotment account for supplies or services rendered or delivered at any time during the preceding June period.

**SECTION 14. [EFFECTIVE JULY 1, 2023]**

The budget agency, under IC 4-10-11, IC 4-12-1-13, and IC 4-13-1, in cooperation with the Indiana department of administration, may fix the amount of reimbursement for traveling expenses (other than transportation) for travel within the limits of Indiana. This amount may not exceed actual lodging and miscellaneous expenses incurred. A person in travel status, as defined by the state travel policies and procedures established by the Indiana department of administration and the budget agency, is entitled to a meal allowance not to exceed during any twenty-four (24)



hour period the standard meal allowances established by the federal Internal Revenue Service.

All appropriations provided by this act or any other statute, for traveling and hotel expenses for any department, officer, agent, employee, person, trustee, or commissioner, are to be used only for travel within the state of Indiana, unless those expenses are incurred in traveling outside the state of Indiana on trips that previously have received approval as required by the state travel policies and procedures established by the Indiana department of administration and the budget agency. With the required approval, a reimbursement for out-of-state travel expenses may be granted in an amount not to exceed actual lodging and miscellaneous expenses incurred. A person in travel status is entitled to a meal allowance not to exceed during any twenty-four (24) hour period the standard meal allowances established by the federal Internal Revenue Service for properly approved travel within the continental United States and a minimum of \$50 during any twenty-four (24) hour period for properly approved travel outside the continental United States. However, while traveling in Japan, the minimum meal allowance shall not be less than \$90 for any twenty-four (24) hour period. While traveling in Korea and Taiwan, the minimum meal allowance shall not be less than \$85 for any twenty-four (24) hour period. While traveling in Singapore, China, Great Britain, Germany, the Netherlands, and France, the minimum meal allowance shall not be less than \$65 for any twenty-four (24) hour period.

In the case of the state supported institutions of postsecondary education, approval for out-of-state travel may be given by the chief executive officer of the institution, or the chief executive officer's authorized designee, for the chief executive officer's respective personnel.

Before reimbursing overnight travel expenses, the state comptroller shall require documentation as prescribed in the state travel policies and procedures established by the Indiana department of administration and the budget agency. No appropriation from any fund may be construed as authorizing the payment of any sum in excess of the standard mileage rates for personally owned transportation equipment established by the federal Internal Revenue Service when used in the discharge of state business. The Indiana department of administration and the budget agency may adopt policies and procedures relative to the reimbursement of travel and moving expenses of new state employees and the reimbursement of travel expenses of prospective employees who are invited to interview with the state.

**SECTION 15. [EFFECTIVE JULY 1, 2023]**

Notwithstanding IC 4-10-11-2.1, the salary per diem of members of boards, commissions, and councils who are entitled to a salary per diem is equal to \$100 per day. However, members of boards, commissions, or councils who receive an annual or a monthly salary paid by the state are not entitled to the salary per diem provided in IC 4-10-11-2.1.



**SECTION 16. [EFFECTIVE JULY 1, 2023]**

**No payment for personal services shall be made by the state comptroller unless the payment has been approved by the budget agency or the designee of the budget agency.**

**SECTION 17. [EFFECTIVE JULY 1, 2023]**

**No warrant for operating expenses, capital outlay, or fixed charges shall be issued to any department or an institution unless the receipts of the department or institution have been deposited into the state treasury for the month. However, if a department or an institution has more than \$10,000 in daily receipts, the receipts shall be deposited into the state treasury daily.**

**SECTION 18. [EFFECTIVE JULY 1, 2023]**

**In case of loss by fire or any other cause involving any state institution or department, the proceeds derived from the settlement of any claim for the loss shall be deposited in the state treasury, and the amount deposited is hereby reappropriated to the institution or department for the purpose of replacing the loss. If it is determined that the loss shall not be replaced, any funds received from the settlement of a claim shall be deposited into the state general fund.**

**SECTION 19. [EFFECTIVE JULY 1, 2023]**

**If an agency has computer equipment in excess of the needs of that agency, then the excess computer equipment may be sold under the provisions of surplus property sales, and the proceeds of the sale or sales shall be deposited in the state treasury. The amount so deposited is hereby reappropriated to that agency for other operating expenses of the then current year, if approved by the director of the budget agency.**

**SECTION 20. [EFFECTIVE JULY 1, 2023]**

**This act does not authorize any rehabilitation and repairs to any state buildings, nor does it allow that any obligations be incurred for lands and structures, without the prior approval of the budget director or the director's designee. This SECTION does not apply to contracts for the state universities supported in whole or in part by state funds.**

**SECTION 21. [EFFECTIVE JULY 1, 2023]**

**If an agency has an annual appropriation fixed by law, and if the agency also receives an appropriation in this act for the same function or program, the appropriation in this act supersedes any other appropriations and is the total appropriation for the agency for that program or function.**



**SECTION 22. [EFFECTIVE JULY 1, 2023]**

**The balance of any appropriation or funds heretofore placed or remaining to the credit of any division of the state of Indiana, and any appropriation or funds provided in this act placed to the credit of any division of the state of Indiana, the powers, duties, and functions whereof are assigned and transferred to any department for salaries, maintenance, operation, construction, or other expenses in the exercise of such powers, duties, and functions, shall be transferred to the credit of the department to which such assignment and transfer is made, and the same shall be available for the objects and purposes for which appropriated originally.**

**SECTION 23. [EFFECTIVE JULY 1, 2023]**

**The director of the division of procurement of the Indiana department of administration, or any other person or agency authorized to make purchases of equipment, shall not honor any requisition for the purchase of an automobile that is to be paid for from any appropriation made by this act or any other act, unless the following facts are shown to the satisfaction of the commissioner of the Indiana department of administration or the commissioner's designee:**

- (1) In the case of an elected state officer, it shall be shown that the duties of the office require driving about the state of Indiana in the performance of official duty.**
- (2) In the case of department or commission heads, it shall be shown that the statutory duties imposed in the discharge of the office require traveling a greater distance than one thousand (1,000) miles each month or that they are subject to official duty call at all times.**
- (3) In the case of employees, it shall be shown that the major portion of the duties assigned to the employee require travel on state business in excess of one thousand (1,000) miles each month, or that the vehicle is identified by the agency as an integral part of the job assignment.**

**In computing the number of miles required to be driven by a department head or an employee, the distance between the individual's home and office or designated official station is not to be considered as a part of the total. Department heads shall annually submit justification for the continued assignment of each vehicle in their department, which shall be reviewed by the commissioner of the Indiana department of administration, or the commissioner's designee. There shall be an insignia permanently affixed on each side of all state owned cars, designating the cars as being state owned. However, this requirement does not apply to state owned cars driven by elected state officials or to cases where the commissioner of the Indiana department of administration or the commissioner's designee determines that affixing insignia on state owned cars would hinder or handicap the persons driving the cars in the performance of their official duties.**

**SECTION 24. [EFFECTIVE JULY 1, 2023]**

HEA 1001 — CC 1



**When budget agency approval or review is required under this act, the budget agency may refer to the budget committee any budgetary or fiscal matter for an advisory recommendation. The budget committee may hold hearings and take any actions authorized by IC 4-12-1-11, and may make an advisory recommendation to the budget agency.**

**SECTION 25. [EFFECTIVE JULY 1, 2023]**

**Except as provided for under IC 4-12-18, the governor of the state of Indiana is solely authorized to accept on behalf of the state any and all federal funds available to the state of Indiana. Federal funds received under this SECTION are appropriated for purposes specified by the federal government, subject to allotment by the budget agency. The provisions of this SECTION and all other SECTIONS concerning the acceptance, disbursement, review, and approval of any grant, loan, or gift made by the federal government or any other source to the state or its agencies and political subdivisions shall apply, notwithstanding any other law.**

**SECTION 26. [EFFECTIVE JULY 1, 2023]**

**Except as provided for under IC 4-12-18, federal funds received as revenue by a state agency or department are not available to the agency or department for expenditure until allotment has been made by the budget agency under IC 4-12-1-12(d).**

**SECTION 27. [EFFECTIVE JULY 1, 2023]**

**A contract or an agreement for personal services or other services may not be entered into by any agency or department of state government without the approval of the budget agency or the designee of the budget director.**

**SECTION 28. [EFFECTIVE JULY 1, 2023]**

**Except in those cases where a specific appropriation has been made to cover the payments for any of the following, the state comptroller shall transfer, from the personal services appropriations for each of the various agencies and departments, necessary payments for Social Security, public employees' retirement, health insurance, life insurance, and any other similar payments directed by the budget agency.**

**SECTION 29. [EFFECTIVE JULY 1, 2023]**

**Subject to SECTION 24 of this act as it relates to the budget committee, the budget agency with the approval of the governor may withhold allotments of any or all appropriations contained in this act for the biennium, if it is considered necessary to do so in order to prevent a deficit financial situation.**

**SECTION 30. [EFFECTIVE JULY 1, 2023]**



**CONSTRUCTION**

For the 2023-2025 biennium, the following amounts, from the funds listed as follows, are appropriated to provide for the construction, reconstruction, rehabilitation, repair, purchase, rental, and sale of state properties, capital lease rentals, and the purchase and sale of land, including equipment for these properties and other projects as specified.

State General Fund - Lease Rentals	145,281,411
State General Fund - Construction	1,594,324,253
Employment Security Special Fund	500,000
Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)	4,325,000
Bureau of Motor Vehicles Commission Fund (IC 9-14-14-1)	4,750,000
Veterans' Home Building Fund (IC 10-17-9-7)	2,125,000
State Construction Fund (IC 9-13-2-173.1)	146,241,194
State Highway Fund (IC 8-23-9-54)	52,716,000
Integrated Public Safety Communications Fund (IC 5-26-4-1)	2,000,000
Pokagon Band Tribal-State Compact Fund (IC 4-12-1-20)	5,000,000
<b>TOTAL</b>	<b>1,957,262,858</b>

The allocations provided under this SECTION are made from the state general fund, unless specifically authorized from other designated funds by this act. The budget agency, with the approval of the governor, in approving the allocation of funds pursuant to this SECTION, shall consider, as funds are available, allocations for the following specific uses, purposes, and projects:

**A. GENERAL GOVERNMENT**

**FOR THE STATE BUDGET AGENCY - LEASES**

Stadium Lease Rental	43,096,463	43,296,713
Convention Center Lease Rental	16,934,762	17,182,512
<b>STATE BUDGET AGENCY</b>		
Indiana Motorsports Commission	7,000,000	7,000,000
Water Infrastructure Assistance	20,000,000	20,000,000





	<i>FY 2023-2024 Appropriation</i>	<i>FY 2024-2025 Appropriation</i>	<i>Biennial Appropriation</i>
Residential Housing Infrastr. Assistance	50,000,000	25,000,000	
Lake Michigan Erosion Study	1,000,000	0	
Airport Improvement	26,000,000	0	
Amateur Sports Facility	0	89,000,000	
NW Indiana Law Enforcement Academy	5,000,000	0	
MAAC Firefighter Regional Training	200,000	200,000	
Judicial Building A&E	5,000,000	0	
Statewide Deferred Maintenance	75,000,000	75,000,000	
Enterprise Financial System Planning	1,000,000	0	
Origin Park	37,500,000	0	
Busseron Creek Conservation Project	1,900,000	0	
Northern IN Regional Economic Dev	30,000,000	0	

Subject to budget committee review, the above appropriation shall be transferred to the Northern Indiana Regional Development Authority to be used to expand the Indiana Enterprise Center (IEC) and to support potential economic development projects with a proposed total capital investment of over one billion dollars. All state funds expended by the authority must be used to support capital projects. The authority must submit an annual report to the budget committee detailing the use of state funds.

Northeast IN Regional Economic Dev	30,000,000	0
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Subject to budget committee review, the above appropriation shall be transferred to the Northeast Indiana Strategic Development Commission to be used for the implementation of the commission's five year strategic plan to grow population, expand housing, and improve the quality of the workforce in northeast Indiana. State funds expended by the authority may be used to support capital projects, programming, and services necessary to implement the five year plan but cannot be used to leverage additional state funding. The commission must submit an annual report to the budget committee detailing the use of state funds.

Orthopedic Industry Retention Initiative	0	30,000,000
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Subject to budget committee review, the above appropriation shall be transferred to OrthoWorx and may only be used to support efforts to attract talent and to retain and expand the orthopedic device industry in Indiana. OrthoWorx must submit an annual report to the budget committee detailing the use of state funds.

<b>Pokagon Band Tribal-State Compact Fund (IC 4-12-1-20)</b>		
South Bend Sports Complex	3,000,000	0
<b>Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)</b>		
Enterprise Grant Management System	3,000,000	0

<b>DEPARTMENT OF LOCAL GOVERNMENT FINANCE</b>		
PPOP-IN Ongoing Funding	135,000	135,000

HEA 1001 — CC 1



	<i>FY 2023-2024 Appropriation</i>	<i>FY 2024-2025 Appropriation</i>	<i>Biennial Appropriation</i>
Budget Form Application	440,000	0	
State Distribution PP App	175,000	0	
Technical Debt Resolution	243,000	243,000	
Property Tax Billing Model	470,000	0	
<b>DEPARTMENT OF ADMINISTRATION</b>			
Preventive Maintenance	6,471,634	7,026,466	
Repair and Rehabilitation	38,984,801	26,956,996	
State Construction Fund (IC 9-13-2-173.1)			
Re-Entry Ed Facility Demolition	1,500,000	0	
IGC Campus Safety Modernization	3,000,000	0	
Demolition Fund	5,000,000	0	
<b>DEPARTMENT OF ADMINISTRATION - LEASES</b>			
Neuro-Diagnostic Inst Capital Lease	12,385,420	12,385,541	
<b>OFFICE OF ADMINISTRATIVE LAW PROCEEDINGS</b>			
Case Management System	190,000	0	

**B. PUBLIC SAFETY**

**(1) LAW ENFORCEMENT**

<b>INDIANA STATE POLICE</b>			
Preventive Maintenance	1,588,022	2,205,674	
Law Enforcement Radios	23,250,000	0	
State Construction Fund (IC 9-13-2-173.1)			
Repair and Rehabilitation	3,105,000	4,110,000	
<b>LAW ENFORCEMENT TRAINING BOARD</b>			
Preventive Maintenance	230,000	230,000	
FF&E for Renovated Academy	0	5,000,000	
State Construction Fund (IC 9-13-2-173.1)			
Repair and Rehabilitation	172,700	310,000	
<b>CRIMINAL JUSTICE INSTITUTE</b>			
Victim's Compensation System Upgrade	800,000	0	
<b>ADJUTANT GENERAL</b>			
Preventive Maintenance	1,941,079	1,941,079	
State Construction Fund (IC 9-13-2-173.1)			
Repair and Rehabilitation	4,801,544	4,629,053	
Hamilton County RC Phase II	23,786,946	0	
Columbus RC Modernization	5,975,000	0	
Bloomington RC Modernization	3,474,500	0	
LaPorte RC Modernization	0	2,373,500	
Vincennes RC Modernization	0	2,603,000	
<b>ALCOHOL &amp; TOBACCO COMMISSION</b>			
Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)			
Law Enforcement Radios	850,000	0	
<b>INTEGRATED PUBLIC SAFETY COMMISSION</b>			

HEA 1001 — CC 1



	<i>FY 2023-2024 Appropriation</i>	<i>FY 2024-2025 Appropriation</i>	<i>Biennial Appropriation</i>
Preventive Maintenance	500,000	500,000	
Repair and Rehabilitation	5,409,308	457,600	
<b>Integrated Public Safety Communications Fund (IC 5-26-4-1)</b>			
IPSC Radios	1,000,000	1,000,000	

**(2) CORRECTIONS**

**DEPARTMENT OF CORRECTION**

Agency Wide Technology Upgrade 5,196,103 5,196,103

**STATE PRISON**

Preventive Maintenance 537,625 537,625

Repair and Rehabilitation 0 1,200,000

**PENDLETON CORRECTIONAL FACILITY**

Preventive Maintenance 635,375 635,375

Repair and Rehabilitation 4,220,000 0

**WOMEN'S PRISON**

Preventive Maintenance 175,950 175,950

Repair and Rehabilitation 1,066,356 0

**NEW CASTLE CORRECTIONAL FACILITY**

Preventive Maintenance 805,000 805,000

Repair and Rehabilitation 0 300,000

**PUTNAMVILLE CORRECTIONAL FACILITY**

Preventive Maintenance 430,100 430,100

Repair and Rehabilitation 10,083,300 0

**BRANCHVILLE CORRECTIONAL FACILITY**

Preventive Maintenance 193,545 193,545

Repair and Rehabilitation 0 202,000

**WESTVILLE CORRECTIONAL FACILITY**

Preventive Maintenance 508,300 508,300

**ROCKVILLE CORRECTIONAL FACILITY**

Preventive Maintenance 244,375 244,375

**PLAINFIELD CORRECTIONAL FACILITY**

Preventive Maintenance 305,469 305,469

Repair and Rehabilitation 0 3,177,410

**RECEPTION AND DIAGNOSTIC CENTER**

Preventive Maintenance 102,638 102,638

Repair and Rehabilitation 0 231,000

**CORRECTIONAL INDUSTRIAL FACILITY**

Preventive Maintenance 293,250 293,250

Repair and Rehabilitation 0 477,662

**WABASH VALLEY CORRECTIONAL FACILITY**

Preventive Maintenance 296,406 296,406

**CHAIN O' LAKES CORRECTIONAL FACILITY**

Preventive Maintenance 58,650 58,650

**MADISON CORRECTIONAL FACILITY**

HEA 1001 — CC 1



	<i>FY 2023-2024 Appropriation</i>	<i>FY 2024-2025 Appropriation</i>	<i>Biennial Appropriation</i>
Preventive Maintenance	542,512	542,512	
Repair and Rehabilitation	0	190,000	
<b>MIAMI CORRECTIONAL FACILITY</b>			
Preventive Maintenance	439,875	439,875	
<b>LAPORTE JUVENILE CORRECTIONAL FACILITY</b>			
Preventive Maintenance	39,100	39,100	
<b>EDINBURGH CORRECTIONAL FACILITY</b>			
Preventive Maintenance	39,100	39,100	
<b>PENDLETON JUVENILE CORRECTIONAL FACILITY</b>			
Preventive Maintenance	146,625	146,625	
<b>NORTH CENTRAL JUVENILE CORRECTIONAL FACILITY</b>			
Preventive Maintenance	58,650	58,650	
Repair and Rehabilitation	0	405,000	
<b>SOUTH BEND WORK RELEASE CENTER</b>			
Preventive Maintenance	48,875	48,875	
<b>HERITAGE TRAIL CORRECTIONAL FACILITY</b>			
Preventive Maintenance	219,938	219,938	
Repair and Rehabilitation	1,305,000	350,000	

**(3) REGULATORY & LICENSING**

<b>PROFESSIONAL LICENSING AGENCY</b>			
Call Center Build-Out	160,000	0	
<b>MOTOR VEHICLES COMMISSION</b>			
Bureau of Motor Vehicles Commission Fund (IC 9-14-14-1)			
Repair and Rehabilitation	2,250,000	2,000,000	
BMVC System Planning	500,000	0	
<b>DEPARTMENT OF HOMELAND SECURITY</b>			
Local Firefighter Training Facilities	7,700,000	0	

**C. CONSERVATION AND ENVIRONMENT**

<b>DEPARTMENT OF NATURAL RESOURCES - GENERAL ADMINISTRATION</b>			
Preventive Maintenance	108,500	108,500	
Division of Water Database Upgrade	1,300,000	0	
Trails	30,000,000	0	
State Construction Fund (IC 9-13-2-173.1)			
Repair and Rehabilitation	4,100,917	4,100,917	
<b>FISH AND WILDLIFE</b>			
Preventive Maintenance	1,705,000	1,705,000	
<b>FORESTRY</b>			
Preventive Maintenance	1,677,500	1,677,500	
State Construction Fund (IC 9-13-2-173.1)			
Repair and Rehabilitation	4,500,000	0	
<b>NATURE PRESERVES</b>			

HEA 1001 — CC 1



	<i>FY 2023-2024 Appropriation</i>	<i>FY 2024-2025 Appropriation</i>	<i>Biennial Appropriation</i>
Preventive Maintenance	645,275	645,275	
<b>STATE PARKS AND RESERVOIR MANAGEMENT</b>			
Preventive Maintenance	4,490,000	4,490,000	
State Construction Fund (IC 9-13-2-173.1)			
Repair and Rehabilitation	2,240,000	1,000,000	
Lincoln Amphitheater	4,600,000	0	
<b>ENGINEERING DIVISION</b>			
Preventive Maintenance	30,000	30,000	
State Construction Fund (IC 9-13-2-173.1)			
Repair and Rehabilitation	900,000	450,000	
<b>DIVISION OF WATER</b>			
Preventive Maintenance	30,000	30,000	
State Construction Fund (IC 9-13-2-173.1)			
Repair and Rehabilitation	0	645,000	
<b>ENFORCEMENT</b>			
Preventive Maintenance	297,000	297,000	
State Construction Fund (IC 9-13-2-173.1)			
Repair and Rehabilitation	0	360,000	
<b>ENTOMOLOGY</b>			
Preventive Maintenance	151,250	151,250	
<b>INDIANA STATE MUSEUM AND HISTORIC SITES CORPORATION</b>			
Preventive Maintenance	645,029	709,532	
Capital Fundraising Match - R & R	1,000,000	1,000,000	
Repair and Rehabilitation	1,584,400	433,000	
Whitewater Canal Rehabilitation	7,000,000	0	

The above appropriation represents the state match for the Whitewater Canal rehabilitation project. Subject to budget committee review, the budget agency may not allot any funds for the project until the Indiana State Museum and Historic Sites Corporation can demonstrate that at least \$7,000,000 has been raised for the project from private donations or contributions from local units of government.

<b>WAR MEMORIALS COMMISSION</b>			
Preventive Maintenance	1,200,000	1,200,000	
State Construction Fund (IC 9-13-2-173.1)			
Repair and Rehabilitation	12,830,000	10,006,550	
<b>WHITE RIVER STATE PARK</b>			
Preventive Maintenance	469,250	469,250	
Repair and Rehabilitation	2,500,000	0	
<b>DEPARTMENT OF ENVIRONMENTAL MANAGEMENT</b>			
IDEM Technology Imp Projects	5,500,000	0	
<b>MAUMEE RIVER BASIN COMMISSION</b>			
Repair and Rehabilitation	550,000	150,000	

#### **D. ECONOMIC AND WORKFORCE DEVELOPMENT**

HEA 1001 — CC 1



**INDIANA ECONOMIC DEVELOPMENT CORPORATION**

<b>READI 2.0</b>	<b>250,000,000</b>	<b>250,000,000</b>
<b>Site Acquisition Strategies</b>	<b>150,000,000</b>	<b>0</b>

If the corporation sells a property acquired with funds from the above appropriation, the proceeds from the sale shall be deposited in the general fund. The budget agency may, after budget committee review, transfer the proceeds from a sale to a revolving fund for future site acquisitions by the corporation.

**INDIANA STATE FAIR**

<b>Preventive Maintenance</b>	<b>1,201,750</b>	<b>1,201,750</b>
<b>Repair and Rehabilitation</b>	<b>6,421,800</b>	<b>3,458,636</b>
<b>State Construction Fund (IC 9-13-2-173.1)</b>		
<b>Fairgrounds Entry and Indoor Track</b>	<b>19,797,627</b>	<b>0</b>
<b>Perimeter Fence Line Project</b>	<b>9,000,000</b>	<b>0</b>
<b>Pioneer Village Renovation State Match</b>	<b>1,000,000</b>	<b>0</b>

**DEPARTMENT OF WORKFORCE DEVELOPMENT**

<b>Applied Workforce Data Initiative</b>	<b>4,000,000</b>	<b>4,000,000</b>
<b>Employment Security Special Fund</b>		
<b>Preventive Maintenance</b>	<b>250,000</b>	<b>250,000</b>

**E. TRANSPORTATION**

**INDOT LAND AND AERIAL SURVEY OFFICE**

<b>InCORS System</b>	<b>900,000</b>	<b>0</b>
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**DEPARTMENT OF TRANSPORTATION - BUILDINGS AND GROUNDS**

<b>State Highway Fund (IC 8-23-9-54)</b>		
<b>Preventive Maintenance</b>	<b>2,548,000</b>	<b>2,548,000</b>
<b>Repair and Rehabilitation</b>	<b>16,130,000</b>	<b>5,000,000</b>
<b>A&amp;E Fee Gary Unit/Salt Bldg</b>	<b>580,000</b>	<b>0</b>
<b>Const. of the Gary Unit/Salt Bldg</b>	<b>0</b>	<b>11,600,000</b>
<b>A&amp;E Fee Frankfort Subdistrict Renv.</b>	<b>0</b>	<b>510,000</b>
<b>A&amp;E Fee for Jasper Unit/Salt Bldg</b>	<b>0</b>	<b>500,000</b>
<b>Const. of the Roselawn Unit/Salt Bldg</b>	<b>9,800,000</b>	<b>0</b>
<b>Capital Land Purchase</b>	<b>250,000</b>	<b>250,000</b>
<b>INDOT Radios</b>	<b>3,000,000</b>	<b>0</b>

**F. FAMILY AND SOCIAL SERVICES, HEALTH, AND VETERANS' AFFAIRS**

**(1) FAMILY AND SOCIAL SERVICES ADMINISTRATION**

**FSSA - DIVISION OF MENTAL HEALTH**

**HEA 1001 — CC 1**



	<i>FY 2023-2024 Appropriation</i>	<i>FY 2024-2025 Appropriation</i>	<i>Biennial Appropriation</i>
Repair and Rehabilitation	3,018,010	0	
<b>EVANSVILLE PSYCHIATRIC CHILDREN'S CENTER</b>			
Preventive Maintenance	36,500	36,500	
<b>EVANSVILLE STATE HOSPITAL</b>			
Preventive Maintenance	391,162	391,162	
Repair and Rehabilitation	454,780	261,200	
<b>LOGANSPORT STATE HOSPITAL</b>			
Preventive Maintenance	491,572	491,572	
Repair and Rehabilitation	908,993	1,097,214	
State Construction Fund (IC 9-13-2-173.1)			
LSH Steam Plant Decommissioning	0	5,868,940	
<b>MADISON STATE HOSPITAL</b>			
Preventive Maintenance	464,104	464,104	
Repair and Rehabilitation	0	249,900	
<b>RICHMOND STATE HOSPITAL</b>			
Preventive Maintenance	550,000	550,000	
Repair and Rehabilitation	1,535,000	610,000	
<b>NEURODIAGNOSTIC INSTITUTE</b>			
Preventive Maintenance	475,810	475,810	

**(2) PUBLIC HEALTH**

**DEPARTMENT OF HEALTH**

Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)			
Public Health Emergency Radios	475,000	0	
<b>SCHOOL FOR THE DEAF</b>			
Preventive Maintenance	750,000	750,000	
<b>SCHOOL FOR THE BLIND AND VISUALLY IMPAIRED</b>			
Preventive Maintenance	750,000	750,000	

**(3) VETERANS' AFFAIRS**

**DEPARTMENT OF VETERANS' AFFAIRS**

Preventive Maintenance	69,700	69,700	
<b>INDIANA VETERANS' HOME</b>			
Veterans' Home Building Fund (IC 10-17-9-7)			
Preventive Maintenance	637,500	637,500	
Repair and Rehabilitation	250,000	250,000	
Key Card Access System	350,000	0	

**G. EDUCATION**

**HIGHER EDUCATION**

**COMMISSION FOR HIGHER EDUCATION**

HEA 1001 — CC 1



<b>Martin University</b>	<b>2,500,000</b>	<b>2,500,000</b>
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Subject to budget committee review, the above appropriations shall be awarded by the commission as grants to Martin University. Martin University must demonstrate to the commission that the grants will be used to attract and retain students pursuing careers in high-demand professions including but not limited to teaching, law enforcement, and careers in the field of science, technology, engineering, and math.

<b>College Success Program</b>		
<b>Total Operating Expense</b>	<b>2,500,000</b>	<b>2,500,000</b>

Subject to budget committee review, the above appropriations shall be used for college success programs including capital investments for minority and first generation low income students attending a public or private four year post secondary educational institution with a physical presence in Indiana.

<b>Pokagon Band Tribal-State Compact Fund (IC 4-12-1-20)</b>		
<b>Heartland/Anderson Scholar House</b>	<b>2,000,000</b>	<b>0</b>

<b>INDIANA UNIVERSITY - TOTAL SYSTEM</b>		
<b>Repair and Rehabilitation</b>	<b>18,886,280</b>	<b>18,886,280</b>
<b>Regional Deferred Maintenance</b>	<b>0</b>	<b>9,775,862</b>
<b>PURDUE UNIVERSITY - TOTAL SYSTEM</b>		
<b>Repair and Rehabilitation</b>	<b>15,101,111</b>	<b>15,101,111</b>
<b>Regional Deferred Maintenance</b>	<b>0</b>	<b>4,224,138</b>
<b>INDIANA STATE UNIVERSITY</b>		
<b>Repair and Rehabilitation</b>	<b>1,932,790</b>	<b>1,932,790</b>
<b>UNIVERSITY OF SOUTHERN INDIANA</b>		
<b>Repair and Rehabilitation</b>	<b>1,483,291</b>	<b>1,483,291</b>
<b>BALL STATE UNIVERSITY</b>		
<b>Repair and Rehabilitation</b>	<b>3,921,090</b>	<b>3,921,090</b>
<b>VINCENNES UNIVERSITY</b>		
<b>Repair and Rehabilitation</b>	<b>1,227,440</b>	<b>1,227,440</b>
<b>IVY TECH COMMUNITY COLLEGE</b>		
<b>Repair and Rehabilitation</b>	<b>4,468,850</b>	<b>4,468,850</b>

**SECTION 31. [EFFECTIVE JULY 1, 2023]**

The budget agency may employ one (1) or more architects or engineers to inspect construction, rehabilitation, and repair projects covered by the appropriations in this act or previous acts.

**SECTION 32. [EFFECTIVE UPON PASSAGE]**

If any part of a construction or rehabilitation and repair appropriation made by





**this act or any previous acts has not been allotted or encumbered before the expiration of the biennium, the budget agency may determine that the balance of the appropriation is not available for allotment. The appropriation may be terminated, and the balance may revert to the fund from which the original appropriation was made.**

**SECTION 33. [EFFECTIVE JULY 1, 2023]**

**The budget agency may retain balances in the mental health fund at the end of any fiscal year to ensure there are sufficient funds to meet the service needs of the developmentally disabled and the mentally ill in any year.**

**SECTION 34. [EFFECTIVE JULY 1, 2023]**

**If the budget director determines at any time during the biennium that the executive branch of state government cannot meet its statutory obligations due to insufficient funds in the general fund, then notwithstanding IC 4-10-18, the budget agency, with the approval of the governor and after review by the budget committee, may transfer from the counter-cyclical revenue and economic stabilization fund to the general fund any additional amount necessary to maintain a positive balance in the general fund.**

SECTION 35. IC 2-2.1-1-1, AS AMENDED BY P.L.64-2021, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 1. The following definitions apply throughout this chapter:

- (1) "Bill" includes a bill and a joint resolution.
- (2) "Term of the general assembly" means that two (2) year period of time extending from the first Wednesday after the first Monday in November of any even-numbered year until, but not including, the first Wednesday after the first Monday in November of the next even-numbered year.
- (3) "Session" refers to any of the following:
  - (A) A regular session of the general assembly.
  - (B) A regular technical session of the general assembly.
  - ~~(C) An emergency session of the general assembly convened under IC 2-2.1-1.2.~~
  - ~~(D)~~ (C) A special session of the general assembly.
- (4) "Special session" means that period of time during which the general assembly is convened in session upon the proclamation and call of the governor under Article 4, Section 9 of the Constitution of the State of Indiana.

SECTION 36. IC 2-2.1-1-2, AS AMENDED BY P.L.133-2021, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2. (a) The first regular session of each term of the general assembly shall convene on the third Tuesday after the first Monday of November of each even-numbered year to do the following:

- (1) Organize itself.
  - (2) Elect its officers.
  - (3) Receive the oath of office.
- (b) If a special session is called before the date set in subsection (a), then the organization, election, and receiving the oath of office shall be held on the first day of the special session.
- (c) The general assembly shall then adjourn until a day:



- (1) certain fixed by a concurrent resolution; or
- (2) when the gavel of each house falls in the presence of a quorum whether or not a day certain to reconvene in session has been fixed.

(d) The general assembly shall reconvene in session no later than the ~~second~~ **fourth** Monday in January of the following year.

(e) The first regular session of each term of the general assembly shall adjourn sine die ~~as follows: (1) Not later than November 15 in calendar year 2021; (2) not later than April 29 in any odd-numbered year beginning after December 31, 2022.~~

SECTION 37. IC 2-2.1-1-2.5, AS AMENDED BY P.L.133-2021, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2.5. ~~(a) This section does not apply in calendar year 2021.~~

~~(b) (a) Before the first regular session adjourns sine die, the general assembly may adopt a concurrent resolution to fix a day to convene the first regular technical session of the general assembly. The day fixed under this subsection may not be earlier than thirty (30) days after the first regular session adjourns sine die. The first regular technical session of the general assembly shall convene on the second Tuesday after the first Monday in June of each odd-numbered year.~~

~~(c) (b) Only the following may be considered and acted upon during a first regular technical session:~~

- (1) Bills enacted during the first regular session vetoed by the governor.
- (2) Bills to correct conflicts among bills enacted during the first regular session.
- (3) Bills to correct technical errors in bills enacted during the first regular session.

~~(d) (c) The first regular technical session must adjourn sine die before midnight after it convenes.~~

~~(e) (d) The concurrent resolution adopted under subsection (b) may provide that The first regular technical session is not required to convene if the speaker of the house of representatives and the president pro tempore of the senate jointly issue an order finding that the purposes for which a regular technical session may meet under subsection (c) subsection (b) do not justify the cost and inconvenience of meeting in a regular technical session.~~

~~(f) (e) If the general assembly does not meet in a regular technical session under this section, the general assembly shall consider and act upon vetoes of bills enacted during the first regular session at the next second regular session.~~

~~(g) (f) For purposes of Article 5, Section 14 of the Constitution of the State of Indiana, the first regular technical session is not considered a regular session if the general assembly does not consider or act upon vetoes of bills enacted during the first regular session under this section.~~

SECTION 38. IC 2-2.1-1-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 3. (a) The second regular session of each term of the general assembly shall convene on the third Tuesday after the first Monday of November of each odd-numbered year. The general assembly shall then adjourn until a day:

- (1) certain fixed by a concurrent resolution; or
- (2) when the gavel of each house falls in the presence of a quorum whether or not a day certain to reconvene in session has been fixed.

(b) The general assembly shall reconvene in session no later than the ~~second~~ **fourth** Monday in January of the following year. The second regular session of each term of the general assembly shall adjourn sine die not later than March 14 in any even-numbered year.

SECTION 39. IC 2-2.1-1-3.5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 3.5. (a) ~~Before the second regular session adjourns sine die, the general assembly may~~



adopt a concurrent resolution to fix a day to convene the second regular technical session of the general assembly. The day fixed under this subsection may not be earlier than thirty (30) days after the second regular session adjourns sine die. **The second regular technical session of the general assembly shall convene on the second Tuesday after the first Monday in May of each even-numbered year.**

(b) Only the following may be considered and acted upon during a second regular technical session:

- (1) Bills enacted during the second regular session vetoed by the governor.
- (2) Bills to correct conflicts among bills enacted during the second regular session.
- (3) Bills to correct technical errors in bills enacted during the second regular session.

(c) The second regular technical session must adjourn sine die before midnight after it convenes.

(d) ~~The concurrent resolution adopted under subsection (a) may provide that~~ The second regular technical session is not required to convene if the speaker of the house of representatives and the president pro tempore of the senate jointly issue an order finding that the purposes for which a regular technical session may meet under subsection (b) do not justify the cost and inconvenience of meeting in a regular technical session.

(e) If the general assembly does not meet in a regular technical session under this section, the general assembly may consider and act upon vetoes of bills enacted during the second regular session at the next first regular session.

(f) For purposes of Article 5, Section 14 of the Constitution of the State of Indiana, the second regular technical session is not considered a regular session if the general assembly does not consider or act upon vetoes of bills enacted during the second regular session under this section.

SECTION 40. IC 2-2.1-1.2-2 IS REPEALED [EFFECTIVE UPON PASSAGE]. ~~Sec. 2: As used in this chapter, "emergency session" refers to a session of the general assembly convened under this chapter.~~

SECTION 41. IC 2-2.1-1.2-4 IS REPEALED [EFFECTIVE UPON PASSAGE]. ~~Sec. 4: As used in this chapter, "presiding officer" refers to the following:~~

- (1) ~~For the house of representatives, the speaker of the house.~~
- (2) ~~For the senate, the president pro tempore of the senate.~~

SECTION 42. IC 2-2.1-1.2-7 IS REPEALED [EFFECTIVE UPON PASSAGE]. ~~Sec. 7: (a) The general assembly shall convene under this chapter if the legislative council adopts a resolution that finds all of the following:~~

- (1) ~~The governor has declared a state of emergency that the legislative council determines has a statewide impact.~~
- (2) ~~It is necessary for the general assembly to address the state of emergency with legislative action.~~
- (3) ~~It is necessary for the general assembly to convene an emergency session, in accordance with its authority to determine the length and frequency of legislative sessions under Article 4, Section 9 of the Constitution of the State of Indiana.~~

(b) ~~A resolution of the legislative council adopted under this section must state all of the following:~~

- (1) ~~The reasons that it is necessary for the general assembly to convene to address the state of emergency.~~
- (2) ~~The date, time, and place that each house of the general assembly will convene.~~
- (3) ~~The general assembly's agenda for addressing the state of emergency.~~

(c) ~~The legislative services agency shall file a copy of the legislative council's resolution with the secretary of state.~~

SECTION 43. IC 2-2.1-1.2-8 IS REPEALED [EFFECTIVE UPON PASSAGE]. ~~Sec. 8: The presiding officers shall convene their respective houses in session on the date, time, and place specified in the~~



legislative council's resolution:

SECTION 44. IC 2-2.1-1.2-9 IS REPEALED [EFFECTIVE UPON PASSAGE]. ~~Sec. 9: (a) An emergency session may not continue for more than forty (40) calendar days after the day the session first convenes:~~

~~(b) The general assembly must adjourn sine die not later than ten (10) calendar days following the day upon which the state of emergency ends as provided in IC 10-14-3-~~

SECTION 45. IC 2-2.1-1.2-10 IS REPEALED [EFFECTIVE UPON PASSAGE]. ~~Sec. 10: (a) The general assembly may enact only bills relating to the agenda stated in the legislative council's resolution during an emergency session:~~

~~(b) The general assembly may adopt concurrent resolutions during an emergency session:~~

~~(c) Each house may adopt simple resolutions during an emergency session:~~

SECTION 46. IC 2-5-1.1-5, AS AMENDED BY P.L.64-2021, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 5. (a) The council may do any of the following:

(1) On its own initiative or at the direction of the general assembly or of the senate or house of representatives, study subjects of interest and concern, and based on such a study, recommend such legislation as the welfare of the state may require.

(2) Direct standing committees of the senate or house of representatives, or appoint committees and subcommittees subject to the authority of the council, to carry out studies on subjects of interest and concern.

(3) Recommend such codification and general revision of the constitution and the laws of the state as may from time to time be necessary.

(4) Require any officer or agency, board, commission, committee or other instrumentality of the state or of a political subdivision of the state to provide information bearing on subjects under consideration by the council or by standing committee or any of its committees or subcommittees.

(5) By an affirmative vote of two-thirds (2/3) of its members present and voting:

(A) administer oaths, issue subpoenas, compel the attendance of witnesses and the production of papers, books, accounts, documents and testimony and have the deposition of witnesses taken in the manner prescribed by law for taking depositions in civil actions bearing on subjects under consideration by the council or by any of its committees or subcommittees; and

(B) petition, through the presiding officer of the council, any circuit court, superior court, or probate court of the appropriate county for an order for compliance with any order or subpoenas issued under this section.

(6) Adopt such rules and procedures and organize such agencies as may be necessary or appropriate to carry out its duties.

(7) Receive appropriations and make allocations for the reasonable and necessary expenditures of the council and the standing and interim committees of the house of representatives, senate and general assembly.

(8) Enter into whatever contracts or other arrangements deemed by it to be necessary or appropriate to exercising its rights, privileges, and powers and performing its duties under this chapter and IC 2-6-1.5 and to carrying out the intent, purposes, and provisions of this chapter and IC 2-6-1.5.

~~(9) Initiate sessions of the general assembly under IC 2-2.1-1.2-~~

~~(10)~~ (9) Do all other things necessary and proper to perform the functions of the legislative department of government and to carry out the intent, purposes and provisions of this chapter.

(b) The council may authorize its executive director to act on its behalf and with its authority on any



matter of administration under this chapter and under IC 2-6-1.5, including executing and implementing any contract or other arrangement under which it agrees to be bound.

SECTION 47. IC 2-5-3.2-2, AS ADDED BY P.L.36-2015, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 2. (a) As used in this section, "tax expenditure" means a tax exemption, tax deduction, tax credit, preferential tax rate, or tax provision that reduces a person's state tax liability.

(b) The legislative services agency shall, before November 1 of each even numbered year, prepare and publish a tax expenditure report.

(c) The tax expenditure report must include at least the following:

- (1) A listing and explanation of each tax expenditure.
- (2) The history of each tax expenditure.
- (3) An estimate for each state fiscal year of the next biennial budget of the cost of each tax expenditure.
- (4) A discussion of the criteria used to determine whether a tax provision is or is not a tax expenditure.

(d) The legislative services agency shall submit the tax expenditure report to:

- (1) the legislative council;
- (2) the interim study committee on fiscal policy established by IC 2-5-1.3-4; and
- (3) the chairpersons and ranking minority members of:
  - (A) the house committee on ways and means; and
  - (B) the senate committee on appropriations;

for use in the preparation of and consideration of the state biennial budget.

~~(e) This section expires December 31, 2023.~~

SECTION 48. IC 2-5-36-10.5, AS ADDED BY P.L.13-2017, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 10.5. (a) The commission may appoint an individual to serve as executive director of the commission as provided by section 8 of this chapter.

(b) The executive director shall perform the duties assigned to the executive director by the commission.

(c) To serve as an executive director, an individual must, at a minimum, meet the following qualifications:

- (1) Possess a degree from a college or university (as defined in IC 21-7-13-10).
- (2) Have any other qualifications the commission considers necessary.

(d) Compensation of the executive director shall be paid ~~by the office of judicial administration created by IC 33-24-6-1:~~ **from the fund established by section 13 of this chapter.**

SECTION 49. IC 2-5-36-13 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: **Sec. 13. (a) The commission on improving the status of children fund is established to support the staffing and operations of the commission.**

**(b) The fund consists of the following:**

- (1) Appropriations from the state general fund.**
- (2) Grants.**
- (3) Donations.**

**(c) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public funds may be invested.**

SECTION 50. IC 3-11-17-6, AS AMENDED BY P.L.74-2017, SECTION 55, IS AMENDED TO



READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 6. (a) The voting system technical oversight program account is established ~~with~~ **within** the state general fund to provide money for administering and enforcing IC 3-11-7, IC 3-11-7.5, IC 3-11-15, IC 3-11-16, and this chapter.

(b) The ~~election division secretary of state~~ shall administer the account. With the approval of the budget agency, funds in the account are available to augment and supplement the funds appropriated to the ~~election division secretary of state~~ for the purposes described in this section.

(c) The expenses of administering the account shall be paid from the money in the account.

(d) The account consists of the following:

(1) All civil penalties collected under this chapter.

(2) Fees collected under IC 3-11-15-4.

(3) Contributions to the account made in accordance with a settlement agreement executed with a voting system vendor.

(4) Money appropriated by the general assembly for the voting system technical oversight program.

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

SECTION 51. IC 4-1-6-8.6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]:

Sec. 8.6. (a) **Except as prohibited under any applicable federal law**, in cases where access to confidential records containing personal information is desired **by a researcher** for research purposes, the agency shall grant access if:

(1) the ~~requestor~~ **researcher** states in writing to the agency the purpose, including any intent to publish findings, the nature of the data sought, what personal information will be required, and what safeguards, **including reasonable de-identification methods**, will be taken to protect the identity of the data subjects;

(2) the proposed safeguards are **determined by the agency to be** adequate to prevent the identity of an individual data subject from being known;

(3) the researcher executes ~~an agreement on a form, approved by the oversight committee on public records, with the agency,~~ **a data sharing agreement or similar agreement with the agency that is approved by the management performance hub established by IC 4-3-26-8**, which incorporates such safeguards for protection of individual data subjects, defines the scope of the research project, and informs the researcher that failure to abide by conditions of the approved agreement constitutes a breach of contract, **could result in the researcher not obtaining further records from the agency**, and could result in civil litigation by the data subject or subjects;

(4) the researcher agrees to pay all direct or indirect costs of the research; and

(5) the agency maintains a copy of the agreement or contract for a period equivalent to the life of the record.

(b) Improper disclosure of confidential information by a state employee is cause for action to dismiss the employee.

SECTION 52. IC 4-2-1-1, AS AMENDED BY P.L.43-2007, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 13, 2025]: Sec. 1. (a) ~~Subject to subsection (b), the salary of the governor is ninety-five thousand dollars (\$95,000) per year.~~

(b) ~~Beginning January 12, 2009, and on the second Monday of January of each succeeding fourth year, the salary of the governor is increased after any four (4) year period during which the general assembly does not amend this section to increase the governor's salary.~~

(c) The percentage by which salaries are increased under this section is equal to the statewide average percentage, as determined by the budget director, by which the salaries of state employees in the executive



branch who are in the same or a similar salary bracket exceed; on January 1 of the current state fiscal year; the salaries of executive branch state employees in the same or a similar salary bracket that were in effect on January 1 of the state fiscal year four (4) years before the current state fiscal year.

(d) The amount of a salary increase under this section is equal to the amount determined by applying the percentage increase for the particular year to the governor's salary, as previously adjusted under this section; that was in effect on January 1 of the state fiscal year four (4) years before the current state fiscal year.

**(a) Beginning January 13, 2025, the annual salary of the governor is an amount equal to the annual salary of a supreme court justice under IC 33-38-5-8, as adjusted under IC 33-38-5-8.1.**

(e) **(b)** The governor is not entitled to receive a salary increase under this section if state employees described in subsection (e) in the executive branch who are in the same or a similar salary bracket have not received a statewide average salary increase during the previous four (4) state fiscal years.

(f) **(c)** If a salary increase is required under this section, an amount sufficient to pay for the salary increase is appropriated from the state general fund.

SECTION 53. IC 4-2-1-1.5, AS AMENDED BY P.L.43-2021, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2025]: Sec. 1.5. (a) Subject to subsection (b); the salary of each state elected official other than the governor is as follows:

(1) For the lieutenant governor; seventy-six thousand dollars (\$76,000) per year. However, the lieutenant governor is not entitled to receive per diem allowance for performance of duties as president of the senate.

(2) For the secretary of state; sixty-six thousand dollars (\$66,000) per year.

(3) For the auditor of state; sixty-six thousand dollars (\$66,000) per year.

(4) For the treasurer of state; sixty-six thousand dollars (\$66,000) per year.

(5) For the attorney general; seventy-nine thousand four hundred dollars (\$79,400) per year.

(b) Beginning January 1, 2008; the part of the total salary of a state elected official is increased on January 1 of each year after a year in which the general assembly does not amend this section to provide a salary increase for the state elected official.

(c) The percentage by which salaries are increased under this section is equal to the statewide average percentage; as determined by the budget director; by which the salaries of state employees in the executive branch who are in the same or a similar salary bracket exceed; for the current state fiscal year; the salaries of executive branch state employees in the same or a similar salary bracket that were in effect on January 1 of the immediately preceding year.

(d) The amount of a salary increase under this section is equal to the amount determined by applying the percentage increase for the particular year to the salary of the state elected official; as previously adjusted under this section; that is in effect on January 1 of the immediately preceding year.

**(a) Beginning January 1, 2025, the annual salary of each state elected official other than the governor is as follows:**

**(1) For the lieutenant governor, an amount equal to eighty-eight percent (88%) of the annual salary of a supreme court justice under IC 33-38-5-8, as adjusted under IC 33-38-5-8.1. However, the lieutenant governor is not entitled to receive a per diem allowance for performance of duties as president of the senate.**

**(2) For the attorney general, an amount equal to eighty-three percent (83%) of the annual salary of a supreme court justice under IC 33-38-5-8, as adjusted under IC 33-38-5-8.1.**

**(3) For the auditor of state, an amount equal to sixty-six percent (66%) of the annual salary**



**of a supreme court justice under IC 33-38-5-8, as adjusted under IC 33-38-5-8.1.**

**(4) For the treasurer of state, an amount equal to sixty-six percent (66%) of the annual salary of a supreme court justice under IC 33-38-5-8, as adjusted under IC 33-38-5-8.1.**

**(5) For the secretary of state, an amount equal to sixty-six percent (66%) of the annual salary of a supreme court justice under IC 33-38-5-8, as adjusted under IC 33-38-5-8.1.**

~~(e)~~ **(b)** A state elected official is not entitled to receive a salary increase under this section on January 1 of a state fiscal year in which state employees ~~described in subsection (e) in the executive branch who are in the same or a similar salary bracket~~ do not receive a statewide average salary increase.

~~(f)~~ **(c)** If a salary increase is required under this section, an amount sufficient to pay for the salary increase is appropriated from the state general fund.

SECTION 54. IC 4-2-7-3, AS AMENDED BY P.L.205-2019, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 3. The inspector general shall do the following:

- (1) Initiate, supervise, and coordinate investigations.
- (2) Recommend policies and carry out other activities designed to deter, detect, and eradicate fraud, waste, abuse, mismanagement, and misconduct in state government.
- (3) Receive complaints alleging the following:
  - (A) A violation of the code of ethics.
  - (B) Bribery (IC 35-44.1-1-2).
  - (C) Official misconduct (IC 35-44.1-1-1).
  - (D) Conflict of interest (IC 35-44.1-1-4).
  - (E) Profiteering from public service (IC 35-44.1-1-5).
  - (F) A violation of the executive branch lobbying rules.
  - (G) A violation of a statute or rule relating to the purchase of goods or services by a current or former employee, state officer, special state appointee, lobbyist, or person who has a business relationship with an agency.
- (4) If the inspector general has reasonable cause to believe that a crime has occurred or is occurring, report the suspected crime to:
  - (A) the governor; and
  - (B) appropriate state or federal law enforcement agencies and prosecuting authorities having jurisdiction over the matter.
- (5) Adopt rules under IC 4-22-2 to implement IC 4-2-6 and this chapter.
- (6) Adopt rules under IC 4-22-2 and section 5 of this chapter to implement a code of ethics.
- (7) Ensure that every:
  - (A) employee;
  - (B) state officer;
  - (C) special state appointee; and
  - (D) person who has a business relationship with an agency;is properly trained in the code of ethics.
- (8) Provide advice to an agency on developing, implementing, and enforcing policies and procedures to prevent or reduce the risk of fraudulent or wrongful acts within the agency.
- (9) Provide informal advisory opinions to current, former, and prospective state employees, state officers, and special state appointees. An informal advisory opinion issued by the office of the inspector general is confidential under IC 5-14-3-4, including any previously issued informal advisory opinion by the office of the inspector general that recites that it is**





**confidential.**

~~(9)~~ **(10)** Recommend legislation to the governor and general assembly to strengthen public integrity laws, including the code of ethics for state officers, employees, special state appointees, and persons who have a business relationship with an agency, including whether additional specific state officers, employees, or special state appointees should be required to file a financial disclosure statement under IC 4-2-6-8.

~~(10)~~ **(11)** Annually submit a report to the legislative council detailing the inspector general's activities. The report must be in an electronic format under IC 5-14-6.

~~(11)~~ **(12)** Prescribe and provide forms for statements required to be filed under IC 4-2-6 or this chapter.

~~(12)~~ **(13)** Accept and file information that:

(A) is voluntarily supplied; and

(B) exceeds the requirements of this chapter.

~~(13)~~ **(14)** Inspect financial disclosure forms.

~~(14)~~ **(15)** Notify persons who fail to file forms required under IC 4-2-6 or this chapter.

~~(15)~~ **(16)** Develop a filing, a coding, and an indexing system required by IC 4-2-6 and IC 35-44.1-1.

~~(16)~~ **(17)** Prepare interpretive and educational materials and programs.

SECTION 55. IC 4-3-26-5, AS ADDED BY P.L.269-2017, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 5. As used in this chapter, "person" ~~has the meaning set forth in IC 5-22-2-20.~~ **means an individual or entity that is not described in section 2(a) of this chapter.**

SECTION 56. IC 4-3-26-14, AS ADDED BY P.L.269-2017, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 14. (a) The MPH shall prescribe a form to be used to memorialize the ~~sharing of data under this chapter.~~ **exchange of electronically recorded information, including government information.**

(b) The form prescribed under subsection (a) must be:

(1) completed by the executive state agency or person ~~described in section 15 of this chapter;~~ **that is a party to the agreement;** and

(2) signed by the administrative head of the executive state agency or person.

(c) A data sharing form completed and signed under subsection (b) constitutes the agreement required by any statutory or administrative law **or rule** that governs the data. No additional documentation may be required to ~~share data~~ **exchange electronically recorded information, including government information,** under this chapter.

SECTION 57. IC 4-3-26-15, AS ADDED BY P.L.269-2017, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 15. **Subject to IC 4-1-6-8.6 and this chapter,** the MPH may ~~accept~~ **exchange** electronically recorded information, **including government information,** ~~from~~ **with** any person. The MPH may analyze and exchange electronically recorded information in carrying out the powers and duties of the OMB and the powers and duties of the ~~entity~~ **person** sharing the electronically recorded information. ~~Title to any electronically recorded information received by the MPH under this section is vested in the MPH.~~

SECTION 58. IC 4-6-15-4, AS AMENDED BY P.L.72-2022, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2022 (RETROACTIVE)]: Sec. 4. (a) **Except as provided by any bankruptcy court order or bankruptcy settlement, and subject to subsection (g),** funds received from opioid litigation settlements that resolve existing state and political subdivision litigation lawsuits as of



January 1, 2021, shall be distributed **in a minimum of two (2) payments per year** in the following manner:

(1) Fifteen percent (15%) to the ~~agency settlement fund established by IC 4-12-16-2~~ **state unrestricted opioid settlement account established by IC 4-12-16.2-5(1)** for the benefit of the state.

(2) Fifteen percent (15%) to the ~~agency settlement fund established by IC 4-12-16-2~~ **local unrestricted opioid settlement account established by IC 4-12-16.3-5(1)** for distribution as **reimbursement** to cities, counties, and towns according to a weighted distribution formula identified in settlement documents that accounts for opioid impacts in communities.

(3) Thirty-five percent (35%) to the ~~agency settlement fund established by IC 4-12-16-2~~ **state abatement opioid settlement account established by IC 4-12-16.2-5(2)** to be used for statewide treatment, education, and prevention programs for opioid use disorder and any co-occurring substance use disorder or mental health issues as defined or required by the settlement documents or court order.

(4) Thirty-five percent (35%) to the ~~agency settlement fund established by IC 4-12-16-2~~ **local abatement opioid settlement account established by IC 4-12-16.3-5(2)** for distribution to cities, counties, and towns according to a weighted distribution formula identified in settlement documents that accounts for opioid impacts in communities. However, if a city's or town's annual distribution under this subdivision is:

**(A) for a distribution made before July 1, 2023, less than one thousand dollars (\$1,000); or**

**(B) for a distribution made after June 30, 2023, less than five thousand dollars (\$5,000);** the city's or town's annual distribution must instead be distributed to the county in which the city or town is located. Distributions under this subdivision may be used only for programs of treatment, prevention, and care that are best practices as defined or required by the settlement documents or court order.

**(b) Any attorney's fees or costs required to be paid by the state, including any amount in a settlement designated for payment of state attorney's fees or costs, shall be deducted from the distribution described in subsection (a)(1), even if the funds have not been deposited in the agency settlement fund.**

~~(b)~~ **(c)** The amounts distributed to the ~~agency settlement fund~~ under subsection (a)(2) and (a)(4) are annually appropriated to the office of the attorney general to make the distributions described under subsection (a)(2) and (a)(4).

~~(c)~~ **(d)** Funds received from the settlement may not be distributed to a city, county, or town that has opted out of the settlement under section 2(b) of this chapter. The settlement funds that are not distributed to the cities, counties, or towns that have opted out of the settlement must be distributed in the manner set forth under subsection (a)(2) and (a)(4) to the cities, counties, or towns that have opted into the settlement.

~~(d)~~ **(e)** The amount distributed to the agency settlement fund under subsection (a)(3) is annually appropriated to the office of the secretary of family and social services for treatment, education, and prevention programs for opioid use disorder and any co-occurring substance use disorder or mental health issues as defined or required by the settlement documents or court order. Before the thirty-five percent (35%) of the funds received under this subsection may be distributed, the office of the secretary of family and social services shall submit a distribution plan to the budget committee for review.

~~(e)~~ All entities receiving **opioid** settlement funds to be used for treatment, education, and prevention



programs for opioid use disorder and any co-occurring substance use disorder or mental health issues shall monitor the use of those funds and provide an annual report to the office of the secretary of family and social services not later than a date determined by the office of the secretary of family and social services.

(f) The office of the secretary of family and social services shall compile and submit an annual comprehensive report of the information received under subsection (e) to the general assembly in an electronic format under IC 5-14-6 not later than October 1 of each year identifying all funds committed and used as specified by any settlement documents or court order.

**(g) If any settlement documents or court order, assurance of voluntary compliance, or other form of agreement related to opioids requires at least seventy percent (70%) of the settlement proceeds to be used for treatment, education, recovery, or prevention programs, any amount of settlement funds in addition to those distributed under subsection (a)(3) and (a)(4) that are needed to meet the terms must first come from funds that would otherwise be distributed under subsection (a)(1).**

(h) Any city, county, or town receiving a distribution under subsection (a)(2) or (a)(4) may transfer all or part of its distribution to another city, county, or town to be used for the benefit of both communities.

(i) Upon a majority vote of the legislative body, a city, county, or town receiving a distribution under subsection (a)(2) or (a)(4) may sell for cash or other consideration the right to receive the distribution. However, the proceeds from the sale of a distribution received under subsection (a)(2) must be used for the purposes allowed for a distribution under subsection (a)(2), and the proceeds from the sale of a distribution received under subsection (a)(4) must be used for the purposes allowed for a distribution under subsection (a)(4). A city, county, or town may pledge, grant a lien on, or grant a security interest in a distribution to effectuate a sale under this subsection. The legislative body's approval of the sale is conclusive as to the adequacy of the consideration for the sale.

SECTION 59. IC 4-6-15-5, AS ADDED BY P.L.72-2022, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2022 (RETROACTIVE)]: Sec. 5. Before distributing funds to a city, county, or town that has opted back into a settlement under section 2(d) of this chapter, the ~~budget agency~~ **office of the attorney general** shall:

- (1) withhold from distribution to the city, county, or town the funds owed to the private legal counsel of the city, county, or town; ~~in the amount set forth in the agreement between the city, county, or town and private legal counsel;~~ and
- (2) distribute the attorney's fees and costs to the private legal counsel of the city, county, or town. ~~in the amount set forth in the agreement between the city, county, or town and private legal counsel.~~

SECTION 60. IC 4-6-16 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2023 (RETROACTIVE)]:

**Chapter 16. Attorney General Contingency Fee Fund**

**Sec. 1. This chapter applies to state funds received after December 31, 2022.**

**Sec. 2. As used in this chapter, "contingency fee" means a fee for legal services:**

- (1) performed by an attorney or attorneys employed within the attorney general's office;
- (2) that are contingent upon attainment of a settlement agreement or court order in a civil case; and
- (3) from which money is received that would otherwise be deposited as state funds in the



agency settlement fund under IC 4-12-16-3(a).

Sec. 3. As used in this chapter, "fund" means the attorney general contingency fee fund established by section 6 of this chapter.

Sec. 4. (a) Subject to section 5 of this chapter, the attorney general is entitled to a contingency fee equal to:

(1) the amount of state funds that are received in a settlement agreement or court order described in IC 4-12-16-3(a); multiplied by

(2) the applicable contingency fee percentage under subsection (b).

(b) The applicable contingency fee percentage for purposes of subsection (a) shall not exceed the aggregate contingency fee sum of the following:

(1) Twenty-five percent (25%) of any recovery that exceeds two million dollars (\$2,000,000) and that is not more than ten million dollars (\$10,000,000).

(2) Twenty percent (20%) of any part of a recovery of more than ten million dollars (\$10,000,000) and not more than fifteen million dollars (\$15,000,000).

(3) Fifteen percent (15%) of any part of a recovery of more than fifteen million dollars (\$15,000,000) and not more than twenty million dollars (\$20,000,000).

(4) Ten percent (10%) of any part of a recovery of more than twenty million dollars (\$20,000,000) and not more than twenty-five million dollars (\$25,000,000).

(5) Five percent (5%) of any part of a recovery of more than twenty-five million dollars (\$25,000,000).

(c) Money recovered as a contingency fee shall be deposited in the fund. The contingency fee amount shall first be deposited in the fund before the remaining recovered state funds are deposited in the agency settlement fund under IC 4-12-16-3(a).

Sec. 5. (a) The attorney general is not entitled to a contingency fee if the attorney general hired private attorneys as outside counsel to litigate the case.

(b) The amount of money deposited in the fund each state fiscal year under this chapter may not exceed two million five hundred thousand dollars (\$2,500,000). However, after review by the budget committee, the amount of money deposited in the fund in a given state fiscal year may exceed two million five hundred thousand dollars (\$2,500,000).

Sec. 6. (a) The attorney general contingency fee fund is established for the purposes of paying litigation costs of the attorney general's office.

(b) The fund consists of:

(1) money deposited in the fund under section 4 of this chapter; and

(2) all earnings on investments of the funds.

(c) The attorney general shall administer the fund.

(d) Subject to subsection (e), money in the fund may be used to fund future litigation and consumer education initiatives.

(e) Money deposited in the fund must be used in accordance with any settlement requirements imposed for its use as determined by court order.

(f) The expenses of administering the fund shall be paid from the money in the fund.

(g) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public money may be invested.

(h) Money in the fund at the end of a state fiscal year does not revert to the state general fund.

SECTION 61. IC 4-7-1-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]:



Sec. 1. (a) The individual elected as auditor of state shall take office on January 1 following the individual's election.

(b) The auditor of state, before entering upon the duties of office shall execute an official bond, for the sum of ten thousand dollars (\$10,000), to be approved by the governor.

**(c) The auditor of state shall also be known as the state comptroller. After June 30, 2023, the auditor of state's office shall use the title "state comptroller" in conducting state business, in all contracts, on business cards, on stationery, and with other means of communication as necessary. The change in title under this subsection does not invalidate any documents or transactions conducted in the name of the auditor of state.**

SECTION 62. IC 4-10-13-2, AS AMENDED BY P.L.146-2008, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 2. (a) The auditor of state shall prepare and publish each year ~~the following financial reports:~~

~~(1) A~~ a report showing receipts by source of revenue and by type of fund disbursements as they relate to each agency, department, and fund of the state government. This report shall include a recital of disbursements made by the following functions of state government:

~~(A)~~ (1) Education.

~~(B)~~ (2) Welfare.

~~(C)~~ (3) Highway.

~~(D)~~ (4) Health.

~~(E)~~ (5) Natural resources.

~~(F)~~ (6) Public safety.

~~(G)~~ (7) General governmental.

~~(H)~~ (8) Hospital and state institutions.

~~(I)~~ (9) Correction, parole, and probation.

~~(2) A~~ report containing the following property tax data by counties:

~~(A)~~ A report showing:

~~(i)~~ the total amount of tax delinquencies;

~~(ii)~~ the total amount of the administrative costs of the offices of township assessors (if any); county assessors; the offices of county auditors; and the offices of county treasurers; and

~~(iii)~~ the total amount of other local taxes collected;

~~(B)~~ An abstract of taxable real and personal property, which must include a recital of the number and the total amount of tax exemptions, including mortgage exemptions, veterans' exemptions, exemptions granted to blind persons, exemptions granted to persons over sixty-five (65) years of age, and any and all other exemptions granted to any person under the Constitution and the laws of the state.

(b) The ~~reports~~ **report** described in this section shall be made available for inspection as soon as ~~they~~ **are the report is** prepared and shall be published in the manner provided in section 7 of this chapter by the auditor of state not later than December 31 following the end of each fiscal year.

SECTION 63. IC 4-10-22-1, AS AMENDED BY P.L.165-2021, SECTION 38, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 1. (a) **Subject to subsection (f)**, after the end of the state fiscal year beginning July 1, 2015, and ending June 30, 2016, and after the end of each odd-numbered state fiscal year thereafter, the office of management and budget shall calculate in the customary manner the total amount of state reserves as of the end of the state fiscal year. The office of management and budget shall make the calculation not later than July 31, 2016, and not later than July



31 of each odd-numbered year thereafter.

(b) The office of management and budget may not consider a balance in the state tuition reserve account established by IC 4-12-1-15.7 when making the calculation required by subsection (a) in 2017 and in an odd-numbered year thereafter.

(c) The office of management and budget shall consider a balance in the state tuition reserve account established by IC 4-12-1-15.7 when making the calculation required by subsection (a) in 2016.

(d) This subsection applies in 2022. After the end of the state fiscal year beginning July 1, 2021, and ending June 30, 2022, the office of management and budget shall calculate in the customary manner the total amount of state reserves as of the end of the state fiscal year. In making the calculation, the office of management and budget shall include a balance in the state tuition reserve account established by IC 4-12-1-15.7. The office of management and budget shall make the calculation of the combined reserve balance required by this subsection not later than July 31, 2022.

**(e) This subsection applies in 2024. After the end of the state fiscal year beginning July 1, 2023, and ending June 30, 2024, the office of management and budget shall calculate in the customary manner the total amount of state reserves as of the end of the state fiscal year. In making the calculation, the office of management and budget shall include a balance in the state tuition reserve account established by IC 4-12-1-15.7. The office of management and budget shall make the calculation of the combined reserve balance required by this subsection not later than July 31, 2024.**

**(f) This subsection applies in 2025. In making the calculation in calendar year 2025 under subsection (a), the office of management and budget shall include a balance in the state tuition reserve account established by IC 4-12-1-15.7.**

SECTION 64. IC 4-10-22-1.6 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: **Sec. 1.6. This section applies only in calendar year 2024. Notwithstanding any other law, if, after the calculation in calendar year 2024 required by section 1(e) of this chapter, the budget agency certifies that the state's combined reserve balance as calculated in section 1(e) of this chapter exceeds three billion dollars (\$3,000,000,000), the budget agency, after budget committee review, shall transfer the amount of combined state reserves that exceed three billion dollars (\$3,000,000,000) to the pre-1996 account (as defined in IC 5-10.2-1-5.5) for the purposes of the pre-1996 account.**

SECTION 65. IC 4-10-22-1.7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: **Sec. 1.7. This section applies only in calendar year 2025. Notwithstanding any other law, if, after the calculation in calendar year 2025 required by section 1(a) of this chapter, the budget agency certifies that the state's combined reserve balance as calculated in section 1 of this chapter exceeds three billion dollars (\$3,000,000,000), the budget agency, after budget committee review, shall transfer the amount of combined state reserves that exceed three billion dollars (\$3,000,000,000) to the pre-1996 account (as defined in IC 5-10.2-1-5.5) for the purposes of the pre-1996 account.**

SECTION 66. IC 4-10-22-3, AS AMENDED BY P.L.180-2022(ss), SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: **Sec. 3. (a) This subsection does not apply in calendar year 2016 or calendar year 2025. If, after completing the presentation to the state budget committee described in section 2 of this chapter, the amount of the excess reserves is fifty million dollars (\$50,000,000) or more, the governor shall do the following:**

- (1) If the year is calendar year 2013, transfer one hundred percent (100%) of the excess reserves to the pension stabilization fund established by IC 5-10.4-2-5 for the purposes of the pension



stabilization fund. If the year is calendar year 2014 or the calendar year is 2017 or an odd-numbered year thereafter other than calendar year 2023 **or** 2025, transfer fifty percent (50%) of any excess reserves to the pension stabilization fund established by IC 5-10.4-2-5 for the purposes of the pension stabilization fund. If the year is calendar year 2023, transfer the first one billion dollars (\$1,000,000,000) of any excess reserves to the pension stabilization fund established by IC 5-10.4-2-5 for the purposes of the pension stabilization fund.

(2) If the year is calendar year 2014 or the calendar year is 2017 or an odd-numbered year thereafter other than calendar year 2023 **or** 2025, use fifty percent (50%) of any excess reserves for the purposes of providing an automatic taxpayer refund under section 4 of this chapter. If the year is calendar year 2023, after transferring the first one billion dollars (\$1,000,000,000) to the pension stabilization fund under subdivision (1), use the remaining excess reserves, if any, for the purposes of providing an automatic taxpayer refund under section 4 of this chapter.

(b) This subsection applies **only** in calendar year 2016. If excess reserves exist, and after completing the calculation required in section 1 of this chapter and the presentation to the state budget committee described in section 2 of this chapter, the governor shall transfer one hundred percent (100%) of the excess reserves as follows:

(1) Fifty-five percent (55%) of the excess reserves transferred shall be transferred to the state highway fund.

(2) Forty-five percent (45%) of the excess reserves transferred shall be transferred to the local road and bridge matching grant fund established by IC 8-23-30.

This transfer shall be made from the state general fund. Money transferred to the state highway fund under this subsection is appropriated from the state highway fund to the Indiana department of transportation for the Indiana department of transportation's use for preserving and reconstructing existing state highways and bridges for which the Indiana department of transportation is responsible. Money transferred to the state highway fund under this subsection does not revert to the state general fund at the end of a state fiscal year.

SECTION 67. IC 4-12-1-9, AS AMENDED BY P.L.108-2019, SECTION 57, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 9. (a) The budget agency shall assist the budget committee in the preparation of the budget report and the budget bill, using the recommendations and estimates prepared by the budget agency and the information obtained through investigation and presented at hearings. The budget committee shall consider the data, information, recommendations and estimates before it and, to the extent that there is agreement on items, matters, and amounts between the budget agency and a majority of the members of the budget committee, the committee shall organize and assemble a budget report and a budget bill or budget bills. In the event the budget agency and a majority of the members of the budget committee shall differ upon any item, matter, or amount to be included in such report and bills, the recommendation of the budget agency shall be included in the budget bill or bills, and the particular item, matter, or amount, and the extent of and reasons for the differences between the budget agency and the budget committee shall be stated fully in the budget report. The budget committee shall submit the budget report and the budget bill or bills to the governor **on or** before:

(1) the second Monday of January in the year immediately following the calendar year in which the budget report and budget bill or bills are prepared, if the budget report and budget bill or bills are prepared in a calendar year other than a calendar year in which a gubernatorial election is held; or

(2) the third Monday of January, if the budget report and budget bill or bills are prepared in the same calendar year in which a gubernatorial election is held.



The governor shall deliver to the house members of the budget committee such bill or bills for introduction into the house of representatives.

(b) Whenever during the period beginning thirty (30) days prior to a regular session of the general assembly the budget report and budget bill or bills have been completed and printed and are available for distribution, upon the request of a member of the general assembly an informal distribution of one (1) copy of each such document shall be made by the budget committee to such members. During business hours, and as may be otherwise required during sessions of the general assembly, the budget agency shall make available to the members of the general assembly so much as they shall require of its accumulated staff information, analyses and reports concerning the fiscal affairs of the state and the current budget report and budget bill or bills.

(c) The budget report shall include at least the following parts:

(1) A statement of budget policy, including but not limited to recommendations with reference to the fiscal policy of the state for the coming budget period, and describing the important features of the budget.

(2) A general budget summary setting forth the aggregate figures of the budget to show the total proposed expenditures and the total anticipated income, and the surplus or deficit.

(3) The detailed data on actual receipts and expenditures for the previous fiscal year or two (2) fiscal years depending upon the length of the budget period for which the budget bill or bills is proposed, the estimated receipts and expenditures for the current year, and for the ensuing budget period, and the anticipated balances at the end of the current fiscal year and the ensuing budget period. Such data shall be supplemented with necessary explanatory schedules and statements, including a statement of any differences between the recommendations of the budget agency and of the budget committee.

(4) A description of the capital improvement program for the state and an explanation of its relation to the budget.

(5) The budget bills.

(6) The tax expenditure report prepared by the legislative services agency under IC 2-5-3.2-2.

(7) For each appropriation in the governor's recommended budget bill that is made to a state provider, as defined in IC 22-4.1-1-5.5, for a workforce related program, as defined in IC 22-4.1-1-7, a summary and justification for the workforce related program.

(d) The budget report shall cover and include all special and dedicated revenue funds as well as the general revenue fund and shall include the estimated amounts of federal aids, for whatever purpose provided, together with estimated expenditures therefrom.

(e) The budget agency shall furnish the governor with any further information required concerning the budget, and upon request shall attend hearings of committees of the general assembly on the budget bills.

SECTION 68. IC 4-12-16-3, AS AMENDED BY P.L.141-2021, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2022 (RETROACTIVE)]: Sec. 3. (a) The fund consists of:

(1) except as provided in subsections (b) and (c), **IC 4-12-16.2, and IC 4-12-16.3**, all funds received by the state, **less any amount owed for outside counsel attorney's fees, costs, or expenses**, under:

(A) multistate and Indiana specific settlements;

(B) assurances of voluntary compliance accepted by the attorney general; and

(C) any other form of agreement that:

(i) is enforceable by a court; and

HEA 1001 — CC 1





- (ii) settles litigation between the state and another party; and
  - (2) all money recovered as court costs or costs related to litigation.
  - (b) Any amount of restitution that is:
    - (1) awarded to an individual or institution under a settlement or assurance of voluntary compliance;
    - (2) unclaimed by an individual or institution;
    - (3) received by a state agency; and
    - (4) determined to be abandoned property under IC 32-34-1.5;
- must be deposited in the abandoned property fund under IC 32-34-1.5-42.

- (c) The fund does not include the following:
  - (1) Funds received by the state department of revenue.
  - (2) Funds required to be deposited in the securities division enforcement account (IC 23-19-6-1).
  - (3) Funds received as the result of a civil forfeiture under IC 34-24-1.
  - (4) Funds received as a civil penalty or as part of an enforcement or collection action by an agency authorized to impose a civil penalty or engage in an enforcement or collection action, if the funds are required to be deposited in the general fund or another fund by statute.
  - (5) Funds recovered by the Medicaid fraud control unit in actions to recover money inappropriately paid out of or obtained from the state Medicaid program.
  - (6) Amounts required to be paid as consumer restitution or refunds in settlements specified in this chapter.
  - (7) Amounts received under the Master Settlement Agreement (as defined in IC 24-3-3-6).
  - (8) Amounts received as a result of opioid litigation settlements that are required to be distributed as provided in IC 4-6-15-4.**
  - (9) Amounts deposited in the attorney general contingency fee fund under IC 4-6-16.**

SECTION 69. IC 4-12-16-5, AS ADDED BY P.L.217-2017, SECTION 39, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2022 (RETROACTIVE)]: Sec. 5. (a) A state agency may use the money in the fund after appropriation of the money in the fund by the general assembly.

~~(b) A state agency may, not later than November 1 of each even-numbered calendar year, submit to the budget committee and the legislative council in an electronic format under IC 5-14-6 a list of proposed projects, including the estimated cost of each project, for consideration of the general assembly in making appropriations during the biennial budget process.~~

**(b) The budget agency shall report to the budget committee on each request for augmentation the budget agency receives that is for an amount that exceeds one hundred thousand dollars (\$100,000).**

(c) The proceeds of a particular settlement, assurance of voluntary compliance, or other form of agreement that are deposited in the fund must be used by the state agency according to any court order that applies to the settlement, assurance of voluntary compliance, or other form of agreement.

SECTION 70. IC 4-12-16.2 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2022 (RETROACTIVE)]:

**Chapter 16.2. State Opioid Settlement Fund**

**Sec. 1. As used in this chapter, "fund" means the state opioid settlement fund established by section 2 of this chapter.**

**Sec. 2. The state opioid settlement fund is established.**

**Sec. 3. The fund consists of:**

- (1) all funds received by the state for the benefit of the state under:**



(A) multi-state and Indiana specific opioid litigation settlements described in IC 4-6-15; and  
(B) any other form of opioid litigation agreement that:

- (i) is enforceable by a court; and
- (ii) settles litigation between the state and another party;

(2) all money recovered as court costs or costs related to opioid litigation that is distributed to the fund under IC 4-6-15-4(a)(1) and IC 4-6-15-4(a)(3); and

(3) interest that accrues to the fund under section 7 of this chapter.

**Sec. 4.** The fund shall be administered by the budget agency.

**Sec. 5.** The following accounts are established within the fund:

(1) The state unrestricted opioid settlement account. The account consists of money distributed to the account under IC 4-6-15-4(a)(1) and any interest earnings that accrue to the fund under section 7 of this chapter. Expenditures from the account may be made only after appropriation of the money in the account by the general assembly. Money in the account must be used by the state for oversight and administration of programs for treatment, education, recovery, and prevention of opioid use disorder and any co-occurring substance use disorders or mental health issues.

(2) The state abatement opioid settlement account. The account consists of money distributed to the account under IC 4-6-15-4(a)(3) and the balance of any opioid litigation settlements remaining prior to the passage of P.L.72-2022. Money in the account is continuously appropriated to the office of the secretary of family and social services for treatment, education, recovery, and prevention programs for opioid use disorder and any co-occurring substance use disorder or mental health issues as defined or required by the settlement documents or court order. Before the funds received under this subdivision may be distributed, the office of the secretary of family and social services shall submit a distribution plan to the budget committee for review.

**Sec. 6.** The expenses of administering the fund shall be paid from money in the state unrestricted opioid settlement account established by section 5(1) of this chapter.

**Sec. 7.** The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public money may be invested. Interest that accrues from the investments shall be deposited in the state unrestricted opioid settlement account established by section 5(1) of this chapter.

**Sec. 8.** Money in the fund at the end of a state fiscal year does not revert to the state general fund.

SECTION 71. IC 4-12-16.3 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2022 (RETROACTIVE)]:

**Chapter 16.3. Local Opioid Settlement Fund**

**Sec. 1.** As used in this chapter, "fund" means the local opioid settlement fund established by section 2 of this chapter.

**Sec. 2.** The local opioid settlement fund is established.

**Sec. 3.** The fund consists of:

(1) all funds received by the state for the benefit of communities under:

- (A) multi-state and Indiana specific opioid litigation settlements described in IC 4-6-15; and
- (B) any other form of opioid litigation agreement that:
  - (i) is enforceable by a court; and



- (ii) settles litigation between the state and another party; and
- (2) all money recovered as court costs or costs related to opioid litigation that is distributed to the fund under IC 4-6-15-4(a)(2) and IC 4-6-15-4(a)(4).

Sec. 4. The fund shall be administered by the office of the attorney general.

Sec. 5. The following accounts are established within the fund:

- (1) The local unrestricted opioid settlement account. The account consists of money distributed to the account under IC 4-6-15-4(a)(2). Money in the account is continuously appropriated to the office of the attorney general to make the distributions described in IC 4-6-15-4(a)(2).
- (2) The local abatement opioid settlement account. The account consists of money distributed to the account under IC 4-6-15-4(a)(4). Money in the account is continuously appropriated to the office of the attorney general to make the distributions described in IC 4-6-15-4(a)(4).

Sec. 6. The expenses of administering the fund shall be paid from money in the local unrestricted opioid settlement account established by section 5(1) of this chapter.

Sec. 7. The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public money may be invested.

Sec. 8. Money in the fund at the end of a state fiscal year does not revert to the state general fund.

SECTION 72. IC 4-12-18-5, AS AMENDED BY P.L.174-2022, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 5. Discretionary funds deposited into an economic stimulus fund during a period in which the general assembly is convened in a regular session ~~an emergency session under IC 2-2.1-1.2~~, or a special session may not be allotted or expended unless appropriated by the general assembly or reviewed by the budget committee. Appropriations made by the general assembly do not revert until the end of the biennium in which they are appropriated.

SECTION 73. IC 4-12-18-6, AS AMENDED BY P.L.174-2022, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 6. Before discretionary funds deposited into an economic stimulus fund during a period in which the general assembly is not convened in a regular session ~~an emergency session under IC 2-2.1-1.2~~, or a special session may be allotted to or expended by a state agency or instrumentality, the allotment or expenditure must be reviewed by the budget committee. Money is considered continuously appropriated for the period of the federal award after budget committee review.

SECTION 74. IC 4-15-2.2-27.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 27.5. Before a revision or adjustment to a pay plan developed under section 27 of this chapter for which all employees are generally eligible may take effect, the director shall submit the proposed pay plan revision or adjustment to the budget committee for review. The requirement under this section does not apply to an increase in an employee's salary or rate of pay that is:**

- (1) based on an evaluation under section 36 of this chapter;
- (2) based upon a promotion granted to the employee;
- (3) made specifically to retain the employee; or
- (4) made for any other reason for which other employees are not eligible.

SECTION 75. IC 4-33-13-4 IS REPEALED [EFFECTIVE JULY 1, 2023]. ~~Sec. 4. Sufficient funds are annually appropriated to the commission from the state gaming fund to administer this article.~~

SECTION 76. IC 4-33-13-5, AS AMENDED BY P.L.178-2022(ts), SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 5. (a) This subsection does not apply to tax



revenue remitted by an operating agent operating a riverboat in a historic hotel district. ~~After funds are appropriated under section 4 of this chapter, Excluding funds that are appropriated in the biennial budget act from the state gaming fund to the commission for purposes of administering this article,~~ each month the auditor of state shall distribute the tax revenue deposited in the state gaming fund under this chapter to the following:

- (1) An amount equal to the following shall be set aside for revenue sharing under subsection (d):
    - (A) Before July 1, 2021, the first thirty-three million dollars (\$33,000,000) of tax revenues collected under this chapter shall be set aside for revenue sharing under subsection (d).
    - (B) After June 30, 2021, if the total adjusted gross receipts received by licensees from gambling games authorized under this article during the preceding state fiscal year is equal to or greater than the total adjusted gross receipts received by licensees from gambling games authorized under this article during the state fiscal year ending June 30, 2020, the first thirty-three million dollars (\$33,000,000) of tax revenues collected under this chapter shall be set aside for revenue sharing under subsection (d).
    - (C) After June 30, 2021, if the total adjusted gross receipts received by licensees from gambling games authorized under this article during the preceding state fiscal year is less than the total adjusted gross receipts received by licensees from gambling games authorized under this article during the state year ending June 30, 2020, an amount equal to the first thirty-three million dollars (\$33,000,000) of tax revenues collected under this chapter multiplied by the result of:
      - (i) the total adjusted gross receipts received by licensees from gambling games authorized under this article during the preceding state fiscal year; divided by
      - (ii) the total adjusted gross receipts received by licensees from gambling games authorized under this article during the state fiscal year ending June 30, 2020;shall be set aside for revenue sharing under subsection (d).
  - (2) Subject to subsection (c), twenty-five percent (25%) of the remaining tax revenue remitted by each licensed owner shall be paid:
    - (A) to the city in which the riverboat is located or that is designated as the home dock of the riverboat from which the tax revenue was collected, in the case of:
      - (i) a city described in IC 4-33-12-6(b)(1)(A);
      - (ii) a city located in Lake County; or
      - (iii) Terre Haute; or
    - (B) to the county that is designated as the home dock of the riverboat from which the tax revenue was collected, in the case of a riverboat that is not located in a city described in clause (A) or whose home dock is not in a city described in clause (A).
  - (3) The remainder of the tax revenue remitted by each licensed owner shall be paid to the state general fund. In each state fiscal year, the auditor of state shall make the transfer required by this subdivision on or before the fifteenth day of the month based on revenue received during the preceding month for deposit in the state gaming fund. Specifically, the auditor of state may transfer the tax revenue received by the state in a month to the state general fund in the immediately following month according to this subdivision.
- (b) This subsection applies only to tax revenue remitted by an operating agent operating a riverboat in a historic hotel district after June 30, 2019. ~~After funds are appropriated under section 4 of this chapter, Excluding funds that are appropriated in the biennial budget act from the state gaming fund to the commission for purposes of administering this article,~~ each month the auditor of state shall distribute



the tax revenue remitted by the operating agent under this chapter as follows:

- (1) For state fiscal years beginning after June 30, 2019, but ending before July 1, 2021, fifty-six and five-tenths percent (56.5%) shall be paid to the state general fund.
- (2) For state fiscal years beginning after June 30, 2021, fifty-six and five-tenths percent (56.5%) shall be paid as follows:
  - (A) Sixty-six and four-tenths percent (66.4%) shall be paid to the state general fund.
  - (B) Thirty-three and six-tenths percent (33.6%) shall be paid to the West Baden Springs historic hotel preservation and maintenance fund established by IC 36-7-11.5-11(b). However, if:
    - (i) at any time the balance in that fund exceeds twenty-five million dollars (\$25,000,000); or
    - (ii) in any part of a state fiscal year in which the operating agent has received at least one hundred million dollars (\$100,000,000) of adjusted gross receipts;the amount described in this clause shall be paid to the state general fund for the remainder of the state fiscal year.
- (3) Forty-three and five-tenths percent (43.5%) shall be paid as follows:
  - (A) Twenty-two and four-tenths percent (22.4%) shall be paid as follows:
    - (i) Fifty percent (50%) to the fiscal officer of the town of French Lick.
    - (ii) Fifty percent (50%) to the fiscal officer of the town of West Baden Springs.
  - (B) Fourteen and eight-tenths percent (14.8%) shall be paid to the county treasurer of Orange County for distribution among the school corporations in the county. The governing bodies for the school corporations in the county shall provide a formula for the distribution of the money received under this clause among the school corporations by joint resolution adopted by the governing body of each of the school corporations in the county. Money received by a school corporation under this clause must be used to improve the educational attainment of students enrolled in the school corporation receiving the money. Not later than the first regular meeting in the school year of a governing body of a school corporation receiving a distribution under this clause, the superintendent of the school corporation shall submit to the governing body a report describing the purposes for which the receipts under this clause were used and the improvements in educational attainment realized through the use of the money. The report is a public record.
  - (C) Thirteen and one-tenth percent (13.1%) shall be paid to the county treasurer of Orange County.
  - (D) Five and three-tenths percent (5.3%) shall be distributed quarterly to the county treasurer of Dubois County for appropriation by the county fiscal body after receiving a recommendation from the county executive. The county fiscal body for the receiving county shall provide for the distribution of the money received under this clause to one (1) or more taxing units (as defined in IC 6-1.1-1-21) in the county under a formula established by the county fiscal body after receiving a recommendation from the county executive.
  - (E) Five and three-tenths percent (5.3%) shall be distributed quarterly to the county treasurer of Crawford County for appropriation by the county fiscal body after receiving a recommendation from the county executive. The county fiscal body for the receiving county shall provide for the distribution of the money received under this clause to one (1) or more taxing units (as defined in IC 6-1.1-1-21) in the county under a formula established by the county fiscal body after receiving a recommendation from the county executive.
  - (F) Six and thirty-five hundredths percent (6.35%) shall be paid to the fiscal officer of the town of Paoli.



(G) Six and thirty-five hundredths percent (6.35%) shall be paid to the fiscal officer of the town of Orleans.

(H) Twenty-six and four-tenths percent (26.4%) shall be paid to the Indiana economic development corporation established by IC 5-28-3-1 for transfer as follows:

(i) Beginning after December 31, 2017, ten percent (10%) of the amount transferred under this clause in each calendar year shall be transferred to the South Central Indiana Regional Economic Development Corporation or a successor entity or partnership for economic development for the purpose of recruiting new business to Orange County as well as promoting the retention and expansion of existing businesses in Orange County.

(ii) The remainder of the amount transferred under this clause in each calendar year shall be transferred to Radius Indiana or a successor regional entity or partnership for the development and implementation of a regional economic development strategy to assist the residents of Orange County and the counties contiguous to Orange County in improving their quality of life and to help promote successful and sustainable communities.

To the extent possible, the Indiana economic development corporation shall provide for the transfer under item (i) to be made in four (4) equal installments. However, an amount sufficient to meet current obligations to retire or refinance indebtedness or leases for which tax revenues under this section were pledged before January 1, 2015, by the Orange County development commission shall be paid to the Orange County development commission before making distributions to the South Central Indiana Regional Economic Development Corporation and Radius Indiana or their successor entities or partnerships. The amount paid to the Orange County development commission shall proportionally reduce the amount payable to the South Central Indiana Regional Economic Development Corporation and Radius Indiana or their successor entities or partnerships.

(c) This subsection does not apply to tax revenue remitted by an inland casino operating in Vigo County. For each city and county receiving money under subsection (a)(2), the auditor of state shall determine the total amount of money paid by the auditor of state to the city or county during the state fiscal year 2002. The amount determined is the base year revenue for the city or county. The auditor of state shall certify the base year revenue determined under this subsection to the city or county. The total amount of money distributed to a city or county under this section during a state fiscal year may not exceed the entity's base year revenue. For each state fiscal year, the auditor of state shall pay that part of the riverboat wagering taxes that:

- (1) exceeds a particular city's or county's base year revenue; and
- (2) would otherwise be due to the city or county under this section;

to the state general fund instead of to the city or county.

(d) Except as provided in subsections (k) and (l), before August 15 of each year, the auditor of state shall distribute the wagering taxes set aside for revenue sharing under subsection (a)(1) to the county treasurer of each county that does not have a riverboat according to the ratio that the county's population bears to the total population of the counties that do not have a riverboat. Except as provided in subsection (g), the county auditor shall distribute the money received by the county under this subsection as follows:

- (1) To each city located in the county according to the ratio the city's population bears to the total population of the county.
- (2) To each town located in the county according to the ratio the town's population bears to the total population of the county.

#### HEA 1001 — CC 1



(3) After the distributions required in subdivisions (1) and (2) are made, the remainder shall be retained by the county.

(e) Money received by a city, town, or county under subsection (d) or (g) may be used for any of the following purposes:

(1) To reduce the property tax levy of the city, town, or county for a particular year (a property tax reduction under this subdivision does not reduce the maximum levy of the city, town, or county under IC 6-1.1-18.5).

(2) For deposit in a special fund or allocation fund created under IC 8-22-3.5, IC 36-7-14, IC 36-7-14.5, IC 36-7-15.1, and IC 36-7-30 to provide funding for debt repayment.

(3) To fund sewer and water projects, including storm water management projects.

(4) For police and fire pensions.

(5) To carry out any governmental purpose for which the money is appropriated by the fiscal body of the city, town, or county. Money used under this subdivision does not reduce the property tax levy of the city, town, or county for a particular year or reduce the maximum levy of the city, town, or county under IC 6-1.1-18.5.

(f) This subsection does not apply to an inland casino operating in Vigo County. Before July 15 of each year, the auditor of state shall determine the total amount of money distributed to an entity under IC 4-33-12-6 or IC 4-33-12-8 during the preceding state fiscal year. If the auditor of state determines that the total amount of money distributed to an entity under IC 4-33-12-6 or IC 4-33-12-8 during the preceding state fiscal year was less than the entity's base year revenue (as determined under IC 4-33-12-9), the auditor of state shall make a supplemental distribution to the entity from taxes collected under this chapter and deposited into the state general fund. Except as provided in subsection (h), the amount of an entity's supplemental distribution is equal to:

(1) the entity's base year revenue (as determined under IC 4-33-12-9); minus

(2) the sum of:

(A) the total amount of money distributed to the entity and constructively received by the entity during the preceding state fiscal year under IC 4-33-12-6 or IC 4-33-12-8; plus

(B) the amount of any admissions taxes deducted under IC 6-3.1-20-7.

(g) This subsection applies only to Marion County. The county auditor shall distribute the money received by the county under subsection (d) as follows:

(1) To each city, other than the consolidated city, located in the county according to the ratio that the city's population bears to the total population of the county.

(2) To each town located in the county according to the ratio that the town's population bears to the total population of the county.

(3) After the distributions required in subdivisions (1) and (2) are made, the remainder shall be paid in equal amounts to the consolidated city and the county.

(h) This subsection does not apply to an inland casino operating in Vigo County. This subsection applies to a supplemental distribution made after June 30, 2017. The maximum amount of money that may be distributed under subsection (f) in a state fiscal year is equal to the following:

(1) Before July 1, 2021, forty-eight million dollars (\$48,000,000).

(2) After June 30, 2021, if the total adjusted gross receipts received by licensees from gambling games authorized under this article during the preceding state fiscal year is equal to or greater than the total adjusted gross receipts received by licensees from gambling games authorized under this article during the state fiscal year ending June 30, 2020, the maximum amount is forty-eight million



dollars (\$48,000,000).

(3) After June 30, 2021, if the total adjusted gross receipts received by licensees from gambling games authorized under this article during the preceding state fiscal year is less than the total adjusted gross receipts received by licensees from gambling games authorized under this article during the state fiscal year ending June 30, 2020, the maximum amount is equal to the result of:

(A) forty-eight million dollars (\$48,000,000); multiplied by

(B) the result of:

(i) the total adjusted gross receipts received by licensees from gambling games authorized under this article during the preceding state fiscal year; divided by

(ii) the total adjusted gross receipts received by licensees from gambling games authorized under this article during the state fiscal year ending June 30, 2020.

If the total amount determined under subsection (f) exceeds the maximum amount determined under this subsection, the amount distributed to an entity under subsection (f) must be reduced according to the ratio that the amount distributed to the entity under IC 4-33-12-6 or IC 4-33-12-8 bears to the total amount distributed under IC 4-33-12-6 and IC 4-33-12-8 to all entities receiving a supplemental distribution.

(i) This subsection applies to a supplemental distribution, if any, payable to Lake County, Hammond, Gary, or East Chicago under subsections (f) and (h). Beginning in July 2016, the auditor of state shall, after making any deductions from the supplemental distribution required by IC 6-3.1-20-7, deduct from the remainder of the supplemental distribution otherwise payable to the unit under this section the lesser of:

(1) the remaining amount of the supplemental distribution; or

(2) the difference, if any, between:

(A) three million five hundred thousand dollars (\$3,500,000); minus

(B) the amount of admissions taxes constructively received by the unit in the previous state fiscal year.

The auditor of state shall distribute the amounts deducted under this subsection to the northwest Indiana redevelopment authority established under IC 36-7.5-2-1 for deposit in the development authority revenue fund established under IC 36-7.5-4-1.

(j) Money distributed to a political subdivision under subsection (b):

(1) must be paid to the fiscal officer of the political subdivision and may be deposited in the political subdivision's general fund (in the case of a school corporation, the school corporation may deposit the money into either the education fund (IC 20-40-2) or the operations fund (IC 20-40-18)) or riverboat fund established under IC 36-1-8-9, or both;

(2) may not be used to reduce the maximum levy under IC 6-1.1-18.5 of a county, city, or town or the maximum tax rate of a school corporation, but, except as provided in subsection (b)(3)(B), may be used at the discretion of the political subdivision to reduce the property tax levy of the county, city, or town for a particular year;

(3) except as provided in subsection (b)(3)(B), may be used for any legal or corporate purpose of the political subdivision, including the pledge of money to bonds, leases, or other obligations under IC 5-1-14-4; and

(4) is considered miscellaneous revenue.

Money distributed under subsection (b)(3)(B) must be used for the purposes specified in subsection (b)(3)(B).

(k) After June 30, 2020, the amount of wagering taxes that would otherwise be distributed to South





Bend under subsection (d) shall be deposited as being received from all riverboats whose supplemental wagering tax, as calculated under IC 4-33-12-1.5(b), is over three and five-tenths percent (3.5%). The amount deposited under this subsection, in each riverboat's account, is proportionate to the supplemental wagering tax received from that riverboat under IC 4-33-12-1.5 in the month of July. The amount deposited under this subsection must be distributed in the same manner as the supplemental wagering tax collected under IC 4-33-12-1.5. This subsection expires June 30, 2021.

(l) After June 30, 2021, the amount of wagering taxes that would otherwise be distributed to South Bend under subsection (d) shall be withheld and deposited in the state general fund.

SECTION 77. IC 5-10-8-7.4 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS** [EFFECTIVE JULY 1, 2023]: **Sec. 7.4. The state personnel department shall, when contracting for the self-insurance program under section 7(b) of this chapter or prepaid health care delivery under section 7(c) of this chapter, require the use of value based coverage as part of the contract.**

SECTION 78. IC 5-10-8-8.5, AS AMENDED BY P.L.92-2021, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 8.5. (a) The retiree health benefit trust fund is established to provide funding for a retiree health benefit plan developed under IC 5-10-8.5.

(b) The trust fund shall be administered by the INPRS. The expenses of administering the trust fund shall be paid from money in the trust fund. The trust fund consists of cigarette tax revenues deposited in the fund under ~~IC 6-7-1-28.1(7)~~ **IC 6-7-1-28.1(6)** and other appropriations, revenues, or transfers to the trust fund under IC 4-12-1.

(c) The INPRS shall invest the money in the trust fund not currently needed to meet the obligations of the trust fund in the same manner and with the same limitations described in IC 5-10.5-4-1 and IC 5-10.5-5-1.

(d) The trust fund is considered a trust fund for purposes of IC 4-9.1-1-7. Money may not be transferred, assigned, or otherwise removed from the trust fund by the state board of finance, the budget agency, or any other state agency.

(e) The trust fund shall be established and administered in a manner that complies with Internal Revenue Code requirements concerning health reimbursement arrangement (HRA) trusts. Contributions by the state to the trust fund are irrevocable. All assets held in the trust fund must be held for the exclusive benefit of participants of the retiree health benefit plan developed under IC 5-10-8.5 and their beneficiaries. All assets in the trust fund:

(1) are dedicated exclusively to providing benefits to participants of the plan and their beneficiaries according to the terms of the plan; and

(2) are exempt from levy, sale, garnishment, attachment, or other legal process.

(f) Money in the trust fund does not revert to the state general fund at the end of any state fiscal year.

(g) The money in the trust fund is appropriated to the INPRS for providing the retiree health benefit plan developed under IC 5-10-8.5.

(h) The budget agency may transfer appropriations from federal or dedicated funds to the retiree health benefit trust fund.

SECTION 79. IC 5-10-9.8-3 IS REPEALED [EFFECTIVE JULY 1, 2023]. ~~Sec. 3: If the amount of money available in the fund during a state fiscal year is insufficient to pay death benefit claims under the statutes specified in section 2(a) of this chapter, there is annually appropriated to the board from the state general fund an amount equal to the deficiency for its purpose in administering the fund.~~

SECTION 80. IC 5-10.2-4-8.2, AS AMENDED BY P.L.27-2019, SECTION 3, IS AMENDED TO



READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 8.2. (a) Notwithstanding section 8 of this chapter, if a member who is receiving retirement benefits is elected or appointed to an elected position covered by this article, the member shall file a written, irrevocable election with the board to continue or discontinue retirement benefits while the member holds the elected position.

(b) If a member:

- (1) is elected or appointed to an elected position and:
  - (A) becomes at least fifty-five (55) years of age; and
  - (B) completes at least twenty (20) years of service; or
- (2) is serving in any other position covered by this article and:
  - (A) becomes:
    - (i) before July 1, 2023, at least seventy (70) years of age; and**
    - (ii) after June 30, 2023, at least sixty-five (65) years of age; and**
  - (B) completes at least twenty (20) years of service;

while holding the position, the member may file a written, irrevocable election to begin receiving, while holding the position, retirement benefits to which the member would be entitled by age and service. A member who does not make the irrevocable election while holding the position continues to accrue service credit for any period from the date the member qualifies to make the election under this subsection to the date on which the member files a retirement application or the date on which the member ceases to hold the position, whichever occurs first.

(c) The form and content of an election shall be prescribed by the board. If the member elects to discontinue receiving retirement benefits, the member shall make contributions as required in IC 5-10.2-3-2. If the member elects to continue or begin receiving benefits:

- (1) the member may continue to make contributions under IC 5-10.2-3-2 but is not required to do so; and
- (2) the member waives the accrual of service credit and the right to any supplemental benefit from service in the position, except to the extent that the value of the accrual of additional service credit and any supplemental benefit exceeds the actuarial value of the benefits received under this chapter and that were continued or begun pursuant to an election under this section.

(d) Except to the extent of the liability for any additional benefit accrued under subsection (c)(2), the employer shall make the employer's contribution only for past service liability based on the salary for the position of a member who elects under subsection (a) or (b) to continue or begin receiving retirement benefits.

(e) Section 10 of this chapter applies to a member who elects under subsection (a) to discontinue receiving retirement benefits. Section 10 of this chapter does not apply, while the member holds a position covered by this article, to a member who elects under subsection (a) or (b) to continue or begin receiving retirement benefits.

SECTION 81. IC 5-10.3-11-1, AS AMENDED BY P.L.23-2011, SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 1. There is created within the public employees' retirement fund a separate account known as the pension relief fund. This fund is administered by the board of trustees of the Indiana public retirement system, referred to as the "state board" in this chapter. The pension relief fund consists of revenues received under ~~IC 6-7-1-28.1(4)~~, **IC 6-7-1-28.1(3)**, IC 7.1-4-12-1, any appropriations to the fund, and earnings on these revenues.

SECTION 82. IC 5-11-4-3, AS AMENDED BY P.L.165-2021, SECTION 62, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 3. (a) The expense of examination and



investigation of accounts shall be paid by each municipality or entity as provided in this chapter.

(b) The state examiner shall ~~not certify more often than monthly~~ to the auditor of each county the amount chargeable to each taxing unit within the county for the expense of its examinations as provided in this chapter. Immediately upon receipt of the certified statement, the county auditor shall issue a warrant on the county treasurer payable to the treasurer of state out of the general fund of the county for the amount stated in the certificate. The county auditor shall reimburse the county general fund, except for the expense of examination and investigation of county offices, out of the money due the taxing units at the next semiannual settlement of the collection of taxes.

(c) If the county to which a claim is made is not in possession or has not collected the funds due or to be due to any examined municipality, then the certificate must be filed with and the warrant shall be drawn by the officer of the municipality having authority to draw warrants upon its funds. The municipality shall pay the warrant immediately to the treasurer of state. The money, when received by the treasurer of state, shall be deposited in the examinations fund created by subsection ~~(g)~~: **(h)**.

(d) Except as otherwise provided in this chapter, each:

- (1) taxing unit; and
- (2) soil and water conservation district;

shall be charged ~~at the rate of one hundred seventy-five dollars (\$175) per day~~ **an amount equal to fifty percent (50%) of the actual direct and indirect cost of performing an examination** for each field examiner, private examiner, expert, or employee of the state board of accounts who is engaged in making examinations or investigations carried out under this article, **but not to exceed four hundred dollars (\$400) per day**. Audited entities described in subdivisions (1) and (2) shall be charged the actual direct and indirect allowable cost under 2 CFR 200.425 of performing the audit. Except as provided in subsection ~~(h)~~: **(i)**, all other audited entities shall be charged the actual direct and indirect cost of performing the examination or investigation.

**(e) The audit committee shall annually review the amounts charged under subsection (d) to ensure that the cost of performing an audit does not exceed an amount equal to eighty percent (80%) of the market rate cost. The state board of accounts shall provide an annual report to the audit committee comparing the state board of accounts' rates to the prevailing market rates to assist in the audit committee's review.**

~~(e)~~ **(f)** The state examiner shall certify, as necessary, to the proper disbursing officer the total amount of expense incurred for the examination of:

- (1) any unit of state government or entity that is required by law to bear the costs of its own examination and operating expense; or
- (2) any utility owned or operated by any municipality or any department of the municipality, if the utility is operated from revenues or receipts other than taxation.

Upon receipt of the state examiner's certificate the unit of state government, entity, or utility shall immediately pay to the treasurer of state the amount charged. The money, when received by the treasurer of state, shall be deposited in the examinations fund created by subsection ~~(g)~~: **(h)**.

~~(f)~~ **(g)** In addition to other charges provided in this chapter, the state examiner may charge a reasonable fee for technology and processing costs related to completing reports of examination and processing reports of examination in the same manner as other charges are made under this chapter. The fees shall be deposited in the examinations fund created by subsection ~~(g)~~: **(h)**.

~~(g)~~ **(h)** There is created a dedicated fund known as the examinations fund in the hands of the state examiner to be used by the state examiner for the payment of the expense of examinations under this



article. All fees charged for examinations under this article shall be deposited into the examinations fund. Money remaining in the fund at the end of the state fiscal year does not revert to the state general fund.

(h) (i) A municipality that contracts for services with a volunteer fire department may pay the cost of an examination or investigation of the volunteer fire department under this chapter.

(h) (j) An audit of a county shall include, but not be limited to, an audit of that county's soil and water conservation district established under IC 14-32.

SECTION 83. IC 5-13-12-11, AS AMENDED BY P.L.4-2005, SECTION 27, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 11. (a) In addition to the authority given the board for depositories in section 7 of this chapter, the board may lend, from that part of the insurance fund reserved for economic development, to any commuter transportation district that is established under IC 8-5-15 an amount not to exceed two million six hundred thousand dollars (\$2,600,000).

(b) The board of trustees of a district that receives a loan under this section shall do the following:

(1) Use the loan proceeds only for paying or reimbursing the following costs and expenses of the district:

(A) Property and casualty insurance premiums.

(B) Trackage lease payments.

(C) Traction power expenses.

(D) Conducting a study of commuter transportation within the district under P.L.48-1986.

(E) Any expenses incurred by the district in the ordinary course of providing commuter rail service.

(2) Develop a financial plan for commuter rail service within the district for each year during the loan period. The financial plan must contain the elements prescribed in, and be subject to review and approval under, subsection (c).

(3) Repay the loan in eight (8) annual installments on dates determined by the board for depositories, subject to the following conditions:

(A) The first payment must be made on July 1, 1988.

(B) Each annual payment must equal one-eighth (1/8) of the principal of the loan plus interest at a rate determined by the board for depositories. The rate of interest must not be:

(i) lower than the lowest interest rate set by the state board of finance for a loan under IC 4-4-8-8 (transferred to IC 5-28-9-15) before April 1, 1986; or

(ii) greater than the average yield on investments made by the board in January, February, and March of 1986.

(4) As required by subsection (d), report annually to the board for depositories on compliance with the financial plan developed under subsection (c).

(5) Notwithstanding subdivision (3), pledge to repay the balance of the loan plus interest at a time and in a manner specified by the board for depositories whenever the board for depositories determines that one (1) of the following has occurred:

(A) The board of trustees of the district has failed to develop a financial plan that substantially complies with subsection (c).

(B) There has not been substantial compliance with a financial plan.

(C) The board of trustees of the district has failed to make a payment on the date established under subdivision (3).

If repayment is required under this subdivision, the treasurer of state shall transfer the amount necessary to the insurance fund from the allocation to the district from the ~~public mass transportation~~



~~fund~~ **state general fund** for the remainder of the state fiscal year in which the repayment is required. If the amount transferred from the allocation is insufficient, the balance shall be transferred from the commuter rail service fund until the repayment is complete.

(c) Before December 1 of each year, the board of trustees of a district receiving a loan under this section shall submit to the board for depositories, the Indiana department of transportation, and the budget committee a financial plan for the following calendar year. The plan must provide for an annual operating budget under which expenses do not exceed revenues from all sources. The financial plan may identify supplemental revenue sources from within the district that will be dedicated during the year to commuter rail service in the district. Within sixty (60) days after the plan is submitted, the board for depositories shall determine if the financial plan complies with this subsection. In making its determination, the board for depositories shall consider the recommendations of the budget committee, which shall base its recommendations on the department of transportation's evaluation of the financial plan.

(d) Before April 1 of the second calendar year after a loan under this section is made and before April 1 of each year thereafter, the board of trustees of a district receiving a loan shall submit to the board for depositories, the Indiana department of transportation, and the budget committee a report covering the preceding calendar year. The report must summarize the district's compliance with the financial plan submitted under subsection (c) and must contain other information as the board for depositories may require. Before July 1 of that year, the board for depositories shall determine if the district has substantially complied with the financial plan. In making its determination, the board for depositories shall consider the recommendations of the budget committee, which shall base its recommendations on the Indiana department of transportation's evaluation of the report.

(e) After January 1, 1988, the board for depositories and the board of trustees of a district receiving a loan under this section may agree to an early repayment of the loan. If an early repayment is agreed to, the board for depositories may guarantee a loan obtained by the board of trustees under conditions established by the board for depositories. These conditions may include the requirement that the district pledge to repay from its allocations from the ~~public mass transportation fund~~ **state general fund** and the commuter rail fund service any loss sustained by the insurance fund as a result of the guarantee.

SECTION 84. IC 5-28-5-6, AS ADDED BY P.L.4-2005, SECTION 34, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 6. The board ~~shall may~~ establish an advisory committee to advise the board and the corporation on issues determined by the board. The advisory committee ~~must~~ **may**:

- (1) have members that represent diverse geographic areas and economic sectors of Indiana; and
- (2) include members or representatives of local economic development organizations.

SECTION 85. IC 5-28-6-9, AS ADDED BY P.L.135-2022, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 9. (a) **Subject to subsection (c)**, the aggregate amount of applicable tax credits that the corporation may ~~award~~ **certify** for a state fiscal year for all taxpayers is ~~three hundred million dollars (\$300,000,000)~~ **two hundred fifty million dollars (\$250,000,000)**.

(b) For purposes of determining the amount of applicable tax credits that have been ~~awarded~~ **certified** for a state fiscal year, the following apply:

- (1) An applicable tax credit is considered awarded in the state fiscal year in which the taxpayer can first claim the credit, determined without regard to any carryforward period or carryback period.
- (2) An applicable tax credit awarded by the corporation before July 1, 2022, shall be counted toward the aggregate credit limitation under this section.
- (3) If an accelerated credit is awarded under IC 6-3.1-26-15, the amount counted toward the



aggregate credit limitation under this section for a state fiscal year shall be the amount of the credit for the taxable year described in subdivision (1) prior to any discount.

**(c) Notwithstanding subsection (a), if the corporation determines that:**

- (1) an applicable tax credit should be certified in a state fiscal year; and**
- (2) certification of the applicable tax credit will result in an aggregate amount of applicable tax credits certified for that state fiscal year that exceeds the maximum amount provided in subsection (a);**

**the corporation may, after review by the budget committee, certify the applicable tax credit to the taxpayer.**

SECTION 86. IC 5-28-8-5, AS ADDED BY P.L.4-2005, SECTION 34, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 5. (a) The economic development fund is established within the state treasury. The fund is a revolving fund to provide grants and loans for economic development activities in Indiana for the purposes of this chapter.

(b) The fund consists of appropriations from the general assembly and loan repayments.

(c) The corporation shall administer the fund. The following may be paid from money in the fund:

- (1) Expenses of administering the fund.
- (2) Nonrecurring administrative expenses incurred to carry out the purposes of this chapter.

(d) Earnings from loans made under this chapter shall be deposited in the fund.

(e) The money in the fund at the end of a state fiscal year does not revert to the state general fund but remains in the fund.

**(f) Money in the fund is continuously appropriated for the purposes of this chapter.**

SECTION 87. IC 5-28-41-18 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: **Sec. 18. This chapter expires June 30, 2026.**

SECTION 88. IC 5-28-43 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]:

**Chapter 43. Regional Economic Acceleration and Development Initiative (READI) 2.0**

**Sec. 1. As used in this chapter, "development authority" includes:**

- (1) the northwest Indiana regional development authority established by IC 36-7.5-2-1;**
- (2) a regional development authority established under IC 36-7.6-2-3;**
- (3) a regional development authority established under IC 36-7.7-3-1;**
- (4) the northeast Indiana strategic development commission established by IC 36-7-39-3; and**
- (5) any other regional development authority established by statute.**

**Sec. 2. As used in this chapter, "eligible regional economic acceleration and development organization" means:**

- (1) a development authority; and**
- (2) a qualified nonprofit organization.**

**Sec. 3. As used in this chapter, "fund" refers to the READI 2.0 fund established by section 7 of this chapter.**

**Sec. 4. As used in this chapter, "qualified nonprofit organization" means a private, nonprofit entity formed as a partnership between local units (as defined in IC 4-4-32.2-9), private sector businesses, or community or philanthropic organizations to develop and implement a regional economic acceleration and development strategy that has an organizational structure that conforms with the requirements of a policy developed by the corporation under section 16 of this chapter.**

**Sec. 5. As used in this chapter, "READI 2.0" refers to the regional economic acceleration and**



development initiative 2.0.

Sec. 6. As used in this chapter, "regional economic acceleration and development strategy" refers to:

- (1) a development plan prepared by a development authority under IC 36-7.5-3-4, IC 36-7.6-3-5, or IC 36-7.7-3-4; or
- (2) a multi-year comprehensive strategic plan developed by an eligible regional economic acceleration and development organization.

Sec. 7. (a) The READI 2.0 fund is established within the state treasury to do the following:

- (1) Support the corporation's READI 2.0 program.
- (2) Provide grants or loans to support proposals for economic development and regional economic acceleration and development.

(b) Grants or loans awarded from the fund may only be used by an eligible regional economic acceleration and development organization for capital projects or infrastructure improvements.

Sec. 8. The fund consists of:

- (1) appropriations from the general assembly;
- (2) grants, gifts, and donations intended for deposit in the fund;
- (3) interest deposited into the fund under section 10 of this chapter; and
- (4) loan repayments.

Sec. 9. The corporation shall administer the fund. The following may be paid from money in the fund:

- (1) Expenses of administering the fund.
- (2) Administrative expenses incurred to carry out the purposes of this chapter.

Sec. 10. The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public funds may be invested. Interest that accrues from these investments shall be deposited in the state general fund. Interest from loans made under this chapter shall be deposited in the fund.

Sec. 11. (a) Money in the fund at the end of a state fiscal year does not revert to the state general fund.

(b) Money in the fund is continuously appropriated for the purposes of this chapter.

Sec. 12. The board has the following powers:

- (1) To accept, analyze, approve, and deny applications under this chapter.
- (2) To provide assistance to applicants that wish to apply for a grant or loan from the fund.
- (3) To analyze proposals.
- (4) To work with experts engaged by the board.
- (5) To prepare reports and recommendations for the board.

Sec. 13. (a) The board may form a strategic review committee to review applications that are submitted under this chapter.

(b) The board may invite employees of state agencies and outside experts to:

- (1) sit on the strategic review committee; or
- (2) present analysis or opinions about any aspect of an application under review.

An employee of a state agency who sits on the strategic review committee or otherwise participates in the review of an application may not receive compensation for the employee's service on the strategic review committee or participation with the strategic review committee.

Sec. 14. (a) The board shall consider the following when reviewing applications for a grant or



**loan from the fund:**

- (1) Recommendations from the board's strategic review committee described in section 13 of this chapter.**
- (2) Which projects have the greatest economic development potential.**
- (3) Which applications focus on rural areas of Indiana.**
- (4) The degree of regional collaboration.**
- (5) The application's alignment with the state's economic development priorities.**
- (6) Any other criteria as determined by the board.**

**(b) The board shall make final funding determinations for applications for a grant or loan from the fund.**

**(c) The board may not approve an application for a grant or loan from the fund unless the board finds that approving the application will have an overall positive return on investment for the state.**

**Sec. 15. (a) An eligible regional economic acceleration and development organization may submit an application to the corporation for a grant or loan from the fund.**

**(b) An application for a grant or loan from the fund must be made on an application form prescribed by the board.**

**(c) An applicant shall provide all information required by this chapter.**

**(d) All applications for a grant or loan from the fund must include a regional economic acceleration and development strategy that complies with the requirements of a policy established under section 16 of this chapter and contain at least the following:**

- (1) A multi-year plan and timeline.**
- (2) A detailed financial analysis that includes the commitment of resources and a return on investment analysis.**
- (3) A demonstration of the expected impact of the grant or loan on the region and state.**
- (4) Any other information the board considers appropriate.**

**(e) An applicant for a grant or loan from the fund may request that information that may be excepted from disclosure under IC 5-14-3 that is submitted by the applicant be kept confidential.**

**Sec. 16. (a) Before July 1, 2024, the corporation shall develop a policy that establishes the framework for a READI 2.0 program.**

**(b) The policy developed by the corporation shall include detailed information outlining:**

- (1) the entities that are eligible to submit applications for a grant or loan from the fund;**
- (2) the elements of a multi-year regional economic acceleration and development strategy, and the information a multi-year regional economic acceleration and development strategy must contain in order to make capital and infrastructure improvement projects to implement the strategy eligible for a grant or loan from the fund;**
- (3) the types of capital and infrastructure improvement projects that are eligible for financial support from the fund; and**
- (4) the criteria that will be used by a strategic review committee and the board to analyze applications for a grant or loan from the fund.**

**(c) The policy developed by the corporation must require a commitment of matching funds from the eligible regional economic acceleration and development organization.**

**(d) The policy developed by the corporation must require that grants or loans awarded from the fund be used by an eligible regional economic acceleration and development organization for capital projects or infrastructure improvements.**





**(e) The policy developed by the corporation must be approved by the board after review by the budget committee.**

SECTION 89. IC 6-1.1-22-5, AS AMENDED BY P.L.182-2009(ss), SECTION 157, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 5. (a) ~~Except as provided in subsections (b) and (c);~~ On or before March 15 of each year, the county auditor shall prepare and deliver to the ~~auditor of state~~ **department of local government finance** and the county treasurer a certified copy of an abstract of the property, assessments, taxes, deductions, and exemptions for taxes payable in that year in each taxing district of the county. The county auditor shall prepare the abstract in such a manner that the information concerning property tax deductions reflects the total amount of each type of deduction. The abstract shall also contain a statement of the taxes and penalties unpaid in each taxing unit at the time of the last settlement between the county auditor and county treasurer and the status of these delinquencies.

~~(b) The county auditor shall prepare the abstract on the form prescribed by the state board of accounts; in the manner prescribed by the department of local government finance.~~ The ~~auditor of state; department of local government finance,~~ county auditor, and county treasurer shall each keep a copy of the abstract as a public record.

~~(b) If the county auditor receives a copy of an appeal petition under IC 6-1.1-18.5-12(g) before the county auditor prepares and delivers the certified copy of the abstract under subsection (a); the county auditor shall prepare and deliver the certified copy of the abstract when the appeal is resolved by the department of local government finance.~~

~~(e) If the county auditor receives a copy of an appeal petition under IC 6-1.1-18.5-12(g) after the county auditor prepares and delivers the certified copy of the abstract under subsection (a); the county auditor shall prepare and deliver a certified copy of a revised abstract when the appeal is resolved by the department of local government finance that reflects the action of the department.~~

SECTION 90. IC 6-1.1-22.5-6, AS AMENDED BY P.L.86-2018, SECTION 53, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 6. (a) This section applies to property taxes payable under this article on assessments determined for the 2003 assessment date or the assessment date in any later year, regardless of whether a proceeding to determine the necessity of a reassessment is being conducted under IC 6-1.1-4-5 (before its repeal), IC 6-1.1-4-9, or another law. The county treasurer shall use a provisional statement under this chapter if the county auditor fails to deliver the abstract for that assessment date to the county treasurer under IC 6-1.1-22-5 before March 16 of the year following the assessment date (for property taxes first due and payable before 2011) or April 1 of the year following the assessment date (for property taxes first due and payable after 2010). The amount to be billed for each installment of the provisional statement is the amount determined under section 9 of this chapter. The billing must be based on the latest assessed values for property certified by the department of local government finance, as adjusted under the procedures specified by the department of local government finance.

(b) The county treasurer shall give notice of the provisional statement, including disclosure of the method that is to be used in determining the tax liability to be indicated on the provisional statement, by publication one (1) time:

- (1) in the form prescribed by the department of local government finance; and
- (2) in the manner described in IC 6-1.1-22-4(b).

The notice may be combined with the notice required under section 10 of this chapter.

~~(c) Subsection (a) applies regardless of whether the county auditor fails to deliver the abstract as provided in IC 6-1.1-22-5(b).~~ Section 7 of this chapter does not apply to this section.



(d) This subsection applies after June 30, 2009. Immediately upon determining to use provisional statements under subsection (a), the county treasurer shall give notice of the determination to the county fiscal body (as defined in IC 36-1-2-6).

(e) In a county in which an authorizing ordinance is adopted under IC 6-1.1-22-8.1(h), a person may direct the county treasurer to transmit a provisional statement by electronic mail under IC 6-1.1-22-8.1(h).

(f) The department of local government finance may waive the requirement under subsection (a) that a provisional statement must be used for property taxes first due and payable in a calendar year, if:

- (1) the county fiscal body or the county treasurer requests the waiver; and
- (2) the department of local government finance determines that:
  - (A) the county will be able to send a property tax statement under IC 6-1.1-22 with a due date that is not later than June 10 of that calendar year; or
  - (B) the failure to send a property tax statement under IC 6-1.1-22 in a timely manner is due to a change by the county in computer software, and the county will be able to send a property tax statement under IC 6-1.1-22 with a due date that is not later than June 10 of that calendar year.

SECTION 91. IC 6-1.1-27-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]:  
Sec. 3. Immediately after each semi-annual settlement, the county auditor shall send a copy of the certificate of settlement and a statement of the distribution of the taxes collected to the state auditor. **The auditor of state shall, when the certificate of settlement and statement of the distribution of the taxes collected have been finalized, forward the certificate and statement to the department of local government finance for purposes of validating the abstract required by IC 6-1.1-22-5.** On or before June 30th and December 31st of each year, the county treasurer shall pay to the state treasurer the money due the state as shown by the certificate of settlement.

SECTION 92. IC 6-1.1-30-18 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: **Sec. 18. The department of local government finance shall annually complete a report containing the following property tax data by counties:**

- (1) **Information showing the:**
  - (A) **total amount of tax delinquencies;**
  - (B) **total amount of the administrative costs of the offices of township assessors (if any), the offices of county assessors, the offices of county auditors, and the offices of county treasurers; and**
  - (C) **total amount of other local taxes collected.**
- (2) **An abstract of taxable real and personal property, which must include a recital of the number and the total amount of property tax deductions and exemptions granted to any person under the Constitution of the State of Indiana and the laws of the state.**

**The department of local government finance shall publish the report not later than December 31 following the end of each state fiscal year.**

SECTION 93. IC 6-2.5-10-1, AS AMENDED BY P.L.218-2017, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 1. (a) The department shall account for all state gross retail and use taxes that it collects.

(b) Of all the state gross retail and use taxes that the department collects, the department shall determine separately the parts that:

- (1) the department collects under IC 6-2.5-3.5 (gasoline use tax); and
  - (2) the department collects under this article, less the amount described in subdivision (1).
- (c) The department shall deposit the collections described in subsection (b)(1) in the following



manner:

- (1) For state fiscal year 2017, the following:
  - (A) Fourteen and two hundred eighty-six thousandths percent (14.286%) of the collections shall be deposited in the motor vehicle highway account established under IC 8-14-1.
  - (B) Eighty-five and seven hundred fourteen thousandths percent (85.714%) to the state general fund.
- (2) For state fiscal year 2018, the following:
  - (A) Fourteen and two hundred eighty-six thousandths percent (14.286%) of the collections shall be deposited in the motor vehicle highway account established under IC 8-14-1.
  - (B) Fourteen and two hundred eighty-six thousandths percent (14.286%) of the collections shall be deposited in the local road and bridge matching grant fund established under IC 8-23-30.
  - (C) Seventy-one and four hundred twenty-eight thousandths percent (71.428%) to the state general fund.
- (3) For state fiscal year 2019, the following:
  - (A) Fourteen and two hundred eighty-six thousandths percent (14.286%) of the collections shall be deposited in the motor vehicle highway account established under IC 8-14-1.
  - (B) Twenty-one and four hundred twenty-nine thousandths percent (21.429%) of the collections shall be deposited in the local road and bridge matching grant fund established under IC 8-23-30.
  - (C) Sixty-four and two hundred eighty-five thousandths percent (64.285%) shall be deposited in the state general fund.
- (4) For state fiscal year 2020 and for each state fiscal year thereafter, the following:
  - (A) Fourteen and two hundred eighty-six thousandths percent (14.286%) of the collections shall be deposited in the motor vehicle highway account established under IC 8-14-1.
  - (B) Twenty-one and four hundred twenty-nine thousandths percent (21.429%) of the collections shall be deposited in the local road and bridge matching grant fund established under IC 8-23-30.
  - (C) The following shall be deposited in the state general fund:
    - (i) For state fiscal year 2020, fifty-three and five hundred seventy-five thousandths percent (53.575%) shall be deposited in the state general fund.
    - (ii) For state fiscal year 2021, forty-two and eight hundred sixty-five thousandths percent (42.865%) shall be deposited in the state general fund.
    - (iii) For state fiscal year 2022, thirty-two and one hundred fifty-five thousandths percent (32.155%) shall be deposited in the state general fund.
    - (iv) For state fiscal year 2023, twenty-one and four hundred forty-five thousandths percent (21.445%) shall be deposited in the state general fund.
    - ~~(v) For state fiscal year 2024, ten and seven hundred thirty-five thousandths percent (10.735%) shall be deposited in the state general fund.~~
  - (D) The following shall be deposited in the special transportation flexibility fund established by IC 4-12-16.5-2:
    - (i) For state fiscal year 2020, eight and five hundred sixty-eight thousandths percent (8.568%) of the collections shall be deposited in the special transportation flexibility fund established by IC 4-12-16.5-2.
    - (ii) For state fiscal year 2021, twelve and eight hundred fifty-two thousandths percent (12.852%) of the collections shall be deposited in the special transportation flexibility fund established by IC 4-12-16.5-2.

HEA 1001 — CC 1



(iii) For state fiscal year 2022, twelve and eight hundred fifty-two thousandths percent (12.852%) of the collections shall be deposited in the special transportation flexibility fund established by IC 4-12-16.5-2.

(iv) For state fiscal year 2023, eight and five hundred sixty-eight thousandths percent (8.568%) of the collections shall be deposited in the special transportation flexibility fund established by IC 4-12-16.5-2.

(E) The following shall be deposited in the state highway fund:

(i) For state fiscal year 2020, two and one hundred forty-two thousandths percent (2.142%) of the collections shall be deposited in the state highway fund.

(ii) For state fiscal year 2021, eight and five hundred sixty-eight thousandths percent (8.568%) of the collections shall be deposited in the state highway fund.

(iii) For state fiscal year 2022, nineteen and two hundred seventy-eight thousandths percent (19.278%) of the collections shall be deposited in the state highway fund.

(iv) For state fiscal year 2023, thirty-four and two hundred seventy-two thousandths percent (34.272%) of the collections shall be deposited in the state highway fund.

(v) For state fiscal year 2024 **and for each state fiscal year thereafter, fifty-three and fifty-five hundredths percent (53.55%)** ~~sixty-four and two hundred eighty-five thousandths percent (64.285%)~~ of the collections shall be deposited in the state highway fund.

~~(vi) For state fiscal year 2025, and for each state fiscal year thereafter, sixty-four and two hundred eighty-five thousandths percent (64.285%) of the collections shall be deposited in the state highway fund.~~

(d) The department shall deposit those collections described in subsection (b)(2) in the following manner:

(1) Ninety-nine and eight hundred thirty-eight thousandths percent (99.838%) of the collections shall be paid into the state general fund.

(2) Thirty-one thousandths of one percent (0.031%) of the collections shall be deposited into the industrial rail service fund established under IC 8-3-1.7-2.

(3) One hundred thirty-one thousandths of one percent (0.131%) of the collections shall be deposited into the commuter rail service fund established under IC 8-3-1.5-20.5.

SECTION 94. IC 6-3-1-3.5, AS AMENDED BY P.L.1-2023, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2023 (RETROACTIVE)]: Sec. 3.5. When used in this article, the term "adjusted gross income" shall mean the following:

(a) In the case of all individuals, "adjusted gross income" (as defined in Section 62 of the Internal Revenue Code), modified as follows:

(1) Subtract income that is exempt from taxation under this article by the Constitution and statutes of the United States.

(2) Except as provided in subsection (c), add an amount equal to any deduction or deductions allowed or allowable pursuant to Section 62 of the Internal Revenue Code for taxes based on or measured by income and levied at the state level by any state of the United States.

(3) Subtract one thousand dollars (\$1,000), or in the case of a joint return filed by a husband and wife, subtract for each spouse one thousand dollars (\$1,000).

(4) Subtract one thousand dollars (\$1,000) for:

(A) each of the exemptions provided by Section 151(c) of the Internal Revenue Code (as effective January 1, 2017);



(B) each additional amount allowable under Section 63(f) of the Internal Revenue Code; and  
(C) the spouse of the taxpayer if a separate return is made by the taxpayer and if the spouse, for the calendar year in which the taxable year of the taxpayer begins, has no gross income and is not the dependent of another taxpayer.

(5) Subtract **each of the following:**

(A) One thousand five hundred dollars (\$1,500) for each of the exemptions allowed under Section 151(c)(1)(B) of the Internal Revenue Code (as effective January 1, 2004), **except that in the first taxable year in which a particular exemption is allowed under Section 151(c)(1)(B) of the Internal Revenue Code (as effective January 1, 2004), subtract three thousand dollars (\$3,000) for that exemption.**

(B) One thousand five hundred dollars (\$1,500) for each exemption allowed under Section 151(c) of the Internal Revenue Code (as effective January 1, 2017) for an individual:

(i) who is less than nineteen (19) years of age or is a full-time student who is less than twenty-four (24) years of age;

(ii) for whom the taxpayer is the legal guardian; and

(iii) for whom the taxpayer does not claim an exemption under clause (A).

(C) Five hundred dollars (\$500) for each additional amount allowable under Section 63(f)(1) of the Internal Revenue Code if the federal adjusted gross income of the taxpayer, or the taxpayer and the taxpayer's spouse in the case of a joint return, is less than forty thousand dollars (\$40,000). In the case of a married individual filing a separate return, the qualifying income amount in this clause is equal to twenty thousand dollars (\$20,000).

(D) Three thousand dollars (\$3,000) for each exemption allowed under Section 151(c) of the Internal Revenue Code (as effective January 1, 2017) for an individual who is:

(i) an adopted child of the taxpayer; and

(ii) less than nineteen (19) years of age or is a full-time student who is less than twenty-four (24) years of age.

This amount is in addition to any amount subtracted under clause (A) or (B).

This amount is in addition to the amount subtracted under subdivision (4).

(6) Subtract any amounts included in federal adjusted gross income under Section 111 of the Internal Revenue Code as a recovery of items previously deducted as an itemized deduction from adjusted gross income.

(7) Subtract any amounts included in federal adjusted gross income under the Internal Revenue Code which amounts were received by the individual as supplemental railroad retirement annuities under 45 U.S.C. 231 and which are not deductible under subdivision (1).

(8) Subtract an amount equal to the amount of federal Social Security and Railroad Retirement benefits included in a taxpayer's federal gross income by Section 86 of the Internal Revenue Code.

(9) In the case of a nonresident taxpayer or a resident taxpayer residing in Indiana for a period of less than the taxpayer's entire taxable year, the total amount of the deductions allowed pursuant to subdivisions (3), (4), and (5) shall be reduced to an amount which bears the same ratio to the total as the taxpayer's income taxable in Indiana bears to the taxpayer's total income.

(10) In the case of an individual who is a recipient of assistance under IC 12-10-6-1, IC 12-10-6-2.1, IC 12-15-2-2, or IC 12-15-7, subtract an amount equal to that portion of the individual's adjusted gross income with respect to which the individual is not allowed under federal law to retain an amount to pay state and local income taxes.



- (11) In the case of an eligible individual, subtract the amount of a Holocaust victim's settlement payment included in the individual's federal adjusted gross income.
- (12) Subtract an amount equal to the portion of any premiums paid during the taxable year by the taxpayer for a qualified long term care policy (as defined in IC 12-15-39.6-5) for the taxpayer or the taxpayer's spouse if the taxpayer and the taxpayer's spouse file a joint income tax return or the taxpayer is otherwise entitled to a deduction under this subdivision for the taxpayer's spouse, or both.
- (13) Subtract an amount equal to the lesser of:
- (A) two thousand five hundred dollars (\$2,500), or one thousand two hundred fifty dollars (\$1,250) in the case of a married individual filing a separate return; or
  - (B) the amount of property taxes that are paid during the taxable year in Indiana by the individual on the individual's principal place of residence.
- (14) Subtract an amount equal to the amount of a September 11 terrorist attack settlement payment included in the individual's federal adjusted gross income.
- (15) Add or subtract the amount necessary to make the adjusted gross income of any taxpayer that owns property for which bonus depreciation was allowed in the current taxable year or in an earlier taxable year equal to the amount of adjusted gross income that would have been computed had an election not been made under Section 168(k) of the Internal Revenue Code to apply bonus depreciation to the property in the year that it was placed in service.
- (16) Add an amount equal to any deduction allowed under Section 172 of the Internal Revenue Code (concerning net operating losses).
- (17) Add or subtract the amount necessary to make the adjusted gross income of any taxpayer that placed Section 179 property (as defined in Section 179 of the Internal Revenue Code) in service in the current taxable year or in an earlier taxable year equal to the amount of adjusted gross income that would have been computed had an election for federal income tax purposes not been made for the year in which the property was placed in service to take deductions under Section 179 of the Internal Revenue Code in a total amount exceeding the sum of:
- (A) twenty-five thousand dollars (\$25,000) to the extent deductions under Section 179 of the Internal Revenue Code were not elected as provided in clause (B); and
  - (B) for taxable years beginning after December 31, 2017, the deductions elected under Section 179 of the Internal Revenue Code on property acquired in an exchange if:
    - (i) the exchange would have been eligible for nonrecognition of gain or loss under Section 1031 of the Internal Revenue Code in effect on January 1, 2017;
    - (ii) the exchange is not eligible for nonrecognition of gain or loss under Section 1031 of the Internal Revenue Code; and
    - (iii) the taxpayer made an election to take deductions under Section 179 of the Internal Revenue Code with regard to the acquired property in the year that the property was placed into service.
- The amount of deductions allowable for an item of property under this clause may not exceed the amount of adjusted gross income realized on the property that would have been deferred under the Internal Revenue Code in effect on January 1, 2017.
- (18) Subtract an amount equal to the amount of the taxpayer's qualified military income that was not excluded from the taxpayer's gross income for federal income tax purposes under Section 112 of the Internal Revenue Code.
- (19) Subtract income that is:



- (A) exempt from taxation under IC 6-3-2-21.7 (certain income derived from patents); and  
(B) included in the individual's federal adjusted gross income under the Internal Revenue Code.
- (20) Add an amount equal to any income not included in gross income as a result of the deferral of income arising from business indebtedness discharged in connection with the reacquisition after December 31, 2008, and before January 1, 2011, of an applicable debt instrument, as provided in Section 108(i) of the Internal Revenue Code. Subtract the amount necessary from the adjusted gross income of any taxpayer that added an amount to adjusted gross income in a previous year to offset the amount included in federal gross income as a result of the deferral of income arising from business indebtedness discharged in connection with the reacquisition after December 31, 2008, and before January 1, 2011, of an applicable debt instrument, as provided in Section 108(i) of the Internal Revenue Code.
- (21) Add the amount excluded from federal gross income under Section 103 of the Internal Revenue Code for interest received on an obligation of a state other than Indiana, or a political subdivision of such a state, that is acquired by the taxpayer after December 31, 2011.
- (22) Subtract an amount as described in Section 1341(a)(2) of the Internal Revenue Code to the extent, if any, that the amount was previously included in the taxpayer's adjusted gross income for a prior taxable year.
- (23) For taxable years beginning after December 25, 2016, add an amount equal to the deduction for deferred foreign income that was claimed by the taxpayer for the taxable year under Section 965(c) of the Internal Revenue Code.
- (24) Subtract any interest expense paid or accrued in the current taxable year but not deducted as a result of the limitation imposed under Section 163(j)(1) of the Internal Revenue Code. Add any interest expense paid or accrued in a previous taxable year but allowed as a deduction under Section 163 of the Internal Revenue Code in the current taxable year. For purposes of this subdivision, an interest expense is considered paid or accrued only in the first taxable year the deduction would have been allowable under Section 163 of the Internal Revenue Code if the limitation under Section 163(j)(1) of the Internal Revenue Code did not exist.
- (25) Subtract the amount that would have been excluded from gross income but for the enactment of Section 118(b)(2) of the Internal Revenue Code for taxable years ending after December 22, 2017.
- (26) For taxable years beginning after December 31, 2019, and before January 1, 2021, add an amount of the deduction claimed under Section 62(a)(22) of the Internal Revenue Code.
- (27) For taxable years beginning after December 31, 2019, for payments made by an employer under an education assistance program after March 27, 2020:
- (A) add the amount of payments by an employer that are excluded from the taxpayer's federal gross income under Section 127(c)(1)(B) of the Internal Revenue Code; and  
(B) deduct the interest allowable under Section 221 of the Internal Revenue Code, if the disallowance under Section 221(e)(1) of the Internal Revenue Code did not apply to the payments described in clause (A). For purposes of applying Section 221(b) of the Internal Revenue Code to the amount allowable under this clause, the amount under clause (A) shall not be added to adjusted gross income.
- (28) Add an amount equal to the remainder of:
- (A) the amount allowable as a deduction under Section 274(n) of the Internal Revenue Code; minus  
(B) the amount otherwise allowable as a deduction under Section 274(n) of the Internal Revenue



Code, if Section 274(n)(2)(D) of the Internal Revenue Code was not in effect for amounts paid or incurred after December 31, 2020.

(29) For taxable years beginning after December 31, 2017, and before January 1, 2021, add an amount equal to the excess business loss of the taxpayer as defined in Section 461(l)(3) of the Internal Revenue Code. In addition:

(A) If a taxpayer has an excess business loss under this subdivision and also has modifications under subdivisions (15) and (17) for property placed in service during the taxable year, the taxpayer shall treat a portion of the taxable year modifications for that property as occurring in the taxable year the property is placed in service and a portion of the modifications as occurring in the immediately following taxable year.

(B) The portion of the modifications under subdivisions (15) and (17) for property placed in service during the taxable year treated as occurring in the taxable year in which the property is placed in service equals:

- (i) the modification for the property otherwise determined under this section; minus
- (ii) the excess business loss disallowed under this subdivision;

but not less than zero (0).

(C) The portion of the modifications under subdivisions (15) and (17) for property placed in service during the taxable year treated as occurring in the taxable year immediately following the taxable year in which the property is placed in service equals the modification for the property otherwise determined under this section minus the amount in clause (B).

(D) Any reallocation of modifications between taxable years under clauses (B) and (C) shall be first allocated to the modification under subdivision (15), then to the modification under subdivision (17).

(30) Add an amount equal to the amount excluded from federal gross income under Section 108(f)(5) of the Internal Revenue Code. For purposes of this subdivision:

(A) if an amount excluded under Section 108(f)(5) of the Internal Revenue Code would be excludible under Section 108(a)(1)(B) of the Internal Revenue Code, the exclusion under Section 108(a)(1)(B) of the Internal Revenue Code shall take precedence; and

(B) if an amount would have been excludible under Section 108(f)(5) of the Internal Revenue Code as in effect on January 1, 2020, the amount is not required to be added back under this subdivision.

(31) For taxable years ending after March 12, 2020, subtract an amount equal to the deduction disallowed pursuant to:

(A) Section 2301(e) of the CARES Act (Public Law 116-136), as modified by Sections 206 and 207 of the Taxpayer Certainty and Disaster Relief Tax Act (Division EE of Public Law 116-260); and

(B) Section 3134(e) of the Internal Revenue Code.

(32) Subtract the amount of an annual grant amount distributed to a taxpayer's Indiana education scholarship account under IC 20-51.4-4-2 that is used for a qualified expense (as defined in IC 20-51.4-2-9) or to an Indiana enrichment scholarship account under IC 20-52 that is used for qualified expenses (as defined in IC 20-52-2-6), to the extent the distribution used for the qualified expense is included in the taxpayer's federal adjusted gross income under the Internal Revenue Code.

(33) For taxable years beginning after December 31, 2019, and before January 1, 2021, add an





amount equal to the amount of unemployment compensation excluded from federal gross income under Section 85(c) of the Internal Revenue Code.

(34) For taxable years beginning after December 31, 2022, subtract an amount equal to the deduction disallowed under Section 280C(h) of the Internal Revenue Code.

(35) Subtract any other amounts the taxpayer is entitled to deduct under IC 6-3-2.

(b) In the case of corporations, the same as "taxable income" (as defined in Section 63 of the Internal Revenue Code) adjusted as follows:

(1) Subtract income that is exempt from taxation under this article by the Constitution and statutes of the United States.

(2) Add an amount equal to any deduction or deductions allowed or allowable pursuant to Section 170 of the Internal Revenue Code (concerning charitable contributions).

(3) Except as provided in subsection (c), add an amount equal to any deduction or deductions allowed or allowable pursuant to Section 63 of the Internal Revenue Code for taxes based on or measured by income and levied at the state level by any state of the United States.

(4) Subtract an amount equal to the amount included in the corporation's taxable income under Section 78 of the Internal Revenue Code (concerning foreign tax credits).

(5) Add or subtract the amount necessary to make the adjusted gross income of any taxpayer that owns property for which bonus depreciation was allowed in the current taxable year or in an earlier taxable year equal to the amount of adjusted gross income that would have been computed had an election not been made under Section 168(k) of the Internal Revenue Code to apply bonus depreciation to the property in the year that it was placed in service.

(6) Add an amount equal to any deduction allowed under Section 172 of the Internal Revenue Code (concerning net operating losses).

(7) Add or subtract the amount necessary to make the adjusted gross income of any taxpayer that placed Section 179 property (as defined in Section 179 of the Internal Revenue Code) in service in the current taxable year or in an earlier taxable year equal to the amount of adjusted gross income that would have been computed had an election for federal income tax purposes not been made for the year in which the property was placed in service to take deductions under Section 179 of the Internal Revenue Code in a total amount exceeding the sum of:

(A) twenty-five thousand dollars (\$25,000) to the extent deductions under Section 179 of the Internal Revenue Code were not elected as provided in clause (B); and

(B) for taxable years beginning after December 31, 2017, the deductions elected under Section 179 of the Internal Revenue Code on property acquired in an exchange if:

(i) the exchange would have been eligible for nonrecognition of gain or loss under Section 1031 of the Internal Revenue Code in effect on January 1, 2017;

(ii) the exchange is not eligible for nonrecognition of gain or loss under Section 1031 of the Internal Revenue Code; and

(iii) the taxpayer made an election to take deductions under Section 179 of the Internal Revenue Code with regard to the acquired property in the year that the property was placed into service.

The amount of deductions allowable for an item of property under this clause may not exceed the amount of adjusted gross income realized on the property that would have been deferred under the Internal Revenue Code in effect on January 1, 2017.

(8) Add to the extent required by IC 6-3-2-20:

HEA 1001 — CC 1



- (A) the amount of intangible expenses (as defined in IC 6-3-2-20) for the taxable year that reduced the corporation's taxable income (as defined in Section 63 of the Internal Revenue Code) for federal income tax purposes; and
- (B) any directly related interest expenses (as defined in IC 6-3-2-20) that reduced the corporation's adjusted gross income (determined without regard to this subdivision). For purposes of this clause, any directly related interest expense that constitutes business interest within the meaning of Section 163(j) of the Internal Revenue Code shall be considered to have reduced the taxpayer's federal taxable income only in the first taxable year in which the deduction otherwise would have been allowable under Section 163 of the Internal Revenue Code if the limitation under Section 163(j)(1) of the Internal Revenue Code did not exist.
- (9) Add an amount equal to any deduction for dividends paid (as defined in Section 561 of the Internal Revenue Code) to shareholders of a captive real estate investment trust (as defined in section 34.5 of this chapter).
- (10) Subtract income that is:
- (A) exempt from taxation under IC 6-3-2-21.7 (certain income derived from patents); and
  - (B) included in the corporation's taxable income under the Internal Revenue Code.
- (11) Add an amount equal to any income not included in gross income as a result of the deferral of income arising from business indebtedness discharged in connection with the reacquisition after December 31, 2008, and before January 1, 2011, of an applicable debt instrument, as provided in Section 108(i) of the Internal Revenue Code. Subtract from the adjusted gross income of any taxpayer that added an amount to adjusted gross income in a previous year the amount necessary to offset the amount included in federal gross income as a result of the deferral of income arising from business indebtedness discharged in connection with the reacquisition after December 31, 2008, and before January 1, 2011, of an applicable debt instrument, as provided in Section 108(i) of the Internal Revenue Code.
- (12) Add the amount excluded from federal gross income under Section 103 of the Internal Revenue Code for interest received on an obligation of a state other than Indiana, or a political subdivision of such a state, that is acquired by the taxpayer after December 31, 2011.
- (13) For taxable years beginning after December 25, 2016:
- (A) for a corporation other than a real estate investment trust, add:
    - (i) an amount equal to the amount reported by the taxpayer on IRC 965 Transition Tax Statement, line 1; or
    - (ii) if the taxpayer deducted an amount under Section 965(c) of the Internal Revenue Code in determining the taxpayer's taxable income for purposes of the federal income tax, the amount deducted under Section 965(c) of the Internal Revenue Code; and
  - (B) for a real estate investment trust, add an amount equal to the deduction for deferred foreign income that was claimed by the taxpayer for the taxable year under Section 965(c) of the Internal Revenue Code, but only to the extent that the taxpayer included income pursuant to Section 965 of the Internal Revenue Code in its taxable income for federal income tax purposes or is required to add back dividends paid under subdivision (9).
- (14) Add an amount equal to the deduction that was claimed by the taxpayer for the taxable year under Section 250(a)(1)(B) of the Internal Revenue Code (attributable to global intangible low-taxed income). The taxpayer shall separately specify the amount of the reduction under Section 250(a)(1)(B)(i) of the Internal Revenue Code and under Section 250(a)(1)(B)(ii) of the Internal



Revenue Code.

(15) Subtract any interest expense paid or accrued in the current taxable year but not deducted as a result of the limitation imposed under Section 163(j)(1) of the Internal Revenue Code. Add any interest expense paid or accrued in a previous taxable year but allowed as a deduction under Section 163 of the Internal Revenue Code in the current taxable year. For purposes of this subdivision, an interest expense is considered paid or accrued only in the first taxable year the deduction would have been allowable under Section 163 of the Internal Revenue Code if the limitation under Section 163(j)(1) of the Internal Revenue Code did not exist.

(16) Subtract the amount that would have been excluded from gross income but for the enactment of Section 118(b)(2) of the Internal Revenue Code for taxable years ending after December 22, 2017.

(17) Add an amount equal to the remainder of:

(A) the amount allowable as a deduction under Section 274(n) of the Internal Revenue Code; minus

(B) the amount otherwise allowable as a deduction under Section 274(n) of the Internal Revenue Code, if Section 274(n)(2)(D) of the Internal Revenue Code was not in effect for amounts paid or incurred after December 31, 2020.

(18) For taxable years ending after March 12, 2020, subtract an amount equal to the deduction disallowed pursuant to:

(A) Section 2301(e) of the CARES Act (Public Law 116-136), as modified by Sections 206 and 207 of the Taxpayer Certainty and Disaster Relief Tax Act (Division EE of Public Law 116-260); and

(B) Section 3134(e) of the Internal Revenue Code.

(19) For taxable years beginning after December 31, 2022, subtract an amount equal to the deduction disallowed under Section 280C(h) of the Internal Revenue Code.

(20) Add or subtract any other amounts the taxpayer is:

(A) required to add or subtract; or

(B) entitled to deduct;

under IC 6-3-2.

(c) The following apply to taxable years beginning after December 31, 2018, for purposes of the add back of any deduction allowed on the taxpayer's federal income tax return for wagering taxes, as provided in subsection (a)(2) if the taxpayer is an individual or subsection (b)(3) if the taxpayer is a corporation:

(1) For taxable years beginning after December 31, 2018, and before January 1, 2020, a taxpayer is required to add back under this section eighty-seven and five-tenths percent (87.5%) of any deduction allowed on the taxpayer's federal income tax return for wagering taxes.

(2) For taxable years beginning after December 31, 2019, and before January 1, 2021, a taxpayer is required to add back under this section seventy-five percent (75%) of any deduction allowed on the taxpayer's federal income tax return for wagering taxes.

(3) For taxable years beginning after December 31, 2020, and before January 1, 2022, a taxpayer is required to add back under this section sixty-two and five-tenths percent (62.5%) of any deduction allowed on the taxpayer's federal income tax return for wagering taxes.

(4) For taxable years beginning after December 31, 2021, and before January 1, 2023, a taxpayer is required to add back under this section fifty percent (50%) of any deduction allowed on the taxpayer's federal income tax return for wagering taxes.

(5) For taxable years beginning after December 31, 2022, and before January 1, 2024, a taxpayer is



required to add back under this section thirty-seven and five-tenths percent (37.5%) of any deduction allowed on the taxpayer's federal income tax return for wagering taxes.

(6) For taxable years beginning after December 31, 2023, and before January 1, 2025, a taxpayer is required to add back under this section twenty-five percent (25%) of any deduction allowed on the taxpayer's federal income tax return for wagering taxes.

(7) For taxable years beginning after December 31, 2024, and before January 1, 2026, a taxpayer is required to add back under this section twelve and five-tenths percent (12.5%) of any deduction allowed on the taxpayer's federal income tax return for wagering taxes.

(8) For taxable years beginning after December 31, 2025, a taxpayer is not required to add back under this section any amount of a deduction allowed on the taxpayer's federal income tax return for wagering taxes.

(d) In the case of life insurance companies (as defined in Section 816(a) of the Internal Revenue Code) that are organized under Indiana law, the same as "life insurance company taxable income" (as defined in Section 801 of the Internal Revenue Code), adjusted as follows:

(1) Subtract income that is exempt from taxation under this article by the Constitution and statutes of the United States.

(2) Add an amount equal to any deduction allowed or allowable under Section 170 of the Internal Revenue Code (concerning charitable contributions).

(3) Add an amount equal to a deduction allowed or allowable under Section 805 or Section 832(c) of the Internal Revenue Code for taxes based on or measured by income and levied at the state level by any state.

(4) Subtract an amount equal to the amount included in the company's taxable income under Section 78 of the Internal Revenue Code (concerning foreign tax credits).

(5) Add or subtract the amount necessary to make the adjusted gross income of any taxpayer that owns property for which bonus depreciation was allowed in the current taxable year or in an earlier taxable year equal to the amount of adjusted gross income that would have been computed had an election not been made under Section 168(k) of the Internal Revenue Code to apply bonus depreciation to the property in the year that it was placed in service.

(6) Add an amount equal to any deduction allowed under Section 172 of the Internal Revenue Code (concerning net operating losses).

(7) Add or subtract the amount necessary to make the adjusted gross income of any taxpayer that placed Section 179 property (as defined in Section 179 of the Internal Revenue Code) in service in the current taxable year or in an earlier taxable year equal to the amount of adjusted gross income that would have been computed had an election for federal income tax purposes not been made for the year in which the property was placed in service to take deductions under Section 179 of the Internal Revenue Code in a total amount exceeding the sum of:

(A) twenty-five thousand dollars (\$25,000) to the extent deductions under Section 179 of the Internal Revenue Code were not elected as provided in clause (B); and

(B) for taxable years beginning after December 31, 2017, the deductions elected under Section 179 of the Internal Revenue Code on property acquired in an exchange if:

(i) the exchange would have been eligible for nonrecognition of gain or loss under Section 1031 of the Internal Revenue Code in effect on January 1, 2017;

(ii) the exchange is not eligible for nonrecognition of gain or loss under Section 1031 of the Internal Revenue Code; and



(iii) the taxpayer made an election to take deductions under Section 179 of the Internal Revenue Code with regard to the acquired property in the year that the property was placed into service.

The amount of deductions allowable for an item of property under this clause may not exceed the amount of adjusted gross income realized on the property that would have been deferred under the Internal Revenue Code in effect on January 1, 2017.

(8) Subtract income that is:

(A) exempt from taxation under IC 6-3-2-21.7 (certain income derived from patents); and

(B) included in the insurance company's taxable income under the Internal Revenue Code.

(9) Add an amount equal to any income not included in gross income as a result of the deferral of income arising from business indebtedness discharged in connection with the reacquisition after December 31, 2008, and before January 1, 2011, of an applicable debt instrument, as provided in Section 108(i) of the Internal Revenue Code. Subtract from the adjusted gross income of any taxpayer that added an amount to adjusted gross income in a previous year the amount necessary to offset the amount included in federal gross income as a result of the deferral of income arising from business indebtedness discharged in connection with the reacquisition after December 31, 2008, and before January 1, 2011, of an applicable debt instrument, as provided in Section 108(i) of the Internal Revenue Code.

(10) Add an amount equal to any exempt insurance income under Section 953(e) of the Internal Revenue Code that is active financing income under Subpart F of Subtitle A, Chapter 1, Subchapter N of the Internal Revenue Code.

(11) Add the amount excluded from federal gross income under Section 103 of the Internal Revenue Code for interest received on an obligation of a state other than Indiana, or a political subdivision of such a state, that is acquired by the taxpayer after December 31, 2011.

(12) For taxable years beginning after December 25, 2016, add:

(A) an amount equal to the amount reported by the taxpayer on IRC 965 Transition Tax Statement, line 1; or

(B) if the taxpayer deducted an amount under Section 965(c) of the Internal Revenue Code in determining the taxpayer's taxable income for purposes of the federal income tax, the amount deducted under Section 965(c) of the Internal Revenue Code.

(13) Add an amount equal to the deduction that was claimed by the taxpayer for the taxable year under Section 250(a)(1)(B) of the Internal Revenue Code (attributable to global intangible low-taxed income). The taxpayer shall separately specify the amount of the reduction under Section 250(a)(1)(B)(i) of the Internal Revenue Code and under Section 250(a)(1)(B)(ii) of the Internal Revenue Code.

(14) Subtract any interest expense paid or accrued in the current taxable year but not deducted as a result of the limitation imposed under Section 163(j)(1) of the Internal Revenue Code. Add any interest expense paid or accrued in a previous taxable year but allowed as a deduction under Section 163 of the Internal Revenue Code in the current taxable year. For purposes of this subdivision, an interest expense is considered paid or accrued only in the first taxable year the deduction would have been allowable under Section 163 of the Internal Revenue Code if the limitation under Section 163(j)(1) of the Internal Revenue Code did not exist.

(15) Subtract the amount that would have been excluded from gross income but for the enactment of Section 118(b)(2) of the Internal Revenue Code for taxable years ending after December 22, 2017.

HEA 1001 — CC 1



- (16) Add an amount equal to the remainder of:
- (A) the amount allowable as a deduction under Section 274(n) of the Internal Revenue Code; minus
  - (B) the amount otherwise allowable as a deduction under Section 274(n) of the Internal Revenue Code, if Section 274(n)(2)(D) of the Internal Revenue Code was not in effect for amounts paid or incurred after December 31, 2020.
- (17) For taxable years ending after March 12, 2020, subtract an amount equal to the deduction disallowed pursuant to:
- (A) Section 2301(e) of the CARES Act (Public Law 116-136), as modified by Sections 206 and 207 of the Taxpayer Certainty and Disaster Relief Tax Act (Division EE of Public Law 116-260); and
  - (B) Section 3134(e) of the Internal Revenue Code.
- (18) For taxable years beginning after December 31, 2022, subtract an amount equal to the deduction disallowed under Section 280C(h) of the Internal Revenue Code.
- (19) Add or subtract any other amounts the taxpayer is:
- (A) required to add or subtract; or
  - (B) entitled to deduct;
- under IC 6-3-2.

(e) In the case of insurance companies subject to tax under Section 831 of the Internal Revenue Code and organized under Indiana law, the same as "taxable income" (as defined in Section 832 of the Internal Revenue Code), adjusted as follows:

- (1) Subtract income that is exempt from taxation under this article by the Constitution and statutes of the United States.
- (2) Add an amount equal to any deduction allowed or allowable under Section 170 of the Internal Revenue Code (concerning charitable contributions).
- (3) Add an amount equal to a deduction allowed or allowable under Section 805 or Section 832(c) of the Internal Revenue Code for taxes based on or measured by income and levied at the state level by any state.
- (4) Subtract an amount equal to the amount included in the company's taxable income under Section 78 of the Internal Revenue Code (concerning foreign tax credits).
- (5) Add or subtract the amount necessary to make the adjusted gross income of any taxpayer that owns property for which bonus depreciation was allowed in the current taxable year or in an earlier taxable year equal to the amount of adjusted gross income that would have been computed had an election not been made under Section 168(k) of the Internal Revenue Code to apply bonus depreciation to the property in the year that it was placed in service.
- (6) Add an amount equal to any deduction allowed under Section 172 of the Internal Revenue Code (concerning net operating losses).
- (7) Add or subtract the amount necessary to make the adjusted gross income of any taxpayer that placed Section 179 property (as defined in Section 179 of the Internal Revenue Code) in service in the current taxable year or in an earlier taxable year equal to the amount of adjusted gross income that would have been computed had an election for federal income tax purposes not been made for the year in which the property was placed in service to take deductions under Section 179 of the Internal Revenue Code in a total amount exceeding the sum of:
  - (A) twenty-five thousand dollars (\$25,000) to the extent deductions under Section 179 of the



Internal Revenue Code were not elected as provided in clause (B); and  
(B) for taxable years beginning after December 31, 2017, the deductions elected under Section 179 of the Internal Revenue Code on property acquired in an exchange if:

- (i) the exchange would have been eligible for nonrecognition of gain or loss under Section 1031 of the Internal Revenue Code in effect on January 1, 2017;
- (ii) the exchange is not eligible for nonrecognition of gain or loss under Section 1031 of the Internal Revenue Code; and
- (iii) the taxpayer made an election to take deductions under Section 179 of the Internal Revenue Code with regard to the acquired property in the year that the property was placed into service.

The amount of deductions allowable for an item of property under this clause may not exceed the amount of adjusted gross income realized on the property that would have been deferred under the Internal Revenue Code in effect on January 1, 2017.

- (8) Subtract income that is:
  - (A) exempt from taxation under IC 6-3-2-21.7 (certain income derived from patents); and
  - (B) included in the insurance company's taxable income under the Internal Revenue Code.
- (9) Add an amount equal to any income not included in gross income as a result of the deferral of income arising from business indebtedness discharged in connection with the reacquisition after December 31, 2008, and before January 1, 2011, of an applicable debt instrument, as provided in Section 108(i) of the Internal Revenue Code. Subtract from the adjusted gross income of any taxpayer that added an amount to adjusted gross income in a previous year the amount necessary to offset the amount included in federal gross income as a result of the deferral of income arising from business indebtedness discharged in connection with the reacquisition after December 31, 2008, and before January 1, 2011, of an applicable debt instrument, as provided in Section 108(i) of the Internal Revenue Code.
- (10) Add an amount equal to any exempt insurance income under Section 953(e) of the Internal Revenue Code that is active financing income under Subpart F of Subtitle A, Chapter 1, Subchapter N of the Internal Revenue Code.
- (11) Add the amount excluded from federal gross income under Section 103 of the Internal Revenue Code for interest received on an obligation of a state other than Indiana, or a political subdivision of such a state, that is acquired by the taxpayer after December 31, 2011.
- (12) For taxable years beginning after December 25, 2016, add:
  - (A) an amount equal to the amount reported by the taxpayer on IRC 965 Transition Tax Statement, line 1; or
  - (B) if the taxpayer deducted an amount under Section 965(c) of the Internal Revenue Code in determining the taxpayer's taxable income for purposes of the federal income tax, the amount deducted under Section 965(c) of the Internal Revenue Code.
- (13) Add an amount equal to the deduction that was claimed by the taxpayer for the taxable year under Section 250(a)(1)(B) of the Internal Revenue Code (attributable to global intangible low-taxed income). The taxpayer shall separately specify the amount of the reduction under Section 250(a)(1)(B)(i) of the Internal Revenue Code and under Section 250(a)(1)(B)(ii) of the Internal Revenue Code.
- (14) Subtract any interest expense paid or accrued in the current taxable year but not deducted as a result of the limitation imposed under Section 163(j)(1) of the Internal Revenue Code. Add any



interest expense paid or accrued in a previous taxable year but allowed as a deduction under Section 163 of the Internal Revenue Code in the current taxable year. For purposes of this subdivision, an interest expense is considered paid or accrued only in the first taxable year the deduction would have been allowable under Section 163 of the Internal Revenue Code if the limitation under Section 163(j)(1) of the Internal Revenue Code did not exist.

(15) Subtract the amount that would have been excluded from gross income but for the enactment of Section 118(b)(2) of the Internal Revenue Code for taxable years ending after December 22, 2017.

(16) Add an amount equal to the remainder of:

(A) the amount allowable as a deduction under Section 274(n) of the Internal Revenue Code; minus

(B) the amount otherwise allowable as a deduction under Section 274(n) of the Internal Revenue Code, if Section 274(n)(2)(D) of the Internal Revenue Code was not in effect for amounts paid or incurred after December 31, 2020.

(17) For taxable years ending after March 12, 2020, subtract an amount equal to the deduction disallowed pursuant to:

(A) Section 2301(e) of the CARES Act (Public Law 116-136), as modified by Sections 206 and 207 of the Taxpayer Certainty and Disaster Relief Tax Act (Division EE of Public Law 116-260); and

(B) Section 3134(e) of the Internal Revenue Code.

(18) For taxable years beginning after December 31, 2022, subtract an amount equal to the deduction disallowed under Section 280C(h) of the Internal Revenue Code.

(19) Add or subtract any other amounts the taxpayer is:

(A) required to add or subtract; or

(B) entitled to deduct;

under IC 6-3-2.

(f) In the case of trusts and estates, "taxable income" (as defined for trusts and estates in Section 641(b) of the Internal Revenue Code) adjusted as follows:

(1) Subtract income that is exempt from taxation under this article by the Constitution and statutes of the United States.

(2) Subtract an amount equal to the amount of a September 11 terrorist attack settlement payment included in the federal adjusted gross income of the estate of a victim of the September 11 terrorist attack or a trust to the extent the trust benefits a victim of the September 11 terrorist attack.

(3) Add or subtract the amount necessary to make the adjusted gross income of any taxpayer that owns property for which bonus depreciation was allowed in the current taxable year or in an earlier taxable year equal to the amount of adjusted gross income that would have been computed had an election not been made under Section 168(k) of the Internal Revenue Code to apply bonus depreciation to the property in the year that it was placed in service.

(4) Add an amount equal to any deduction allowed under Section 172 of the Internal Revenue Code (concerning net operating losses).

(5) Add or subtract the amount necessary to make the adjusted gross income of any taxpayer that placed Section 179 property (as defined in Section 179 of the Internal Revenue Code) in service in the current taxable year or in an earlier taxable year equal to the amount of adjusted gross income that would have been computed had an election for federal income tax purposes not been made for the year in which the property was placed in service to take deductions under Section 179 of the





Internal Revenue Code in a total amount exceeding the sum of:

(A) twenty-five thousand dollars (\$25,000) to the extent deductions under Section 179 of the Internal Revenue Code were not elected as provided in clause (B); and

(B) for taxable years beginning after December 31, 2017, the deductions elected under Section 179 of the Internal Revenue Code on property acquired in an exchange if:

(i) the exchange would have been eligible for nonrecognition of gain or loss under Section 1031 of the Internal Revenue Code in effect on January 1, 2017;

(ii) the exchange is not eligible for nonrecognition of gain or loss under Section 1031 of the Internal Revenue Code; and

(iii) the taxpayer made an election to take deductions under Section 179 of the Internal Revenue Code with regard to the acquired property in the year that the property was placed into service.

The amount of deductions allowable for an item of property under this clause may not exceed the amount of adjusted gross income realized on the property that would have been deferred under the Internal Revenue Code in effect on January 1, 2017.

(6) Subtract income that is:

(A) exempt from taxation under IC 6-3-2-21.7 (certain income derived from patents); and

(B) included in the taxpayer's taxable income under the Internal Revenue Code.

(7) Add an amount equal to any income not included in gross income as a result of the deferral of income arising from business indebtedness discharged in connection with the reacquisition after December 31, 2008, and before January 1, 2011, of an applicable debt instrument, as provided in Section 108(i) of the Internal Revenue Code. Subtract from the adjusted gross income of any taxpayer that added an amount to adjusted gross income in a previous year the amount necessary to offset the amount included in federal gross income as a result of the deferral of income arising from business indebtedness discharged in connection with the reacquisition after December 31, 2008, and before January 1, 2011, of an applicable debt instrument, as provided in Section 108(i) of the Internal Revenue Code.

(8) Add the amount excluded from federal gross income under Section 103 of the Internal Revenue Code for interest received on an obligation of a state other than Indiana, or a political subdivision of such a state, that is acquired by the taxpayer after December 31, 2011.

(9) For taxable years beginning after December 25, 2016, add an amount equal to:

(A) the amount reported by the taxpayer on IRC 965 Transition Tax Statement, line 1;

(B) if the taxpayer deducted an amount under Section 965(c) of the Internal Revenue Code in determining the taxpayer's taxable income for purposes of the federal income tax, the amount deducted under Section 965(c) of the Internal Revenue Code; and

(C) with regard to any amounts of income under Section 965 of the Internal Revenue Code distributed by the taxpayer, the deduction under Section 965(c) of the Internal Revenue Code attributable to such distributed amounts and not reported to the beneficiary.

For purposes of this article, the amount required to be added back under clause (B) is not considered to be distributed or distributable to a beneficiary of the estate or trust for purposes of Sections 651 and 661 of the Internal Revenue Code.

(10) Subtract any interest expense paid or accrued in the current taxable year but not deducted as a result of the limitation imposed under Section 163(j)(1) of the Internal Revenue Code. Add any interest expense paid or accrued in a previous taxable year but allowed as a deduction under Section



163 of the Internal Revenue Code in the current taxable year. For purposes of this subdivision, an interest expense is considered paid or accrued only in the first taxable year the deduction would have been allowable under Section 163 of the Internal Revenue Code if the limitation under Section 163(j)(1) of the Internal Revenue Code did not exist.

(11) Add an amount equal to the deduction for qualified business income that was claimed by the taxpayer for the taxable year under Section 199A of the Internal Revenue Code.

(12) Subtract the amount that would have been excluded from gross income but for the enactment of Section 118(b)(2) of the Internal Revenue Code for taxable years ending after December 22, 2017.

(13) Add an amount equal to the remainder of:

(A) the amount allowable as a deduction under Section 274(n) of the Internal Revenue Code; minus

(B) the amount otherwise allowable as a deduction under Section 274(n) of the Internal Revenue Code, if Section 274(n)(2)(D) of the Internal Revenue Code was not in effect for amounts paid or incurred after December 31, 2020.

(14) For taxable years beginning after December 31, 2017, and before January 1, 2021, add an amount equal to the excess business loss of the taxpayer as defined in Section 461(l)(3) of the Internal Revenue Code. In addition:

(A) If a taxpayer has an excess business loss under this subdivision and also has modifications under subdivisions (3) and (5) for property placed in service during the taxable year, the taxpayer shall treat a portion of the taxable year modifications for that property as occurring in the taxable year the property is placed in service and a portion of the modifications as occurring in the immediately following taxable year.

(B) The portion of the modifications under subdivisions (3) and (5) for property placed in service during the taxable year treated as occurring in the taxable year in which the property is placed in service equals:

(i) the modification for the property otherwise determined under this section; minus

(ii) the excess business loss disallowed under this subdivision;

but not less than zero (0).

(C) The portion of the modifications under subdivisions (3) and (5) for property placed in service during the taxable year treated as occurring in the taxable year immediately following the taxable year in which the property is placed in service equals the modification for the property otherwise determined under this section minus the amount in clause (B).

(D) Any reallocation of modifications between taxable years under clauses (B) and (C) shall be first allocated to the modification under subdivision (3), then to the modification under subdivision (5).

(15) For taxable years ending after March 12, 2020, subtract an amount equal to the deduction disallowed pursuant to:

(A) Section 2301(e) of the CARES Act (Public Law 116-136), as modified by Sections 206 and 207 of the Taxpayer Certainty and Disaster Relief Tax Act (Division EE of Public Law 116-260); and

(B) Section 3134(e) of the Internal Revenue Code.

(16) For taxable years beginning after December 31, 2022, subtract an amount equal to the deduction disallowed under Section 280C(h) of the Internal Revenue Code.

(17) Except as provided in subsection (c), for taxable years beginning after December 31, 2022, add

## HEA 1001 — CC 1



an amount equal to any deduction or deductions allowed or allowable in determining taxable income under Section 641(b) of the Internal Revenue Code for taxes based on or measured by income and levied at the state level by any state of the United States.

(18) Add or subtract any other amounts the taxpayer is:

(A) required to add or subtract; or

(B) entitled to deduct;

under IC 6-3-2.

(g) For purposes of IC 6-3-2.1, IC 6-3-4-12, IC 6-3-4-13, and IC 6-3-4-15 for taxable years beginning after December 31, 2022, "adjusted gross income" of a pass through entity means the aggregate of items of ordinary income and loss in the case of a partnership or a corporation described in IC 6-3-2-2.8(2), or aggregate distributable net income of a trust or estate as defined in Section 643 of the Internal Revenue Code, whichever is applicable, for the taxable year modified as follows:

(1) Add the separately stated items of income and gains, or the equivalent items that must be considered separately by a beneficiary, as determined for federal purposes, attributed to the partners, shareholders, or beneficiaries of the pass through entity, determined without regard to whether the owner is permitted to exclude all or part of the income or gain or deduct any amount against the income or gain.

(2) Subtract the separately stated items of deductions or losses or items that must be considered separately by beneficiaries, as determined for federal purposes, attributed to partners, shareholders, or beneficiaries of the pass through entity and that are deductible by an individual in determining adjusted gross income as defined under Section 62 of the Internal Revenue Code:

(A) limited as if the partners, shareholders, and beneficiaries deducted the maximum allowable loss or deduction allowable for the taxable year prior to any amount deductible from the pass through entity; but

(B) not considering any disallowance of deductions resulting from federal basis limitations for the partner, shareholder, or beneficiary.

(3) Add or subtract any modifications to adjusted gross income that would be required both for individuals under subsection (a) and corporations under subsection (b) to the extent otherwise provided in those subsections, including amounts that are allowable for which such modifications are necessary to account for separately stated items in subdivision (1) or (2).

(h) Subsections (a)(35), (b)(20), (d)(19), (e)(19), or (f)(18) may not be construed to require an add back or allow a deduction or exemption more than once for a particular add back, deduction, or exemption.

(i) For taxable years beginning after December 25, 2016, if:

(1) a taxpayer is a shareholder, either directly or indirectly, in a corporation that is an E&P deficit foreign corporation as defined in Section 965(b)(3)(B) of the Internal Revenue Code, and the earnings and profit deficit, or a portion of the earnings and profit deficit, of the E&P deficit foreign corporation is permitted to reduce the federal adjusted gross income or federal taxable income of the taxpayer, the deficit, or the portion of the deficit, shall also reduce the amount taxable under this section to the extent permitted under the Internal Revenue Code, however, in no case shall this permit a reduction in the amount taxable under Section 965 of the Internal Revenue Code for purposes of this section to be less than zero (0); and

(2) the Internal Revenue Service issues guidance that such an income or deduction is not reported directly on a federal tax return or is to be reported in a manner different than specified in this



section, this section shall be construed as if federal adjusted gross income or federal taxable income included the income or deduction.

(j) If a partner is required to include an item of income, a deduction, or another tax attribute in the partner's adjusted gross income tax return pursuant to IC 6-3-4.5, such item shall be considered to be includible in the partner's federal adjusted gross income or federal taxable income, regardless of whether such item is actually required to be reported by the partner for federal income tax purposes. For purposes of this subsection:

- (1) items for which a valid election is made under IC 6-3-4.5-6, IC 6-3-4.5-8, or IC 6-3-4.5-9 shall not be required to be included in the partner's adjusted gross income or taxable income; and
- (2) items for which the partnership did not make an election under IC 6-3-4.5-6, IC 6-3-4.5-8, or IC 6-3-4.5-9, but for which the partnership is required to remit tax pursuant to IC 6-3-4.5-18, shall be included in the partner's adjusted gross income or taxable income.

SECTION 95. IC 6-3-2-1, AS AMENDED BY P.L.138-2022, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2024]: Sec. 1. (a) ~~As used in this section, "pre-1996 account" has the meaning set forth in IC 5-10.2-1-5.5.~~

(b) (a) Each taxable year, a tax at the following rate of adjusted gross income is imposed upon the adjusted gross income of every resident person, and on that part of the adjusted gross income derived from sources within Indiana of every nonresident person:

- (1) For taxable years beginning before January 1, 2015, three and four-tenths percent (3.4%).
- (2) For taxable years beginning after December 31, 2014, and before January 1, 2017, three and three-tenths percent (3.3%).
- (3) For taxable years beginning after December 31, 2016, and before January 1, 2023, three and twenty-three hundredths percent (3.23%).
- (4) For taxable years beginning after December 31, 2022, and before January 1, 2025, 2024, three and fifteen hundredths percent (3.15%).
- (5) For taxable years beginning after December 31, 2024, and before January 1, 2027, the tax rate is determined as follows:

(A) If the state general fund revenue collections for the state fiscal year ending June 30, 2024, exceed by at least two percent (2%) the state general fund revenue collections for the state fiscal year ending June 30, 2023, as determined by the budget agency under subsection (c), the tax rate is three and one-tenth percent (3.1%);

(B) If the state general fund revenue collections for the state fiscal year ending June 30, 2024, do not exceed by at least two percent (2%) the state general fund revenue collections for the state fiscal year ending June 30, 2023, as determined by the budget agency under subsection (c), the tax rate is three and fifteen hundredths percent (3.15%);

(6) For taxable years beginning after December 31, 2026, and before January 1, 2029, the tax rate is determined as follows:

(A) Three percent (3.0%) if the:

(i) state general fund revenue collections for the state fiscal year ending June 30, 2026, exceed by at least two percent (2%) the state general fund revenue collections for the state fiscal year ending June 30, 2025, as determined by the budget agency under subsection (c);

(ii) Indiana public retirement system determines under subsection (f) in 2026 that the balance of the pension stabilization fund (established by IC 5-10.4-2-5) is sufficient to pay the liabilities of the pre-1996 account without the need for an appropriation by the general



- assembly; and
- (iii) tax rate was decreased under subdivision (5)(A).
- (B) Three and ten hundredths percent (3.1%) if the:
- (i) state general fund revenue collections for the state fiscal year ending June 30, 2026, exceed by at least two percent (2%) the state general fund revenue collections for the state fiscal year ending June 30, 2025, as determined by the budget agency under subsection (e);
- (ii) Indiana public retirement system determines under subsection (f) in 2026 that the balance of the pension stabilization fund (established by IC 5-10.4-2-5) is sufficient to pay the liabilities of the pre-1996 account without the need for an appropriation by the general assembly; and
- (iii) tax rate was not decreased under subdivision (5)(A).
- (C) If clauses (A) and (B) do not apply, the tax rate in effect in the taxable year beginning after December 31, 2025, and before January 1, 2027, remains in effect.
- (7) For taxable years beginning after December 31, 2028, the tax rate is determined as follows:
- (A) Two and nine tenths percent (2.9%) if the:
- (i) state general fund revenue collections for the state fiscal year ending June 30, 2028, exceed by at least two percent (2%) the state general fund revenue collections for the state fiscal year ending June 30, 2027, as determined by the budget agency under subsection (e);
- (ii) Indiana public retirement system determines under subsection (f) in 2028 that the balance of the pension stabilization fund (established by IC 5-10.4-2-5) is sufficient to pay the liabilities of the pre-1996 account without the need for an appropriation by the general assembly; and
- (iii) tax rate was decreased under subdivisions (5) and (6).
- (B) Three percent (3.0%) if the:
- (i) state general fund revenue collections for the state fiscal year ending June 30, 2028, exceed by at least two percent (2%) the state general fund revenue collections for the state fiscal year ending June 30, 2027, as determined by the budget agency under subsection (e);
- (ii) Indiana public retirement system determines under subsection (f) in 2028 that the balance of the pension stabilization fund (established by IC 5-10.4-2-5) is sufficient to pay the liabilities of the pre-1996 account without the need for an appropriation by the general assembly; and
- (iii) tax rate was decreased under subdivision (5) or (6), but not both.
- (C) Three and ten hundredths percent (3.1%) if the:
- (i) state general fund revenue collections for the state fiscal year ending June 30, 2028, exceed by at least two percent (2%) the state general fund revenue collections for the state fiscal year ending June 30, 2027, as determined by the budget agency under subsection (e);
- (ii) Indiana public retirement system determines under subsection (f) in 2028 that the balance of the pension stabilization fund (established by IC 5-10.4-2-5) is sufficient to pay the liabilities of the pre-1996 account without the need for an appropriation by the general assembly; and
- (iii) tax rate was not decreased under either subdivision (5) or (6).
- (D) If clauses (A); (B); and (C) do not apply, the tax rate in effect in the taxable year beginning after December 31, 2027, and before January 1, 2029, remains in effect.
- (5) For taxable years beginning after December 31, 2023, and before January 1, 2025, three



**and five-hundredths percent (3.05%).**

**(6) For taxable years beginning after December 31, 2024, and before January 1, 2026, three percent (3%).**

**(7) For taxable years beginning after December 31, 2025, and before January 1, 2027, two and ninety-five hundredths percent (2.95%).**

**(8) For taxable years beginning after December 31, 2026, two and nine-tenths percent (2.9%).**

(c) (b) Except as provided in section 1.5 of this chapter (before its expiration), each taxable year, a tax at the following rate of adjusted gross income is imposed on that part of the adjusted gross income derived from sources within Indiana of every corporation:

(1) Before July 1, 2012, eight and five-tenths percent (8.5%).

(2) After June 30, 2012, and before July 1, 2013, eight percent (8.0%).

(3) After June 30, 2013, and before July 1, 2014, seven and five-tenths percent (7.5%).

(4) After June 30, 2014, and before July 1, 2015, seven percent (7.0%).

(5) After June 30, 2015, and before July 1, 2016, six and five-tenths percent (6.5%).

(6) After June 30, 2016, and before July 1, 2017, six and twenty-five hundredths percent (6.25%).

(7) After June 30, 2017, and before July 1, 2018, six percent (6.0%).

(8) After June 30, 2018, and before July 1, 2019, five and seventy-five hundredths percent (5.75%).

(9) After June 30, 2019, and before July 1, 2020, five and five-tenths percent (5.5%).

(10) After June 30, 2020, and before July 1, 2021, five and twenty-five hundredths percent (5.25%).

(11) After June 30, 2021, four and nine-tenths percent (4.9%).

(d) (c) If for any taxable year a taxpayer is subject to different tax rates under subsection (b), the taxpayer's tax rate for that taxable year is the rate determined in the last STEP of the following STEPS:  
STEP ONE: Multiply the number of days in the taxpayer's taxable year that precede the day the rate changed by the rate in effect before the rate change.

STEP TWO: Multiply the number of days in the taxpayer's taxable year that follow the day before the rate changed by the rate in effect after the rate change.

STEP THREE: Divide the sum of the amounts determined under STEPS ONE and TWO by the number of days in the taxpayer's tax period.

However, the rate determined under this subsection shall be rounded to the nearest one-hundredth of one percent (0.01%).

(e) After the end of each even-numbered state fiscal year that ends before January 1, 2029, the budget agency shall calculate and determine the percentage of revenue growth in state general fund revenue collections between each applicable state fiscal year under subsection (b)(5) through (b)(7) for purposes of determining whether the tax rate will decrease for a taxable year under subsection (b)(5) through (b)(7). The budget agency shall make the calculation not later than thirty (30) days after the end of each even-numbered state fiscal year.

(f) Beginning after the end of the state fiscal year ending June 30, 2026, and after the end of each even-numbered state fiscal year that ends before January 1, 2029, for purposes of determining whether the tax rate will decrease for a taxable year under subsection (b)(6) through (b)(7), the Indiana public retirement system shall determine whether the balance of the pension stabilization fund (established by IC 5-10.4-2-5) is sufficient to pay the liabilities of the pre-1996 account without the need for an appropriation by the general assembly. The Indiana public retirement system shall make the calculation not later than thirty (30) days after the end of each even-numbered state fiscal year.

(g) This subsection applies in calendar year 2024. Not later than September 1, the budget agency shall



report the percentage of revenue growth determined under subsection (e) to the budget committee, and certify the results to the department.

(h) This subsection applies in each even-numbered calendar year beginning after December 31, 2025, and ending before January 1, 2029. Not later than September 1 of each year, the budget agency, in collaboration with the Indiana public retirement system, shall report the:

- (1) applicable percentage of revenue growth determined under subsection (e); and
- (2) determination made for the applicable year under subsection (f);

to the budget committee, and certify the results to the department.

(i) Not later than November 1 of each year, if the results certified under subsection (g) or (h), as applicable, satisfy the conditions for a tax rate decrease as set forth in subsection (b)(5) through (b)(7), as applicable, the department shall provide notice of the determination and the applicable tax rate under subsection (b)(5) through (b)(7) on the department's Internet web site in a departmental notice.

SECTION 96. IC 6-3-2-1.5, AS AMENDED BY P.L.138-2022, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2024]: Sec. 1.5. (a) As used in this section, "qualified area" means:

- (1) a military base (as defined in IC 36-7-30-1(c));
- (2) a military base reuse area established under IC 36-7-30;
- (3) the part of an economic development area established under IC 36-7-14.5-12.5 that is or formerly was a military base (as defined in IC 36-7-30-1(c)); or
- (4) a qualified military base enhancement area established under IC 36-7-34.

(b) Except as provided in subsections (e) and (h), a tax at the lesser of:

- (1) the rate of five percent (5%) of adjusted gross income; or
- (2) the rate imposed under section ~~1(e)~~ **1(b)** of this chapter;

is imposed on that part of the adjusted gross income of a corporation that is derived from sources within a qualified area if the corporation locates all or part of its operations in a qualified area during the taxable year, as determined under subsection (g). The tax rate under this section applies to the taxable year in which the corporation locates its operations in the qualified area and to the next succeeding four (4) taxable years, and the tax rate shall be determined as provided in this subsection in each of those taxable years.

(c) In the case of a corporation that locates all or part of its operations in a qualified military base enhancement area established under IC 36-7-34-4(1), the tax rate imposed under this section applies to the corporation only if the corporation meets at least one (1) of the following criteria:

- (1) The corporation is a participant in the technology transfer program conducted by the qualified military base (as defined in IC 36-7-34-3).
- (2) The corporation is a United States Department of Defense contractor.
- (3) The corporation and the qualified military base have a mutually beneficial relationship evidenced by a memorandum of understanding between the corporation and the United States Department of Defense.

(d) In the case of a business that uses the services or commodities in a qualified military base enhancement area established under IC 36-7-34-4(2), the business must satisfy at least one (1) of the following criteria:

- (1) The business is a participant in the technology transfer program conducted by the qualified military base (as defined in IC 36-7-34-3).
- (2) The business and the qualified military base have a mutually beneficial relationship evidenced



by a memorandum of understanding between the business and the qualified military base (as defined in IC 36-7-34-3).

(e) A taxpayer is not entitled to the tax rate described in subsection (b) to the extent that the taxpayer substantially reduces or ceases its operations at another location in Indiana in order to relocate its operations within the qualified area, unless:

- (1) the taxpayer had existing operations in the qualified area; and
- (2) the operations relocated to the qualified area are an expansion of the taxpayer's operations in the qualified area.

(f) A determination under subsection (e) that a taxpayer is not entitled to the tax rate provided by this section as a result of a substantial reduction or cessation of operations applies to the taxable year in which the substantial reduction or cessation occurs and in all subsequent years. Determinations under this section shall be made by the department of state revenue.

(g) The department of state revenue:

- (1) shall adopt rules under IC 4-22-2 to establish a procedure for determining the part of a corporation's adjusted gross income that was derived from sources within a qualified area; and
- (2) may adopt other rules that the department considers necessary for the implementation of this chapter.

(h) The tax rate under this section applies only to a corporation that locates all or part of its operations in a qualified area before January 1, 2019. However, this subsection may not be construed to prevent the tax rate from applying to succeeding taxable years of a corporation after December 31, 2018, if the corporation locates all or part of its operations in a qualified area before January 1, 2019.

(i) This section expires January 1, 2025.

SECTION 97. IC 6-3-4.5-1, AS AMENDED BY P.L.178-2022(ts), SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2024]: Sec. 1. The following definitions apply throughout this chapter:

- (1) "Adjustment year" means the partnership taxable year described in Section 6225(d)(2) of the Internal Revenue Code.
- (2) "Administrative adjustment request" means an administrative adjustment request filed by a partnership under Section 6227 of the Internal Revenue Code.
- (3) "Affected year" means any taxable year for a taxpayer that is affected by an adjustment under this chapter, regardless of whether the partnership has received an adjustment for that taxable year.
- (4) "Audited partnership" means a partnership subject to a partnership level audit resulting in a federal adjustment.
- (5) "Corporate partner" means a partner that is subject to the state adjusted gross income tax under ~~IC 6-3-2-1(c)~~ **IC 6-3-2-1(b)** or the financial institutions tax under IC 6-5.5-2-1. In the case of a partner that is a corporation described in IC 6-3-2-2.8(2) that also is subject to tax under ~~IC 6-3-2-1(c)~~; **IC 6-3-2-1(b)**, the corporation is a corporate partner only to the extent that its income is subject to tax under ~~IC 6-3-2-1(c)~~; **IC 6-3-2-1(b)**.
- (6) "Direct partner" means a partner that holds an interest directly in a partnership or pass through entity.
- (7) "Exempt partner" means a partner that is exempt from the adjusted gross income tax under IC 6-3-2-2.8(1) or the financial institutions tax under IC 6-5.5-2-7(4), except to the extent of unrelated business taxable income.
- (8) "Federal adjustment" means a change to an item or amount determined under the Internal





Revenue Code or a change to any other tax attribute that is used by a taxpayer to compute state adjusted gross income taxes or financial institutions tax owed, whether that change results from action by the Internal Revenue Service, including a partnership level audit, or the filing of an amended federal return, a federal refund claim, or an administrative adjustment request by the taxpayer. A federal adjustment is positive to the extent that it increases state adjusted gross income as determined under IC 6-3 or IC 6-5.5 and is negative to the extent that it decreases state adjusted gross income as determined under IC 6-3 or IC 6-5.5.

(9) "Federal adjustment reports" includes methods or forms required by the department for use by a taxpayer to report final federal adjustments for purposes of this chapter, including an amended Indiana tax return, information return, or uniform multistate report.

(10) "Federal partnership representative" means a person the partnership designates for the taxable year as the partnership's representative, or the person the Internal Revenue Service has appointed to act as the federal partnership representative, pursuant to Section 6223(a) of the Internal Revenue Code.

(11) "Final determination date" means the following:

(A) Except as provided in clause (B) or (C), if the federal adjustment arises from an Internal Revenue Service audit or other action by the Internal Revenue Service, the final determination date is the date on which the federal adjustment is a final determination under IC 6-3-4-6(d).

(B) For federal adjustments arising from an Internal Revenue Service audit or other action by the Internal Revenue Service, if the taxpayer filed as a member of a consolidated tax return filed under IC 6-3-4-14, a combined return filed under IC 6-3-2-2 or IC 6-5.5-5-1, or a return combined by the department under IC 6-3-2-2(p), the final determination date means the first date on which no related federal adjustments arising from that audit remain to be finally determined, as described in clause (A), for the entire group.

(C) If the federal adjustment results from filing an amended federal return, a federal refund claim, or an administrative adjustment request, the final determination date means the day on which the amended return, refund claim, administrative adjustment request, or other similar report was filed.

(12) "Final federal adjustment" means a federal adjustment after the final determination date for that federal adjustment has passed.

(13) "Indirect partner" means a partner in a partnership or pass through entity that itself holds an interest directly, or through another indirect partner, in a partnership or pass through entity.

(14) "Internal Revenue Code" has the meaning set forth in IC 6-3-1-11.

(15) "Nonresident partner" has the meaning provided in IC 6-3-4-12(n).

(16) "Partner" means a person or entity that holds an interest directly or indirectly in a partnership or other pass through entity.

(17) "Partner level adjustments report" means a report provided by a partnership to its partners as a result of a department action with regard to the partnership. A partner level adjustments report does not include an amended statement provided by a partnership or other entity as a result of an adjustment reported by the partnership.

(18) "Partnership" has the meaning set forth in IC 6-3-1-19.

(19) "Partnership level audit" means an examination by the Internal Revenue Service at the partnership level under Sections 6221 through 6241 of the Internal Revenue Code, as enacted by the Bipartisan Budget Act of 2015, Public Law 114-74, which results in federal adjustments.



- (20) "Partnership return" means a return required to be filed by a partnership pursuant to IC 6-3-4-10. In the case of a partnership that is required to withhold tax or file a composite return pursuant to IC 6-3-4-12 or IC 6-5.5-2-8, the term also includes the returns or schedules required for tax withholding or composite filing.
- (21) "Pass through entity" means an entity defined in IC 6-3-1-35, other than a partnership, that is not subject to tax under IC 6-3.
- (22) "Reallocation adjustment" means a federal adjustment resulting from a partnership level audit or an administrative adjustment request that changes the shares of one (1) or more items of partnership income, gain, loss, expense, or credit allocated to direct partners. A positive reallocation adjustment means the portion of a reallocation adjustment that would increase federal adjusted gross income or federal taxable income for one (1) or more direct partners, and a negative reallocation adjustment means the portion of a reallocation adjustment that would decrease federal adjusted gross income or federal taxable income for one (1) or more direct partners, according to Section 6225 of the Internal Revenue Code and the regulations under that section.
- (23) "Resident partner" means a partner that is not a nonresident partner.
- (24) "Review year" means the taxable year of a partnership that is subject to a partnership level audit, an administrative adjustment request, or an amended federal return that results in federal adjustments, regardless of whether any federal tax determined to be due is the responsibility of the partnership or partners.
- (25) "Statement" means a form or schedule prescribed by the department through which a partnership or pass through entity reports tax attributes to its owners or beneficiaries.
- (26) "Tax attribute" means any item of income, deduction, credit, receipts for apportionment, or other amount or status that determines a partner's liability under IC 6-3, IC 6-3.6, or IC 6-5.5.
- (27) "Taxable year" means, in the case of a partnership, the year or partial year for which a partnership files a return for state and federal purposes and, in the case of a partner, the taxable year in which the partner reports tax attributes from the partnership.
- (28) "Taxpayer" has the meaning set forth in IC 6-3-1-15 (in the case of the adjusted gross income tax) and IC 6-5.5-1-17 (in the case of the financial institutions tax) and, unless the context clearly indicates otherwise, includes a partnership subject to a partnership level audit or a partnership that has made an administrative adjustment request, as well as a tiered partner of that partnership.
- (29) "Tiered partner" means any partner that is a partnership or pass through entity.
- (30) "Unrelated business taxable income" has the meaning set forth in Section 512 of the Internal Revenue Code.

SECTION 98. IC 6-3-4.5-9, AS AMENDED BY P.L.178-2022(TS), SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2024]: Sec. 9. (a) Partnerships and partners shall report final federal adjustments arising from a partnership level audit or an administrative adjustment request and make payments as required under this section.

(b) Final federal adjustments subject to the requirements of this section, except those subject to a properly made election under subsection (c), shall be reported as follows:

- (1) Not later than the applicable deadline, the partnership shall:
- (A) file an amended partnership return for the review year and any other taxable year affected by the final federal adjustments with the department as provided in section 8 of this chapter and provide any other information required by the department;
  - (B) notify each of its direct partners of their distributive share of the final federal adjustments as



provided in section 8 of this chapter for all affected taxable years for which the partnership filed an amended partnership return by an amended statement or a report in the form and manner prescribed by the department; and

(C) file an amended composite return for direct partners and an amended withholding return for direct partners for the review year and any affected taxable years as otherwise required by IC 6-3-4-12 or IC 6-5.5-2-8 and pay any tax due for the taxable years.

(2) Each direct partner that is subject to tax under IC 6-3, IC 6-3.6, or IC 6-5.5 shall, on or before the applicable deadline:

(A) file an amended return as provided in section 8 of this chapter reporting their distributive share of the adjustments reported to them under subdivision (1)(B) for the taxable year in which affected taxable year attributes would be reported by the direct partner as provided in section 8 of this chapter; and

(B) pay any additional amount of tax due as if final federal partnership adjustments had been properly reported, less any credit for related amounts paid or withheld and remitted on behalf of the direct partner.

(3) Each tiered partner shall treat any final federal partnership adjustments under this section in a manner consistent with the treatment of tiered partners under section 8 of this chapter.

(c) Except as provided in subsection (d), an audited partnership making an election under this subsection shall:

(1) not later than the applicable deadline, file an amended partnership return for the review year and for any other affected taxable year elected by the audited partnership, including information as required by the department, and notify the department that it is making the election under this subsection; and

(2) not later than ninety (90) days after the applicable deadline, pay an amount, determined as follows, in lieu of taxes owed by its direct or indirect partners:

(A) Exclude from final federal adjustments the distributive share of these adjustments reported to a direct exempt partner that is not unrelated business income.

(B) For the total distributive shares of the remaining final federal adjustments reported to direct corporate partners and to direct exempt partners, apportion and allocate such adjustments as provided under IC 6-3-2-2 or IC 6-3-2-2.2 (in the case of the adjusted gross income tax) or IC 6-5.5-4 (in the case of the financial institutions tax), and multiply the resulting amount by the tax rate for the taxable year under ~~IC 6-3-2-1(e)~~, **IC 6-3-2-1(b)**, IC 6-3-2-1.5, or IC 6-5.5-2-1, as applicable.

(C) For the total distributive shares of the remaining final federal adjustments reported to nonresident direct partners other than tiered partners or corporate partners, determine the amount of such adjustments which is Indiana source income under IC 6-3-2-2 or IC 6-3-2-2.2, and multiply the resulting amount by the tax rate under ~~IC 6-3-2-1(b)~~, **IC 6-3-2-1(a)**, and if applicable IC 6-3.6. If a partnership is unable to determine whether a nonresident is subject to tax under IC 6-3.6, or to determine in what county the nonresident is subject to tax under IC 6-3.6, tax shall also be imposed at the highest rate for which a county imposes a tax under IC 6-3.6 for the taxable year.

(D) For the total distributive shares of the remaining final federal adjustments reported to tiered partners:

(i) determine the amount of any adjustment that is of a type that it would be subject to sourcing



in Indiana under IC 6-3-2-2, IC 6-3-2-2.2, or IC 6-5.5-4, as applicable, and determine the portion of this amount that would be sourced to Indiana;

(ii) determine the amount of any adjustment that is of a type that it would not be subject to sourcing to Indiana by a nonresident partner under IC 6-3-2-2, IC 6-3-2-2.2, or IC 6-5.5-4, as applicable;

(iii) determine the portion of the amount determined under item (ii) that can be established, as prescribed by the department by rule under IC 4-22-2, to be properly allocable to nonresident indirect partners or other partners not subject to tax on the adjustments; and

(iv) multiply the sum of the amounts determined in items (i) and (ii) reduced by the amount determined in item (iii) by the highest combined rate for the taxable year under ~~IC 6-3-2-1(b)~~ **IC 6-3-2-1(a)** and IC 6-3.6 for any county, the rate under ~~IC 6-3-2-1(c)~~; **IC 6-3-2-1(b)**, or the rate under 6-5.5-2-1 for the taxable year, whichever is highest.

(E) For the total distributive shares of the remaining final federal adjustments reported to resident individual, estate, or trust direct partners, multiply that amount by the tax rate under ~~IC 6-3-2-1(b)~~ **IC 6-3-2-1(a)** and IC 6-3.6. If a partnership does not reasonably ascertain the county of residence for an individual direct partner, the rate under IC 6-3.6 for that partner shall be treated as the highest rate imposed in any county under IC 6-3.6 for the taxable year.

(F) Add an amount equal to any credit reduction under IC 6-3-3, IC 6-3.1, and IC 6-5.5 attributable as a result of final federal adjustments.

(G) Add the amounts determined in clauses (B), (C), (D)(iv), (E), and (F). For purposes of determining interest and penalties, the due date of payment shall be the due date of the partnership's return under IC 6-3-4-10 for the taxable year, determined without regard to any extensions.

(d) Final federal adjustments subject to an election under subsection (c) shall not include:

(1) the distributive share of final federal adjustments that would constitute income derived from a partnership to any direct or indirect partner that is a corporation taxable under ~~IC 6-3-2-1(c)~~; **IC 6-3-2-1(b)**, IC 6-3-2-1.5, or IC 6-5.5-2-1 and is considered unitary to the partnership;

(2) any final federal adjustments resulting from an administrative adjustment request; or

(3) any other circumstances that the department determines would result in avoidance or evasion of any tax otherwise due from one (1) or more partners under IC 6-3 or IC 6-5.5.

(e) Notwithstanding IC 6-3-4-11, an audited partnership not otherwise subject to any reporting or payment obligations to Indiana that makes an election under subsection (c) consents to be subject to Indiana law related to reporting, assessment, payment, and collection of Indiana tax calculated under the election.

SECTION 99. IC 6-3-4.5-18, AS AMENDED BY P.L.178-2022(ts), SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2024]: Sec. 18. (a) If a partnership or tiered partner is required to issue a report, issue an amended statement, or issue other information to a partner, owner, or beneficiary under this chapter, and does not issue such report, statement, or information within the period such issuance is required under this chapter, the partnership or tiered partner shall be liable for any tax that otherwise may be due from the partner, owner, or beneficiary, notwithstanding any other provision in IC 6-3 or IC 6-5.5. The tax rate under this section shall be computed at the highest rate for the taxable year under:

(1) ~~IC 6-3-2-1(b)~~; **IC 6-3-2-1(a)**, plus the highest rate imposed in any county under IC 6-3.6;

(2) ~~IC 6-3-2-1(c)~~; **IC 6-3-2-1(b)**; or



(3) IC 6-5.5-2-1;

unless the partnership or tiered partner can establish that a lower rate should apply, the partnership or tiered partner has made an election to be subject to tax under sections 6, 8, or 9 of this chapter, or to the extent the partnership, tiered partner, or the department can determine that the tax was otherwise properly reported and remitted. Such tax shall be considered to be due on the due date of the partnership's or tiered partner's return for the taxable year, determined without regard to extensions.

(b) If a partnership or tiered partner issues the report, amended statement, or other information:

(1) to an address that the partnership or tiered partner knows or reasonably should know is incorrect; or

(2) if the report, amended statement, or other information not described in subdivision (1) is returned and the partnership or tiered partner:

(A) fails to take reasonable steps to determine a proper address for reissuance within thirty (30) days after the report, amended statement, or other information is returned; or

(B) takes such steps and fails to reissue the report, amended statement, or other information to a proper address within thirty (30) days after the report, amended statement, or other information is returned;

such report, amended statement, or other information shall be considered to have not been issued for purposes of this section.

(c) The department may issue a proposed assessment under this section not later than three (3) years after the department receives a return or amended return from the partnership or tiered partner for which the partnership or tiered partner fails to issue reports, amended statements, or other information, or from the date a partnership is required to issue partner level adjustments reports to its partners.

(d) If:

(1) a direct or indirect partner files and remits the tax otherwise due under this section, the assessment to the partnership or tiered partner under this section shall be reduced by the portion of the tax attributable to the direct or indirect partner; and

(2) a partnership or tiered partner files and remits the tax under this section, such tax shall be treated as payment of tax to the direct or indirect partners. However, in no event shall the direct or indirect partners be permitted a refund of tax paid by a partnership or tiered partner under this section unless otherwise permitted under this chapter or IC 6-8.1-9-1.

(e) Nothing in this section shall be construed to relieve a partnership or tiered partner from any duty to issue a report, amended statement, or other information otherwise required under this chapter or under any other provision of IC 6-3 or IC 6-5.5. If a partnership or tiered partner issues a report, amended statement, or other information provided under this chapter after the date otherwise required for issuance, the department may grant relief to any tiered partner, direct partner, or indirect partner affected by the late issuance, including extension of applicable deadlines.

SECTION 100. IC 6-3.1-21-6, AS AMENDED BY P.L.168-2021, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2023 (RETROACTIVE)]: Sec. 6. (a) Except as provided by subsections (b), (d), and (e), an individual who is eligible for an earned income tax credit under Section 32 of the Internal Revenue Code as it existed in effect on January 1, 2023, is before being amended by the Tax Relief, Unemployment Insurance Reauthorization, and Job Creation Act of 2010 (P.L. 111-312); is eligible for a credit under this chapter equal to ten percent (10%) of the amount of the federal earned income tax credit that the individual:

(1) is eligible to receive in the taxable year; and

HEA 1001 — CC 1



(2) claimed for the taxable year; under Section 32 of the Internal Revenue Code as it ~~existed before in effect on January 1, 2023, being amended by the Tax Relief, Unemployment Insurance Reauthorization, and Job Creation Act of 2010 (P.L. 111-312)~~;

(b) In the case of a nonresident taxpayer or a resident taxpayer residing in Indiana for a period of less than the taxpayer's entire taxable year, the amount of the credit is equal to the product of:

(1) the amount determined under subsection (a); multiplied by

(2) the quotient of the taxpayer's income taxable in Indiana divided by the taxpayer's total income.

(c) If the credit amount exceeds the taxpayer's adjusted gross income tax liability for the taxable year, the excess shall be refunded to the taxpayer.

(d) If a taxpayer properly elects to determine the taxpayer's earned income in accordance with the federal Bipartisan Budget Act of 2018 for purposes of the credit under Section 32 of the Internal Revenue Code for a taxable year beginning after December 31, 2016, the election shall be treated as being made for purposes of the credit under this chapter.

(e) The minimum earned income amounts and phaseout threshold amounts for the credit under this section are subject to the same cost of living adjustments provided in the Internal Revenue Code.

SECTION 101. IC 6-3.1-30.5-13, AS AMENDED BY P.L.165-2021, SECTION 90, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 13. (a) The total amount of tax credits awarded under this chapter may not exceed nine million five hundred thousand dollars (\$9,500,000) in the state fiscal year beginning July 1, 2016, and ending June 30, 2017.

(b) The total amount of tax credits awarded under this chapter in a state fiscal year may not exceed the following:

(1) Twelve million five hundred thousand dollars (\$12,500,000) for the state fiscal year beginning July 1, 2017, and ending June 30, 2018.

(2) Fourteen million dollars (\$14,000,000) for the state fiscal year beginning July 1, 2018, and ending June 30, 2019.

(3) Fifteen million dollars (\$15,000,000) for the state fiscal year beginning July 1, 2019, and ending June 30, 2020.

(4) Sixteen million five hundred thousand dollars (\$16,500,000) for the state fiscal year ~~(1) beginning July 1, 2020, and ending June 30, 2021. and~~

~~(2) beginning after July 1, 2023, and each state fiscal year thereafter.~~

(5) Seventeen million five hundred thousand dollars (\$17,500,000) for the state fiscal year beginning July 1, 2021, and ending June 30, 2022.

(6) Eighteen million five hundred thousand dollars (\$18,500,000) for the state fiscal year beginning July 1, 2022, and ending June 30, 2023, **and for each state fiscal year thereafter.**

SECTION 102. IC 6-3.1-34-18, AS AMENDED BY P.L.135-2022, SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 18. (a) Except as provided in subsection (b), if the corporation awards a tax credit to a taxpayer under this chapter that exceeds twenty million dollars (\$20,000,000), the corporation shall include in an agreement entered into under section 17 of this chapter a provision that requires the taxpayer to repay to the corporation the portion of the credit that exceeds twenty million dollars (\$20,000,000) with interest. **Notwithstanding the date on which a tax credit is awarded under this chapter, any repayment of any part of a credit awarded under this chapter shall be deposited in the state general fund.**

(b) Notwithstanding subsection (a), the corporation may exclude from its agreement entered into under



section 17 of this chapter a repayment provision for any portion of the credit if the award is for a qualified redevelopment site subject to a proposal that will result in a qualified investment of at least one hundred million dollars (\$100,000,000).

(c) If the corporation enters into an agreement with a taxpayer under section 17 of this chapter that includes a repayment provision under subsection (a), the corporation shall include in the repayment provision a provision establishing the interest rate that will be applied. The interest rate shall be determined by the board and approved by the budget agency.

(d) This subsection applies to an active multi-phased project occurring on a defined footprint for which the taxpayer has received approval for at least the first phase of the active multi-phased project from the corporation's board before July 1, 2018, for a tax credit under IC 6-3.1-11 (industrial recovery tax credit) before its expiration. The following apply to a project described in this subsection:

- (1) Only qualified investments that are made after June 30, 2021, are eligible for a credit award under this chapter.
- (2) The annual amount of credits awarded under this chapter for the project may not exceed five million dollars (\$5,000,000).
- (3) The corporation may not include a repayment provision as part of an agreement entered into under section 17 of this chapter for the credits awarded for the project.

**(e) The part of any credit that is subject to a repayment provision under this section must be included in the calculation of the aggregate amount of applicable tax credits that the corporation may certify for a state fiscal year under IC 5-28-6-9.**

SECTION 103. IC 6-3.1-39.5 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2024]:

**Chapter 39.5. Employer Child Care Expenditure Credits**

**Sec. 1. As used in this chapter, "Indiana qualified child care facility" means a facility that is:**

- (1) a qualified child care facility (as defined in Section 45F of the Internal Revenue Code);**
- (2) located in Indiana;**
- (3) licensed by the division of family resources under IC 12-17.2; and**
- (4) operated:**
  - (A) by a taxpayer;**
  - (B) by a taxpayer jointly with one (1) or more other individuals or entities; or**
  - (C) under a contract described in Section 45F(c)(1)(A)(iii) of the Internal Revenue Code with the taxpayer.**

**Sec. 2. As used in this chapter, "pass through entity" means:**

- (1) a corporation that is exempt from the adjusted gross income tax under IC 6-3-2-2.8(2);**
- (2) a partnership;**
- (3) a trust;**
- (4) an estate;**
- (5) a limited liability company; or**
- (6) a limited liability partnership.**

**Sec. 3. As used in this chapter, "qualified child care expenditure" means an expenditure:**

- (1) for the acquisition, construction, rehabilitation, or expansion of property used as part of an Indiana qualified child care facility of a taxpayer that is operated for the taxpayer's employees;**
- (2) incurred under a contract between a taxpayer and an Indiana qualified child care facility**



to provide for the acquisition, construction, rehabilitation, or expansion of property used as part of the Indiana qualified child care facility; or

(3) for purposes of complying with the qualified child care facility licensure requirements under IC 12-17.2, as part of the taxpayer acquiring or constructing an Indiana qualified child care facility.

Sec. 4. As used in this chapter, "qualified expenditure" means a qualified child care expenditure.

Sec. 5. As used in this chapter, "recapture event" means:

(1) the cessation of the operation of the Indiana qualified child care facility as an Indiana qualified child care facility;

(2) subject to section 12(c) of this chapter, a change in ownership of an Indiana qualified child care facility for which a credit was allowed under this chapter, unless the person acquiring an interest agrees to assume the recapture liability of the person disposing of an interest; or

(3) the use of an Indiana qualified child care facility for the enrollment of a child from any individual who is not an employee of the taxpayer.

The term does not include a cessation of operation or change in ownership due to accident or casualty.

Sec. 6. As used in this chapter, "state tax liability" means the taxpayer's total tax liability that is incurred under:

(1) IC 6-3-1 through IC 6-3-7 (the adjusted gross income tax);

(2) IC 27-1-18-2 (the insurance premiums tax) or IC 6-8-15 (the nonprofit agricultural organization health coverage tax); and

(3) IC 6-5.5 (the financial institutions tax);

as computed after the application of the credits that, under IC 6-3.1-1-2, are to be applied before the credit provided by this chapter.

Sec. 7. As used in this chapter, "taxpayer" means any person, corporation, limited liability company, partnership, or other entity that has any state tax liability and employs one hundred (100) individuals or less. The term includes a pass through entity. However, the term does not include a taxpayer who is in the business of operating a child care facility prior to making qualified expenditures.

Sec. 8. (a) A taxpayer that makes a qualified expenditure in a taxable year is entitled to a credit against the taxpayer's state tax liability for the taxable year.

(b) Subject to section 9 of this chapter, the maximum amount of the credit to which a taxpayer is entitled in a particular taxable year is equal to the lesser of:

(1) fifty percent (50%) of the employer's qualified expenditures in the taxable year; or

(2) one hundred thousand dollars (\$100,000).

Sec. 9. If a pass through entity is entitled to a credit under this chapter but does not have state tax liability against which the tax credit may be applied, an individual who is a shareholder, partner, beneficiary, or member of the pass through entity is entitled to a tax credit equal to:

(1) the tax credit determined for the pass through entity for the taxable year; multiplied by

(2) the percentage of the pass through entity's distributive income to which the shareholder, partner, beneficiary, or member is entitled.

The credit provided under this section is in addition to a tax credit to which a shareholder, partner, beneficiary, or member of a pass through entity is entitled. However, a pass through entity and an individual who is a shareholder, partner, beneficiary, or member of a pass through entity may not





claim more than one (1) credit.

Sec. 10. (a) If the amount of the credit determined under section 8(b) of this chapter for a taxpayer in a taxable year exceeds the taxpayer's state tax liability for that taxable year, the taxpayer may carry the excess credit over for a period not to exceed the eligible taxpayer's following three (3) taxable years. The amount of the credit carryover from a taxable year shall be reduced to the extent that the carryover is used by the taxpayer to obtain a credit under this chapter for any subsequent taxable year. A taxpayer is not entitled to a carryback or a refund of any unused credit amount.

(b) A taxpayer may not assign any part of a credit to which the taxpayer is entitled under this chapter.

Sec. 11. To obtain a credit under this chapter, a taxpayer must claim the credit on the taxpayer's annual state tax return in the manner prescribed by the department. The taxpayer shall submit to the department all information that the department determines is necessary to calculate the credit provided by this chapter.

Sec. 12. (a) If a recapture event occurs with respect to an Indiana qualified child care facility within five (5) years after the end of the taxable year in which a credit was allowed, the taxpayer is responsible for payment to the department of a recapture amount. The recapture amount is equal to the following:

- (1) One hundred percent (100%) of the credit after the end of the first taxable year in which the credit was allowed.
- (2) Eighty percent (80%) of the credit after the end of the second taxable year in which the credit was allowed.
- (3) Sixty percent (60%) of the credit after the end of the third taxable year in which the credit was allowed.
- (4) Forty percent (40%) of the credit after the end of the fourth taxable year in which the credit was allowed.
- (5) Twenty percent (20%) of the credit after the end of the fifth taxable year in which the credit was allowed.

(b) Any recapture tax liability must be reported by the taxpayer on the taxpayer's annual state income tax return for the taxable year during which the use was converted.

(c) A recapture event is not considered to have occurred as a result of a change in ownership of an Indiana qualified child care facility for which a credit was allowed under this chapter if, before the change in ownership transaction is completed, the person acquiring an interest in the facility agrees in writing to assume the liability of the taxpayer for any recapture amount that becomes owed. In the event of such an assumption, the person acquiring the interest in the facility shall be treated as the taxpayer for purposes of assessing any recapture liability that becomes owed due to a subsequent recapture event, computed as if there had been no change in ownership, and is responsible for payment to the department of the recapture amount.

Sec. 13. A taxpayer that claims a credit under this chapter is not liable for any act or omission occurring at an Indiana qualified child care facility that contracts with the taxpayer to provide child care services to employees of the taxpayer if the Indiana qualified child care facility is not owned or operated by the taxpayer.

Sec. 14. (a) The maximum aggregate amount of tax credits allowed under this chapter may not exceed two million five hundred thousand dollars (\$2,500,000) in each state fiscal year.



(b) The department shall record the time of filing of each return claiming a tax credit under this chapter and shall approve the tax credits, if they otherwise qualify for a tax credit under this chapter, in the chronological order in which the returns are filed in the state fiscal year.

**Sec. 15. This chapter expires July 1, 2025.**

SECTION 104. IC 6-3.1-40.9 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2024]:

**Chapter 40.9. Attainable Homeownership Tax Credit**

**Sec. 1. As used in this chapter, "affordable housing organization" refers to an organization that:**

- (1) is exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code; and
- (2) uses volunteers to build, renovate, and develop homeownership units for individuals whose income is at least thirty percent (30%) and not more than eighty percent (80%) of the area median income.

**Sec. 2. As used in this chapter, "corporation" means the Indiana economic development corporation established by IC 5-28-3-1.**

**Sec. 3. As used in this chapter, "credit" refers to a credit granted under this chapter.**

**Sec. 4. As used in this chapter, "pass through entity" has the meaning set forth in IC 6-3-1-35.**

**Sec. 5. As used in this chapter, "state tax liability" means a taxpayer's total tax liability that is incurred under:**

- (1) IC 6-3-1 through IC 6-3-7 (the adjusted gross income tax); and
- (2) IC 6-5.5 (the financial institutions tax);

as computed after the application of the credits that under IC 6-3.1-1-2 are to be applied before the credit provided by this chapter.

**Sec. 6. As used in this chapter, "taxpayer" means an individual or entity that has any state tax liability.**

**Sec. 7. A taxpayer that makes a contribution to an affordable housing organization that is approved under section 11 of this chapter is entitled to a credit against the taxpayer's state tax liability in the taxable year in which the taxpayer makes the contribution.**

**Sec. 8. The amount of a taxpayer's credit is equal to fifty percent (50%) of the amount of the contribution that is not more than twenty thousand dollars (\$20,000) made to the affordable housing organization.**

**Sec. 9. (a) If the credit provided by this chapter exceeds the taxpayer's state tax liability for the taxable year for which the credit is first claimed, the excess may be carried forward to succeeding taxable years and used as a credit against the taxpayer's state tax liability during those taxable years. Each time the credit is carried forward to a succeeding taxable year, the credit is reduced by the amount that was used as a credit during the immediately preceding taxable year. The credit provided by this chapter may be carried forward and applied to succeeding taxable years for five (5) taxable years following the unused credit year.**

**(b) A taxpayer is not entitled to a carryback or refund of any unused credit.**

**Sec. 10. If a pass through entity is entitled to a credit under section 7 of this chapter but does not have state tax liability against which the tax credit may be applied, a shareholder, partner, or member of the pass through entity is entitled to a tax credit equal to:**

- (1) the tax credit determined for the pass through entity for the taxable year; multiplied by
- (2) the percentage of the pass through entity's distributive income to which the shareholder,



partner, or member is entitled.

**Sec. 11. An affordable housing organization must apply to the corporation for approval as an affordable housing organization for purposes of this chapter. The corporation shall approve each applicant that is an affordable housing organization and provide a list of each approved affordable housing organization annually to the department before July 1 of each year.**

**Sec. 12. To apply a credit against the taxpayer's state tax liability, a taxpayer must claim the credit on the taxpayer's annual state tax return or returns in the manner prescribed by the department. The taxpayer shall submit to the department the information that the department determines is necessary for the department to determine whether the taxpayer is eligible for the credit.**

**Sec. 13. (a) The total amount of tax credits awarded under this chapter may not exceed four million dollars (\$4,000,000) in each state fiscal year. However, any amounts carried forward under section 9(a) of this chapter shall first be deducted from the total amount of tax credits that may be awarded for the succeeding state fiscal year.**

**(b) The department shall record the time of filing of each claim for a credit under this chapter and shall approve the credits, if they otherwise qualify, in the chronological order in which the claims for the credit are filed in the state fiscal year.**

**Sec. 14. The department, on a website used by the department to provide information to the public, shall provide the following information:**

- (1) The application for the credit provided in this chapter.**
- (2) A timeline for receiving the credit provided in this chapter.**
- (3) The total amount of credits awarded under this chapter during the current state fiscal year.**

**Sec. 15. The department may adopt rules under IC 4-22-2 to implement this chapter.**

**Sec. 16. This chapter expires January 1, 2030.**

SECTION 105. IC 6-3.6-5-5, AS AMENDED BY P.L.197-2016, SECTION 46, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 5. The ~~auditor of state~~ **department of local government finance** shall assist adopting bodies and county auditors in calculating credit percentages and amounts under this article.

SECTION 106. IC 6-6-1.1-201, AS AMENDED BY P.L.159-2021, SECTION 30, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 201. (a) A license tax is imposed on the use of all gasoline used in Indiana at the applicable rate specified in subsection (b), except as otherwise provided by this chapter. The distributor shall initially pay the tax on the billed gallonage of all gasoline the distributor receives in this state, less any deductions authorized by this chapter. The distributor shall then add the per gallon amount of tax to the selling price of each gallon of gasoline sold in this state and collected from the purchaser so that the ultimate consumer bears the burden of the tax.

(b) The license tax described in subsection (a) is imposed at the following applicable rate per gallon:

- (1) Before July 1, 2017, eighteen cents (\$0.18).
- (2) For July 1, 2017, through June 30, 2018, the lesser of:
  - (A) the rate resulting from using the factors determined under IC 6-6-1.6-2; or
  - (B) twenty-eight cents (\$0.28).
- (3) Beginning July 1, 2018, and each July 1 through July 1, ~~2024~~, **2027**, the department shall determine an applicable rate equal to the product of:
  - (A) the rate in effect on June 30; multiplied by
  - (B) the factor determined under IC 6-6-1.6-3.



The rate shall be rounded to the nearest cent (\$0.01). After June 30, 2018, the new applicable rate may not exceed the rate in effect on June 30 plus one cent (\$0.01). However, the new rate may not be less than the rate in effect on June 30. If the calculation of a new rate would produce a rate that is less than the rate in effect on June 30, the new rate shall be the rate in effect on June 30. The department shall publish the rate that will take effect on July 1 on the department's ~~Internet web site~~ **website** not later than June 1.

SECTION 107. IC 6-6-1.6-3, AS AMENDED BY P.L.159-2021, SECTION 31, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 3. (a) The department shall calculate an annual index factor to be used for the rate to take effect each July 1 beginning in 2018 through July 1, ~~2024~~ **2027**. The department shall determine the index factor before June 1 of each year using the method described in subsection (b).

(b) The annual gasoline tax index factor and special fuel index factor equals the following:

STEP ONE: Divide the annual CPI-U for the year preceding the determination year by the annual CPI-U for the year immediately preceding that year.

STEP TWO: Divide the annual IPI for the year preceding the determination year by the annual IPI for the year immediately preceding that year.

STEP THREE: Add:

(A) the STEP ONE result; and

(B) the STEP TWO result.

STEP FOUR: Divide the STEP THREE result by two (2).

(c) If the CPI-U or IPI for a preceding year is revised, corrected, or updated after May 31 of that year, the department shall use the CPI-U or IPI as published for the preceding year prior to revision.

SECTION 108. IC 6-6-2.5-28, AS AMENDED BY P.L.159-2021, SECTION 32, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 28. (a) A license tax is imposed on all special fuel sold or used in producing or generating power for propelling motor vehicles, except fuel used under section 30(a)(8) or 30.5 of this chapter, at the applicable rate specified in subsection (b). The tax shall be paid at those times, in the manner, and by those persons specified in this section and section 35 of this chapter.

(b) The license tax described in subsection (a) is imposed at the following applicable rate per special fuel gallon:

(1) Before July 1, 2017, sixteen cents (\$0.16).

(2) For July 1, 2017, through June 30, 2018, the lesser of:

(A) the rate resulting from using the factors determined under IC 6-6-1.6-2; or

(B) twenty-six cents (\$0.26).

(3) For July 1, 2018, through June 30, 2019, the product of:

(A) the sum of:

(i) the rate in effect on June 30; and

(ii) twenty-one cents (\$0.21); multiplied by

(B) the factor determined under IC 6-6-1.6-3.

(4) Beginning July 1, 2019, and each July 1 through July 1, ~~2024~~ **2027**, the department shall determine an applicable rate equal to the product of:

(A) the rate in effect on June 30; multiplied by

(B) the factor determined under IC 6-6-1.6-3.

The rate shall be rounded to the nearest cent (\$0.01). However, after June 30, 2018, and before July 1, 2019, the new applicable rate may not exceed the rate in effect on June 30 plus twenty-three cents (\$0.23).



After June 30, 2019, the new applicable rate may not exceed the rate in effect on June 30 plus two cents (\$0.02). However, the new rate may not be less than the rate in effect on June 30. If the calculation of a new rate would produce a rate that is less than the rate in effect on June 30, the new rate shall be the rate in effect on June 30. The department shall publish the rate that will take effect on July 1 on the department's ~~Internet web site~~ **website** not later than June 1.

(c) The department shall consider it a rebuttable presumption that all undyed or unmarked special fuel, or both, received in Indiana is to be sold for use in propelling motor vehicles.

(d) Except as provided in subsection (e), the tax imposed on special fuel by subsection (a) shall be measured by invoiced gallons (or diesel or gasoline gallon equivalents in the case of a special fuel described in section 22.5(2) or 22.5(3) of this chapter) of nonexempt special fuel received by a licensed supplier in Indiana for sale or resale in Indiana or with respect to special fuel subject to a tax precollection agreement under section 35(j) of this chapter, such special fuel removed by a licensed supplier from a terminal outside of Indiana for sale for export or for export to Indiana and in any case shall generally be determined in the same manner as the tax imposed by Section 4081 of the Internal Revenue Code and Code of Federal Regulations.

(e) The tax imposed by subsection (a) on special fuel imported into Indiana, other than into a terminal, is imposed at the time the product is entered into Indiana and shall be measured by invoiced gallons received at a terminal or at a bulk plant.

(f) In computing the tax, all special fuel in process of transfer from tank steamers at boat terminal transfers and held in storage pending wholesale bulk distribution by land transportation, or in tanks and equipment used in receiving and storing special fuel from interstate pipelines pending wholesale bulk reshipment, shall not be subject to tax.

(g) The department shall consider it a rebuttable presumption that special fuel consumed in a motor vehicle plated for general highway use is subject to the tax imposed under this chapter. A person claiming exempt use of special fuel in such a vehicle must maintain adequate records as required by the department to document the vehicle's taxable and exempt use.

(h) A person that engages in blending fuel for taxable sale or use in Indiana is primarily liable for the collection and remittance of the tax imposed under subsection (a). The person shall remit the tax due in conjunction with the filing of a monthly report in the form prescribed by the department.

(i) A person that receives special fuel that has been blended for taxable sale or use in Indiana is secondarily liable to the state for the tax imposed under subsection (a).

(j) A person may not use special fuel on an Indiana public highway if the special fuel contains a sulfur content that exceeds five one-hundredths of one percent (0.05%). A person who knowingly:

(1) violates; or

(2) aids or abets another person to violate;

this subsection commits a Class A infraction. However, the violation is a Class A misdemeanor if the person has committed one (1) prior unrelated violation of this subsection, and a Level 6 felony if the person has committed more than one (1) unrelated violation of this subsection.

SECTION 109. IC 6-7-1-17, AS AMENDED BY P.L.191-2016, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 17. (a) Distributors who hold certificates and retailers shall be agents of the state in the collection of the taxes imposed by this chapter and the amount of the tax levied, assessed, and imposed by this chapter on cigarettes sold, exchanged, bartered, furnished, given away, or otherwise disposed of by distributors or to retailers. Distributors who hold certificates shall be agents of the department to affix the required stamps and shall be entitled to purchase the stamps from



the department at a discount of ~~one and three-tenths~~ **two** cents (~~\$0.013~~) (**\$0.02**) per individual package of cigarettes as compensation for their labor and expense.

(b) The department may permit distributors who hold certificates and who are admitted to do business in Indiana to pay for revenue stamps within thirty (30) days after the date of purchase. However, the privilege is extended upon the express condition that:

- (1) except as provided in subsection (c), a bond or letter of credit satisfactory to the department, in an amount not less than the sales price of the stamps, is filed with the department;
- (2) proof of payment is made of all property taxes, excise taxes, and listed taxes (as defined in IC 6-8.1-1-1) for which any such distributor may be liable; and
- (3) payment for the revenue stamps must be made by electronic funds transfer (as defined in IC 4-8.1-2-7).

The bond or letter of credit, conditioned to secure payment for the stamps, shall be executed by the distributor as principal and by a corporation duly authorized to engage in business as a surety company or financial institution in Indiana.

(c) If a distributor has at least five (5) consecutive years of good credit standing with the state, the distributor shall not be required to post a bond or letter of credit under subsection (b).

SECTION 110. IC 6-7-1-28.1, AS AMENDED BY P.L.213-2015, SECTION 90, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 28.1. The taxes, registration fees, fines, or penalties collected under this chapter shall be deposited in the following manner:

(1) Four and twenty-two hundredths percent (4.22%) of the money shall be deposited in a fund to be known as the cigarette tax fund.

~~(2) Six-tenths percent (0.6%) of the money shall be deposited in a fund to be known as the mental health centers fund.~~

~~(3)~~ **(2)** The following amount of the money shall be deposited in the state general fund:

(A) After June 30, 2011, and before July 1, 2013, sixty and twenty-four hundredths percent (60.24%).

(B) After June 30, 2013, **and before July 1, 2023**, fifty-six and twenty-four hundredths percent (56.24%).

**(C) After June 30, 2023, fifty-six and eighty-four hundredths percent (56.84%).**

~~(4)~~ **(3)** Five and forty-three hundredths percent (5.43%) of the money shall be deposited into the pension relief fund established in IC 5-10.3-11.

~~(5)~~ **(4)** Twenty-seven and five hundredths percent (27.05%) of the money shall be deposited in the healthy Indiana plan trust fund established by IC 12-15-44.2-17.

~~(6)~~ **(5)** Two and forty-six hundredths percent (2.46%) of the money shall be deposited in the state general fund for the purpose of paying appropriations for Medicaid—Current Obligations, for provider reimbursements.

~~(7)~~ **(6)** The following amount of the money shall be deposited in the state retiree health benefit trust fund established by IC 5-10-8-8.5 as follows:

(A) Before July 1, 2011, five and seventy-four hundredths percent (5.74%).

(B) After June 30, 2011, and before July 1, 2013, zero percent (0%).

(C) After June 30, 2013, four percent (4%).

The money in the cigarette tax fund, ~~the mental health centers fund~~, the healthy Indiana plan trust fund, or the pension relief fund at the end of a fiscal year does not revert to the state general fund. However, if in any fiscal year, the amount allocated to a fund under subdivision (1) ~~or (2)~~ is less than the amount



received in fiscal year 1977, then that fund shall be credited with the difference between the amount allocated and the amount received in fiscal year 1977, and the allocation for the fiscal year to the fund under subdivision ~~(3)~~ **(2)** shall be reduced by the amount of that difference. Money deposited under subdivisions ~~(6)~~ **(5)** through ~~(7)~~ **(6)** may not be used for any purpose other than the purpose stated in the subdivision.

SECTION 111. IC 6-7-1-32.1 IS REPEALED [EFFECTIVE JULY 1, 2023]. ~~Sec. 32.1. (a) The money in the mental health centers fund is annually appropriated to the division of mental health and addiction:~~

~~(b) The division may use the money:~~

~~(1) to pay the state's share of the cost of acquiring sites for, constructing, remodeling, equipping, or operating community mental health centers; and~~

~~(2) to provide grants for a partial facility if there is a reasonable assurance that the facility will provide community mental health services within five (5) years after it provides any partial service to the public:~~

SECTION 112. IC 7.1-2-2-13, AS AMENDED BY P.L.114-2022, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 13. (a) The alcohol and tobacco commission shall categorize salaries of enforcement officers within each rank based upon the rank held and the number of years of service in the commission through the twentieth year. The salary ranges that the board assigns to each rank shall be divided into a base salary and ~~twenty (20)~~ **fifteen (15)** increments above the base salary with:

(1) the base salary in the rank paid to a person with less than one (1) year of service in the commission; and

(2) the highest salary in the rank paid to a person with at least ~~twenty (20)~~ **fifteen (15)** years of service in the commission.

(b) The salary matrix prescribed by this section shall be reviewed and approved by the budget agency biennially in even-numbered years before implementation.

(c) The salary matrix prescribed by this section must have parity with the salary matrix prescribed by the natural resources commission under IC 14-9-8 for conservation officers of the department of natural resources. The budget agency shall approve a salary matrix that meets the parity requirement of this subsection.

SECTION 113. IC 8-14-15.1-8, AS AMENDED BY P.L.189-2018, SECTION 78, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 8. (a) The board shall adopt an investment policy that includes all the following:

(1) Money in the trust may be invested in investments that:

(A) maximize risk appropriate returns, which may include the purchase of equity or debt securities;

(B) make significant investments in Indiana funds and companies; and

(C) have such other investment parameters and procedures as the board determines are prudent to ensure that investments are consistent with this chapter.

**(2) Money in the trust shall be invested in investments that, consistent with the other terms and objectives in the investment policy, give preference to Indiana companies or Indiana venture capital firms.**

~~(2)~~ **(3)** Not more than twenty-five million dollars (\$25,000,000) may be invested in any one (1) particular investment fund or investment firm.

~~(3)~~ **(4)** Such other investment parameters and procedures as the board determines are prudent to



ensure that investments are consistent with this chapter.

(b) The investment policy adopted by the board must give adequate time to change current investments in a prudent manner.

(c) The board may contract with investment management professionals, investment advisers, and legal counsel to assist in the investment of the fund and may pay the expenses incurred under those contracts from the fund.

(d) The board has the powers, duties, restrictions, limitations, and penalties in connection with the board's and the treasurer of state's investment and management of the assets of trust as if the following provisions pertaining to the public pension and retirement funds made reference to the trust and the board:

- (1) IC 5-10.2-2-2.5.
- (2) IC 5-10.2-2-13.
- (3) IC 5-10.3-5-3.
- (4) IC 5-10.3-5-4.
- (5) IC 5-10.3-5-5.
- (6) IC 5-10.3-5-6.
- (7) IC 5-10.4-3-10.
- (8) IC 5-10.4-3-12.
- (9) IC 5-10.4-3-13.
- (10) IC 5-10.4-3-14.
- (11) IC 5-10.4-3-15.
- (12) IC 5-10.4-3-16.

(e) Compliance with the established investment policy is definitive evidence of compliance with the applicable investment standards in subsection (d).

SECTION 114. IC 8-23-3-8 IS REPEALED [EFFECTIVE JULY 1, 2023]. ~~Sec. 8. (a) The public mass transportation fund is established for the purpose of promoting and developing public mass transportation in Indiana. The fund shall be administered by the department.~~

~~(b) The treasurer of state may invest the money in the fund in the same manner as other public funds may be invested.~~

~~(c) Money in the fund at the end of a fiscal year does not revert to the state general fund.~~

~~(d) This subsection applies to a calendar year beginning after December 31 of a calendar year in which an eligible county (as defined by IC 8-25-1-4) begins to carry out a public transportation project approved under IC 8-25. The distribution formula established by the department is subject to approval by the budget director to ensure that a public mass transportation system located in a county other than an eligible county is not adversely affected by a public transportation project carried out under IC 8-25.~~

SECTION 115. IC 8-23-20-25.6, AS AMENDED BY P.L.178-2022(ts), SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 25.6. (a) As used in this section, "market area" means a point within the same county as the prior location of an outdoor advertising sign.

(b) This section applies only to an outdoor advertising sign located along the interstate and primary system, as defined in 23 U.S.C. 131(t) on June 1, 1991, or any other highway where control of outdoor advertising signs is required under 23 U.S.C. 131.

(c) If an outdoor advertising sign is no longer visible or becomes obstructed, or must be moved or removed, due to a noise abatement or safety measure, grade changes, construction, directional sign, highway widening, or aesthetic improvement made by any agency of the state along the interstate and primary system or any other highway, the owner or operator of the outdoor advertising sign, to the extent





allowed by federal or state law, may:

- (1) elevate a conforming outdoor advertising sign; or
- (2) relocate a conforming or nonconforming outdoor advertising sign to a point within the market area, if the new location of the outdoor advertising sign complies with the applicable spacing requirements and is located in land zoned for commercial or industrial purposes or unzoned areas used for commercial or industrial purposes.

(d) **Except as provided in subsection (j)**, if within one (1) year of an action being filed under IC 32-24, an owner can demonstrate that the owner has made good faith efforts to relocate a conforming or nonconforming outdoor advertising sign to a conforming location within the market area, but the owner has not obtained a new conforming location, the outdoor advertising sign will be treated as if it cannot be relocated within the market area. Notwithstanding subsection (e) and IC 8-23-20.5, if an outdoor advertising sign cannot be elevated or relocated to a conforming location and elevation within the market area, the removal or relocation of the outdoor advertising sign constitutes a taking of a property interest and the owner must be compensated under section 27 of this chapter.

(e) The county or municipality, under IC 36-7-4, may, if necessary, provide for the elevation or relocation by ordinance for a special exception to the zoning ordinance of the county or municipality.

(f) The elevated outdoor advertising sign or outdoor advertising sign to be relocated, to the extent allowed by federal or state law, may be modified:

- (1) to elevate the sign to make the entire advertising content of the sign visible;
- (2) to an angle to make the entire advertising content of the sign visible; and
- (3) in size or material type, at the expense of:
  - (A) the owner, if the modification in size or material type of the outdoor advertising sign is by choice of the owner; or
  - (B) the department, if the modification in size or material type of the outdoor advertising sign is required for the outdoor advertising sign to comply with IC 22-13.

(g) This section does not exempt an owner or operator of a sign from submitting to the department any application or fee required by law.

(h) At least twelve (12) months before the filing of an eminent domain action to acquire an outdoor advertising sign under IC 32-24, the department must provide written notice to the representative of the sign owner identified on the outdoor advertising sign permit that is on file with the Indiana department of transportation that a project has been planned that may impact the outdoor advertising sign.

(i) If the agency fails to provide notice required by subsection (h) within twelve (12) months of an action being filed against an owner under IC 32-24, the owner may receive reasonable compensation for losses associated with the failure to receive timely notice. However, failure to send notice required by subsection (h) is not a basis of an objection to a proceeding under IC 32-24-1-8.

**(j) Notwithstanding subsection (d), if an action that has been filed under IC 32-24 is pending as of July 1, 2023, and:**

- (1) the parties have not entered into a final settlement agreement; or**
- (2) no final judgment has been entered by the trier of fact;**

**the owner may relocate the outdoor advertising sign under this section and IC 8-23-20.5.**

SECTION 116. IC 8-23-20.5-3, AS ADDED BY P.L.97-2022, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 3. (a) If a county or municipality either:

- (1) subject to IC 8-23-20-10, does not amend its zoning ordinance as necessary to provide for a special exception to the zoning ordinance for the relocation of an outdoor advertising sign; or



(2) does not approve a variance to the zoning ordinance filed by the outdoor advertising sign's owner that conforms to the filing requirements;

the county or municipality **that did not approve the relocation of the outdoor advertising sign within the market area** is responsible for the payment of full and just compensation for the outdoor advertising sign under IC 8-23-20-27, including any costs and fees associated with a variance application, if applicable, to the outdoor advertising sign's owner.

(b) A county or municipality's consideration of a special exception or variance may not be a basis to delay the appointment of appraisers under IC 32-24-1-9.

(c) If a county or municipality has not approved the relocation of an outdoor advertising sign located within its jurisdiction before the date an action under IC 32-24 is filed, the county or municipality must be named as a party to the action.

SECTION 117. IC 8-25-2-11, AS ADDED BY P.L.153-2014, SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 11. No general tax revenues of the state may be used to pay for a transportation project or service under this article. However, this section does not apply to distributions from the public mass transportation fund **(before its repeal)**.

SECTION 118. IC 9-14-14-1, AS ADDED BY P.L.198-2016, SECTION 194, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 1. (a) The bureau of motor vehicles commission fund is established for the purpose of paying the expenses incurred in administering IC 9-14.1 **and to defray expenses incurred by the bureau in verifying compliance with financial responsibility requirements under IC 9-25-9**. The commission shall administer the fund.

(b) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public funds may be invested.

(c) Money in the fund at the end of a state fiscal year does not revert to the state general fund.

(d) There is annually appropriated to the commission the money in the fund for its use in carrying out the purposes of IC 9-14.1, subject to the approval of the budget agency.

(e) The fund consists of the following:

(1) Money deposited in or distributed to the fund under this title.

(2) Money deposited in the fund under IC 9-29-14-5 (before its repeal).

(3) Money received from any other source, including appropriations.

SECTION 119. IC 9-18.5-23-3, AS AMENDED BY P.L.118-2022, SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 3. (a) The fees for a first responder license plate are as follows:

(1) An annual supplemental fee of fifteen dollars (\$15) under IC 9-18.5-12-16.

(2) An annual fee of not more than twenty-five dollars (\$25) as provided in IC 9-18.5-12-14(d)(2) or IC 9-18.5-12-15(b).

(b) The annual fee referred to in subsection (a)(2) shall be collected by the bureau and deposited in the **regional public safety training** fund established ~~under IC 10-15-3-1~~ **by IC 10-19-9.1-1**.

(c) The bureau shall distribute at least one (1) time each month the money from the fund collected under subsection (b).

SECTION 120. IC 9-25-6-15, AS AMENDED BY P.L.86-2021, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 15. (a) Except as provided in subsection (e), an individual:

(1) whose driving privileges are suspended under this article; and

(2) who seeks the reinstatement of the driving privileges;

HEA 1001 — CC 1



must pay a reinstatement fee to the bureau as provided in subsection (b).

(b) The reinstatement fee under subsection (a) is as follows:

- (1) For a first suspension, two hundred fifty dollars (\$250).
- (2) For a second suspension, five hundred dollars (\$500).
- (3) For a third or subsequent suspension, one thousand dollars (\$1,000).

(c) Each fee paid under this section or section 15.1 of this chapter shall be deposited in the ~~financial responsibility compliance verification fund established by IC 9-25-9-7~~ **bureau of motor vehicles commission fund established by IC 9-14-14-1** as follows:

- (1) Forty-eight percent (48%) of a fee paid after a first suspension.
- (2) Thirty-nine percent (39%) of a fee paid after a second suspension.
- (3) Twenty-seven percent (27%) of a fee paid after a third or subsequent suspension.

The remaining amount of each fee paid under this section or section 15.1 of this chapter must be deposited in the motor vehicle highway account.

(d) If:

- (1) a person's driving privileges are suspended for registering or operating a vehicle in violation of IC 9-25-4-1;
- (2) the person is required to pay a fee for the reinstatement of the person's license under this section; and
- (3) the person later establishes that the person did not register or operate a vehicle in violation of IC 9-25-4-1;

the fee paid by the person under this section shall be refunded.

(e) An individual who has had a suspension imposed under this article terminated by submitting proof of future financial responsibility under IC 9-25-4-3, IC 9-25-5-1, or section 3(d) of this chapter for the required time period is not required to pay a reinstatement fee under this section in order to have ~~his or her~~ **the individual's** driving privileges reinstated.

~~SECTION 121. IC 9-25-9-7 IS REPEALED [EFFECTIVE JULY 1, 2023]. Sec. 7: (a) The financial responsibility compliance verification fund is established to defray expenses incurred by the bureau in verifying compliance with financial responsibility requirements under this chapter.~~

~~(b) The expenses of administering the fund shall be paid from money in the fund.~~

~~(c) The sources of money for the fund are as follows:~~

- ~~(1) The portion of the driving license reinstatement fee that is to be deposited in the fund under IC 9-25-6-15.~~
- ~~(2) Accrued interest and other investment earnings of the fund.~~
- ~~(3) Appropriations made by the general assembly.~~
- ~~(4) Gifts and donations from any person to the fund.~~

~~(d) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public funds may be invested.~~

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

SECTION 122. IC 10-11-2-13, AS AMENDED BY P.L.114-2022, SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 13. (a) The board shall categorize salaries of police employees within each rank based upon the rank held and the number of years of service in the department through the ~~twentieth~~ **fifteenth** year. The salary ranges the board assigns to each rank shall be divided into a base salary and ~~twenty~~ **(20) fifteen (15)** increments above the base salary, with:

- (1) the base salary in the rank paid to a person with less than one (1) year of service in the



department; and

(2) the highest salary in the rank paid to a person with at least ~~twenty (20)~~ **fifteen (15)** years of service in the department.

(b) The salary matrix prescribed by this section shall be reviewed and approved by the budget agency biennially in even-numbered years before implementation.

SECTION 123. IC 10-12-3-7, AS AMENDED BY P.L.189-2007, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 7. (a) Benefits provided under this section are subject to IC 10-12-2-3.

(b) The basic monthly pension amount may not exceed by more than twenty dollars (\$20) one-half (1/2) the amount of the employee beneficiary's average monthly wage (excluding payments for overtime and determined without regard to any salary reduction agreement established under Section 125 of the Internal Revenue Code) received during the highest paid consecutive twelve (12) months before retirement. Salary that exceeds the monthly wage received by a police employee in the grade of trooper at the beginning of the trooper's ~~sixth~~ **fourth** year of service may not be considered when the basic pension amount is computed.

(c) An employee beneficiary in the active service of the department who has completed twenty (20) years of service after July 1, 1937, and who continues after July 1, 1937, in the service of the department is entitled to add to the basic monthly pension amount, at retirement, the following:

(1) Two percent (2%) of the basic amount for each of the next two (2) full years of service over twenty (20) years.

(2) Three percent (3%) of the basic amount for each of the next two (2) full years over twenty-two (22) years.

(3) Four percent (4%) of the basic amount for each of the next two (2) full years over twenty-four (24) years.

(4) Five percent (5%) of the basic amount for each of the next two (2) full years over twenty-six (26) years.

(5) Six percent (6%) of the basic amount for each of the next two (2) full years over twenty-eight (28) years.

(6) Seven percent (7%) of the basic amount for each of the next two (2) full years over thirty (30) years.

(7) Eight percent (8%) of the basic amount for each of the next two (2) full years over thirty-two (32) years.

However, the total of the additional amount may not exceed seventy percent (70%) of the basic pension amount. These additional benefits are subject to the compulsory retirement age provided by the pension trust.

SECTION 124. IC 10-12-5-3, AS AMENDED BY P.L.5-2008, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 3. (a) The pension advisory board that administers the pension under IC 10-12-3 shall direct and supervise the supplemental benefits provided in this chapter.

(b) The pension advisory board shall:

(1) annually provide a schedule showing the number of retirees receiving pension benefits under IC 10-12-3; and

(2) meet at least one (1) time each year to add to the regular pension benefit or annuity and any previously granted supplemental benefit the amount described in subsection (c) or (d).

HEA 1001 — CC 1



(c) This subsection applies only to a retiree who is eligible for the first time under section 2 of this chapter to receive a supplemental benefit. The supplemental benefit referred to in subsection (b)(2) for a retiree in the first year the retiree is eligible for a supplemental benefit is the sum of:

- (1) the difference between:
  - (A) the retiree's pension benefit; and
  - (B) the pension benefit:
    - (i) received by an employee retiring in that year from the department with twenty (20) years of active service; and
    - (ii) computed on the day the pension advisory board meets as required under subsection (b)(2);
- (2) any amount computed under subsection (d) after the date the retiree reaches fifty-five (55) years of age.

(d) This subsection applies to a retiree who is eligible under section 2 of this chapter to receive a supplemental benefit, but whose supplemental benefit is not computed under subsection (c). The supplemental benefit referred to in subsection (b)(2) is equal to fifty percent (50%) of the difference between:

- (1) the pension benefits to be received by an employee retiring from the department with twenty (20) years of active service the day after a change in the monthly wage received by a police employee in the grade of trooper at the beginning of the trooper's ~~sixth~~ **fourth** year of service; and
- (2) the pension benefit received by an employee retiring from the department with twenty (20) years of active service the day before a change in the monthly wage received by a police employee in the grade of trooper at the beginning of the trooper's ~~sixth~~ **fourth** year of service.

SECTION 125. IC 10-15 IS REPEALED [EFFECTIVE JULY 1, 2023]. (INDIANA HOMELAND SECURITY FOUNDATION).

SECTION 126. IC 10-19-1-6 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: **Sec. 6. "Fund", for purposes of IC 10-19-9.1, refers to the regional public safety training fund established by IC 10-19-9.1-1.**

SECTION 127. IC 10-19-9.1 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]:

**Chapter 9.1. Regional Public Safety Training Fund**

**Sec. 1. (a) The regional public safety training fund is established to:**

- (1) provide regional and advanced training for public safety service providers, including fire investigation training;**
- (2) fund the design, procurement, and construction of firefighter training facilities;**
- (3) provide scholarships for students enrolled in postsecondary courses focused on public safety; or**
- (4) purchase equipment to enhance emergency preparedness and response capabilities of:**
  - (A) a public safety agency (as defined in IC 10-10.5-1-5); or**
  - (B) an emergency medical services provider organization certified by the Indiana emergency medical services commission under rules adopted under IC 16-31-3.**

**(b) The department shall administer the fund. The expenses of administering the fund shall be paid from money in the fund.**

**(c) The fund consists of the following:**

- (1) Money appropriated by the general assembly.**



**(2) Donations, gifts, and money received from any other source, including transfers from other funds or accounts.**

**(3) Money transferred from the fire training infrastructure fund established by IC 22-14-6-2 (before its repeal).**

**(d) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public money may be invested. Interest that accrues from the investments shall be deposited in the fund.**

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

SECTION 128. IC 10-21-1-2, AS AMENDED BY HEA 1492-2023, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 2. (a) The Indiana secured school fund is established to provide:

(1) matching grants to school corporations, charter schools, and accredited nonpublic schools, where the matching grants may be used to:

(A) employ a school resource officer, employ a law enforcement officer, or enter into a contract or a memorandum of understanding with a:

- (i) local law enforcement agency;
- (ii) private entity; or
- (iii) nonprofit corporation;

to employ a school resource officer or a law enforcement officer;

(B) conduct:

- (i) a site vulnerability assessment of the buildings within a school corporation or the buildings that are operated by a charter school or accredited nonpublic school; or
- (ii) critical incident digital mapping of the buildings within a school corporation or the buildings that are operated by a charter school or accredited nonpublic school;

(C) purchase equipment, hardware, materials, and technology to:

- (i) restrict access to school property and classrooms;
- (ii) assist with visitor management on school property;
- (iii) expedite notification of first responders;
- (iv) expedite access to school property for first responders;
- (v) provide school staff with information about the open or closed status of interior and exterior doors;
- (vi) detect fire, chemical, visual, or audible threats;
- (vii) enhance emergency communications inside the building; or
- (viii) assist with emergency medical response on school property;

(D) implement a student and parent support services plan as described in IC 20-34-9;

(E) purchase or provide training for a canine trained to detect drugs and illegal substances, explosives, or firearms, or to otherwise provide protection for students and school employees and the canine shall:

- (i) be primarily assigned to a school corporation, charter school, or accredited nonpublic school;
- (ii) be primarily assigned to a school resource officer or law enforcement officer described in clause (A) who has received appropriate training for handling a canine trained to detect drugs and illegal substances, explosives, or firearms, or to otherwise provide protection for students and school employees, including training regarding handling a canine in a school setting; and



- (iii) receive continuous training as appropriate;
  - (F) provide funding for school employees to receive training, including expenses for per diem, travel, and lodging, related to:
    - (i) site vulnerability assessments;
    - (ii) mental health or behavioral health threat assessments;
    - (iii) multi-disciplinary threat assessment teams; or
    - (iv) emergency preparedness or response activities;
  - (G) provide funding for school resource officers or law enforcement officers described in clause (A) to receive training, including expenses for per diem, travel, and lodging, related to handling a canine trained to detect drugs and illegal substances, explosives, or firearms, or to otherwise provide protection for students and school employees;
  - (H) purchase student safety management technology;
  - (I) design and construct additions or renovations on school property if the primary purpose of the construction project is to enhance the physical security of the school building; or
  - (J) implement a bullying prevention program; and
- (2) one (1) time grants to enable school corporations, charter schools, and accredited nonpublic schools with the sheriff for the county in which the school corporation, charter school, or accredited nonpublic school is located, to provide the initial set up costs for an active event warning system.
- (b) A school corporation or charter school may use money received under a matching grant for a purpose listed in subsection (a) to provide a response to a threat in a manner that the school corporation or charter school sees fit, including firearms training or other self-defense training.
- (c) The fund shall be administered by the department of homeland security.
- (d) The fund consists of:
- (1) appropriations from the general assembly;
  - (2) federal grants; ~~and~~
  - (3) amounts deposited from any other public or private source; **and**
  - (4) amounts deposited under IC 33-37-9-4.**
- (e) The expenses of administering the fund shall be paid from money in the fund.
- (f) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public money may be invested. Interest that accrues from these investments shall be deposited in the fund.
- (g) Money in the fund at the end of a state fiscal year does not revert to the state general fund.

SECTION 129. IC 11-12-11-2 IS REPEALED [EFFECTIVE JULY 1, 2023]. ~~Sec. 2. As used in this chapter, "minimum allocation amount" refers to the amount of funding that applies to a county under section 6(a) of this chapter.~~

SECTION 130. IC 11-12-11-3, AS ADDED BY P.L.204-2016, SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 3. As used in this chapter, "multiplier" refers to the number that applies to a county under section ~~6(b)~~ 6 of this chapter.

SECTION 131. IC 11-12-11-6, AS AMENDED BY P.L.104-2022, SECTION 77, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 6. ~~(a) The minimum allocation amount under this chapter, which represents the dollar amount each county was entitled to receive under level 3 funding in state fiscal year 1998, is as follows:~~

Adams County	\$ 14,000
Allen County	129,500



Bartholomew County	35,000
Benton County	3,500
Blackford County	14,000
Boone County	14,000
Brown County	3,500
Carroll County	7,000
Cass County	17,500
Clark County	49,000
Clay County	7,000
Clinton County	17,500
Crawford County	3,500
Daviess County	7,000
Dearborn County	35,000
Decatur County	24,500
Dekalb County	24,500
Delaware County	35,000
Dubois County	45,500
Elkhart County	52,500
Fayette County	10,500
Floyd County	21,000
Fountain County	7,000
Franklin County	7,000
Fulton County	14,000
Gibson County	24,500
Grant County	28,000
Greene County	17,500
Hamilton County	28,000
Hancock County	10,500
Harrison County	24,500
Hendricks County	24,500
Henry County	17,500
Howard County	66,500
Huntington County	10,500
Jackson County	45,500
Jasper County	14,000
Jay County	7,000
Jefferson County	21,000
Jennings County	10,500
Johnson County	31,500
Knox County	14,000
Kosciusko County	42,000
LaGrange County	7,000
Lake County	234,500
LaPorte County	35,000

HEA 1001 — CC 1





Lawrence County	52,500
Madison County	101,500
Marion County	294,000
Marshall County	35,000
Martin County	3,500
Miami County	24,500
Monroe County	35,000
Montgomery County	24,500
Morgan County	31,500
Newton County	7,000
Noble County	28,000
Ohio County	3,500
Orange County	7,000
Owen County	7,000
Parke County	7,000
Perry County	14,000
Pike County	10,500
Porter County	42,000
Posey County	14,000
Pulaski County	10,500
Putnam County	14,000
Randolph County	10,500
Ripley County	17,500
Rush County	7,000
St. Joseph County	112,000
Scott County	31,500
Shelby County	17,500
Spencer County	10,500
Starke County	10,500
Steuben County	14,000
Sullivan County	7,000
Switzerland County	7,000
Tippecanoe County	56,000
Tipton County	3,500
Union County	3,500
Vanderburgh County	161,000
Vermillion County	14,000
Vigo County	42,000
Wabash County	21,000
Warren County	7,000
Warrick County	21,000
Washington County	31,500
Wayne County	38,500
Wells County	10,500

HEA 1001 — CC 1



<del>White County</del>	<del>14,000</del>
<del>Whitley County</del>	<del>17,500</del>

(b) The multiplier under this chapter for each county, which represents each county's approximate proportion of the total state population, is as follows:

Adams County	.0053
Allen County	.0568
Bartholomew County	.0121
Benton County	.0013
Blackford County	.0018
Boone County	.0104
Brown County	.0023
Carroll County	.0030
Cass County	.0056
Clark County	.0178
Clay County	.0039
Clinton County	.0049
Crawford County	.0016
Daviess County	.0049
Dearborn County	.0075
Decatur County	.0039
Dekalb County	.0064
Delaware County	.0165
Dubois County	.0064
Elkhart County	.0310
Fayette County	.0034
Floyd County	.0119
Fountain County	.0024
Franklin County	.0034
Fulton County	.0030
Gibson County	.0049
Grant County	.0098
Greene County	.0045
Hamilton County	.0512
Hancock County	.0118
Harrison County	.0058
Hendricks County	.0258
Henry County	.0072
Howard County	.0123
Huntington County	.0054
Jackson County	.0068
Jasper County	.0048
Jay County	.0030
Jefferson County	.0049
Jennings County	.0041

HEA 1001 — CC 1



Johnson County	.0238
Knox County	.0054
Kosciusko County	.0118
LaGrange County	.0060
Lake County	.0735
LaPorte County	.0166
Lawrence County	.0066
Madison County	.0192
Marion County	.1440
Marshall County	.0068
Martin County	.0014
Miami County	.0053
Monroe County	.0206
Montgomery County	.0056
Morgan County	.0106
Newton County	.0020
Noble County	.0070
Ohio County	.0009
Orange County	.0029
Owen County	.0031
Parke County	.0024
Perry County	.0028
Pike County	.0018
Porter County	.0255
Posey County	.0037
Pulaski County	.0018
Putnam County	.0054
Randolph County	.0036
Ripley County	.0043
Rush County	.0025
St. Joseph County	.0402
Scott County	.0034
Shelby County	.0066
Spencer County	.0029
Starke County	.0034
Steuben County	.0051
Sullivan County	.0031
Switzerland County	.0014
Tippecanoe County	.0274
Tipton County	.0023
Union County	.0010
Vanderburgh County	.0266
Vermillion County	.0023
Vigo County	.0156

**HEA 1001 — CC 1**



Wabash County	.0046
Warren County	.0012
Warrick County	.0094
Washington County	.0042
Wayne County	.0098
Wells County	.0042
White County	.0036
Whitley County	.0050

SECTION 132. IC 11-12-11-7, AS ADDED BY P.L.204-2016, SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 7. Before September 1 of each year after 2014, the department shall deposit in the misdemeanor fund of each county the greatest of the following:

- (1) the sum determined by multiplying the total amount appropriated for the county misdemeanor fund by the county's multiplier.
- (2) The minimum allocation amount assigned to the county under section 6(a) of this chapter.
- (3) The amount deposited by the department in the misdemeanor fund for the county in state fiscal year 1999.

SECTION 133. IC 11-12-11-8 IS REPEALED [EFFECTIVE JULY 1, 2023]. Sec. 8: (a) Notwithstanding section 7 of this chapter, the department shall deposit funds in county misdemeanor funds under this section if the funds appropriated to the department for county misdemeanor funds are insufficient to meet the amounts required to be deposited under section 7 of this chapter.

(b) Before July 16 of each year, the commissioner shall send a notice to each county executive and sheriff. The notice must contain the following:

- (1) The amount of money appropriated for all county misdemeanor funds in Indiana.
- (2) The amount that will be deposited in the county misdemeanor funds.
- (c) The notice required under subsection (b) must be in the following form:

"Notice Concerning County Misdemeanant Funds

The amount appropriated for July 1 (fill in year) to June 30 (fill in year) for county misdemeanor funds is \$ (fill in dollar amount). The amount your county misdemeanor fund will receive is \$ (fill in dollar amount)."

SECTION 134. IC 12-12.7-2-22 IS REPEALED [EFFECTIVE JULY 1, 2023]. Sec. 22: Notwithstanding any other law, any appropriation made to a program established under this chapter and 20 U.S.C. 1431 through 1444 (first steps program) that exceeds eleven million three hundred thirty-nine thousand sixty-three dollars (\$11,339,063) in a state fiscal year must be distributed by the office of the secretary of family and social services as follows:

- (1) Not more than ten percent (10%) to the division of disability and rehabilitative services for infrastructure expenses.
- (2) Not less than forty percent (40%) to systems point of entry contracts.
- (3) Not less than fifty percent (50%) to rates of providers who provide services under this chapter and 20 U.S.C. 1431 through 1444.

SECTION 135. IC 12-15-1-23 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 23. (a) Not later than November 1, 2023, the office shall:

- (1) develop a schedule for the periodic review of Medicaid reimbursement rates for each category of service that does not have a rate review frequency in state or federal code; and



**(2) provide the schedule developed under subdivision (1) to the budget committee.**

The office may determine the frequency of review of each service category's Medicaid reimbursement rates according to the schedule. However, each service category's Medicaid reimbursement rates must be reviewed at least once every four (4) years.

**(b) The review of the first set of Medicaid reimbursement rates to be reviewed according to the schedule developed under subsection (a)(1) must be completed not later than November 1, 2024.**

**(c) The office shall provide the findings of each review of each service category's Medicaid reimbursement rates to the budget committee as reviews are completed according to the schedule.**

SECTION 136. IC 12-15-44.5-5, AS AMENDED BY P.L.152-2017, SECTION 34, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 5. (a) A managed care organization that contracts with the office to provide health coverage, dental coverage, or vision coverage to an individual who participates in the plan:

(1) is responsible for the claim processing for the coverage;

(2) shall reimburse providers at a rate that is not less than the rate established by the secretary; ~~The rate set by the secretary must be based on a reimbursement formula that is:~~

~~(A) comparable to the federal Medicare reimbursement rate for the service provided by the provider; or~~

~~(B) one hundred thirty percent (130%) of the Medicaid reimbursement rate for a service that does not have a Medicare reimbursement rate; and~~

(3) may not deny coverage to an eligible individual who has been approved by the office to participate in the plan.

(b) A managed care organization that contracts with the office to provide health coverage under the plan must incorporate cultural competency standards established by the office. The standards must include standards for non-English speaking, minority, and disabled populations.

SECTION 137. IC 12-15-47.3 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]:

**Chapter 47.3. Medicaid Oversight Committee**

**Sec. 1. As used in this chapter, "oversight committee" refers to the Medicaid oversight committee established by section 2 of this chapter.**

**Sec. 2. The Medicaid oversight committee is established.**

**Sec. 3. The oversight committee consists of the following members:**

**(1) The chairperson of the house ways and means committee.**

**(2) The ranking minority member of the house ways and means committee.**

**(3) One (1) member of the house ways and means committee who is appointed by the speaker of the house of representatives.**

**(4) The chairperson of the house public health committee.**

**(5) The chairperson of the senate appropriations committee.**

**(6) The chairperson of the senate tax and fiscal policy committee.**

**(7) The ranking minority member of the senate appropriations committee.**

**(8) The chairperson of the senate health and provider services committee.**

**(9) The director of the office of management and budget, or the director's designee.**

**(10) The secretary of the family and social services administration, or the secretary's designee.**

**Sec. 4. The oversight committee shall review, consider, and make recommendations concerning all requests for new services and changes in existing services for the Medicaid program.**



**Sec. 5. The chairperson of the legislative council shall appoint the chairperson of the oversight committee from the members of the committee.**

SECTION 138. IC 12-17.2-7.2-1, AS AMENDED BY P.L.268-2019, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 1. As used in this chapter, "eligible child" refers to an individual who:

- (1) is at least four (4) years of age and less than five (5) years of age on August 1 of the state fiscal year for which a grant is sought under the prekindergarten pilot program;
- (2) is a resident of Indiana or otherwise has legal settlement in Indiana, as determined under IC 20-26-11;
- (3) is a member of a household with an annual income that does not exceed ~~one hundred twenty-seven percent (127%)~~ **one hundred fifty percent (150%)** of the federal poverty level;
- (4) receives qualified early education services from an eligible provider, as determined by the office;
- (5) has a parent or guardian who participates in a parental engagement and involvement component provided by the eligible provider;
- (6) has a parent or guardian who agrees to ensure that the child meets the attendance requirements determined by the office; and
- (7) meets the requirements under section 7.2(a) and 7.2(c) of this chapter.

SECTION 139. IC 12-17.2-7.2-11, AS AMENDED BY P.L.165-2021, SECTION 142, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JUNE 29, 2023]: Sec. 11. ~~Except as provided under IC 20-51-1-4.3(4)(E)~~, The receipt of a grant under the pilot program does not qualify, nor have an effect on the qualification or eligibility, of a child for a choice scholarship under IC 20-51-4.

SECTION 140. IC 12-22-2-11, AS AMENDED BY P.L.143-2011, SECTION 26, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 11. (a) An entity, other than a psychiatric residential treatment facility, may not operate or hold itself out as operating a group home for individuals with serious mental illness (SMI), serious emotional disturbance (SED), or chronic addiction (CA) unless the entity is licensed or certified by the division.

(b) The division of mental health and addiction shall investigate a report of:

- (1) an unlicensed facility housing a community residential program described in section 3.5 of this chapter;
- (2) an uncertified operator of a community residential program described in section 3.5 of this chapter; or
- (3) a licensed or certified entity's noncompliance with this article;

and report the division's findings to the attorney general.

(c) The attorney general may do the following:

- (1) Seek the issuance of a search warrant to assist in an investigation under this section.
- (2) File an action for injunctive relief to stop the operation of a facility described in subsection (b) if there is reasonable cause to believe that:
  - (A) the facility or the operator of a community residential program described in subsection (b) is operating without a required license or certification; or
  - (B) a licensed or certified entity's actions or omissions create an immediate danger of serious bodily injury to an individual with a mental illness or an imminent danger to the health of an individual with a mental illness.
- (3) Seek in a civil action a civil penalty of not more than one hundred dollars (\$100) a day for each day a facility is operating:



- (A) without a license or certification required by law; or
- (B) with a license or certification required under this chapter, but is not in compliance with this article, IC 12-21-2-3, or rules adopted under this article or IC 12-21-2-3.

(d) The division of mental health and addiction may provide for the removal of individuals with a mental illness from facilities for individuals with a mental illness described in subsection (c).

(e) There must be an opportunity for an informal meeting with the division of mental health and addiction after injunctive relief is ordered under this section.

(f) The civil penalties collected under this section must be deposited in the ~~mental health centers fund (IC 6-7-1-32.1)~~: **state general fund.**

SECTION 141. IC 12-23-2-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]:  
Sec. 3. The money in the fund does not revert to ~~any other fund~~ **the state general fund** at the close of a state fiscal year, ~~but remains in the fund unless the money is appropriated by the general assembly under section 5 of this chapter.~~

SECTION 142. IC 12-29-2-14 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]:  
Sec. 14. (a) An entity may not:

- (1) hold itself out to be a community mental health center; or
- (2) use the term "community mental health center";

unless the entity is certified by the division of mental health and addiction.

(b) The division of mental health and addiction shall investigate a report that an entity is operating as a community mental health center without the approval of the division of mental health and addiction and report the division's findings to the attorney general.

(c) Upon receiving a report made under subsection (b), the attorney general may do the following:

- (1) Seek the issuance of a search warrant to assist in the investigation.
- (2) File an action for injunctive relief to stop the operation of the entity that is the subject of the report if there is reasonable cause to believe that the entity is operating without the required approval of the division of mental health and addiction.
- (3) File an action for injunctive relief to stop the entity that is the subject of the report from using the term "community mental health center".
- (4) Seek in a civil action a civil penalty of not more than one hundred dollars (\$100) a day for each day an entity is operating without the required approval of the division of mental health and addiction.

(d) An opportunity for an informal meeting with the division of mental health and addiction must be provided after the injunctive relief is ordered.

(e) The civil penalties collected under this section must be deposited in the ~~mental health centers fund (IC 6-7-1-32.1)~~: **state general fund.**

SECTION 143. IC 13-26-3-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]:  
Sec. 1. (a) A district established in accordance with IC 19-3-1 (before its repeal) ~~by an order of the court before February 17, 1972~~; as a special district for any purpose provided in:

- (1) IC 13-3-2 (before its repeal); or
- (2) this article;

is considered to be a district under this article.

(b) Orders of the court and acts of the board of directors are valid if permitted by this article. The district shall function as a district the same as if the district were established under this article.

SECTION 144. IC 14-9-8-28, AS AMENDED BY P.L.114-2022, SECTION 25, IS AMENDED TO



READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 28. (a) The natural resources commission shall categorize salaries of enforcement officers within each rank based upon the rank held and the number of years of service in the department through the twentieth year. The salary ranges that the commission assigns to each rank shall be divided into a base salary and ~~twenty (20)~~ **fifteen (15)** increments above the base salary with:

- (1) the base salary in the rank paid to a person with less than one (1) year of service in the department; and
- (2) the highest salary in the rank paid to a person with at least ~~twenty (20)~~ **fifteen (15)** years of service in the department.

(b) The salary matrix prescribed by this section shall be reviewed and approved by the state budget agency biennially in even-numbered years before implementation.

(c) The salaries for law enforcement officers of the law enforcement division of the department must be equal to the salaries of police employees of the state police department under IC 10-11-2-13, based upon years of service in the department and rank held.

(d) The requirement of subsection (c) does not affect:

- (1) any rights or liabilities accrued; or
- (2) any proceedings begun;

on or before June 30, 1999. Those rights, liabilities, and proceedings continue and shall be imposed and enforced under prior civil law and procedure as if the requirement of subsection (c) had not been enacted.

SECTION 145. IC 14-13-6-19, AS AMENDED BY P.L.118-2009, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 19. (a) The Wabash River heritage corridor commission fund is established for the purpose of paying:

- (1) reimbursement of the expenses of members under section 13 of this chapter;
- (2) other administrative costs and expenses reasonably incurred under this chapter, including expenses for publications and postage; and
- (3) costs incurred in fulfilling the directives of the Wabash River heritage corridor commission master plan, including multicounty projects and marketing and educational tools such as video tape productions, signs, and promotional literature.

(b) The fund shall be administered by the director under the direction of the commission.

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

(d) The sources of money for the fund are:

- (1) appropriations made to the fund; and
- (2) any other funds obtained by the commission under section 22 of this chapter.

(e) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public funds may be invested. Interest that accrues from these investments shall be deposited in the fund.

**(f) Money in the fund at the end of a state fiscal year does not revert to the state general fund but remains in the fund for the purposes of the fund.**

**(g) Money in the fund is continuously appropriated for the purposes of the fund.**

SECTION 146. IC 15-16-10-13, AS AMENDED BY P.L.27-2015, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JUNE 30, 2023]: Sec. 13. This chapter expires July 1, ~~2023~~ **2031**.

SECTION 147. IC 16-21-10-13.3, AS AMENDED BY P.L.30-2016, SECTION 40, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 13.3. (a) This section is effective beginning February 1, 2015. As used in this section, "plan" refers to the healthy Indiana plan established in





IC 12-15-44.5.

(b) Subject to subsections (c) through (e), the incremental fee under this section may be used to fund the state share of the expenses specified in this subsection if, after January 31, 2015, but before the collection of the fee under this section, the following occur:

(1) The committee establishes a fee formula to be used to fund the state share of the following expenses described in this subdivision:

(A) The state share of the capitated payments made to a managed care organization that contracts with the office to provide health coverage under the plan to plan enrollees other than plan enrollees who are eligible for the plan under Section 1931 of the federal Social Security Act.

(B) The state share of capitated payments described in clause (A) for plan enrollees who are eligible for the plan under Section 1931 of the federal Social Security Act that are limited to the difference between:

(i) the capitation rates effective September 1, 2014, developed using Medicaid reimbursement rates; and

(ii) the capitation rates applicable for the plan developed using the plan's Medicare reimbursement rates described in IC 12-15-44.5-5(a)(2).

(C) The state share of the state's contributions to plan enrollee accounts.

(D) The state share of amounts used to pay premiums for a premium assistance plan implemented under IC 12-15-44.2-20.

(E) The state share of the costs of increasing reimbursement rates for ~~health care services provided to individuals enrolled in Medicaid programs other than the plan.~~ **physician services provided to individuals enrolled in Medicaid programs other than the plan, but not to exceed the difference between the Medicaid fee schedule for a physician service that was in effect before the implementation of the plan and the amount equal to seventy-five percent (75%) of the previous year federal Medicare reimbursement rate for a physician service. The incremental fee may not be used for the amount that exceeds seventy-five percent (75%) of the federal Medicare reimbursement rate for a physician service.**

(F) The state share of the state's administrative costs that, for purposes of this clause, may not exceed one hundred seventy dollars (\$170) per person per plan enrollee per year, and adjusted annually by the Consumer Price Index.

(G) The money described in IC 12-15-44.5-6(a) for the phase out period of the plan.

(2) The committee approves a process to be used for reconciling:

(A) the state share of the costs of the plan;

(B) the amounts used to fund the state share of the costs of the plan; and

(C) the amount of fees assessed for funding the state share of the costs of the plan.

For purposes of this subdivision, "costs of the plan" includes the costs of the expenses listed in subdivision (1)(A) through (1)(G).

The fees collected under subdivision (1)(A) through (1)(F) shall be deposited into the incremental hospital fee fund established by section 13.5 of this chapter. Fees described in subdivision (1)(G) shall be deposited into the phase out trust fund described in IC 12-15-44.5-7. The fees used for purposes of funding the state share of expenses listed in subdivision (1)(A) through (1)(F) may not be used to fund expenses incurred on or after the commencement of a phase out period of the plan.

(c) For each state fiscal year for which the fee authorized by this section is used to fund the state share of the expenses described in subsection (b)(1), the amount of fees shall be reduced by:

HEA 1001 — CC 1



- (1) the amount of funds annually designated by the general assembly to be deposited in the healthy Indiana plan trust fund established by IC 12-15-44.2-17; less
- (2) the annual cigarette tax funds annually appropriated by the general assembly for childhood immunization programs under IC 12-15-44.2-17(a)(3).
- (d) The incremental fee described in this section may not:
  - (1) be assessed before July 1, 2016; and
  - (2) be assessed or collected on or after the beginning of a phase out period of the plan.
- (e) This section is not intended to and may not be construed to change or affect any component of the programs established under section 8 of this chapter.

SECTION 148. IC 16-21-10-21, AS AMENDED BY P.L.165-2021, SECTION 146, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 21. This chapter expires June 30, ~~2023~~: **2025.**

SECTION 149. IC 16-28-15-14, AS AMENDED BY P.L.165-2021, SECTION 147, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 14. This chapter expires June 30, ~~2023~~: **2025.**

SECTION 150. IC 16-41-44 IS ADDED TO THE INDIANA CODE AS A **NEW CHAPTER** TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]:

**Chapter 44. Testing of Residential Water Supply**

**Sec. 1. As used in this chapter, "eligible township" means:**

- (1) the Putnam County townships of:
  - (A) Clinton;
  - (B) Floyd;
  - (C) Franklin;
  - (D) Jackson;
  - (E) Monroe; and
  - (F) Russell; and
- (2) the Montgomery County townships of:
  - (A) Brown;
  - (B) Clark; and
  - (C) Scott.

**Sec. 2. As used in this chapter, "fund" refers to the residential water testing fund established by section 3 of this chapter.**

**Sec. 3. (a) The residential water testing fund is established to test the water supply of an individual property owner of an eligible township. The fund shall be administered by the state department.**

- (b) **The fund consists of:**
  - (1) money appropriated to the fund by the general assembly;
  - (2) donations;
  - (3) gifts; and
  - (4) money received from any other source, including transfers from other:
    - (A) funds; or
    - (B) accounts.

**(c) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public funds may be invested.**



**Sec. 4. Subject to available funds, the state department shall use money in the fund to test the water supply of an individual property owner of an eligible township, until the allocated funds are depleted. The water testing is not subject to the fee described in IC 16-41-24-10.**

**Sec. 5. (a) An individual property owner shall have the water tested through the local health department's water testing program.**

**(b) If the local health department testing indicates further testing for dioxin is necessary, the state department shall coordinate with the property owner to obtain a water sample in the manner necessary for dioxin testing and perform the testings in accordance with EPA standards.**

**Sec. 6. This chapter may not be construed to create a presumption as to the source of a substance detected in a property's water supply.**

SECTION 151. IC 16-46-10-2.6 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: **Sec. 2.6. For counties with a city health department established under IC 16-20-4-3, funding of the city health department shall be determined based on a per capita amount as provided in section 2.2(d) of this chapter. The county fiscal body and city fiscal body shall enter into an interlocal agreement solely for the purpose of distributing the city health department's total amount of the city health department's per capita share of funding. The county shall distribute the city health department's per capita share not later than five (5) days after the date funds are received from the state department.**

SECTION 152. IC 20-23-18-3, AS AMENDED BY P.L.125-2022, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: **Sec. 3. (a) Except as provided in subsection (c), the Muncie Community school corporation is subject to all applicable federal and state laws.**

**(b) If a provision of this chapter conflicts with any other law, including IC 20-23-4, the provision in this chapter controls.**

**(c) Notwithstanding subsection (a), to provide all administrative and academic flexibility to implement innovative strategies, the Muncie Community school corporation is subject only to the following IC 20 and IC 22 provisions:**

**(1) IC 20-26-5-10 (criminal history).**

**(2) IC 20-26-12-1 (curricular material purchase and provision; public school students).**

**(3) IC 20-26-12-2 (curricular material purchase and rental).**

~~(4)~~ **(4) IC 20-28-5-8 (conviction of certain felonies or misdemeanors; notice and hearing; permanent revocation of license; data base of school employees who have been reported).**

~~(5)~~ **(5) IC 20-28-10-17 (school counselor immunity).**

~~(6)~~ **(6) IC 20-29 (collective bargaining) to the extent required by subsection (e).**

~~(7)~~ **(7) IC 20-30-3-2 and IC 20-30-3-4 (patriotic commemorative observances).**

~~(8)~~ **(8) The following:**

**(A) IC 20-30-5-0.5 (display of the United States flag; Pledge of Allegiance).**

**(B) IC 20-30-5-1, IC 20-30-5-2, and IC 20-30-5-3 (the constitutions of Indiana and the United States; writings, documents, and records of American history or heritage).**

**(C) IC 20-30-5-4 (system of government; American history).**

**(D) IC 20-30-5-5 (morals instruction).**

**(E) IC 20-30-5-6 (good citizenship instruction).**

~~(9)~~ **(9) IC 20-32-4, concerning graduation requirements.**

~~(10)~~ **(10) IC 20-32-5.1, concerning the Indiana's Learning Evaluation Assessment Readiness Network (ILEARN) program.**



- ~~(9)~~ **(11)** IC 20-32-8.5 (IRead3).
- ~~(10)~~ **(12)** IC 20-33-2 (compulsory school attendance).
- ~~(11)~~ **(13)** IC 20-33-8-16 (firearms and deadly weapons).
- ~~(12)~~ **(14)** IC 20-33-8-19, IC 20-33-8-21, and IC 20-33-8-22 (student due process and judicial review).
- ~~(13)~~ **(15)** IC 20-33-7 (parental access to education records).
- ~~(14)~~ **(16)** IC 20-33-9 (reporting of student violations of law).
- ~~(15)~~ **(17)** IC 20-34-3 (health and safety measures).
- ~~(16)~~ **(18)** IC 20-35 (concerning special education).
- ~~(17)~~ **(19)** IC 20-39 (accounting and financial reporting procedures).
- ~~(18)~~ **(20)** IC 20-40 (government funds and accounts).
- ~~(19)~~ **(21)** IC 20-41 (extracurricular funds and accounts).
- ~~(20)~~ **(22)** IC 20-42 (fiduciary funds and accounts).
- ~~(21)~~ **(23)** IC 20-42.5 (allocation of expenditures to student instruction and learning).
- ~~(22)~~ **(24)** IC 20-43 (state tuition support).
- ~~(23)~~ **(25)** IC 20-44 (property tax levies).
- ~~(24)~~ **(26)** IC 20-46 (levies other than general fund levies).
- ~~(25)~~ **(27)** IC 20-47 (related entities; holding companies; lease agreements).
- ~~(26)~~ **(28)** IC 20-48 (borrowing and bonds).
- ~~(27)~~ **(29)** IC 20-49 (state management of common school funds; state advances and loans).
- ~~(28)~~ **(30)** IC 20-50 (concerning homeless children and foster care children).
- ~~(29)~~ **(31)** IC 22-2-18, before its expiration on June 30, 2021 (limitation on employment of minors).

(d) The Muncie Community school corporation is subject to required audits by the state board of accounts under IC 5-11-1-9.

(e) Except to the extent required under a collective bargaining agreement entered into before July 1, 2018, the Muncie Community school corporation is not subject to IC 20-29 unless the school corporation voluntarily recognizes an exclusive representative under IC 20-29-5-2. If the school corporation voluntarily recognizes an exclusive representative under IC 20-29-5-2, the school corporation may authorize a school within the corporation to opt out of bargaining allowable subjects or discussing discussion items by specifying the excluded items on the notice required under IC 20-29-5-2(b). The notice must be provided to the education employment relations board at the time the notice is posted.

SECTION 153. IC 20-24-7-6.1 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS** [EFFECTIVE JULY 1, 2024]: **Sec. 6.1. (a) This section applies to revenue collected after June 30, 2024, from a tax levy imposed under IC 20-46-8 by the governing body of a school corporation described in IC 20-46-8-11.2(a).**

**(b) Beginning in calendar year 2025, and each year thereafter, the county auditor shall distribute money that is received as part of a tax levy collected under IC 20-46-8 to an eligible charter school, excluding a virtual charter school and adult high school, for deposit in the charter school's operations fund created under IC 20-40-18-1. The distributions shall be made at the same time that tax levy revenue is required to be distributed to school corporations.**

SECTION 154. IC 20-24-7-13, AS AMENDED BY P.L. 165-2021, SECTION 150, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JUNE 29, 2023]: **Sec. 13. (a) After June 30, 2019, a virtual charter school may only apply for authorization with any statewide authorizer in accordance with the authorizer's guidelines. After June 30, 2019, a virtual charter school that has a charter on June 30, 2019, may renew**



a charter only with a statewide authorizer. An authorizer described in IC 20-24-1-2.5(1) and IC 20-24-1-2.5(3) is not considered a statewide authorizer.

(b) For each state fiscal year, a virtual charter school is entitled to receive funding in a month from the state in an amount equal to:

- (1) the quotient of:
  - (A) the school's basic tuition support determined under IC 20-43-6-3; divided by
  - (B) twelve (12); plus
- (2) the total of any:
  - (A) special education grants under IC 20-43-7;
  - (B) career and technical education grants under IC 20-43-8; ~~and~~
  - ~~(C) honor grants under IC 20-43-10;~~
  - (C) non-English speaking program grants under IC 20-43-10-4; and**
  - (D) academic performance grants under IC 20-43-10.5;**

to which the virtual charter school is entitled for the month.

For each state fiscal year, a virtual charter school's special education grants under IC 20-43-7 shall be calculated in the same manner as special education grants are calculated for other school corporations.

(c) The state board shall adopt rules under IC 4-22-2 to govern the operation of virtual charter schools.

(d) Each authorizer of a virtual charter school shall establish requirements or guidelines for virtual charter schools authorized by the authorizer that include the following:

- (1) Minimum requirements for the mandatory annual onboarding process and orientation required under IC 20-24-5-4.5, which shall include a requirement that a virtual charter school must provide to a parent of a student:
  - (A) the student engagement and attendance requirements or policies of the virtual charter school; and
  - (B) notice that a person who knowingly or intentionally deprives a dependent of education commits a violation under IC 35-46-1-4.
- (2) Requirements relating to tracking and monitoring student participation and attendance.
- (3) Ongoing student engagement and counseling policy requirements.
- (4) Employee policy requirements, including professional development requirements.

(e) The department, with the approval of the state board, shall before December 1 of each year submit an annual report to the budget committee concerning the program under this section.

(f) Each school year, at least sixty percent (60%) of the students who are enrolled in virtual charter schools under this section for the first time must have been included in the state's fall count of ADM conducted in the previous school year.

(g) Each virtual charter school shall report annually to the department concerning the following, on a schedule determined by the department:

- (1) Classroom size.
- (2) The ratio of teachers per classroom.
- (3) The number of student-teacher meetings conducted in person or by video conference.
- (4) Any other information determined by the department.

The department shall provide this information annually to the state board and the legislative council in an electronic format under IC 5-14-6.



(h) A virtual charter school shall adopt a student engagement policy. A student who regularly fails to participate in courses may be withdrawn from enrollment under policies adopted by the virtual charter school. The policies adopted by the virtual charter school must ensure that:

- (1) adequate notice of the withdrawal is provided to the parent and the student; and
- (2) an opportunity is provided, before the withdrawal of the student by the virtual charter school, for the student or the parent to demonstrate that failure to participate in the course is due to an event that would be considered an excused absence under IC 20-33-2.

(i) A student who is withdrawn from enrollment for failure to participate in courses pursuant to the school's student engagement policy may not reenroll in that same virtual charter school for the school year in which the student is withdrawn.

(j) An authorizer shall review and monitor whether a virtual charter school that is authorized by the authorizer complies with the requirements described in subsections (h) and (i).

SECTION 155. IC 20-24-7-13.5, AS AMENDED BY P.L.165-2021, SECTION 151, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JUNE 29, 2023]: Sec. 13.5. (a) This section applies to the following charter schools:

- (1) The Excel Centers for Adult Learners.
- (2) The Christel House DORS centers.
- (3) The Gary Middle College charter schools.

(b) Notwithstanding any other law, for a state fiscal year, a charter school described in subsection (a) is entitled to receive funding from the state in an amount equal to the product of:

- (1) the charter school's number of students who are Indiana residents (expressed as full-time equivalents); multiplied by
- (2) six thousand seven hundred fifty dollars (\$6,750) beginning July 1, 2017.

(c) However, in the case of the charter school described in subsection (a)(3), the funding under this section applies only for those students who are twenty-two (22) years of age and older. In addition, the total number of students (expressed as full-time equivalents) of all adult learners in charter schools covered by this section may not exceed the following:

- (1) For the ~~2021-2022~~ **2023-2024** state fiscal year:
  - (A) For the Christel House DORS centers, ~~eight hundred twenty-five (825)~~ **one thousand (1,000)** adult learner students.
  - (B) For the Gary Middle College charter schools, two hundred fifty (250) adult learner students.
  - (C) For the Excel Centers for Adult Learners, ~~four thousand nine hundred (4,900)~~ **five thousand three hundred fifty (5,350)** adult learner students.
- (2) For the ~~2022-2023~~ **2024-2025** state fiscal year:
  - (A) For the Christel House DORS centers, ~~eight hundred twenty-five (825)~~ **one thousand (1,000)** adult learner students.
  - (B) For the Gary Middle College charter schools, two hundred fifty (250) adult learner students.
  - (C) For the Excel Centers for Adult Learners, ~~four thousand nine hundred (4,900)~~ **six thousand five hundred fifty (6,550)** adult learner students.

(d) A charter school described in subsection (a) is entitled to receive federal special education funding.

(e) The state funding under this section shall be paid each state fiscal year under a schedule set by the budget agency and approved by the governor. However, the schedule shall provide for at least twelve (12) payments, that one (1) payment shall be made at least every forty (40) days, and the aggregate of the payments in each state fiscal year shall equal the amount required under this section. However, if the



appropriations for this purpose are insufficient, the distributions to each recipient shall be reduced proportionately.

(f) A charter school that receives funding as provided in this section must report the following information annually to the state board and (in an electronic format under IC 5-14-6) to the legislative council, on a schedule specified by the state board:

- (1) The number of adult learners enrolled in the charter school during the preceding year.
- (2) The demographics of the adult learners enrolled in the charter school during the preceding year (in a format requested by the state board).
- (3) The graduation rates of the adult learners enrolled in the charter school during the preceding year.
- (4) The outcomes for adult learners enrolled in the charter school, as of graduation and as of two (2) years after graduation. A charter school must include information concerning students' job placement outcomes, information concerning students' matriculation into higher education, and any other information concerning outcomes required by the state board.

(g) This section expires June 30, ~~2023~~ **2025**.

SECTION 156. IC 20-24-8-2, AS AMENDED BY P.L.38-2020, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 2. (a) A charter school may not do the following:

- (1) Operate at a site or for grades other than as specified in the charter.
- (2) Charge tuition to any student residing within the school corporation's geographic boundaries. However, a charter school may charge tuition for:
  - (A) a preschool program, unless charging tuition for the preschool program is barred under federal law; or
  - (B) a latch key program;if the charter school provides those programs.
- (3) Except as provided under IC 20-26-19 and except for a foreign exchange student who is not a United States citizen, enroll a student who is not a resident of Indiana.
- (4) Be located in a private residence.
- (5) Provide solely home based instruction.
- (6) Except as provided in IC 20-26-12-1(b), assess a rental fee or require payment of any other fee for a student's use of curricular material.**

(b) A charter school is not prohibited from delivering instructional services:

- (1) through the Internet or another online arrangement; or
- (2) in any manner by computer;

if the instructional services are provided to students enrolled in the charter school in a manner that complies with any procedures adopted by the department concerning online and computer instruction in public schools.

SECTION 157. IC 20-24-8-5, AS AMENDED BY P.L.126-2022, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 5. The following statutes and rules and guidelines adopted under the following statutes apply to a charter school:

- (1) IC 5-11-1-9 (required audits by the state board of accounts).
- (2) IC 20-39-1-1 (unified accounting system).
- (3) IC 20-35 (special education).
- (4) IC 20-26-5-10 (criminal history).



- (5) IC 20-26-5-6 (subject to laws requiring regulation by state agencies).
- (6) IC 20-28-10-12 (nondiscrimination for teacher marital status).
- (7) IC 20-28-10-14 (teacher freedom of association).
- (8) IC 20-28-10-17 (school counselor immunity).
- (9) For conversion charter schools only if the conversion charter school elects to collectively bargain under IC 20-24-6-3(b), IC 20-28-6, IC 20-28-7.5, IC 20-28-8, IC 20-28-9, and IC 20-28-10.
- (10) IC 20-33-2 (compulsory school attendance).
- (11) IC 20-33-8-19, IC 20-33-8-21, and IC 20-33-8-22 (student due process and judicial review).
- (12) IC 20-33-8-16 (firearms and deadly weapons).
- (13) IC 20-34-3 (health and safety measures).
- (14) IC 20-33-9 (reporting of student violations of law).
- (15) IC 20-30-3-2 and IC 20-30-3-4 (patriotic commemorative observances).
- (16) IC 20-31-3, IC 20-32-4, IC 20-32-5 (for a school year ending before July 1, 2018), IC 20-32-5.1 (for a school year beginning after June 30, 2018), IC 20-32-8, and IC 20-32-8.5, as provided in IC 20-32-8.5-2(b) (academic standards, accreditation, assessment, and remediation).
- (17) IC 20-33-7 (parental access to education records).
- (18) IC 20-31 (accountability for school performance and improvement).
- (19) IC 20-30-5-19 (personal financial responsibility instruction).
- (20) IC 20-26-5-37.3, before its expiration (career and technical education reporting).
- (21) IC 20-35.5 (dyslexia screening and intervention).
- (22) IC 22-2-18, before its expiration on June 30, 2021 (limitations on employment of minors).
- (23) IC 20-26-12-1 (curricular material purchase and provision; public school students).**
- (24) IC 20-26-12-2 (curricular material purchase and rental).**

SECTION 158. IC 20-24-13-6, AS AMENDED BY P.L.165-2021, SECTION 152, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JUNE 29, 2023]: Sec. 6. The annual grant amount for a school for a state fiscal year is the following:

- (1) For the state fiscal year beginning July 1, 2021:
  - (A) one thousand dollars (\$1,000); multiplied by
  - (B) the number of eligible pupils who are counted in the current ADM of the school.
- (2) For the state fiscal year beginning July 1, 2022: ~~and each state fiscal year thereafter:~~
  - (A) one thousand two hundred fifty dollars (\$1,250); multiplied by
  - (B) the number of eligible pupils who are counted in the current ADM of the school.
- (3) For the state fiscal year beginning July 1, 2023, and each state fiscal year thereafter:**
  - (A) one thousand four hundred dollars (\$1,400); multiplied by**
  - (B) the number of eligible pupils who are counted in the current ADM of the school.**

SECTION 159. IC 20-25.7-5-2, AS AMENDED BY P.L.165-2021, SECTION 153, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JUNE 29, 2023]: Sec. 2. (a) The board may enter into an agreement with an organizer to reconstitute an eligible school as a participating innovation network charter school or to establish a participating innovation network charter school at a location selected by the board within the boundary of the school corporation. Notwithstanding IC 20-26-7.1, a participating innovation network charter school may be established within a vacant school building.

(b) The terms of the agreement entered into between the board and an organizer must specify the following:





(1) A statement that the organizer authorizes the department to include the charter school's performance assessment results under IC 20-31-8 when calculating the school corporation's performance assessment under rules adopted by the state board.

(2) The amount of state funding, including tuition support (if the participating innovation network charter school is treated in the same manner as a school operated by the school corporation under subsection (d)(2)), and money levied as property taxes that will be distributed by the school corporation to the organizer.

(3) The performance goals and accountability metrics agreed upon for the charter school in the charter agreement between the organizer and the authorizer.

(c) If an organizer and the board enter into an agreement under subsection (a), the organizer and the board shall notify the department that the agreement has been made under this section within thirty (30) days after the agreement is entered into.

(d) Upon receipt of the notification under subsection (c), for school years starting after the date of the agreement:

(1) the department shall include the participating innovation network charter school's performance assessment results under IC 20-31-8 when calculating the school corporation's performance assessment under rules adopted by the state board;

(2) the department shall treat the participating innovation network charter school in the same manner as a school operated by the school corporation when calculating the total amount of state funding to be distributed to the school corporation unless subsection (e) applies; and

(3) if requested by a participating innovation network charter school that reconstitutes an eligible school, the department may use student growth as the state board's exclusive means to determine the innovation network charter school's category or designation of school improvement under 511 IAC 6.2-10-10 for a period of three (3) years. Beginning with the 2019-2020 school year, the department may not use student growth as the state board's exclusive means to determine an innovation network charter school's category or designation of school improvement. This subdivision expires July 1, 2023.

(e) If a participating innovation network school was established before January 1, 2016, and for the current school year has a complexity index that is greater than the complexity index for the school corporation that the innovation network school has contracted with, the innovation network school shall be treated as a charter school for purposes of determining tuition support. This subsection expires June 30, ~~2023~~ **2025**.

SECTION 160. IC 20-26-5-4, AS AMENDED BY P.L.270-2019, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 4. (a) In carrying out the school purposes of a school corporation, the governing body acting on the school corporation's behalf has the following specific powers:

(1) In the name of the school corporation, to sue and be sued and to enter into contracts in matters permitted by applicable law. However, a governing body may not use funds received from the state to bring or join in an action against the state, unless the governing body is challenging an adverse decision by a state agency, board, or commission.

(2) To take charge of, manage, and conduct the educational affairs of the school corporation and to establish, locate, and provide the necessary schools, school libraries, other libraries where permitted by law, other buildings, facilities, property, and equipment.



- (3) To appropriate from the school corporation's general fund (before January 1, 2019) or the school corporation's operations fund (after December 31, 2018) an amount, not to exceed the greater of three thousand dollars (\$3,000) per budget year or one dollar (\$1) per pupil, not to exceed twelve thousand five hundred dollars (\$12,500), based on the school corporation's ADM of the previous year (as defined in IC 20-43-1-7) to promote the best interests of the school corporation through:
- (A) the purchase of meals, decorations, memorabilia, or awards;
  - (B) provision for expenses incurred in interviewing job applicants; or
  - (C) developing relations with other governmental units.
- (4) To do the following:
- (A) Acquire, construct, erect, maintain, hold, and contract for construction, erection, or maintenance of real estate, real estate improvements, or an interest in real estate or real estate improvements, as the governing body considers necessary for school purposes, including buildings, parts of buildings, additions to buildings, rooms, gymnasiums, auditoriums, playgrounds, playing and athletic fields, facilities for physical training, buildings for administrative, office, warehouse, repair activities, or housing school owned buses, landscaping, walks, drives, parking areas, roadways, easements and facilities for power, sewer, water, roadway, access, storm and surface water, drinking water, gas, electricity, other utilities and similar purposes, by purchase, either outright for cash (or under conditional sales or purchase money contracts providing for a retention of a security interest by the seller until payment is made or by notes where the contract, security retention, or note is permitted by applicable law), by exchange, by gift, by devise, by eminent domain, by lease with or without option to purchase, or by lease under IC 20-47-2, IC 20-47-3, or IC 20-47-5.
  - (B) Repair, remodel, remove, or demolish, or to contract for the repair, remodeling, removal, or demolition of the real estate, real estate improvements, or interest in the real estate or real estate improvements, as the governing body considers necessary for school purposes.
  - (C) Provide for conservation measures through utility efficiency programs or under a guaranteed savings contract as described in IC 36-1-12.5.
- (5) To acquire personal property or an interest in personal property as the governing body considers necessary for school purposes, including buses, motor vehicles, equipment, apparatus, appliances, books, furniture, and supplies, either by cash purchase or under conditional sales or purchase money contracts providing for a security interest by the seller until payment is made or by notes where the contract, security, retention, or note is permitted by applicable law, by gift, by devise, by loan, or by lease with or without option to purchase and to repair, remodel, remove, relocate, and demolish the personal property. All purchases and contracts specified under the powers authorized under subdivision (4) and this subdivision are subject solely to applicable law relating to purchases and contracting by municipal corporations in general and to the supervisory control of state agencies as provided in section 6 of this chapter.
- (6) To sell or exchange real or personal property or interest in real or personal property that, in the opinion of the governing body, is not necessary for school purposes, in accordance with IC 20-26-7 and IC 20-26-7.1, to demolish or otherwise dispose of the property if, in the opinion of the governing body, the property is not necessary for school purposes and is worthless, and to pay the expenses for the demolition or disposition.
- (7) To lease any school property for a rental that the governing body considers reasonable or to permit the free use of school property for:



- (A) civic or public purposes; or
- (B) the operation of a school age child care program for children who are at least five (5) years of age and less than fifteen (15) years of age that operates before or after the school day, or both, and during periods when school is not in session;

if the property is not needed for school purposes. Under this subdivision, the governing body may enter into a long term lease with a nonprofit corporation, community service organization, or other governmental entity, if the corporation, organization, or other governmental entity will use the property to be leased for civic or public purposes or for a school age child care program. However, if payment for the property subject to a long term lease is made from money in the school corporation's debt service fund, all proceeds from the long term lease must be deposited in the school corporation's debt service fund so long as payment for the property has not been made. The governing body may, at the governing body's option, use the procedure specified in IC 36-1-11-10 in leasing property under this subdivision.

(8) To do the following:

(A) Employ, contract for, and discharge superintendents, supervisors, principals, teachers, librarians, athletic coaches (whether or not they are otherwise employed by the school corporation and whether or not they are licensed under IC 20-28-5), business managers, superintendents of buildings and grounds, janitors, engineers, architects, physicians, dentists, nurses, accountants, teacher aides performing noninstructional duties, educational and other professional consultants, data processing and computer service for school purposes, including the making of schedules, the keeping and analyzing of grades and other student data, the keeping and preparing of warrants, payroll, and similar data where approved by the state board of accounts as provided below, and other personnel or services as the governing body considers necessary for school purposes.

(B) Fix and pay the salaries and compensation of persons and services described in this subdivision that are consistent with IC 20-28-9-1.5.

(C) Classify persons or services described in this subdivision and to adopt a compensation plan with a salary range that is consistent with IC 20-28-9-1.5.

(D) Determine the number of the persons or the amount of the services employed or contracted for as provided in this subdivision.

(E) Determine the nature and extent of the duties of the persons described in this subdivision.

The compensation, terms of employment, and discharge of teachers are, however, subject to and governed by the laws relating to employment, contracting, compensation, and discharge of teachers. The compensation, terms of employment, and discharge of bus drivers are subject to and governed by laws relating to employment, contracting, compensation, and discharge of bus drivers.

(9) Notwithstanding the appropriation limitation in subdivision (3), when the governing body by resolution considers a trip by an employee of the school corporation or by a member of the governing body to be in the interest of the school corporation, including attending meetings, conferences, or examining equipment, buildings, and installation in other areas, to permit the employee to be absent in connection with the trip without any loss in pay and to reimburse the employee or the member the employee's or member's reasonable lodging and meal expenses and necessary transportation expenses. To pay teaching personnel for time spent in sponsoring and working with school related trips or activities.



(10) Subject to IC 20-27-13, to transport children to and from school, when in the opinion of the governing body the transportation is necessary, including considerations for the safety of the children. The transportation must be otherwise in accordance with applicable law.

(11) To provide a lunch program for a part or all of the students attending the schools of the school corporation, including the establishment of kitchens, kitchen facilities, kitchen equipment, lunch rooms, the hiring of the necessary personnel to operate the lunch program, and the purchase of material and supplies for the lunch program, charging students for the operational costs of the lunch program, fixing the price per meal or per food item. To operate the lunch program as an extracurricular activity, subject to the supervision of the governing body. To participate in a surplus commodity or lunch aid program.

(12) To:

(A) purchase curricular materials **and** to furnish curricular materials without cost; ~~or to rent curricular materials to students; and to participate in a curricular materials aid program; all in accordance with applicable law; and~~

(B) **assess and collect a reasonable fee for lost or significantly damaged curricular materials.**

(13) To accept students transferred from other school corporations and to transfer students to other school corporations in accordance with applicable law.

(14) To make budgets, to appropriate funds, and to disburse the money of the school corporation in accordance with applicable law. To borrow money against current tax collections and otherwise to borrow money, in accordance with IC 20-48-1.

(15) To purchase insurance or to establish and maintain a program of self-insurance relating to the liability of the school corporation or the school corporation's employees in connection with motor vehicles or property and for additional coverage to the extent permitted and in accordance with IC 34-13-3-20. To purchase additional insurance or to establish and maintain a program of self-insurance protecting the school corporation and members of the governing body, employees, contractors, or agents of the school corporation from liability, risk, accident, or loss related to school property, school contract, school or school related activity, including the purchase of insurance or the establishment and maintenance of a self-insurance program protecting persons described in this subdivision against false imprisonment, false arrest, libel, or slander for acts committed in the course of the persons' employment, protecting the school corporation for fire and extended coverage and other casualty risks to the extent of replacement cost, loss of use, and other insurable risks relating to property owned, leased, or held by the school corporation. In accordance with IC 20-26-17, to:

(A) participate in a state employee health plan under IC 5-10-8-6.7;

(B) purchase insurance; or

(C) establish and maintain a program of self-insurance;

to benefit school corporation employees, including accident, sickness, health, or dental coverage, provided that a plan of self-insurance must include an aggregate stop-loss provision.

(16) To make all applications, to enter into all contracts, and to sign all documents necessary for the receipt of aid, money, or property from the state, the federal government, or from any other source.

(17) To defend a member of the governing body or any employee of the school corporation in any suit arising out of the performance of the member's or employee's duties for or employment with, the school corporation, if the governing body by resolution determined that the action was taken in good faith. To save any member or employee harmless from any liability, cost, or damage in



connection with the performance, including the payment of legal fees, except where the liability, cost, or damage is predicated on or arises out of the bad faith of the member or employee, or is a claim or judgment based on the member's or employee's malfeasance in office or employment.

(18) To prepare, make, enforce, amend, or repeal rules, regulations, and procedures:

(A) for the government and management of the schools, property, facilities, and activities of the school corporation, the school corporation's agents, employees, and pupils and for the operation of the governing body; and

(B) that may be designated by an appropriate title such as "policy handbook", "bylaws", or "rules and regulations".

(19) To ratify and approve any action taken by a member of the governing body, an officer of the governing body, or an employee of the school corporation after the action is taken, if the action could have been approved in advance, and in connection with the action to pay the expense or compensation permitted under IC 20-26-1 through IC 20-26-5, IC 20-26-7, **IC 20-26-12-1**, IC 20-40-12, and IC 20-48-1 or any other law.

(20) To exercise any other power and make any expenditure in carrying out the governing body's general powers and purposes provided in this chapter or in carrying out the powers delineated in this section which is reasonable from a business or educational standpoint in carrying out school purposes of the school corporation, including the acquisition of property or the employment or contracting for services, even though the power or expenditure is not specifically set out in this chapter. The specific powers set out in this section do not limit the general grant of powers provided in this chapter except where a limitation is set out in IC 20-26-1 through IC 20-26-5, IC 20-26-7, IC 20-40-12, IC 20-40-18 (after December 31, 2018), and IC 20-48-1 by specific language or by reference to other law.

(b) A superintendent hired under subsection (a)(8):

(1) is not required to hold a teacher's license under IC 20-28-5; and

(2) is required to have obtained at least a master's degree from an accredited postsecondary educational institution.

SECTION 161. IC 20-26-5-38, AS ADDED BY P.L.94-2019, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 38. (a) As used in this section, "juvenile detention facility" refers to the following:

(1) A juvenile detention facility under IC 31-31-8.

(2) A juvenile detention center under IC 31-31-9.

(3) A shelter care facility that is licensed to care for more than ten (10) children.

(b) As used in this section, "school materials" includes curricular materials and syllabi for a particular grade level or course. The term does not include hardware that will be consumed, accessed, or used by a single student during a semester or school year.

(c) If a child is or will be detained in a juvenile detention facility for more than seven (7) calendar days, the school corporation shall, upon request by the juvenile detention facility or the child's parent, provide to the juvenile detention facility the school materials for the grade level or courses in which the child is enrolled or would be enrolled if the child were not detained. The school corporation may provide the school materials in an electronic format.

(d) The school corporation shall, upon request by the juvenile detention facility or the child's parent, deliver to the juvenile detention facility the school materials described in subsection (c) at least once every seven (7) calendar days, excluding any days that are not student instructional days.



(e) ~~Except for the assessment of rental fees for curricular materials under IC 20-26-12,~~ The school corporation is responsible for any costs associated with preparing and delivering school materials under this section.

(f) The school corporation is not required to provide school materials that have been requested by a juvenile detention facility or the child's parent under this section if the:

- (1) child is released from the juvenile detention facility; or
- (2) juvenile detention facility or the child's parent requests that the school corporation no longer provide the school materials.

SECTION 162. IC 20-26-5-42.1, AS ADDED BY P.L.148-2022, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JUNE 29, 2023]: Sec. 42.1. (a) Not later than April 15 of each year, each school corporation and charter school shall report to the department the number of students who meet the following conditions during the student's expected graduation year (as defined in IC 20-26-13-4):

- (1) The student was enrolled in the school corporation on the ~~day in September fixed by the state board for the fall count of students~~ **fall count day of ADM established** under IC 20-43-4-3.
- (2) The student successfully completed Indiana high school graduation requirements before the day in February fixed by the state board for the spring count of students under IC 20-43-4-3.
- (3) The student was not enrolled in the school corporation on the day in February fixed by the state board for the spring count of students under IC 20-43-4-3.

(b) In addition to the number provided under subsection (a), each school corporation and charter school shall submit information prescribed by the department that is necessary to verify the number reported under subsection (a).

SECTION 163. IC 20-26-12-1, AS AMENDED BY P.L.233-2015, SECTION 150, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 1. (a) Except as provided in subsection (b) ~~and but~~ notwithstanding any other law, each governing body **of a school corporation and each organizer of a charter school** shall purchase from a publisher, either individually or through a purchasing cooperative of school corporations, **as applicable**, the curricular materials selected by the proper local officials, and shall ~~rent~~ **provide at no cost** the curricular materials to each student enrolled in a ~~public~~ **the school corporation or charter school. that is:**

- ~~(1) in compliance with the minimum certification standards of the state board; and~~
- ~~(2) located within the attendance unit served by the governing body.~~

**Curricular materials provided to a student under this section remain the property of the governing body of the school corporation or organizer of the charter school.**

~~(b) This section does not prohibit a governing body from suspending the operation of this section under a contract entered into under IC 20-26-15.~~

**(b) This section does not prohibit a governing body of a school corporation or an organizer of a charter school from assessing and collecting a reasonable fee for lost or significantly damaged curricular materials in accordance with rules established by the state board under subsection (c). Fees collected under this subsection must be deposited in the separate curricular materials account established under IC 20-40-22-9 for the school in which the student was enrolled at the time the fee was imposed.**

**(c) The state board shall adopt rules under IC 4-22-2, including emergency rules in the manner provided in IC 4-22-2-37.1, to implement this section.**

SECTION 164. IC 20-26-12-2, AS AMENDED BY P.L.233-2015, SECTION 151, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 2. (a) A governing body **or an organizer of**



a **charter school** may purchase from a publisher any curricular material selected by the proper local officials. The governing body **or the organizer of a charter school** may **not** rent the curricular materials to students enrolled in any public ~~or nonpublic~~ school.

**(b) A governing body may rent curricular materials to students enrolled in any nonpublic school that is**

- (1) ~~in compliance with the minimum certification standards of the state board; and~~
- (2) located within the attendance unit served by the governing body.

The annual rental rate may not exceed twenty-five percent (25%) of the retail price of the curricular materials. **An organizer of a charter school may rent curricular materials to students enrolled in any nonpublic school.**

(b) Notwithstanding subsection (a), the governing body may not assess a rental fee of more than twenty-five percent (25%) of the retail price of curricular materials that have been:

- (1) extended for usage by students under section 24(e) of this chapter; and
- (2) paid for through rental fees previously collected.

**(c) A governing body or an organizer of a charter school may negotiate the rental rate for the curricular materials rented to any nonpublic school under subsection (b).**

**(d) A governing body shall collect and deposit the amounts received from the rental of curricular materials to a nonpublic school into the curricular materials account, in accordance with IC 20-40-22-9, in equal amounts for each public school of the school corporation.**

**(e) An organizer of a charter school shall deposit all money received from the rental of curricular materials to a nonpublic school into the charter school's curricular materials account described in IC 20-40-22-9.**

~~(e)~~ **(f)** This section does not limit other laws.

SECTION 165. IC 20-26-12-26 IS REPEALED [EFFECTIVE JULY 1, 2023]. ~~Sec. 26. If a family moves during the school term from one (1) school corporation to another within the state, the corporation from which they move shall:~~

- (1) ~~evaluate the affected children's curricular materials; and~~
- (2) ~~offer to purchase the curricular materials at a reasonable price for resale to any family that moves into that corporation during a school term.~~

SECTION 166. IC 20-26-15-5, AS AMENDED BY P.L.92-2020, SECTION 35, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 5. Notwithstanding any other law, the operation of the following is suspended for a freeway school corporation or a freeway school if the governing body of the school corporation elects to have the specific statute or rule suspended in the contract:

- (1) The following statutes and rules concerning curriculum and instructional time:
  - IC 20-30-2-7
  - IC 20-30-5-8
  - IC 20-30-5-9
  - IC 20-30-5-11
  - 511 IAC 6-7-6
  - 511 IAC 6.1-5-0.5
  - 511 IAC 6.1-5-1
  - 511 IAC 6.1-5-2.5
  - 511 IAC 6.1-5-3.5



- 511 IAC 6.1-5-4.
- (2) The following rule concerning pupil/teacher ratios:  
511 IAC 6.1-4-1.
- (3) The following statutes and rules concerning curricular materials:  
IC 20-26-12-24.  
~~IC 20-26-12-26~~  
IC 20-26-12-1, **except for the provision of curricular materials at no cost to a student in a public school.**  
IC 20-26-12-2, **except for the prohibition of renting curricular materials to students enrolled in a public school.**  
511 IAC 6.1-5-5.
- (4) 511 IAC 6-7, concerning graduation requirements.
- (5) IC 20-31-4.1, concerning the performance based accreditation system.
- (6) IC 20-32-5 (before its expiration on July 1, 2018), concerning the ISTEP program established under IC 20-32-5-15, if an alternative locally adopted assessment program is adopted under section 6(4) of this chapter.

SECTION 167. IC 20-26.5-2-3, AS AMENDED BY P.L.126-2022, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 3. (a) Notwithstanding any other law, the following may be suspended for a coalition member in accordance with the coalition's plan:

- (1) Subject to section 1(c) of this chapter, IC 20-30, concerning curriculum.
- (2) The following statutes and rules concerning curricular materials:  
IC 20-26-12-1, **except for the provision of curricular materials at no cost to a student in a public school.**  
IC 20-26-12-2, **except for the prohibition of renting curricular materials to students enrolled in a public school.**  
IC 20-26-12-24.  
~~IC 20-26-12-26.~~  
511 IAC 6.1-5-5.
- (3) The following rules concerning teacher licenses:  
511 IAC 16.  
511 IAC 17.
- (4) Subject to subsection (c), IC 20-31-3 (concerning the adoption of academic standards).
- (5) IC 20-31-4.1, concerning the performance based accreditation system.
- (6) Except as provided in subsection (b), any other statute in IC 20 or rule in 511 IAC requested to be suspended as part of the plan that is approved by the state board under section 1 of this chapter.
- (b) A coalition member may not suspend under subsection (a)(6) any of the following:
- (1) IC 20-26-5-10 (criminal history and child protection index check).
- (2) IC 20-28 (school teachers).
- (3) IC 20-29 (collective bargaining).
- (4) IC 20-31 (accountability for performance and improvement), except for IC 20-31-3 and IC 20-31-4.1.
- (5) Subject to subsection (c), IC 20-32-4 (graduation requirements).
- (6) IC 20-32-5.1 (Indiana's Learning Evaluation Assessment Readiness Network (ILEARN) program).





- (7) IC 20-33 (students).
- (8) IC 20-34 (student health and safety measures).
- (9) IC 20-35 (special education).
- (10) IC 20-35.5 (dyslexia screening and intervention).
- (11) IC 20-36 (high ability students).
- (12) IC 20-39 (accounting and financial reporting procedures).
- (13) IC 20-40 (government funds and accounts).
- (14) IC 20-41 (extracurricular funds and accounts).
- (15) IC 20-42 (fiduciary funds and accounts).
- (16) IC 20-42.5 (allocation of expenditures to student instruction and learning).
- (17) IC 20-43 (state tuition support).
- (18) IC 20-44 (property tax levies).
- (19) IC 20-46 (levies other than general fund levies).
- (20) IC 20-47 (related entities; holding companies; lease agreements).
- (21) IC 20-48 (borrowing and bonds).
- (22) IC 20-49 (state management of common school funds; state advances and loans).
- (23) IC 20-50 (homeless children and foster care children).

(c) A coalition member must comply with the postsecondary readiness competency requirements under IC 20-32-4-1.5(b)(1). However, notwithstanding any other law, a coalition member may replace high school courses on the high school transcript with courses on the same subject matter with equal or greater rigor to the required high school course and may count such a course as satisfying the equivalent diploma requirements established by IC 20 and any applicable state board administrative rules or requirements. If the coalition member school offers courses that are not aligned with requirements adopted by the state board under IC 20-30-10, a parent of a student and the student who intends to enroll in a course that is not aligned with requirements adopted by the state board under IC 20-30-10 must provide consent to the coalition member school to enroll in the course. The consent form used by the coalition, which shall be developed in collaboration with the commission for higher education, must notify the parent and the student that enrollment in the course may affect the student's ability to attend a particular postsecondary educational institution or enroll in a particular course at a particular postsecondary educational institution because the course does not align with requirements established by the state board under IC 20-30-10.

SECTION 168. IC 20-30-10-5, AS AMENDED BY P.L.216-2021, SECTION 28, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JUNE 29, 2023]: Sec. 5. (a) Notwithstanding any other law, a high school may:

- (1) replace high school courses on the high school transcript with dual credit courses (as defined in IC 21-43-1-2.5), Cambridge International courses, international baccalaureate courses, or advanced placement courses on the same subject matter with equal or greater rigor to the required high school course; and
- (2) count:
  - (A) a course described in subdivision (1);
  - (B) a work based learning course, program, or experience that is approved under subsection (c);
  - (C) a career and technical education course, program, or experience that is approved under subsection (c); or
  - (D) a course in any combination of:
    - (i) science;



- (ii) technology;
- (iii) engineering; or
- (iv) mathematics;

as satisfying an Indiana diploma with a Core 40 with academic honors designation or another designation requirement.

- (b) A course, program, or experience described in subsection (a)(2)(B), (a)(2)(C), or (a)(2)(D):
  - (1) with:
    - (A) subject matter that is similar to; and
    - (B) rigor that is equal to or greater than;
  - the subject matter and rigor of the required course; but
  - (2) that does not fully align with the required course standards;

must be augmented with instruction to include the remaining standards of the required course.

(c) If a course, program, or experience provider requests that the state board, a state educational institution (as defined in IC 21-7-13-32), or any other entity designated by the state board approve a course, program, or experience described in subsection (a)(2)(B), (a)(2)(C), or (a)(2)(D), the state board, state educational institution, or other entity shall approve the course, program, or experience if the provider provides the following:

- (1) A description of the extent to which the course, program, or experience aligns with the required course that the provider is replacing.
- (2) An explanation regarding how the remaining standards of the required course, program, or experience will be augmented.

(d) If the state board, a state educational institution, or another entity designated by the state board approves a course, program, or experience under subsection (c), the state board, state educational institution, or other entity:

- (1) may periodically review the approved course, program, or experience to ensure the course, program, or experience complies with the requirements under this section; and
- (2) may revoke approval of the course, program, or experience if, at any time more than one (1) year after the course, program, or experience is offered, the state board, state educational institution, or other entity determines that the course, program, or experience does not comply with the requirements under this section.

(e) A dual credit course described in subsection (a)(1) must be authorized by an eligible institution (as described in IC 21-43-4-3.5) that is a member of a national dual credit accreditation organization, or the eligible institution must make assurances that the final assessment for the course given for dual credit under this section is substantially equivalent to the final assessment given in the college course in that subject.

~~(f) A student who satisfies an Indiana diploma with a Core 40 with academic honors designation through a high school course replaced under subsection (a)(2)(D) shall not count toward a school's honor designation award under IC 20-43-10-2.~~

SECTION 169. IC 20-31-4.1-7, AS AMENDED BY P.L.126-2022, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 7. A school or group of schools that submits an application under section 4 of this chapter may not request to waive any of the following provisions:

**IC 20-24-8-2 (prohibited acts).**

IC 20-26-5-10 (criminal history and child protection index check).

**IC 20-26-12-1 (curricular material purchase and provision; public school students).**



**IC 20-26-12-2 (curricular material purchase and rental).**

- IC 20-27-7 (school bus inspection and registration).
- IC 20-27-8-1 (school bus drivers and monitors).
- IC 20-27-8-2 (school bus driver driving summary).
- IC 20-27-10-3 (capacity of school bus).
- IC 20-28 (school teachers).
- IC 20-29 (collective bargaining).
- IC 20-30-5-0.5 (display of United States flag; Pledge of Allegiance).
- IC 20-30-5-1 (constitutions).
- IC 20-30-5-2 (constitutions; interdisciplinary course).
- IC 20-30-5-3 (protected writings).
- IC 20-30-5-4 (American history).
- IC 20-30-5-4.5 (moment of silence).
- IC 20-30-5-5 (morals instruction).
- IC 20-30-5-6 (good citizenship instruction).
- IC 20-30-5-13 (human sexuality instructional requirements).
- IC 20-30-5-17 (access to materials; consent for participation).
- IC 20-30-5-21 (contrary student instruction not permitted).
- IC 20-30-5-22 (Indiana studies).
- IC 20-31 (accountability for performance and improvement).
- IC 20-32-4 (graduation requirements).
- IC 20-32-5.1 (Indiana's Learning Evaluation Assessment Readiness Network (ILEARN) program).
- IC 20-33-1 (equal educational opportunity).
- IC 20-34 (student health and safety measures).
- IC 20-35 (special education).
- IC 20-35.5 (dyslexia screening and intervention).
- IC 20-36 (high ability students).
- IC 20-39 (accounting and financial reporting procedures).
- IC 20-40 (government funds and accounts).
- IC 20-41 (extracurricular funds and accounts).
- IC 20-42 (fiduciary funds and accounts).
- IC 20-42.5 (allocation of expenditures to student instruction and learning).
- IC 20-43 (state tuition support).
- IC 20-44 (property tax levies).
- IC 20-46 (levies other than general fund levies).
- IC 20-47 (related entities; holding companies; lease agreements).
- IC 20-48 (borrowing and bonds).
- IC 20-49 (state management of common school funds; state advances and loans).
- IC 20-50 (homeless children and foster care children).
- IC 20-51 (school scholarships).

SECTION 170. IC 20-31-8-5.5, AS ADDED BY P.L.211-2021, SECTION 23, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JUNE 29, 2023]: Sec. 5.5. (a) Not later than July 1, 2024, the state board shall do the following:

**HEA 1001 — CC 1**



- (1) Establish a compilation of longitudinal data indicating school performance success in various selected and enumerated program areas.
- (2) Present the data described in subdivision (1) for each school in a manner that:
  - (A) can be conveniently and easily accessed from a single web page on the state board's ~~Internet web site;~~ **website;** and
  - (B) is commonly known as an Internet dashboard.
- (b) The dashboard must include the following:
  - (1) Indicators of student performance in elementary school, including schools for grades 6 through 8, and high school.
  - (2) The school's graduation rate, as applicable.
  - (3) The percentage of high school graduates who earned college credit before graduating, as applicable.
  - (4) The pass rate of the statewide assessment program tests (as defined in IC 20-32-2-2.3), as applicable.
  - (5) The growth data of the statewide assessment program tests (as defined in IC 20-32-2-2.3), as applicable.
  - (6) The attendance rate.
  - (7) State, national, and international comparisons for the indicators, if applicable.
  - (8) The school's grade 3 reading proficiency rate, as applicable.**
- (c) The dashboard may include any other data indicating school performance success that the state board determines is relevant.
- (d) Each school shall post on a web page maintained on the school's ~~Internet web site~~ **website** the exact same data and in a similar format as the data presented for the school on the state board's ~~Internet web site.~~ **website.** However, the school may include custom indicators on the web page described in this subsection.

SECTION 171. IC 20-33-5-3, AS AMENDED BY P.L.286-2013, SECTION 112, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 3. (a) **Except as provided in subsection (b),** if a parent of a child or an emancipated minor who is enrolled in a public school in kindergarten or grades 1 through 12 meets the financial eligibility standard under section 2 of this chapter, the parent or the emancipated minor may not be required to pay ~~the fees for curricular materials, supplies, or other required class fees.~~ **any fee required for the child's or emancipated minor's participation in a particular course of study.** The fees shall be paid by the school corporation that the child attends.

(b) ~~The school corporation may apply for a reimbursement under section 7 of this chapter from the department of the costs incurred under subsection (a):~~

(c) ~~To the extent the reimbursement received by the school corporation is less than the rental fee assessed for curricular materials, the school corporation may request that the parent or emancipated minor pay the balance of this amount:~~

**(b) A school corporation may assess and collect a reasonable fee from a parent of a child or from an emancipated minor who is enrolled in a public school in the school corporation and meets the financial eligibility standard under section 2 of this chapter for any lost or significantly damaged curricular materials that were provided to the child or emancipated minor, as provided in IC 20-26-12-1(b).**

SECTION 172. IC 20-33-5-5, AS ADDED BY P.L.1-2005, SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 5. All school corporations must give notice in



nontechnical language and in a manner that can be reasonably expected to reach parents of students before the **assessment and** collection of any fees for ~~schoolbooks and supplies~~; **that are not fees for curricular materials**. This notice must inform the parents of the following:

- (1) The availability of assistance **under this chapter**.
- (2) The eligibility standards **under this chapter**.
- (3) The procedure for obtaining assistance, including the right and method of appeal.
- (4) The availability of application forms at a designated school office.
- (5) That the parents may be required to pay a reasonable fee for lost or significantly damaged curricular materials.**
- (6) The procedure for obtaining assistance under section 12 of this chapter, under IC 20-41-2-5(b), and under IC 20-42-3-10.**
- (7) The right to appeal an assessment of a fee for lost or significantly damaged curricular materials, including the procedure required.**

SECTION 173. IC 20-33-5-7, AS AMENDED BY P.L.286-2013, SECTION 113, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 7. (a) If a determination is made that the applicant is eligible for assistance, the school corporation shall pay the cost of the student's required fees.

~~(b) A school corporation shall receive a reimbursement from the department for some or all of the costs incurred by a school corporation during a school year in providing curricular materials assistance to students who are eligible under section 2 of this chapter.~~

~~(c) To be guaranteed some level of reimbursement from the department, the governing body of a school corporation shall request the reimbursement before November 1 of a school year.~~

~~(d) In its request, the governing body shall certify to the department:~~

- ~~(1) the number of students who are enrolled in that school corporation and who are eligible for assistance under this chapter;~~
- ~~(2) the costs incurred by the school corporation in providing:
  - ~~(A) curricular materials (including curricular materials used in special education and high ability classes) to these students;~~
  - ~~(B) workbooks, digital content, and consumable curricular materials (including workbooks, consumable curricular materials, and other consumable instructional materials that are used in special education and high ability classes) that are used by students for not more than one (1) school year; and~~
  - ~~(C) instead of the purchase of curricular materials, developmentally appropriate material for instruction in kindergarten through the grade 3 level, laboratories, and children's literature programs;~~~~
- ~~(3) that the curricular materials described in subdivision (2)(A) (except curricular materials used in special education classes and high ability classes) have been adopted by the governing body; and~~
- ~~(4) any other information required by the department.~~

~~(e) (b) Each school within a school corporation shall maintain complete and accurate information concerning the number of students determined to be eligible for assistance under this chapter. This information shall be provided to the department upon request.~~

~~(f) (c) Parents receiving other governmental assistance or aid that considers educational needs in computing the entire amount of assistance granted may not be denied assistance if the applicant's total family income does not exceed the standards established by this chapter.~~



(g) ~~The amount of reimbursement that a school corporation is entitled to receive shall be determined as provided in section 9.5 of this chapter.~~

SECTION 174. IC 20-33-5-9, AS AMENDED BY P.L.92-2020, SECTION 79, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 9. (a) As used in this section, "accredited nonpublic school" means a nonpublic school that:

- (1) has voluntarily become accredited under IC 20-31-4.1; or
- (2) is accredited by a national or regional accrediting agency that is recognized by the state board.

(b) If a parent of a child or an emancipated minor who is enrolled in an accredited nonpublic school meets the financial eligibility standard under section 2 of this chapter, the parent or the emancipated minor may receive a reimbursement from the department as provided in this chapter for the costs ~~or some of the costs~~ incurred by the parent or emancipated minor ~~in fees that are reimbursable under section 7 of this chapter.~~ **for curricular materials.**

(c) The department shall provide each accredited nonpublic school with sufficient application forms for assistance, prescribed by the state board of accounts.

(d) Each accredited nonpublic school shall provide the parents or emancipated minors who wish to apply for assistance with:

- (1) the appropriate application forms; and
- (2) any assistance needed in completing the application form.

(e) The parent or emancipated minor shall submit the application to the accredited nonpublic school. The accredited nonpublic school shall make a determination of financial eligibility subject to appeal by the parent or emancipated minor.

(f) If a determination is made that the applicant is eligible for assistance, subsection (b) applies.

(g) To be guaranteed some level of reimbursement from the department, the principal or other designee shall submit the reimbursement request before November 1 of a school year.

(h) In its request, the principal or other designee shall certify to the department:

- (1) the number of students who are enrolled in the accredited nonpublic school and who are eligible for assistance under this chapter;
- (2) the costs incurred in providing
  - ~~(A) curricular materials (including curricular materials used in special education and high ability classes); and~~
  - ~~(B) workbooks, digital content, and consumable curricular materials (including workbooks, consumable curricular materials, and other consumable teaching materials that are used in special education and high ability classes) that are used by students for not more than one (1) school year;~~
- (3) that the curricular materials described in subdivision ~~(2)(A)~~ **(2)** (except any curricular materials used in special education classes and high ability classes) have been adopted by the governing body; and
- (4) any other information required by the department.

(i) The amount of reimbursement that a parent or emancipated minor is entitled to receive shall be determined as provided in ~~section 9.5 of this chapter.~~ **IC 20-40-22-7.**

(j) The accredited nonpublic school shall distribute the money received under ~~this chapter~~ **IC 20-40-22-8** to the appropriate eligible parents or emancipated minors.

(k) Section ~~7(f)~~ **7(c)** of this chapter applies to parents or emancipated minors as described in this section.



(l) The accredited nonpublic school and the department shall maintain complete and accurate information concerning the number of applicants determined to be eligible for assistance under this section.

(m) The state board shall adopt rules under IC 4-22-2 to implement this section.

SECTION 175. IC 20-33-5-9.5, AS AMENDED BY P.L.92-2020, SECTION 80, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 9.5. (a) This section applies to reimbursements made under this chapter in the state fiscal year beginning after June 30, 2013.

(b) The amount of reimbursement that a school corporation or an accredited nonpublic school (as defined in section 9(a) of this chapter) is entitled to receive under section 7 **or 9** of this chapter in a state fiscal year is equal to the amount determined in the following STEPS:

STEP ONE: Determine the amount appropriated to make reimbursements under this chapter for the state fiscal year.

STEP TWO: Determine the total number of eligible students for which reimbursement was requested under either section 7 or 9 of this chapter before November 1 of the previous calendar year by all school corporations and accredited nonpublic schools.

STEP THREE: Divide the result determined in STEP ONE by the number determined in STEP TWO.

STEP FOUR: Multiply:

(A) the STEP THREE result; by

(B) the number of eligible students for which reimbursement was requested under section 7 or 9 of this chapter before November 1 of the state fiscal year by the school corporation or the accredited nonpublic school.

SECTION 176. IC 20-33-5-11, AS AMENDED BY P.L.251-2017, SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 11. (a) A school corporation may not:

- (1) withhold curricular materials and supplies;
- (2) require any special services from a child **or emancipated minor**; or
- (3) deny the child **or emancipated minor** any benefit or privilege;

because the parent **or emancipated minor** fails to pay a required ~~fees~~: **fee, including a reasonable fee for lost or significantly damaged curricular materials imposed under IC 20-26-12-1(b)**.

(b) Notwithstanding subsection (a), a school corporation may take any action authorized by law to collect unpaid fees from parents who are determined to be ineligible for assistance, including recovery of reasonable attorney's fees and court costs in addition to a judgment award against those parents.

(c) A school corporation may designate a full-time employee of the school corporation to represent the school corporation in a small claims court action under subsection (b) if the claim does not exceed one thousand five hundred dollars (\$1,500). The employee designated under this subsection is not required to be an attorney.

SECTION 177. IC 20-33-5-14, AS AMENDED BY P.L.43-2021, SECTION 112, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 14. (a) The school curricular materials reimbursement contingency fund is established to reimburse ~~school corporations~~, eligible parents of children who attend accredited nonpublic schools and emancipated minors who attend accredited nonpublic schools as provided in section 9 of this chapter for assistance provided under this chapter. The fund consists of money appropriated to the fund by the general assembly. The secretary of education shall administer the fund.



(b) The treasurer of state shall invest the money in the school curricular materials reimbursement contingency fund not currently needed to meet the obligations of the fund in the same manner as other public funds may be invested.

SECTION 178. IC 20-35-4-4 IS REPEALED [EFFECTIVE JULY 1, 2023]. ~~Sec. 4. (a) For the administration and field service of the division, there is appropriated annually out of the excise funds of the alcohol and tobacco commission an amount to administer this chapter as determined by the general assembly:~~

~~(b) Money appropriated under this section shall be deposited into a special fund in the state treasury to be known as the special education fund. The special education fund shall be:~~

~~(1) administered by the secretary of education; and~~

~~(2) used only for the administration of IC 20-35-2 through IC 20-35-6 and IC 20-35-8.~~

SECTION 179. IC 20-35-13 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]:

**Chapter 13. Auditory-Verbal Accelerated Education Program**

**Sec. 1. As used in this chapter, "auditory-verbal accelerated education program" means a specialized program:**

**(1) that:**

**(A) relies solely on; and**

**(B) develops;**

**listening skills;**

**(2) that uses an implant or assistive hearing device for the purpose of relying on speech and spoken language skills as the method of communication; and**

**(3) that uses faculty and supervisors certified as listening and spoken language specialists each day the child is in attendance.**

**Sec. 2. As used in this chapter, "deaf or hard of hearing" has the meaning set forth in 511 IAC 7-41-4.**

**Sec. 3. (a) A child who is deaf or hard of hearing and who meets the requirements described in subsection (b) may enroll in an auditory-verbal accelerated education program for the development of listening and spoken language skills to prepare the child for enrollment in school.**

**(b) To participate in the auditory-verbal accelerated education program, the child must:**

**(1) have received an implant or assistive hearing device;**

**(2) be at least three (3) years of age and, except as provided in subsection (c), less than seven (7) years of age; and**

**(3) be a resident of Indiana.**

**(c) A child described in subsection (b) may participate in the program until the earlier of the following:**

**(1) The completion of grade 2.**

**(2) The completion of the school year in which the child becomes seven (7) years of age.**

**Sec. 4. The level of services a child shall receive as part of the auditory-verbal accelerated education program shall be determined by the individual educational plan team, which includes the child's parent and a certified listening and a spoken language specialist in accordance with the administrative rules adopted by the department.**

SECTION 180. IC 20-40-2-1, AS AMENDED BY P.L.244-2017, SECTION 66, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 1. As used in this chapter, "fund" refers to a





school corporation's **or, if applicable, a charter school's** education fund established under section 2 of this chapter.

SECTION 181. IC 20-40-2-2, AS AMENDED BY P.L.244-2017, SECTION 67, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 2. **(a)** The governing body of each school corporation shall establish an education fund for the payment of expenses that are allocated to student instruction and learning under IC 20-42.5.

**(b) The governing body of a charter school that receives a distribution of revenue received from a tax levy under IC 20-46-8-11.2 shall establish an education fund for the payment of expenses that are allocated to student instruction and learning under IC 20-42.5.**

SECTION 182. IC 20-40-2-4, AS AMENDED BY P.L.140-2018, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 4. Except as provided in IC 36-1-8-5.1 (school corporation rainy day fund), the education fund **of the school corporation or, if applicable, a charter school**, shall be used only to pay for expenses allocated to student instruction and learning under IC 20-42.5. The fund may not be used to pay directly any expenses that are not allocated to student instruction and learning under IC 20-42.5 or expenses permitted to be paid from the school corporation's **or charter school's** operations fund.

SECTION 183. IC 20-40-2-6, AS AMENDED BY P.L.139-2022, SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 6. **(a)** Each school corporation **and, if applicable, charter school**, shall make every reasonable effort to transfer not more than fifteen percent (15%) of the total revenue deposited in the school corporation's **or, if applicable, charter school's**, education fund from the school corporation's **or, if applicable, charter school's**, education fund to the school corporation's **or, if applicable, charter school's**, operations fund during a calendar year.

**(b)** Only after the transfer is authorized by the governing body in a public meeting with public notice, money in the education fund may be transferred to the operations fund to cover expenditures that are not allocated to student instruction and learning under IC 20-42.5. The amount transferred from the education fund to the operations fund shall be reported by the school corporation **or, if applicable, charter school**, to the department. The transfers made during the:

- (1) first six (6) months of each state fiscal year shall be reported before January 31 of the following year; and
- (2) last six (6) months of each state fiscal year shall be reported before July 31 of that year.

**(c)** The report must include information as required by the department and in the form required by the department.

**(d)** The department must post the report submitted under subsection (b) on the department's ~~Internet web site.~~ **website.**

**(e)** Beginning in 2020, the department shall track for each school corporation **or, if applicable, charter school**, transfers from the school corporation's **or, if applicable, charter school's**, education fund to its operations fund for the preceding six (6) month period. Beginning in 2021, before March 1 of each year, the department shall compile an excessive education fund transfer list comprised of all school corporations **or, if applicable, charter schools**, that transferred more than fifteen percent (15%) of the total revenue deposited in the school corporation's **or, if applicable, charter school's**, education fund from the school corporation's **or, if applicable, charter school's**, education fund to the school corporation's **or, if applicable, charter school's**, operations fund during the immediately preceding calendar year. A school corporation **or, if applicable, charter school**, that is not included on the



excessive education fund transfer list is considered to have met the education fund transfer target percentage for the immediately preceding calendar year.

SECTION 184. IC 20-40-9-7, AS AMENDED BY P.L.140-2018, SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 7. **(a) Money in the fund may be used for payment of all unreimbursed costs of curricular materials for the school corporation's students who were eligible for free or reduced lunches in the previous school year.**

**(b) Money in the fund may not be used for payment of debt service, lease payments, or similar obligations for a controlled project that is approved by the voters in a referendum under IC 6-1.1-20.**

**(c) The governing body may transfer the amount levied to cover unreimbursed costs of curricular materials under this section to the curricular materials rental fund, the extracurricular account, or the education fund.**

SECTION 185. IC 20-40-18-1, AS ADDED BY P.L.244-2017, SECTION 86, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 1. **(a) The governing body of each school corporation shall create an operations fund to be used by the school corporation after December 31, 2018.**

**(b) The governing body of each charter school that receives a distribution of revenue received from a tax levy under IC 20-46-8-11.2 shall create an operations fund to be used by the charter school after December 31, 2024.**

SECTION 186. IC 20-40-18-2, AS ADDED BY P.L.244-2017, SECTION 86, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 2. **(a) The operations fund shall be used to deposit the following after December 31, 2018, in the case of a school corporation:**

- (1) Revenue from the school corporation's operations fund property tax levy under IC 20-46-8.
- (2) The sum of the following excise tax revenue received for deposit in the fund in the calendar year in which the school year begins:
  - (A) Financial institutions excise tax (IC 6-5.5).
  - (B) Motor vehicle excise taxes (IC 6-6-5).
  - (C) Commercial vehicle excise taxes (IC 6-6-5.5).
  - (D) Boat excise tax (IC 6-6-11).
  - (E) Aircraft license excise tax (IC 6-6-6.5).
- (3) Transfers from the education fund (IC 20-40-2) or the operating referendum tax levy fund (IC 20-40-3), if any.
- (4) Allocations of local income taxes to the school corporation under IC 6-3.6-6, if any.

**(b) The operations fund shall be used to deposit amounts distributed to the charter school under IC 20-46-8-11.2 after December 31, 2024.**

SECTION 187. IC 20-40-18-10.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 10.5. **(a) This section applies only to eligible charter schools that receive amounts distributed under IC 20-46-8-11.2.**

**(b) For purposes of this section, "charter board" means the governing body of the organizer (as defined in IC 20-24-1-7) of an eligible charter school.**

**(c) The operations fund may be used only to do the following:**

- (1) Carry out a capital projects plan under the following conditions:
  - (A) The plan must include all proposed expenditures that exceed ten thousand dollars (\$10,000) and are for:
    - (i) capital assets; or
    - (ii) projects that are considered capital in nature, including technology related projects.



**(B) If a charter school wants to use money in the operations fund during the year to pay for any items listed in clause (E) that are considered capital in nature, the charter board must approve a plan following a public hearing. The charter school shall post the proposed plan or proposed amended plan on the charter school's website before the hearing. The charter school shall submit the proposed capital projects plan to the department of local government finance's computer gateway at least ten (10) days before the public hearing. The department of local government finance shall make the proposed plan available at least ten (10) days before the hearing, through the department's computer gateway. If an amendment to a capital projects plan is proposed, the charter board must declare the nature of and need for the amendment in the plan amendment.**

**(C) If a charter board adopts a plan under clause (B), the charter school must then submit the plan to the department of local government finance for inclusion on the department's computer gateway not later than thirty (30) days after adoption of the plan. The department of local government finance shall immediately make the proposed plan available through the gateway website.**

**(D) This clause applies to an amendment to a plan that is required because of an emergency that results in costs that exceed the amount accumulated in the fund for repair, replacement, or site acquisition that is necessitated by an emergency. The charter board is not required to comply with clause (C). If the charter board determines that an emergency exists, the governing body may adopt an amendment to the plan. An amendment to a plan is not subject to the deadline and procedures for adoption of a plan described in this subdivision.**

**(E) This clause sets forth an exclusive list of the expenditures that may be made from the operations fund under clause (B), as set forth in the charter board's plan or amended plan. Subject to the expenditures that are identified in the charter school's plan or amended plan, the operations fund shall be used for the following:**

**(i) Site acquisition.**

**(ii) Site development.**

**(iii) Building acquisition, construction, replacement, renovation, remodeling, improvement, and maintenance, including building materials and employment services.**

**(iv) Rental of real estate, buildings, facilities, and equipment.**

**(v) To repair and replace buildings and to repair and replace building fixtures that are owned or leased by the charter school and of a type constituting loss capable of being covered by casualty insurance.**

**(vi) Purchase, lease, repair, or maintenance of equipment, including maintenance vehicles to be used by the charter school. However, the fund may not be used to pay for the purchase, lease, repair, or maintenance of vehicles that are not maintenance vehicles, or equipment to be used primarily for interscholastic or extracurricular activities.**

**(vii) Service contracts for janitorial and custodial services, maintenance services, snow and ice removal services, trash removal services, mowing and lawn care services, pest control services, and any other routine services normally required in the maintenance or upkeep of charter school facilities.**

**(viii) Repair, replacement, or site acquisition that is necessitated by an emergency.**



- (ix) Construction, repair, replacement, remodeling, or maintenance of a school sports facility.
  - (x) Utilities.
  - (xi) Property and casualty insurance.
  - (xii) Purchase, lease, upgrade, maintenance, or repair technology that will not be allocated to student instruction and learning, to include computer hardware, computer software, wiring and computer networks, and communication access systems used to connect with computer networks or electronic gateways; services of full-time or part-time computer maintenance employees; conducting nonrecurring inservice technology training of school employees; implementing the technology preparation curriculum; participating in a program to provide educational technologies, including computers in the homes of students (commonly referred to as "the buddy system project") under IC 20-20-13-6, the 4R's technology program, or any other program under the educational technology program described in IC 20-20-13; and obtaining any combination of equipment or services in the preceding two (2) categories of this item.
  - (xiii) Services of charter school employees who perform services considered to be a skilled trade by the United States Department of Labor, Employment and Training Administration. For purposes of this item, skilled trade services do not include janitorial or comparable routine services normally provided in the daily operation of school facilities or equipment. Payment may be made for employee services only if the employees perform construction of, renovation of, remodeling of, repair of, or maintenance on the facilities and equipment of the charter school.
- (2) Pay transportation costs under the following conditions:
- (A) A charter school shall use the operations fund to pay the transportation costs attributable to transportation of school children as specified in clause (B).
  - (B) Only the following costs are payable from the fund:
    - (i) Salaries paid to bus drivers, transportation supervisors, mechanics and garage employees, clerks, and other transportation related employees.
    - (ii) Contracted transportation services.
    - (iii) Wages of independent contractors.
    - (iv) Contracts with common carriers.
    - (v) Student fares.
    - (vi) Transportation related insurance.
    - (vii) Other expenses of operating the school corporation's transportation service, including gasoline, lubricants, tires, repairs, contracted repairs, parts, supplies, equipment, and other related expenses.
  - (C) Percentages or parts of salaries of teaching personnel or principals are not attributable to transportation. However, parts of salaries of instructional aides who are assigned to assist with the school transportation program are attributable to transportation. The costs described in this clause (other than instructional aide costs) may not be budgeted for payment or paid from the fund.
  - (D) Costs for a calendar year are those costs attributable to transportation for students during the school year ending in the calendar year.



**(3) Carry out a school bus replacement plan approved by the charter school board under the following conditions:**

**(A) Before a charter school may use money in the operations fund for replacing school buses, a resolution approving the school bus replacement plan or amended plan must be submitted to the department of local government finance.**

**(B) The department of local government finance shall prescribe the format of the plan. A plan must apply to at least the five (5) budget years immediately following the year the plan is adopted and include at least an estimate for each year to which it applies of the nature and amount of proposed expenditures from the fund, and if the school corporation is seeking to acquire or contract for transportation services that will provide additional school buses or school buses with a larger seating capacity as compared with the number and type of school buses from the prior school year, evidence of a demand for increased transportation services within the school corporation. However, the evidence requirement regarding a contract for transportation services does not apply if contracted transportation services are not paid from the fund.**

**(C) If the charter school is seeking to require a contractor to replace a school bus, evidence that the need exists for the replacement of the school bus. This clause does not apply if contracted transportation services are not paid from the operations fund.**

**(D) Evidence that the charter school that seeks to acquire additional school buses under this subdivision is acquiring or contracting for the school buses only for the purposes specified in clause (B) or for replacement purposes.**

**(E) If a charter school wants to use money in the operations fund during the year to pay for school bus replacement, the governing body must adopt a resolution approving the bus replacement plan or amended plan. The charter school shall post the proposed plan or proposed amended plan on the charter school's website before the hearing. The governing body must hold a hearing on the adoption of the plan. The charter school shall submit the proposed school bus replacement plan or amended plan to the department of local government finance's computer gateway at least ten (10) days before the hearing on the adoption of the plan. The department of local government finance shall make the proposed plan available to taxpayers, at least ten (10) days before the hearing, through the department's computer gateway. If an amendment to a bus replacement plan is being proposed, the charter school must declare the nature of and the need for the amendment in the resolution to adopt the amendment to the plan.**

**(4) Pay expenses that are allocated to overhead and operational expenditures.**

**(5) Establish, maintain, and equip a public playground.**

SECTION 188. IC 20-40-18-11, AS ADDED BY P.L.244-2017, SECTION 86, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 11. (a) Only after the transfer is authorized by the governing body in a public meeting with public notice, money in the operations fund may be transferred to the education fund to cover expenditures that are allocated to student instruction and learning under IC 20-42.5. The amount transferred from the operations fund to the education fund shall be reported by the school corporation **or, if applicable, charter school**, to the department. The transfers made during the:

(1) first six (6) months of each state fiscal year shall be reported before January 31 of the following year; and



(2) last six (6) months of each state fiscal year shall be reported before July 31 of that year.

(b) The report must include a description of each purpose for which a transfer was made and the amount of the transfer that corresponded to each purpose.

(c) The department must post the report submitted under subsection (a) on the department's ~~Internet web site.~~ **website.**

SECTION 189. IC 20-40-22 IS ADDED TO THE INDIANA CODE AS A **NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]:**

**Chapter 22. Curricular Materials Fund**

**Sec. 1. As used in this chapter, "accredited nonpublic school" means a nonpublic school that:**

- (1) has voluntarily become accredited under IC 20-31-4.1; or**
- (2) is accredited by a national or regional accrediting agency that is recognized by the state board of education.**

**Sec. 2. As used in this chapter, "eligible student" means a child or an emancipated minor:**

- (1) who is enrolled in an accredited nonpublic school in kindergarten or grades 1 through 12; and**
- (2) in the case of:**
  - (A) a child, whose parent meets; or**
  - (B) an emancipated minor, meets;**

**the financial eligibility standard under IC 20-33-5.**

**Sec. 3. As used in this chapter, "fund" refers to the curricular materials fund established by section 5 of this chapter.**

**Sec. 4. As used in this chapter, "public school" means a:**

- (1) school maintained by a school corporation; or**
- (2) charter school.**

**Sec. 5. (a) The curricular materials fund is established. The department shall administer the fund. The purpose of the fund is to provide funding for:**

- (1) state advancements or reimbursements of costs incurred by public schools to provide curricular materials to students at no cost as required under IC 20-26-12-1; and**
- (2) reimbursements of costs incurred by a parent of an eligible student, or an eligible student, for curricular materials as provided under IC 20-33-5-9.**

**(b) The fund consists of the following:**

- (1) Appropriations by the general assembly.**
- (2) Donations.**
- (3) Federal grants or other federal appropriations.**
- (4) Interest and other earnings derived from investment of money in the fund.**

**(c) The treasurer of state shall invest money in the fund not currently needed to meet the obligations of the fund in the same manner as other public money may be invested. Interest that accrues from these investments must be deposited in the fund.**

**(d) Money in the fund is continually appropriated for the purposes of this chapter.**

**(e) Money in the fund may not be used for the costs of administering this chapter.**

**Sec. 6. Money in the fund may be used only for the:**

- (1) advancement of costs or reimbursement of expenditures incurred by a public school to purchase curricular materials that are provided to each student at no cost as required by IC 20-26-12-1; and**



(2) reimbursements of costs incurred by a parent of an eligible student, or an eligible student for curricular materials as provided under IC 20-33-5-9.

Sec. 7. The department shall annually determine an average cost amount per student for curricular materials to determine the distribution amount under this chapter. The amount determined by the department under this section must be identical for all students of public schools and eligible students.

Sec. 8. (a) The department shall annually determine the total distribution amount from the fund in a state fiscal year.

(b) Beginning October 1, 2023, and October 1 each year thereafter, the department shall distribute from the fund to each public school and each accredited nonpublic school from which a reimbursement request was received under IC 20-33-5-9 an amount equal to:

(1) the average cost amount per student for curricular materials as determined under section 7 of this chapter; multiplied by

(2) in the case of:

(A) a public school, the fall count of ADM for the public school; and

(B) an accredited nonpublic school, the number of eligible students for whom a request for reimbursement was submitted under IC 20-33-5-9.

(c) If the total distribution amount from the fund is less than the amount needed to pay the cost of all curricular materials provided and the cost of reimbursements under this chapter, the department shall make distributions from the fund to each public school and each applicable accredited nonpublic school based on the cost of curricular materials per student as determined under section 7 of this chapter on a pro rata basis.

Sec. 9. Each public school shall establish a separate curricular materials account for the purpose of receiving distributions under this chapter, amounts received from the rental of curricular materials to nonpublic schools, and fees collected under IC 20-26-12-1(b) for lost or significantly damaged curricular materials. A public school that receives a distribution of money from the curricular materials fund under this chapter shall deposit the distributed amount in the public school's curricular materials account. Money in the account may be used only for the costs of curricular materials.

SECTION 190. IC 20-41-1-2, AS AMENDED BY P.L.238-2019, SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 2. Any self-supporting programs maintained by a school corporation, including

(1) school lunch, and

(2) rental or sale of curricular materials;

may be established as a separate funds, fund, separate and apart from any other school corporation fund, if no local tax rate is established for the programs.

SECTION 191. IC 20-41-1-2, AS AMENDED BY HEA 1040-2023, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2024]: Sec. 2. Any self-supporting programs maintained by a school corporation, excluding

(1) school lunch, and

(2) rental or sale of curricular materials;

may be established as a separate funds, fund, separate and apart from any other school corporation fund, if no local tax rate is established for the programs.



SECTION 192. IC 20-41-2-2 IS REPEALED [EFFECTIVE JULY 1, 2023]. Sec. 2. Each township trustee in operating a curricular materials rental program may use either of the following accounting methods:

(1) The township trustee may supervise and control the program through its school corporation account by establishing a curricular materials rental fund.

(2) If curricular materials have not been purchased and financial commitments or guarantees for the purchases have not been made by the school corporation, the township trustee may have the program operated by the individual schools of the school corporation through the school corporation's extracurricular account or accounts under IC 20-41-1.

SECTION 193. IC 20-41-2-5, AS AMENDED BY P.L.140-2018, SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 5. (a) A governing body in operating a curricular materials rental program under IC 20-26-5-4(a)(12) may use either of the following accounting methods:

(1) The governing body may supervise and control the program through the school corporation's curricular materials rental fund or education fund.

(2) If curricular materials have not been purchased and financial commitments or guarantees for the purchases have not been made by the school corporation, the governing body may cause the program to be operated by the individual schools of the school corporation through the school corporation's extracurricular account or accounts in accordance with IC 20-41-1.

(b) If the governing body determines that a hardship exists due to the inability of a student's family or **an emancipated minor** to purchase or rent pay any required fees or a reasonable fee for lost or significantly damaged curricular materials, taking into consideration the income of the family or the emancipated minor and the demands on the family or emancipated minor, the governing body may furnish curricular materials to the student without charge, without reference to the application of any other statute or rule except IC 20-26-1 through IC 20-26-5, IC 20-26-7, IC 20-40-12, and IC 20-48-1. waive the fee.

SECTION 194. IC 20-41-2-5, AS AMENDED BY HEA 1040-2023, SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2024]: Sec. 5. (a) A governing body in operating a curricular materials rental program under IC 20-26-5-4(a)(12) must supervise and control the program through the school corporation's curricular materials rental fund or education fund.

(b) If the governing body determines that a hardship exists due to the inability of a student's family or **an emancipated minor** to purchase or rent pay any required fees or a reasonable fee for lost or significantly damaged curricular materials, taking into consideration the income of the family or the emancipated minor and the demands on the family or emancipated minor, the governing body may furnish curricular materials to the student without charge, without reference to the application of any other statute or rule except IC 20-26-1 through IC 20-26-5, IC 20-26-7, IC 20-40-12, and IC 20-48-1. waive the fee.

SECTION 195. IC 20-41-2-6, AS AMENDED BY P.L.244-2017, SECTION 89, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 6. (a) If a school lunch fund is established under section 4 of this chapter and the school corporation's education fund is used under section 5 of this chapter, the receipts and expenditures from a fund for the program to which the fund relates shall be made to and from the appropriate fund without appropriation or the application of other statutes and rules relating to the budgets of municipal corporations.





(b) If either the lunch program or the curricular materials rental program is handled through the extracurricular account, the governing body of the school corporation shall approve the amount of the bond of the treasurer of the extracurricular account in an amount the governing body considers sufficient to protect the account for all funds coming into the hands of the treasurer of the account.

SECTION 196. IC 20-42-3-10, AS AMENDED BY P.L.286-2013, SECTION 124, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 10. The trustee, with the advice and consent of the township board, shall use the account for the following educational purposes:

(1) Each year the trustee shall pay, to the parent or legal guardian of any child **or emancipated minor** whose residence is within the township, the initial cost for the rental of curricular materials used in any elementary or secondary school that has been accredited by the state. The reimbursement for the rental of curricular materials shall be for the initial yearly rental charge only: **the following:**

**(A) Any reasonable fees for lost or significantly damaged curricular materials used in any elementary or secondary school that has been accredited by the state. However, a reimbursement under this subdivision may only be made one (1) time to the parent or guardian of any particular child or any particular emancipated minor.** Curricular materials subsequently lost or destroyed may not be paid for from this account.

**(B) Any other required class fees, that are not curricular materials, used in any elementary or secondary school that has been accredited by the state.**

(2) Students who are residents of the township for the last two (2) years of their secondary education and who still reside within the township are entitled to receive financial assistance in an amount not to exceed an amount determined by the trustee and the township board during an annual review of postsecondary education fees and tuition costs of education at any accredited postsecondary educational institution. Amounts to be paid to each eligible student shall be set annually after this review. The amount paid each year must be:

(A) equitable for every eligible student without regard to race, religion, creed, sex, disability, or national origin; and

(B) based on the number of students and the amount of funds available each year.

(3) A person who has been a permanent resident of the township continuously for at least two (2) years and who needs educational assistance for job training or retraining may apply to the trustee of the township for financial assistance. The trustee and the township board shall review each application and make assistance available according to the need of each applicant and the availability of funds.

(4) If all the available funds are not used in any one (1) year, the unused funds shall be retained in the account by the trustee for use in succeeding years.

SECTION 197. IC 20-43-1-1, AS AMENDED BY P.L.165-2021, SECTION 158, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JUNE 29, 2023]: Sec. 1. This article expires June 30, ~~2023~~. **2025.**

SECTION 198. IC 20-43-1-3 IS REPEALED [EFFECTIVE JUNE 29, 2023]. ~~Sec. 3: "Honors designation award" refers to the amount determined under IC 20-43-10-2.~~

SECTION 199. IC 20-43-2-3, AS AMENDED BY P.L.10-2019, SECTION 89, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JUNE 29, 2023]: Sec. 3. In determining the total amount to be distributed for purposes of section 2 of this chapter, distributions:

(1) as basic tuition support;

(2) for ~~honors designation awards;~~ **academic performance grants;**

(3) for special education grants;

HEA 1001 — CC 1



- (4) for career and technical education grants;
- (5) for choice scholarships; ~~and~~
- (6) for Mitch Daniels early graduation scholarships; ~~and~~
- (7) for non-English speaking program grants under IC 20-43-10-4;**

are to be considered for a particular state fiscal year.

SECTION 200. IC 20-43-3-8, AS AMENDED BY P.L.165-2021, SECTION 160, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JUNE 29, 2023]: Sec. 8. A school corporation's foundation amount is the following:

- ~~(1) Five thousand nine hundred ninety-five dollars (\$5,995) for the state fiscal year beginning July 1, 2021.~~
- ~~(2) Six thousand two hundred thirty-five dollars (\$6,235) for the state fiscal year beginning July 1, 2022.~~
- (1) Six thousand five hundred ninety dollars (\$6,590) for the state fiscal year beginning July 1, 2023.**
- (2) Six thousand six hundred eighty-one dollars (\$6,681) for the state fiscal year beginning July 1, 2024.**

SECTION 201. IC 20-43-4-2, AS AMENDED BY P.L.130-2022, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JUNE 29, 2023]: Sec. 2. (a) Subject to section 3.7 of this chapter, a school corporation's ADM is the number of eligible pupils enrolled in:

- (1) the school corporation; or
- (2) a transferee corporation;

on the ~~day fixed in September by the state board for a fall count of students~~ **fall count day of ADM established** under section 3 of this chapter and, if applicable, as subsequently adjusted under section 3.5 of this chapter.

(b) Subject to section 3.7 of this chapter, a school corporation shall determine the number of eligible pupils enrolled in:

- (1) the school corporation; or
- (2) a transferee corporation;

on the day fixed in February by the state board for a spring count of students under section 3 of this chapter and, if applicable, as subsequently adjusted under section 3.5 of this chapter.

(c) Each school corporation shall, before April 1 of each year, provide to the department an estimate of the school corporation's ADM that will result from the **following fall** count of eligible pupils. ~~in the following September.~~ The department may update and adjust the estimate as determined appropriate by the department. In each odd-numbered year, the department shall provide the updated and adjusted estimate of the school corporation's ADM to the legislative services agency before April 10 of that year. **Upon request, the department shall provide a school corporation with an estimate of the school corporation's ADM.**

(d) A new charter school shall submit an enrollment estimate to the department before April 1 of the year the new charter school will be open for enrollment. The department shall use the new charter school's enrollment estimate as the basis for the new charter school's distribution beginning in July and until actual ADM is available, subject to section 9 of this chapter. However, if the new charter school's enrollment estimate is greater than eighty percent (80%) of the new charter school's authorized enrollment cap, the department may use that enrollment estimate if the department has requested and reviewed other enrollment data that support that enrollment estimate. However, if the enrollment data requested and



reviewed by the department does not support the enrollment estimate submitted by the new charter school, the department shall determine the estimated ADM based on the enrollment data requested and reviewed by the department. In each odd-numbered year, the department shall provide the new charter school's estimated ADM to the legislative services agency before April 10 of that year.

SECTION 202. IC 20-43-4-3, AS AMENDED BY P.L.130-2022, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JUNE 29, 2023]: Sec. 3. **(a)** Subject to section 3.7 of this chapter **and subsection (b)**, the state board shall make an ADM count of the eligible pupils enrolled in each school corporation two (2) times each school year, with one (1) count date occurring in each of the following periods:

(1) The fall count of ADM shall be made on a day during September fixed by the state board. **October 1 or another date set by the board to align the count of ADM with the federal pupil enrollment count.**

(2) The spring count of ADM shall be made on a day during February fixed by the state board.

**(b) If the fall count day of ADM falls on a Saturday, Sunday, national legal holiday recognized by the federal government, or a statewide holiday, the fall count of ADM shall be made on the immediately following day that is not a Saturday, Sunday, or national or statewide holiday.**

SECTION 203. IC 20-43-4-6.5, AS AMENDED BY P.L.148-2022, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JUNE 29, 2023]: Sec. 6.5. (a) Subject to subsection (b), for purposes of determining basic tuition support for a school corporation under IC 20-43-6-3, the department shall review the daily attendance of each student to determine whether, of the instructional services that the student receives from a school corporation, at least fifty percent (50%) is virtual instruction. The department shall review the daily attendance of a student under this subsection as follows:

(1) Except as provided in section 6.7 of this chapter, for purposes of the fall count of ADM, the department shall review the attendance for each student on each school day from the school corporation's first day of school until the ~~day fixed in September by the state board~~ **fall count day of ADM established** under section 3 of this chapter.

(2) For purposes of the spring count of ADM, the department shall review the attendance for each student on each school day from the first day after the date described in subdivision (1) until the date fixed in February by the state board under section 3 of this chapter.

(b) In reviewing daily attendance under this section, the department shall take into consideration whether a student transferred to the school corporation during the dates described in subsection (a)(1) and (a)(2) that the department reviews daily attendance.

SECTION 204. IC 20-43-6-3, AS AMENDED BY P.L.165-2021, SECTION 164, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JUNE 29, 2023]: Sec. 3. (a) A school corporation's basic tuition support for a state fiscal year is the amount determined under the applicable provision of this section.

(b) This subsection applies to a school corporation that does not have any students in the school corporation's current ADM for the year for whom, of the instructional services that the students receive from the school corporation, at least fifty percent (50%) is virtual instruction. The school corporation's basic tuition support for a state fiscal year is equal to the ~~result using~~ **amount determined under STEP FOUR** of the following formula:

STEP ONE: Multiply the foundation amount by the school corporation's current ADM.

STEP TWO: Multiply the school corporation's complexity index by: ~~three thousand seven hundred seventy-five dollars (\$3,775)~~.



**(A) for the state fiscal year beginning July 1, 2023, three thousand nine hundred eighty-three dollars (\$3,983); and**

**(B) for the state fiscal year beginning July 1, 2024, four thousand twenty-four dollars (\$4,024).**

STEP THREE: Multiply the STEP TWO amount by the school corporation's current ADM.

**STEP FOUR: Determine the sum of the STEP ONE amount and the STEP THREE amount.**

(c) This subsection applies to a school corporation that has students in the school corporation's current ADM for the year for whom, of the instructional services that the students receive from the school corporation, at least fifty percent (50%) is virtual instruction. The school corporation's basic tuition support for a state fiscal year is equal to the ~~result using amount determined under STEP SEVEN of~~ the following formula:

STEP ONE: Determine the total number of students in the school corporation's current ADM for the year for whom, of the instructional services that the students receive from the school corporation, at least fifty percent (50%) is virtual instruction.

STEP TWO: Determine the result of the school corporation's current ADM for the year minus the STEP ONE amount.

STEP THREE: Determine the result of:

(A) the foundation amount; multiplied by

(B) the STEP TWO amount.

STEP FOUR: Determine the result of:

(A) the STEP ONE amount; multiplied by

(B) eighty-five percent (85%) of the foundation amount.

STEP FIVE: Multiply the school corporation's complexity index by: ~~three thousand seven hundred seventy-five dollars (\$3,775).~~

**(A) for the state fiscal year beginning July 1, 2023, three thousand nine hundred eighty-three dollars (\$3,983); and**

**(B) for the state fiscal year beginning July 1, 2024, four thousand twenty-four dollars (\$4,024).**

STEP SIX: Multiply the STEP FIVE amount by the school corporation's current ADM.

**STEP SEVEN: Determine the sum of the STEP THREE amount, the STEP FOUR amount, and the STEP SIX amount.**

SECTION 205. IC 20-43-7-6, AS AMENDED BY P.L.165-2021, SECTION 165, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 6. A school corporation's special education grant for a state fiscal year is equal to the sum of the following:

(1) The nonduplicated count of pupils in programs for severe disabilities **level one (1), including multiple disabilities, orthopedic impairment, emotional disability requiring full-time placement, severe intellectual disability, autism spectrum disorders, and traumatic brain injury**, multiplied by the following:

~~(A) Nine thousand six hundred fourteen dollars (\$9,614) for the state fiscal year beginning July 1, 2021.~~

~~(B) Ten thousand five hundred seventy-five dollars (\$10,575) for the state fiscal year beginning July 1, 2022.~~

**(A) Eleven thousand one hundred four dollars (\$11,104) for the state fiscal year beginning July 1, 2023.**



- (B) Eleven thousand six hundred fifty-nine dollars (\$11,659) for the state fiscal year beginning July 1, 2024.
- (2) The nonduplicated count of pupils in programs for severe disabilities level two (2), including blind or low vision, deaf or hard of hearing, and deaf and blind, multiplied by the following:
- (A) Eleven thousand one hundred four dollars (\$11,104) for the state fiscal year beginning July 1, 2023.
- (B) Eleven thousand six hundred fifty-nine dollars (\$11,659) for the state fiscal year beginning July 1, 2024.
- (2) (3) The nonduplicated count of pupils in programs of mild and moderate disabilities level one (1), including specific learning disability, developmental delay, and other health impairment, multiplied by the following:
- (A) Two thousand four hundred fifteen dollars (\$2,415) for the state fiscal year beginning July 1, 2021.
- (B) Two thousand six hundred fifty-seven dollars (\$2,657) for the state fiscal year beginning July 1, 2022.
- (A) Two thousand seven hundred ninety dollars (\$2,790) for the state fiscal year beginning July 1, 2023.
- (B) Two thousand nine hundred thirty dollars (\$2,930) for the state fiscal year beginning July 1, 2024.
- (4) The nonduplicated count of pupils in programs for mild and moderate disabilities level two (2), including emotional disability not requiring full-time placement, mild intellectual disability, and moderate intellectual disability, multiplied by the following:
- (A) Two thousand seven hundred ninety dollars (\$2,790) for the state fiscal year beginning July 1, 2023.
- (B) Two thousand nine hundred thirty dollars (\$2,930) for the state fiscal year beginning July 1, 2024.
- (3) (5) The duplicated count of pupils in programs for communication disorders multiplied by five hundred dollars (\$500): the following:
- (A) Five hundred twenty-five dollars (\$525) for the state fiscal year beginning July 1, 2023.
- (B) Five hundred fifty-one dollars (\$551) for the state fiscal year beginning July 1, 2024.
- (4) (6) The cumulative count of pupils in homebound programs multiplied by five hundred dollars (\$500): the following:
- (A) Five hundred twenty-five dollars (\$525) for the state fiscal year beginning July 1, 2023.
- (B) Five hundred fifty-one dollars (\$551) for the state fiscal year beginning July 1, 2024.
- (5) (7) The nonduplicated count of pupils in special preschool education programs multiplied by the following:
- (A) Three thousand one hundred fifty dollars (\$3,150) for the state fiscal year beginning July 1, 2021.
- (B) Three thousand four hundred sixty-five dollars (\$3,465) for the state fiscal year beginning July 1, 2022.
- (A) Three thousand six hundred thirty-eight dollars (\$3,638) for the state fiscal year beginning July 1, 2023.



**(B) Three thousand eight hundred twenty dollars (\$3,820) for the state fiscal year beginning July 1, 2024.**

SECTION 206. IC 20-43-8-4, AS AMENDED BY P.L.230-2017, SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JUNE 29, 2023]: Sec. 4. **(a) Except as provided under subsection (b),** in addition to the amount a school corporation is entitled to receive in basic tuition support, each school corporation is entitled to receive a grant for career and technical education programs. **For state fiscal years beginning after June 30, 2023,** the amount of the grant is determined as follows: the sum of:

(1) For state fiscal years beginning after June 30, 2015, and ending before July 1, 2018, under section 12 of this chapter.

(2) For state fiscal years beginning after June 30, 2018, under section 15 of this chapter:

**(1) the aggregate amount determined under section 15 of this chapter; plus**

**(2) the amount determined for the school corporation under section 15.5 of this chapter.**

**(b) A school corporation may not receive a grant under this chapter for a student enrolled in a career and technical education program if the student is enrolled in the CSA program established by IC 20-51.4-3-1.5.**

SECTION 207. IC 20-43-8-15, AS AMENDED BY P.L.165-2021, SECTION 166, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JUNE 29, 2023]: Sec. 15. **(a) This section subsection applies to the state fiscal year beginning after June 30, 2021. July 1, 2023, and ending June 30, 2024.** A school corporation's career and technical education enrollment grant for a state fiscal year is the sum of the amounts determined under the following STEPS:

STEP ONE: Determine for each career and technical education program provided by the school corporation:

(A) the number of credit hours of the program (one (1) credit, two (2) credits, or three (3) credits); multiplied by

(B) the number of pupils enrolled in the program; multiplied by

(C) the following applicable amount:

(i) ~~Six hundred eighty dollars (\$680)~~ **Seven hundred fourteen dollars (\$714)** for a career and technical education program designated by the department of workforce development as a high value level 1 program under section 7.5 of this chapter.

(ii) ~~One thousand twenty dollars (\$1,020)~~ **One thousand seventy-one dollars (\$1,071)** for a career and technical education program designated by the department of workforce development as a high value level 2 program under section 7.5 of this chapter.

(iii) Four hundred dollars (\$400) for a career and technical education program designated by the department of workforce development as a moderate value level 1 program under section 7.5 of this chapter.

(iv) Six hundred dollars (\$600) for a career and technical education program designated by the department of workforce development as a moderate value level 2 program under section 7.5 of this chapter.

(v) Two hundred dollars (\$200) for a career and technical education program designated by the department of workforce development as a less than moderate value level 1 program under section 7.5 of this chapter.



(vi) Three hundred dollars (\$300) for a career and technical education program designated by the department of workforce development as a less than moderate value level 2 program under section 7.5 of this chapter.

STEP TWO: Determine the number of pupils enrolled in an apprenticeship program or a work based learning program designated under section 7.5 of this chapter multiplied by five hundred dollars (\$500).

STEP THREE: Determine the number of pupils enrolled in an introductory program designated under section 7.5 of this chapter multiplied by three hundred dollars (\$300).

STEP FOUR: Determine the number of pupils enrolled in a planning for college and career course under section 7.5 of this chapter at the school corporation that is approved by the department of workforce development multiplied by one hundred fifty dollars (\$150).

STEP FIVE: Determine the number of pupils who travel from the school in which they are currently enrolled to another school to participate in a career and technical education program in which pupils from multiple schools are served at a common location multiplied by one hundred fifty dollars (\$150).

**(b) This subsection applies to state fiscal years beginning after June 30, 2024. A school corporation's career and technical education enrollment grant for a state fiscal year is the sum of the amounts determined under the following STEPS:**

**STEP ONE: Determine for each career and technical education program provided by the school corporation:**

**(A) the number of credit hours of the program (one (1) credit, two (2) credits, or three (3) credits); multiplied by**

**(B) the number of pupils enrolled in the program; multiplied by**

**(C) the following applicable amount:**

**(i) Seven hundred fourteen dollars (\$714) for a career and technical education program designated by the department of workforce development as a high value level 1 program under section 7.5 of this chapter.**

**(ii) One thousand seventy-one dollars (\$1,071) for a career and technical education program designated by the department of workforce development as a high value level 2 program under section 7.5 of this chapter.**

**(iii) Four hundred dollars (\$400) for a career and technical education program designated by the department of workforce development as a moderate value level 1 program under section 7.5 of this chapter.**

**(iv) Six hundred dollars (\$600) for a career and technical education program designated by the department of workforce development as a moderate value level 2 program under section 7.5 of this chapter.**

**(v) Two hundred dollars (\$200) for a career and technical education program designated by the department of workforce development as a less than moderate value level 1 program under section 7.5 of this chapter.**

**(vi) Three hundred dollars (\$300) for a career and technical education program designated by the department of workforce development as a less than moderate value level 2 program under section 7.5 of this chapter.**



**STEP TWO:** Determine the number of pupils enrolled in an apprenticeship program or a work based learning program designated under section 7.5 of this chapter multiplied by five hundred dollars (\$500).

**STEP THREE:** Determine the number of pupils enrolled in an introductory program designated under section 7.5 of this chapter multiplied by three hundred dollars (\$300).

**STEP FOUR:** Determine the number of pupils enrolled in a planning for college and career course under section 7.5 of this chapter at the school corporation that is approved by the department of workforce development multiplied by one hundred fifty dollars (\$150).

**STEP FIVE:** Determine the number of pupils who travel from the school in which they are currently enrolled to another school to participate in a career and technical education program in which pupils from multiple schools are served at a common location multiplied by one hundred fifty dollars (\$150).

SECTION 208. IC 20-43-8-15.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JUNE 29, 2023]: **Sec. 15.5. (a) This section applies to a student who:**

- (1) has legal settlement in Indiana;**
- (2) is at least five (5) years of age and less than twenty-two (22) years of age on the date in the school year specified in IC 20-33-2-7;**
- (3) is enrolled in grade 10, 11, or 12 in Indiana; and**
- (4) meets one (1) of the following requirements:**

**(A) The student:**

- (i) successfully completed a modern youth apprenticeship or course sequence designated and approved under IC 20-51.4-4.5-6(a); and**
- (ii) received an industry recognized credential with regard to the apprenticeship or course sequence.**

**(B) The student successfully completed any other credential approved under subsection (h).**

**(b) As used in this section, "CSA participating entity" has the meaning set forth in IC 20-51.4-2-3.2.**

**(c) Subject to subsection (l), upon a student described in subsection (a) meeting the requirements under subsection (a)(4)(A) or (a)(4)(B), if the student is enrolled in an accredited or nonaccredited school that has one (1) or more employees, the department shall award a credential completion grant in an amount equal to five hundred dollars (\$500) to the accredited or nonaccredited school.**

**(d) Subject to subsection (l), upon a student described in subsection (a) meeting the requirements under subsection (a)(4)(A) or (a)(4)(B), and in addition to the grant amount awarded under subsection (c), the department shall award a credential completion grant in an amount equal to five hundred dollars (\$500) to the CSA participating entity that provided the apprenticeship or course sequence described in subsection (a)(4)(A) or (a)(4)(B) that the student completed.**

**(e) A CSA participating entity that receives a grant amount under subsection (d) may enter into an agreement with one (1) or more intermediaries (as defined in IC 22-4-2-41) or other CSA participating entities to share a grant amount received under subsection (d).**

**(f) An accredited or nonaccredited school that is also a CSA participating entity may receive, if eligible, a grant award under:**

- (1) subsection (c);**
- (2) subsection (d); or**





(3) both subsections (c) and (d).

(g) The department shall distribute the grants awarded under this section.

(h) The department, in consultation with the governor's workforce cabinet, shall approve and maintain a list of credentials that are eligible for a credential completion grant under subsection (a)(4)(B).

(i) The department shall approve a CSA provider that is also an employer who has partnered with an approved intermediary to offer an apprenticeship, modern youth apprenticeship, or program of study that culminates in an approved credential. The department may revoke an initial approval under this subsection if the provider fails to achieve an adequate outcome as determined by the department.

(j) A grant awarded under this section to an eligible school (as defined in IC 20-51-1-4.7) does not count toward a student's choice scholarship amount calculated under IC 20-51-4-5 and is not subject to the maximum choice scholarship cap under IC 20-51-4-4.

(k) The state board may adopt rules under IC 4-22-2 to implement this section.

(l) The total amount of grants that may be awarded in a state fiscal year under this section may not exceed five million dollars (\$5,000,000).

(m) If the total amount to be distributed as credential completion grants for a particular state fiscal year exceeds the maximum amount allowed under subsection (l) for a state fiscal year, the total amount to be distributed as credential completion grants shall be proportionately reduced so that the total reduction equals the amount of the excess.

(n) The amount of the reduction described in subsection (m) for a particular recipient is equal to the total amount of the excess multiplied by a fraction. The numerator of the fraction is the amount of the credential completion grant that the recipient would have received if a reduction were not made under this section. The denominator of the fraction is the total amount that would be distributed as credential completion grants to all recipients if a reduction were not made under this section.

SECTION 209. IC 20-43-10-2 IS REPEALED [EFFECTIVE JUNE 29, 2023]. Sec. 2- (a) A school corporation's honors designation award for a state fiscal year is the amount determined using the following formula:

STEP ONE: Determine the number of the school corporation's eligible pupils who:

(A) successfully completed an Indiana diploma with a Core 40 with academic honors designation program; and

(B) were receiving Supplemental Nutrition Assistance Program (SNAP) benefits; Temporary Assistance for Needy Families (TANF) benefits; or foster care services;

in the school year ending in the previous state fiscal year.

STEP TWO: Determine the result of:

(A) the number of the school corporation's eligible pupils who:

(i) successfully completed an Indiana diploma with a Core 40 with technical honors designation program; and

(ii) were receiving Supplemental Nutrition Assistance Program (SNAP) benefits; Temporary Assistance for Needy Families (TANF) benefits; or foster care services;

in the school year ending in the previous state fiscal year; minus

(B) the number of eligible pupils who would otherwise be double counted under both clause (A) and STEP ONE.



STEP THREE: Determine the sum of the number of eligible students determined under STEP ONE and the number of eligible students determined under STEP TWO.

STEP FOUR: Multiply the STEP THREE amount by one thousand five hundred dollars (\$1,500).

STEP FIVE: Determine the result of:

(A) the number of the school corporation's eligible pupils who successfully completed an Indiana diploma with a Core 40 with academic honors designation program in the school year ending in the previous state fiscal year; minus

(B) the STEP ONE amount.

STEP SIX: Determine the result of:

(A) the number of the school corporation's eligible pupils who successfully completed an Indiana diploma with a Core 40 with technical honors designation program in the school year ending in the previous state fiscal year; minus

(B) the number of the school corporation's eligible pupils who are counted under both clause (A) and STEP FIVE (A).

STEP SEVEN: Determine the result of the STEP SIX amount minus the STEP TWO amount.

STEP EIGHT: Determine the result of:

(A) the STEP FIVE amount; plus

(B) the STEP SEVEN amount.

STEP NINE: Determine the result of:

(A) the STEP EIGHT amount; multiplied by

(B) one thousand one hundred dollars (\$1,100).

STEP TEN: Determine the sum of:

(A) the STEP FOUR amount; plus

(B) the STEP NINE amount.

(b) An amount received by a school corporation as an honors designation award may be used only for:

(1) any:

(A) staff training;

(B) program development;

(C) equipment and supply expenditures; or

(D) other expenses;

directly related to the school corporation's honors designation program; and

(2) the school corporation's program for high ability students.

(c) A governing body that does not comply with this section for a school year is not eligible to receive an honors designation award for the following school year.

SECTION 210. IC 20-43-10-3.5, AS AMENDED BY SEA 486-2023, SECTION 31, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JUNE 29, 2023]: Sec. 3.5. (a) As used in this section, "school" means a school corporation, charter school, and a virtual charter school.

(b) Subject to the requirements of this section, a school qualifies for a teacher appreciation grant as provided in this section for a state fiscal year if one (1) or more licensed teachers:

(1) employed in the classroom by the school; or

(2) directly providing virtual education;

were rated as effective or as highly effective, using the most recently completed teacher ratings.

(c) A school may not receive a teacher appreciation grant under this section unless:

## HEA 1001 — CC 1



(1) the school has in the state fiscal year in which the teacher appreciation grants are made under this section:

- (A) adopted an annual policy concerning the distribution of teacher appreciation grants; and
- (B) submitted the policy to the department for approval; and

(2) the department has approved the policy.

The department shall specify the date by which a policy described in subdivision (1) must be submitted to the department.

(d) The amount of a teacher appreciation grant for a qualifying school corporation or virtual charter school is equal to:

- (1) thirty-seven dollars and fifty-cents (\$37.50); multiplied by
- (2) the school's current ADM.

However, the grant amount for a virtual charter school may not exceed the statewide average grant amount.

(e) The following apply to the distribution of teacher appreciation grants:

(1) If the total amount to be distributed as teacher appreciation grants for a particular state fiscal year exceeds the amount appropriated by the general assembly for teacher appreciation grants for that state fiscal year, the total amount to be distributed as teacher appreciation grants to schools shall be proportionately reduced so that the total reduction equals the amount of the excess. The amount of the reduction for a particular school is equal to the total amount of the excess multiplied by a fraction. The numerator of the fraction is the amount of the teacher appreciation grant that the school would have received if a reduction were not made under this section. The denominator of the fraction is the total amount that would be distributed as teacher appreciation grants to all schools if a reduction were not made under this section.

(2) If the total amount to be distributed as teacher appreciation grants for a particular state fiscal year is less than the amount appropriated by the general assembly for teacher appreciation grants for that state fiscal year, the total amount to be distributed as teacher appreciation grants to schools for that particular state fiscal year shall be proportionately increased so that the total amount to be distributed equals the amount of the appropriation for that particular state fiscal year.

(f) The annual teacher appreciation grant to which a school is entitled for a state fiscal year shall be distributed to the school before December 5 of that state fiscal year.

(g) The following apply to a school's policy under subsection (c) concerning the distribution of teacher appreciation grants:

(1) The governing body shall differentiate between a teacher rated as a highly effective teacher and a teacher rated as an effective teacher. The policy must provide that the amount of a stipend awarded to a teacher rated as a highly effective teacher must be at least twenty-five percent (25%) more than the amount of a stipend awarded to a teacher rated as an effective teacher.

(2) The governing body of a school may differentiate between school buildings.

(3) A stipend to an individual teacher in a particular year is not subject to collective bargaining and is in addition to the minimum salary or increases in salary set under IC 20-28-9-1.5. The governing body may provide that an amount not exceeding fifty percent (50%) of the amount of a stipend to an individual teacher in a particular state fiscal year becomes a permanent part of and increases the base salary of the teacher receiving the stipend for school years beginning after the state fiscal year in which the stipend is received. The addition to base salary is not subject to collective bargaining.



(h) A teacher appreciation grant received by a school shall be allocated among and used only to pay cash stipends to all licensed teachers employed in the classroom who are rated as effective or as highly effective and employed by the school as of December 1. A school may allocate up to twenty percent (20%) of the grant received by the school to provide a supplemental award to teachers with less than five (5) years of service who are rated as effective or as highly effective. **A school may allocate up to ten percent (10%) of the grant received by the school to provide a supplemental award to teachers who serve as mentors to teachers who have less than two (2) years of service.** The supplemental award is **awards are** in addition to the award made from the part of the grant that is allocated to all eligible teachers.

(i) The lead school corporation or interlocal cooperative administering a cooperative or other special education program or administering a career and technical education program, including programs managed under IC 20-26-10, IC 20-35-5, IC 20-37, or IC 36-1-7, shall award teacher appreciation grant stipends to and carry out the other responsibilities of an employing school corporation under this section for the teachers in the special education program or career and technical education program.

(j) A school shall distribute all stipends from a teacher appreciation grant to individual teachers within twenty (20) business days of the date the department distributes the teacher appreciation grant to the school. Any part of the teacher appreciation grant not distributed as stipends to teachers before February must be returned to the department on the earlier of the date set by the department or June 30 of that state fiscal year.

(k) The department, after review by the budget committee, may waive the December 5 deadline under subsection (f) to distribute an annual teacher appreciation grant to the school under this section for that state fiscal year and approve an extension of that deadline to a later date within that state fiscal year, if the department determines that a waiver and extension of the deadline are in the public interest.

(l) The state board may adopt rules under IC 4-22-2, including emergency rules in the manner provided in IC 4-22-2-37.1, as necessary to implement this section.

(m) This section expires June 30, ~~2023~~: **2025**.

SECTION 211. IC 20-43-10-4 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JUNE 29, 2023]: **Sec. 4. (a) In addition to the amount a school corporation is entitled to receive in basic tuition support, each school corporation is entitled to receive a grant for a non-English speaking program for students who have a primary language other than English and limited English proficiency as determined under this section.**

**(b) Subject to subsection (c), for state fiscal years beginning after June 30, 2023, the grant amount is determined under the last STEP of the following formula:**

**STEP ONE: Determine the number of students:**

**(A) who score at level one (1) or level two (2) on the WIDA Consortium ACCESS assessment; or**

**(B) who are English language learners with severe special needs that require a different assessment than the assessment described in clause (A) to assess English proficiency.**

**STEP TWO: Multiply the STEP ONE result by five hundred fifty dollars (\$550).**

**STEP THREE: Determine the number of students:**

**(A) who score at level three (3) or level four (4) on the WIDA Consortium ACCESS assessment; or**

**(B) who score at level five (5) or higher on the Tier A form of the WIDA Consortium ACCESS assessment.**



**STEP FOUR: Multiply the STEP THREE result by three hundred eighty-four dollars (\$384).**

**STEP FIVE: Determine the sum of the STEP TWO amount and the STEP FOUR amount.**

**(c) For purposes of calculating the grant amount under this section for Gary Middle College charter schools, only students who are less than twenty-three (23) years of age may be counted in the formula under subsection (c).**

SECTION 212. IC 20-43-10.5 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JUNE 29, 2023]:

**Chapter 10.5. Academic Performance Grants**

**Sec. 1. (a) In addition to the amount a school corporation is entitled to receive in basic tuition support, each school corporation is eligible to receive an academic performance grant. Subject to subsection (b), the amount of a school corporation's grant for a state fiscal year is equal to the aggregate of each of the single largest amounts determined for each student under:**

- (1) section 2 of this chapter;**
- (2) section 3 of this chapter;**
- (3) section 4(a)(1) of this chapter;**
- (4) section 4(a)(2) of this chapter; or**
- (5) section 4(a)(3) of this chapter.**

**(b) If a school corporation:**

- (1) received as part of a grant under this chapter in a previous state fiscal year an amount based on a determination of eligibility of a particular student under section 2 of this chapter or section 3 of this chapter; and**
- (2) is determined by the department to be eligible in a subsequent state fiscal year for an amount based on a determination of eligibility of the same student under section 4 of this chapter;**

**the school corporation may only receive as part of the school corporation's grant in the subsequent state fiscal year the amount equal to the greater of zero (0) or the difference between the amount described in subdivision (2) minus the amount described in subdivision (1).**

**(c) Each school corporation and charter school shall submit information prescribed by the department that is necessary to make the determinations required under this chapter.**

**Sec. 2. Subject to section 1 of this chapter, a school corporation's early graduation award for a state fiscal year is the amount determined using the following formula:**

**STEP ONE: Determine the number of students who met the following conditions during the student's expected graduation year (as defined in IC 20-26-13-4) for the school year ending in the previous state fiscal year:**

- (A) The student was enrolled in the school corporation on the fall count day of ADM established under IC 20-43-4-3.**
- (B) The student successfully completed Indiana high school graduation requirements before the day in February fixed by the state board for the spring count of students under IC 20-43-4-3.**
- (C) The student was not enrolled in the school corporation on the day in February fixed by the state board for the spring count of students under IC 20-43-4-3.**

**STEP TWO: Multiply the STEP ONE result by one thousand five hundred dollars (\$1,500).**

**Sec. 3. (a) Each state fiscal year, the department shall, for each school corporation, determine the following:**



**(1) Determine each eligible pupil who:**  
**(A) successfully completed an Indiana diploma with a Core 40 with academic honors designation program; and**  
**(B) was receiving Supplemental Nutrition Assistance Program (SNAP) benefits, Temporary Assistance for Needy Families (TANF) benefits, or foster care services;**  
**in the school year ending in the previous state fiscal year.**

**(2) Determine each eligible pupil who:**  
**(A) successfully completed an Indiana diploma with a Core 40 with technical honors designation program; and**  
**(B) was receiving Supplemental Nutrition Assistance Program (SNAP) benefits, Temporary Assistance for Needy Families (TANF) benefits, or foster care services;**  
**in the school year ending in the previous state fiscal year. However, an eligible pupil who would otherwise be double counted under this subdivision and subdivision (1) may not be considered to meet the requirements under this subdivision.**

**(3) Determine each eligible pupil who:**  
**(A) successfully completed an Indiana diploma with a Core 40 with academic honors designation program; and**  
**(B) was not receiving Supplemental Nutrition Assistance Program (SNAP) benefits, Temporary Assistance for Needy Families (TANF) benefits, or foster care services;**  
**in the school year ending in the previous state fiscal year.**

**(4) Determine each eligible pupil who:**  
**(A) successfully completed an Indiana diploma with a Core 40 with technical honors designation program; and**  
**(B) was not receiving Supplemental Nutrition Assistance Program (SNAP) benefits, Temporary Assistance for Needy Families (TANF) benefits, or foster care services;**  
**in the school year ending in the previous state fiscal year. However, an eligible pupil who would otherwise be double counted under this subdivision and subdivision (3) may not be considered to meet the requirements under this subdivision.**

**(b) The amount of a school corporation's grant under this section based on a particular eligible pupil is equal to:**

**(1) in the case of an eligible pupil described in subsection (a)(1) or (a)(2), one thousand five hundred dollars (\$1,500); and**  
**(2) in the case of an eligible pupil described in subsection (a)(3) or (a)(4), one thousand one hundred dollars (\$1,100).**

**(c) An amount received by a school corporation as determined under this section may be used only for:**

**(1) any:**  
**(A) staff training;**  
**(B) program development;**  
**(C) equipment and supply expenditures; or**  
**(D) other expenses;**

**directly related to the school corporation's honors designation program; and**

**(2) the school corporation's program for high ability students.**



**(d) A governing body that does not comply with this section for a school year is not eligible to receive an amount under this section for the following school year.**

**Sec. 4. (a) Each state fiscal year, the department, in consultation with the commission for higher education, shall determine the following with respect to each school corporation:**

**(1) Each student who:**

**(A) was enrolled in the school corporation in the state fiscal year before the immediately preceding state fiscal year; and**

**(B) successfully completed a dual credit or dual enrollment course.**

**The amount of a school corporation's grant based on a student described under this subdivision is equal to the number of credit hours completed by the student multiplied by forty dollars (\$40), but may not exceed one thousand two hundred dollars (\$1,200).**

**(2) Each student who:**

**(A) was enrolled in the school corporation in the state fiscal year before the immediately preceding state fiscal year; and**

**(B) successfully completed Indiana College Core 30 (IC 21-42-3).**

**The amount of a school corporation's grant based on a student under this subdivision is equal to one thousand five hundred dollars (\$1,500).**

**(3) Each student who:**

**(A) was enrolled in the school corporation in the state fiscal year before the immediately preceding state fiscal year; and**

**(B) successfully completed requirements for an associate degree, including those earned through transfer as a junior pathways.**

**The amount of a school corporation's grant based on a student under this subdivision is equal to two thousand five hundred dollars (\$2,500).**

**(b) To be eligible to be counted under subsection (a)(1), a credit completed must be accepted as part of the Indiana core transfer library under IC 21-42-5-1.**

SECTION 213. IC 20-43-13-4, AS AMENDED BY P.L. 165-2021, SECTION 168, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JUNE 29, 2023]: Sec. 4. (a) Except as provided in subsections (c) and (d), the complexity index is the percentage of the school corporation's students who were receiving Supplemental Nutrition Assistance Program (SNAP) benefits, Temporary Assistance for Needy Families (TANF) benefits, or foster care services as of October 1 in the school year ending in the later of:

**(1) ~~2021~~; 2023; or**

**(2) the first year of operation of the school corporation.**

**(b) For a conversion charter school, the percentage determined under this section is the percentage of the sponsor school corporation.**

**(c) Except as provided in subsection (d), the complexity index for a school corporation that has entered into an agreement with one (1) or more charter schools to participate as an innovation network charter school under IC 20-25.7-5 for a state fiscal year is equal to the result using the following formula:**

**STEP ONE: Determine:**

**(A) the school corporation's enrollment; minus**

**(B) the enrollment of each participating innovation network charter school.**

**STEP TWO: Determine the number of students in the school corporation who were receiving Supplemental Nutrition Assistance Program (SNAP) benefits, Temporary Assistance for Needy**



Families (TANF) benefits, or foster care services as of October 1 in the school year ending in ~~2021~~, **2023**, not including students enrolled in each participating innovation network charter school.

STEP THREE: Divide the result of STEP TWO by the result of STEP ONE.

STEP FOUR: Determine the enrollment of each participating innovation network charter school.

STEP FIVE: Determine the number of students in each participating innovation network charter school who were receiving Supplemental Nutrition Assistance Program (SNAP) benefits, Temporary Assistance for Needy Families (TANF) benefits, or foster care services as of October 1 in the school year ending in the later of:

(A) ~~2021~~; **2023**; or

(B) the first year of operation of the participating innovation network charter school.

STEP SIX: Divide the result of STEP FIVE by the result of STEP FOUR.

STEP SEVEN: For each participating innovation network charter school, determine the greater of:

(A) the result of STEP THREE; or

(B) the result of STEP SIX.

STEP EIGHT: For each participating innovation network charter school, multiply the result of STEP SEVEN by the result of STEP FOUR.

STEP NINE: Determine the sum of:

(A) the result of STEP TWO; plus

(B) the results of STEP EIGHT, for each participating innovation network charter school.

STEP TEN: Determine the sum of:

(A) the result of STEP ONE; plus

(B) the results of STEP FOUR for each participating innovation network charter school.

STEP ELEVEN: Divide the STEP NINE result by the STEP TEN result.

(d) If the complexity index of a participating innovation network charter school that was established before January 1, 2016, is, for the current school year, greater than the complexity index for the school corporation with which the innovation network charter school has contracted, the complexity index of the participating innovation network charter school is determined as described in IC 20-25.7-5-2(e).

**SECTION 214. IC 20-46-8-11.2 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 11.2. (a) This section applies only to revenue collected after June 30, 2024, from a tax levy imposed under this chapter by a school corporation located in:**

**(1) Lake County;**

**(2) Marion County;**

**(3) St. Joseph County; or**

**(4) Vanderburgh County.**

**However, this section does not apply to, and distributions are not required for, a school corporation that is designated as a distressed political subdivision under IC 6-1.1-20.3.**

**(b) Beginning in calendar year 2025, and each year thereafter, and subject to subsections (c) and (h), the county auditor shall distribute, as provided under subsection (f), an amount of revenue received from a tax levy imposed by a school corporation under this chapter to each charter school that is eligible for a distribution under subsection (d) and as set forth in subsection (f).**

**(c) The following schools are not eligible to receive a distribution under this section:**

**(1) A virtual charter school.**

**(2) An adult high school.**





(d) Not later than thirty (30) days before the date that the county auditor distributes money for a school corporation's operations fund (IC 20-40-18) under IC 6-1.1-27, the department, in consultation with the department of local government finance, shall determine the corresponding percentages of revenue received from the tax levy that must be distributed among the school corporation and each eligible charter school according to the following formula:

**STEP ONE:** Determine each charter school that:

(A) is located in the same county as the school corporation; and

(B) provides not more than fifty percent (50%) virtual instruction for its students.

**STEP TWO:** Determine, for each charter school described in STEP ONE, the number of students who:

(A) have legal settlement within the school corporation;

(B) are currently included in the fall ADM for the charter school; and

(C) receive not more than fifty percent (50%) virtual instruction.

**STEP THREE:** Determine the sum of:

(A) the aggregate of the STEP TWO results for all applicable charter schools; plus

(B) the fall ADM count for the school corporation for students receiving not more than fifty percent (50%) virtual instruction.

**STEP FOUR:** For each charter school described in STEP ONE, determine the result of:

(A) the applicable STEP TWO amount; divided by

(B) the STEP THREE amount;

expressed as a percentage.

**STEP FIVE:** Determine the sum of all the amounts computed under STEP FOUR and subtract the result from one hundred percent (100%).

(e) The department shall provide to the county auditor, immediately after calculation under subsection (d), and in the form prescribed by the county auditor:

(1) each charter school determined under STEP ONE of subsection (d) and the charter school's corresponding percentage calculated under STEP FOUR of subsection (d); and

(2) the percentage calculated under STEP FIVE of subsection (d) for the school corporation.

(f) The county auditor shall distribute to the school corporation and each applicable charter school the amount determined in the last STEP of the following STEPS:

**STEP ONE:** For each school corporation, determine a base property tax levy amount calculated as:

(A) the sum of the school corporation's operations fund property tax levies imposed under this chapter in calendar years 2021, 2022, and 2023; divided by

(B) three (3).

**STEP TWO:** For each school corporation, determine an incremental property tax levy amount calculated as:

(A) the school corporation's operations fund property tax levy for the current calendar year; minus

(B) the school corporation's base property tax levy determined under STEP ONE.

**STEP THREE:** For the school corporation and each applicable charter school, determine the result of:

(A) the incremental amount determined under STEP TWO; multiplied by

(B) the following percentage:



(i) In the case of an applicable charter school, the charter school's percentage under STEP FOUR of subsection (d).

(ii) In the case of the school corporation, the school corporation's percentage under STEP FIVE of subsection (d).

(g) Before October 1, 2024, and before October 1 of each year thereafter, the department shall provide to each school corporation and each eligible charter school an estimate of the amount of property tax levy revenue the school corporation and charter school are expected to receive under this section.

(h) In order to receive a distribution under this section, the governing body of an eligible charter school shall, before November 1, 2024, and before November 1 of each year thereafter, adopt a budget for the school year. Not later than ten (10) days before its adoption, the budget must be fixed and presented to the charter board in a public meeting in the county in which the charter school is incorporated. A budget that is adopted under this subsection must be submitted to the charter authorizer for review and to the department of local government finance to be posted publicly on the computer gateway under IC 6-1.1-17-3.

(i) Before April 1, 2025, and before April 1 of each year thereafter, the county auditor shall provide each school corporation and each eligible charter school the actual amount of property tax levy revenue the school corporation and charter school are expected to receive under this section.

SECTION 215. IC 20-51-1-4.3, AS AMENDED BY P.L.165-2021, SECTION 171, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JUNE 29, 2023]: Sec. 4.3. "Eligible choice scholarship student" refers to an individual who:

- (1) has legal settlement in Indiana;
- (2) is at least five (5) years of age and less than twenty-two (22) years of age on the date in the school year specified in ~~IC 20-33-2-7~~; **October 1 of the applicable school year; and**
- (3) is a member of a household with an annual income of not more than ~~three hundred percent (300%)~~ **four hundred percent (400%)** of the amount required for the individual to qualify for the federal free or reduced price lunch program. ~~and~~
- (4) meets at least one (1) of the following conditions:
  - (A) ~~The individual is a student with a disability who requires special education and for whom an individualized education program has been developed under IC 20-35 or a service plan developed under 511 IAC 7-34.~~
  - (B) ~~The individual is an individual who, because of the school corporation's residency requirement, would be required to attend a specific public school within a school corporation that has been placed in the lowest category or designation of school improvement under IC 20-31-8-4 (has been assigned an "F" grade). An individual to whom this clause applies is not required to attend the public school before becoming eligible for a choice scholarship, and may not be required to return to the public school if the public school is placed in a higher category or designation under IC 20-31-8-4.~~
  - (C) ~~The individual was enrolled in kindergarten through grade 12, in a public school, including a charter school, in Indiana for at least two (2) semesters immediately preceding the first semester for which the individual receives a choice scholarship under IC 20-51-4.~~
  - (D) ~~The individual or a sibling of the individual who, either received before July 1, 2013, a scholarship from a scholarship granting organization under IC 20-51-3 or a choice scholarship under IC 20-51-4 in a preceding school year, including a school year that does not immediately~~



precede a school year in which the individual receives a scholarship from a scholarship granting organization under IC 20-51-3 or a choice scholarship under IC 20-51-4; or receives for the first time after June 30, 2013; a scholarship of at least five hundred dollars (\$500) from a scholarship granting organization under IC 20-51-3 or a choice scholarship under IC 20-51-4 in a preceding school year, including a school year that does not immediately precede a school year in which the individual receives a scholarship from a scholarship granting organization under IC 20-51-3 or a choice scholarship under IC 20-51-4.

(E) Subject to IC 20-51-4-2.7, the individual received an early education grant under IC 12-17.2-7.2; used the grant to attend a prekindergarten program at an eligible school; and continues to attend the eligible school at which the individual attended a prekindergarten program as described in this clause.

(F) The individual is in foster care.

SECTION 216. IC 20-51-1-5, AS AMENDED BY P.L.165-2021, SECTION 172, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JUNE 29, 2023]: Sec. 5. "Eligible student" refers to an individual who:

- (1) has legal settlement in Indiana;
- (2) is at least ~~five (5)~~ **four (4)** years of age and less than twenty-two (22) years of age on the date in the school year specified in IC 20-33-2-7;
- (3) either has been or is currently enrolled in a participating school; and
- (4) is a member of a household with an annual income of not more than ~~three hundred percent (300%)~~ **four hundred percent (400%)** of the amount required for the individual to qualify for the federal free or reduced price lunch program.

SECTION 217. IC 20-51-4-2.7 IS REPEALED [EFFECTIVE JUNE 29, 2023]. ~~Sec. 2.7. An eligible choice scholarship student described in IC 20-51-1-4.3(4)(E) may only use a choice scholarship awarded to the eligible choice scholarship student under this chapter to attend an eligible school at which the individual used an early education grant under IC 12-17.2-7.2 to attend a prekindergarten program unless the eligible choice scholarship student otherwise qualifies for a choice scholarship under IC 20-51-1-4.3(4)(A) through IC 20-51-1-4.3(4)(D) or IC 20-51-1-4.3(4)(F) and this chapter.~~

SECTION 218. IC 20-51-4-5, AS AMENDED BY P.L.165-2021, SECTION 178, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JUNE 29, 2023]: Sec. 5. The state tuition support amount to be used in section 4(a)(1)(B) of this chapter for an eligible choice scholarship student is the amount determined under the last STEP of the following formula:

STEP ONE: Determine the school corporation in which the eligible choice scholarship student has legal settlement.

STEP TWO: Determine the amount of state tuition support that the school corporation identified under STEP ONE is eligible to receive under IC 20-43 for the state fiscal year in which the current school year begins, including the basic tuition support amount made under IC 20-43-6 and ~~grants made under IC 20-43-10-2.~~ **the amount determined under IC 20-43-10.5-3.** However, the amount does not include amounts provided for special education grants under IC 20-43-7, ~~and~~ career and technical education grants under IC 20-43-8, **non-English speaking program grants under IC 20-43-10, or amounts determined under IC 20-43-10.5-2 or IC 20-43-10.5-4.**

STEP THREE: Determine the result of:

- (A) the STEP TWO amount; divided by



(B) the current ADM (as defined in IC 20-43-1-10) for the school corporation identified under STEP ONE for the state fiscal year used in STEP TWO.

SECTION 219. IC 20-51.4-3-7, AS AMENDED BY P.L.132-2022, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 7. (a) For each school year, the treasurer of state shall determine, based on the amount of funds available for the program, the number of grants that the treasurer of state will award under the program. The number of applications approved and the number of grants awarded under this article by the treasurer of state for the school year may not exceed the number determined by the treasurer of state under this section.

(b) The treasurer of state may deduct the following amounts from the funds made available for the program to cover costs of managing accounts and administering the program:

(1) For the first year of the program, not more than ten percent (10%) of the funds made available to cover the costs described in this subsection:

(2) For each year thereafter, not more than five percent (5%) of the funds made available to cover the costs described in this subsection:

Any amount deducted under this subsection shall be deposited in the Indiana education scholarship account administration fund established by IC 20-51.4-4-3.5.

SECTION 220. IC 20-51.4-4-1, AS AMENDED BY P.L.132-2022, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JUNE 29, 2023]: Sec. 1. (a) After June 30, 2022, a parent of an eligible student or an emancipated eligible student may establish an Indiana education scholarship account for the eligible student by entering into a written agreement with the treasurer of state on a form prepared by the treasurer of state. The treasurer of state shall establish a date by which an application to establish an account for the upcoming school year must be submitted. However, for a school year beginning after July 1, 2022, applications must be submitted for an eligible student not later than September 1 for the immediately following school year. The account of an eligible student shall be made in the name of the eligible student. The treasurer of state shall make the agreement available on the Internet web site of the treasurer of state. To be eligible, a parent of an eligible student or an emancipated eligible student wishing to participate in the program must agree that:

(1) a grant deposited in the eligible student's account under section 2 of this chapter and any interest that may accrue in the account will be used only for the eligible student's qualified expenses;

(2) money in the account when the account is terminated reverts to the state general fund;

(3) the parent of the eligible student or the emancipated eligible student will use part of the money in the account:

(A) for the eligible student's study in the subject of reading, grammar, mathematics, social studies, or science; or

(B) for use in accordance with the eligible student's:

(i) individualized education program;

(ii) service plan developed under 511 IAC 7-34;

(iii) choice special education plan developed under 511 IAC 7-49; or

(iv) plan developed under Section 504 of the federal Rehabilitation Act of 1973, 29 U.S.C. 794;

(4) the eligible student will not be enrolled in a school that receives tuition support under IC 20-43; and

(5) the eligible student will take the statewide assessment, as applicable based on the eligible student's grade level, as provided under IC 20-32-5.1, or the assessment specified in the eligible student's:



- (A) individualized education program developed under IC 20-35;
- (B) service plan developed under 511 IAC 7-34;
- (C) choice special education plan developed under 511 IAC 7-49; or
- (D) plan developed under Section 504 of the federal Rehabilitation Act of 1973, 29 U.S.C. 794.

(b) A parent of an eligible student may enter into a separate agreement under subsection (a) for each child of the parent. However, not more than one (1) account may be established for each eligible student.

(c) The account must be established under subsection (a) by a parent of an eligible student or an emancipated eligible student for a school year on or before a date established by the treasurer of state, which must be at least thirty (30) days before the ~~fall ADM count date established by the state board~~ **fall count day of ADM established** under IC 20-43-4-3. A parent of an eligible student or an emancipated eligible student may not enter into an agreement under this section or maintain an account under this chapter if the eligible student receives a choice scholarship under IC 20-51-4 for the same school year. An eligible student may not receive a grant under section 2 of this chapter if the eligible student is currently included in a school corporation's ADM count under IC 20-43-4.

(d) Except as provided in subsections (e) and (f), an agreement made under this section is valid for one (1) school year while the eligible student is in kindergarten through grade 12 and may be renewed annually. Upon graduation, or receipt of a certificate of completion under the eligible student's individualized education program, the eligible student's account is terminated.

- (e) An agreement entered into under this section terminates automatically for an eligible student if:
- (1) the eligible student no longer resides in Indiana while the eligible student is eligible to receive grants under section 2 of this chapter; or
  - (2) the account is not renewed within three hundred ninety-five (395) days after the date the account was either established or last renewed.

If an account is terminated under this section, money in the eligible student's account, including any interest accrued, reverts to the state general fund.

(f) An agreement made under this section for an eligible student while the eligible student is in kindergarten through grade 12 may be terminated before the end of the school year if the parent of the eligible student or the emancipated eligible student notifies the treasurer of state in a manner specified by the treasurer of state.

(g) A distribution made to an account under section 2 of this chapter is considered tax exempt as long as the distribution is used for a qualified expense. The amount is subtracted from the definition of adjusted federal gross income under IC 6-3-1-3.5 to the extent the distribution used for the qualified expense is included in the taxpayer's adjusted federal gross income under the Internal Revenue Code.

(h) The department shall establish a student test number as described in IC 20-19-3-9.4 for each eligible student. The treasurer of state shall provide the department information necessary for the department to comply with this subsection.

SECTION 221. IC 20-51.4-4-3, AS AMENDED BY P.L.132-2022, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 3. (a) The Indiana education scholarship account program fund is established for the purpose of providing grants to eligible students under the program. Money appropriated to the fund during the state fiscal year beginning July 1, 2021, and ending June 30, 2022, may only be used for the administrative costs to establish the program. However, money appropriated to the fund during the state fiscal year beginning July 1, 2022, and ending June 30, 2023, may be used to provide grants under this chapter in the manner prescribed in section 2 of this chapter.

- (b) The treasurer of state shall administer the fund.

## HEA 1001 — CC 1



(c) The fund consists of the following:

- (1) Appropriations by the general assembly.
- (2) Interest deposited in the fund under subsection (d).
- ~~(3) Donations, gifts, and money received from any other source, including transfers from other funds or accounts.~~
- ~~(4) Amounts transferred to the fund from the Indiana education scholarship account administration fund under section 3-5(e) of this chapter.~~

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

(e) Money in the fund at the end of a state fiscal year reverts to the state general fund.

SECTION 222. IC 20-51.4-4-3.5, AS ADDED BY P.L.132-2022, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 3.5. (a) The Indiana education scholarship account administration fund is established for the purpose of accepting money for the Indiana education scholarship account program to support administration of the program.

(b) The treasurer of state shall administer the fund.

(c) The fund consists of the following:

- ~~(1) Administration fees deposited in the fund under IC 20-51.4-3-7(b).~~ **Appropriations by the general assembly.**
- ~~(2) Donations, gifts, and money received from any other source, including transfers from other funds or accounts.~~
- ~~(3)~~ **(2) Interest deposited in the fund under subsection (d).**

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

~~(e) The treasurer of state may transfer any funds held in the fund to the Indiana education scholarship account program fund established by section 3 of this chapter at any time for the purpose of that fund.~~

**(e) Money in the fund at the end of a state fiscal year reverts to the state general fund.**

SECTION 223. IC 20-51.4-4-3.6 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 3.6. (a) The Indiana education scholarship account donation fund is established for the purpose of accepting donations for the Indiana education scholarship account program to support administration of the program.**

**(b) The treasurer of state shall administer the fund.**

**(c) The fund consists of the following:**

- (1) Donations, gifts, and money received from any other source, including transfers from other funds or accounts.**
- (2) Interest deposited in the fund under subsection (d).**

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

**(e) The treasurer of state may transfer any funds held in the fund to the Indiana education scholarship account program fund established by section 3 of this chapter at any time for the purpose of that fund.**

**(f) Money in the fund is continuously appropriated for purposes of the fund.**



**(g) Money in the fund at the end of a state fiscal year does not revert to the state general fund but remains in the fund for the purposes of the fund.**

SECTION 224. IC 20-51.4-4-4, AS ADDED BY P.L.165-2021, SECTION 180, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JUNE 29, 2023]: Sec. 4. (a) Subject to sections 5 and 10 of this chapter, the annual grant amount under section 2 of this chapter for an eligible student equals, subject to subsection (b), ninety percent (90%) of the amount determined in the last STEP of the following formula:

STEP ONE: Determine the school corporation in which the eligible student has legal settlement.

STEP TWO: Determine the amount of state tuition support that the school corporation identified under STEP ONE is eligible to receive under IC 20-43-6 for the state fiscal year in which the immediately preceding school year begins. The amount does not include amounts provided for special education grants under IC 20-43-7, career and technical education grants under IC 20-43-8, or grants under IC 20-43-10, or an academic performance grant under IC 20-43-10.5.

STEP THREE: Determine the result of:

(A) the STEP TWO amount; divided by

(B) the current ADM (as defined in IC 20-43-1-10) for the school corporation identified under STEP ONE for the state fiscal year used in STEP TWO.

(b) An eligible student may choose to receive special education services from the school corporation required to provide the special education services to the eligible student under 511 IAC 7-34-1. However, if an eligible student described in subsection (a) chooses not to receive special education or related services from a school corporation required to provide the services to the eligible student under 511 IAC 7-34-1, the ESA annual grant amount for the eligible student shall, in addition to the amount described in subsection (a), include the amount the school corporation would receive under IC 20-43-7 for the eligible student if the eligible student attended the school corporation.

(c) The ESA annual grant amounts provided in subsection (a) shall be rounded as provided in IC 20-43-3-1(4).

SECTION 225. IC 21-18-16-1, AS ADDED BY P.L.66-2022, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1. As used in this chapter, "outcomes based funding formula" refers to the higher educational operating funding outcomes based formula created by the commission under section 2(a) and 2(b) of this chapter.

SECTION 226. IC 21-18-16-2, AS ADDED BY P.L.66-2022, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2. (a) The commission shall create a higher educational operating funding outcomes based formula that aligns with the goals outlined in the commission's long range plan for postsecondary education under IC 21-18-8.

**(b) The commission shall create a separate higher educational operating funding outcomes based formula for Ivy Tech Community College that:**

**(1) aligns with the goals outlined in the commission's long range plan for postsecondary education under IC 21-18-8; and**

**(2) focuses on employer needs, positive wage outcomes, and stackable credentials.**

(b) (c) An outcomes based funding formula must be created and approved by the commission at a meeting of the commission on or before October 1 of each even-numbered year prior to each odd-numbered year in which the general assembly will reconvene in a first regular session and consider a state budget bill.

(c) (d) The commission shall approve the metrics used for an outcomes based funding formula created under this chapter.



SECTION 227. IC 21-18-16-2.5 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 2.5. (a) Notwithstanding section 2(b) of this chapter, the outcomes based funding formula created under section 2(a) and 2(b) of this chapter shall be approved by the commission prior to June 1, 2023, and shall be reviewed by the budget committee on or before July 1, 2023.**

**(b) The commission shall create a report with regard to each outcomes based funding formula created under section 2(a) and 2(b) of this chapter. The report must contain a detailed summary of each formula, the methodologies, and the metrics used to create the formula under section 2(a) and 2(b) of this chapter. The commission shall submit the report prepared under this subsection to the budget committee not later than five (5) days before the meeting described in subsection (a).**

**(c) This section expires July 1, 2024.**

SECTION 228. IC 21-18-16-5, AS ADDED BY P.L.66-2022, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 5. (a) The commission shall ~~biannually~~ biennially measure and make findings on the progress of each state educational institution in meeting the goals of the commission's long range plan for postsecondary education under IC 21-18-8 as those goals pertain to the outcomes based funding formula.**

**(b) The executive officer of the commission, or the executive officer's designee, shall present the findings made for each state educational institution to commission members at a meeting of the commission.**

**(c) Following the presentation to the commission, the executive officer, or the executive officer's designee, shall present the findings with regard to each state educational institution to the budget committee at the budget hearings held under IC 4-12-1-8 and at the same time as the committee's summary of legislative requests and the commission's recommendations are presented under IC 21-18-9-1(3).**

SECTION 229. IC 21-18-16-6, AS ADDED BY P.L.66-2022, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 6. (a) The commission shall ~~biannually~~ biennially engage an independent third party examiner to audit the data submitted by each state educational institution for use within the outcomes based funding formula.**

**(b) If the audit required under subsection (a) is performed by the state board of accounts, the state educational institutions shall pay the actual and indirect costs of performing the audit.**

**(c) The commission shall promptly submit a copy of each audit report produced under subsection (a) to the audit and financial reporting subcommittee of the legislative council in an electronic format under IC 5-14-6.**

SECTION 230. IC 21-18-16-7 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: **Sec. 7. The commission shall distribute on a monthly basis to each state educational institution the amount appropriated for the outcomes based prospective model subject to the commission's review of the state educational institution's performance according to the outcomes based funding formula created under this chapter.**

SECTION 231. IC 21-20-6 IS ADDED TO THE INDIANA CODE AS A **NEW CHAPTER** TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]:

**Chapter 6. Prohibition on State Funding of the Kinsey Institute**

**Sec. 1. For purposes of this chapter, the term "administration, operation, or programs" includes any of the following property, activities, assets, or expenses that are used, conducted, maintained,**





or incurred for, by, or on behalf of the Kinsey Institute for Research in Sex, Gender, and Reproduction:

- (1) On-campus facilities.
- (2) Equipment, furniture, furnishings, or office supplies.
- (3) Land or property.
- (4) Utilities.
- (5) Advertising or promotional material included in literature or media presentations.
- (6) Loans, grants, special accounts, or funds.
- (7) Programs, special projects, or research.
- (8) Maintenance of facilities.
- (9) Administrative costs, operation costs, rentals, or mortgages.
- (10) Printing, duplicating, or copying.
- (11) Publication of materials.
- (12) Restoration, maintenance, or housing of research documents, including photographs, audiovisual tapes or films, and printed material.
- (13) Exhibits or displays.

Sec. 2. State appropriations may not be used to pay for the administration, operation, or programs of the Kinsey Institute for Research in Sex, Gender, and Reproduction.

SECTION 232. IC 21-34-3-4.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 4.5. Notwithstanding section 4(a)(1)(B) of this chapter, the board of trustees of a state educational institution may acquire and improve, under this article or any other applicable law, real property (improved or unimproved) by lease or sublease for a period exceeding forty (40) years but not exceeding one hundred fifty (150) years under the following conditions:**

- (1) **The board of trustees determines the real property to be necessary for the purposes set forth in section 4(b) of this chapter.**
- (2) **The parties to the lease or sublease are both state educational institutions.**
- (3) **The board of trustees of each such state educational institution approves the terms, conditions, liens, and encumbrances to which the lease or sublease is subject.**

SECTION 233. IC 22-11-14-12, AS AMENDED BY P.L.170-2022, SECTION 35, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: **Sec. 12. (a) A user fee, known as the public safety fee, is imposed on retail transactions made in Indiana of fireworks, in accordance with section 13 of this chapter.**

(b) A person who acquires fireworks in a retail transaction is liable for the public safety fee on the transaction and, except as otherwise provided in this chapter, shall pay the public safety fee to the retailer as a separate added amount to the consideration in the transaction. The retailer shall collect the public safety fee as an agent for the state.

(c) The public safety fee shall be deposited in the state general fund. The auditor of state shall annually transfer the money received from the public safety fee as follows:

- (1) **The first two million dollars (\$2,000,000) received shall be deposited in the regional public safety training fund established by IC 10-15-3-12. remain in the state general fund.**
- (2) Any additional money received shall be ~~deposited~~ **divided** evenly between the state disaster relief fund established by IC 10-14-4-5 and the ~~regional public safety training fund described in subdivision (1):~~ **state general fund.**



(d) The department of state revenue shall adopt rules under IC 4-22-2 necessary for the collection of the public safety fee money from retailers as described in subsections (b) and (c).

SECTION 234. IC 22-14-6 IS REPEALED [EFFECTIVE JULY 1, 2023]. (Fire Training Infrastructure Fund).

SECTION 235. IC 25-38.1-2-19 IS REPEALED [EFFECTIVE JULY 1, 2023]. ~~Sec. 19: (a) The board shall establish by rule under IC 25-1-8 fees sufficient to implement this article, including fees for examining and licensing veterinarians and for examining and registering veterinary technicians:~~

~~(b) In addition to the fee to issue or renew a license, registration, or permit, the board may establish a fee of not more than ten dollars (\$10) per year for a person who holds a license or special permit as a veterinarian or a registration or special permit as a veterinary technician to provide funds for administering and enforcing the provisions of this article, including investigating and taking action against persons who violate this article. All funds collected under this subsection shall be deposited in the veterinary medicine fund established by section 25 of this chapter:~~

~~(c) The fees established under this section shall be charged and collected by the state board.~~

SECTION 236. IC 31-40-5-0.1 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: **Sec. 0.1. As used in this chapter, "commission" means the commission on improving the status of children in Indiana established by IC 2-5-36-3.**

SECTION 237. IC 31-40-5-0.3 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: **Sec. 0.3. As used in this chapter, "fund" refers to the juvenile diversion and community alternatives grant program fund established by section 6 of this chapter.**

SECTION 238. IC 31-40-5-0.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: **Sec. 0.5. As used in this chapter, "office" means the Indiana office of court services established by the supreme court.**

SECTION 239. IC 31-40-5-0.7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: **Sec. 0.7. As used in this chapter, "oversight committee" means the statewide juvenile justice oversight body established under IC 2-5-36-9.3(a).**

SECTION 240. IC 31-40-5-1.2 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: **Sec. 1.2. As used in this chapter, "workgroup" refers to the grant process workgroup created by the oversight committee.**

SECTION 241. IC 31-40-5-3, AS ADDED BY P.L.101-2022, SECTION 31, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: **Sec. 3. (a) The purpose of the juvenile diversion grant program is as follows:**

- (1) Prevent further involvement of the child in the formal legal system.
  - (2) Provide eligible children with alternatives to adjudication that require the least amount of supervision and conditions necessary consistent with the protection of the community and the child's risk of reoffending, as determined by a risk screening tool.
  - (3) Emphasize the use of restorative justice practices.
  - (4) Reduce recidivism and improve positive outcomes for a child through the provision of research based services, if warranted, that address the child's needs.
- (b) The purpose of the juvenile community alternatives grant program is as follows:
- (1) Provide cost effective, research based alternatives in lieu of the use of secure detention, out-of-home placement, and department of correction facilities in the community.
  - (2) Reduce the use of secure confinement and out-of-home placement.



(3) Reduce recidivism and improve positive outcomes for children.

**(c) The Indiana criminal justice institute shall adopt a funding formula based on county population and performance measures that apply to grantees under the program taking into consideration the plan submitted to the commission by the oversight committee under IC 2-5-36-9.3(b).**

SECTION 242. IC 31-40-5-4, AS ADDED BY P.L.101-2022, SECTION 31, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 4. (a) The Indiana criminal justice institute (as described in IC 5-2-6) may use available funds to strengthen the agency's grant management capacity to:

- (1) serve as an efficient pass through to counties;
- (2) provide quality assurance and technical assistance to counties; and
- (3) support and coordinate data collection.

(b) The Indiana criminal justice institute shall prepare an annual report that details the performance measures collected and reported under IC 2-5-36-9.3(b)(4), including an analysis of the performance measures by race, ethnicity, gender, and other demographic factors. The report shall be provided to the governor, the chief justice, ~~and~~ the legislative council, **the oversight committee, and the Indiana criminal justice institute** before December 1 of each year. The report provided to the legislative council must be in an electronic format under IC 5-14-6.

SECTION 243. IC 31-40-5-5, AS ADDED BY P.L.101-2022, SECTION 31, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 5. (a) A county participating in any program described in this chapter is required to have its local or regional justice reinvestment advisory council (as described in IC 33-38-9.5-4), or another local collaborative body that includes stakeholders across the juvenile justice system, oversee each grant awarded to the county and engage in collaborative service planning for the county.

**(b) The Indiana criminal justice institute shall coordinate with the workgroup and oversight committee to develop a statewide solicitation process for applications for the grants from the fund and shall conduct outreach activities to inform all potential applicants of the grant opportunities available under this chapter.**

**(c) The Indiana criminal justice institute, in coordination with the workgroup, oversight committee, commission, and office, shall conduct informational and educational sessions for potential and actual applicants, including opportunities for questions and clarification.**

**(d) Subject to the Indiana criminal justice institute solicitation process developed under subsection (b), the oversight committee, or a subgroup of the oversight committee, shall review applications for grants under this chapter and make recommendations to the board of trustees of the Indiana criminal justice institute regarding funding decisions. The review of applications should be done in consultation with a representative from the department of child services, the department of correction, the division of mental health and addiction, the Indiana criminal justice institute, and the office.**

SECTION 244. IC 31-40-5-5.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 5.5. **The Indiana criminal justice institute shall administer grants for:**

- (1) the juvenile diversion grant program described in section 1(1) of this chapter; and**
- (2) the juvenile community alternatives grant program described in section 1(2) of this chapter;**



**in consultation with the oversight committee and the workgroup, taking into consideration the grant program report prepared and submitted to the commission by the oversight committee under IC 2-5-36-9.3(b).**

SECTION 245. IC 31-40-6-0.1 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: **Sec. 0.1. As used in this chapter, "commission" means the commission on improving the status of children in Indiana established by IC 2-5-36-3.**

SECTION 246. IC 31-40-6-0.3 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: **Sec. 0.3. As used in this chapter, "fund" refers to the juvenile behavioral health competitive grant pilot program fund established by section 5 of this chapter.**

SECTION 247. IC 31-40-6-0.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: **Sec. 0.5. As used in this chapter, "office" means the Indiana office of court services established by the supreme court.**

SECTION 248. IC 31-40-6-0.7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: **Sec. 0.7. As used in this chapter, "oversight committee" means the statewide juvenile justice oversight body established under IC 2-5-36-9.3(a).**

SECTION 249. IC 31-40-6-1.2 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: **Sec. 1.2. As used in this chapter, "workgroup" refers to the grant process workgroup created by the oversight committee.**

SECTION 250. IC 31-40-6-3, AS ADDED BY P.L.101-2022, SECTION 32, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: **Sec. 3. (a) The purpose of the juvenile behavioral health competitive grant pilot program is to support jurisdictions, particularly in rural areas, to evaluate a child's behavioral health needs and divert the child from formal court involvement and out-of-home placement into community or school based mental health treatment.**

**(b) Grant recipients shall use a validated mental health screening tool, and a full mental health assessment tool, if necessary, and may use the funds to conduct the following activities:**

- (1) Partnering with law enforcement to implement a program to divert a child from formal court proceedings.**
- (2) Creating crisis stabilization services and a mobile crisis unit.**
- (3) Providing comprehensive case management for a child or family in crisis.**
- (4) Identifying and strengthening community based intensive treatment and management services.**
- (5) Establishing telehealth services (as defined in IC 25-1-9.5-6) and programs.**
- (6) Supporting mental health evaluations, which include the use of telehealth services (as defined in IC 25-1-9.5-6).**

**(c) The Indiana criminal justice institute may consider those programs and activities identified for possible funding in the plan submitted to the commission by the oversight committee under IC 2-5-36-9.3(b), but may not rely exclusively on the plan in providing statewide funding under the program.**

**(d) The Indiana criminal justice institute shall adopt performance measures that apply to grantees under the program, taking into consideration the plan submitted to the commission by the oversight committee under IC 2-5-36-9.3(b).**

SECTION 251. IC 31-40-6-4, AS ADDED BY P.L.101-2022, SECTION 32, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: **Sec. 4. (a) The local or regional justice**



reinvestment advisory council (as described in IC 33-38-9.5-4), or another local collaborative body that includes stakeholders across the juvenile justice system, shall:

- (1) manage grant solicitation, with support for rural communities as a required funding priority; and
- (2) determine how funding and programming could be used more effectively.

**(b) The advisory council shall consider efficiency that may be achieved by implementing the program on a regional basis.**

**(c) The Indiana criminal justice institute shall coordinate with the oversight committee, workgroup, and office to develop a statewide solicitation process for applications for the grants from the fund and shall conduct outreach activities to inform all potential applicants of the grant opportunities available under this chapter.**

**(d) The Indiana criminal justice institute, in coordination with the commission, oversight committee, workgroup, and office, shall conduct informational and educational sessions for potential and actual applicants, including opportunities for questions and clarification.**

**(e) Subject to the Indiana criminal justice institute solicitation process developed under subsection (c), the oversight committee, or a subgroup of the oversight committee, shall review applications for grants under this chapter and make recommendations to the board of trustees of the Indiana criminal justice institute regarding funding decisions. The review of applications should be done in consultation with a representative from the department of child services, the department of correction, the division of mental health and addiction, the Indiana criminal justice institute, the office, and experienced practitioners in the mental and behavioral health profession.**

SECTION 252. IC 31-40-6-4.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: **Sec. 4.5. The Indiana criminal justice institute shall administer grants for the juvenile behavioral health competitive grant pilot program in consultation with the oversight committee and the workgroup, taking into consideration the grant program report prepared and submitted to the commission by the oversight committee under IC 2-5-36-9.3(b).**

SECTION 253. IC 33-24-6-12, AS AMENDED BY P.L.161-2018, SECTION 65, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: **Sec. 12. (a) The court technology fund is established to fund court technology. The office of judicial administration shall administer the fund. The fund consists of the following:**

- ~~(1) Deposits made under IC 33-37-9-4.~~
- ~~(2) Other~~ **(1)** Appropriations made by the general assembly.
- ~~(3)~~ **(2)** Grants and gifts designated for the fund or court technology.

**(b) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public funds may be invested.**

**(c) Money in the fund at the end of a state fiscal year does not revert to the state general fund.**

**(d) The budget committee may release funds for court technology after the office of judicial administration certifies in conjunction with the Indiana office of technology, that the court technology is in compliance with the information sharing and exchange provisions of IC 33-24-6-3(a).**

SECTION 254. IC 33-24-12-5, AS AMENDED BY P.L.161-2018, SECTION 68, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: **Sec. 5. (a) The civil legal aid fund is established to provide additional revenue for legal services providers.**

**(b) The fund is administered by the office of judicial administration.**

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



SECTION 255. IC 33-24-12-6, AS AMENDED BY P.L.161-2018, SECTION 69, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 6. (a) The office of judicial administration shall annually determine the amount to be distributed from the fund to each county's legal services provider under the following formula:

STEP ONE: Determine the number of civil cases filed in the county during the year as reported by the most recent Indiana Judicial Report.

STEP TWO: Determine the number of civil cases filed in Indiana during the year as reported by the most recent Indiana Judicial Report.

STEP THREE: Divide the amount determined in STEP ONE by the amount determined in STEP TWO.

STEP FOUR: Multiply the quotient determined in STEP THREE by ~~the annual amount appropriated under section 7 of this chapter~~ or by the annual amount of the appropriation from the state general fund as provided in the state budget act. ~~whichever is greater.~~

Except as provided in subsection (b), the product determined in STEP FOUR is the amount to be distributed to the legal services provider or providers having the county in its service area.

(b) In a county where there is more than one (1) legal services provider, the amount distributed from the fund for that county shall be distributed among the legal services providers in direct proportion to the number of legal services providers in that county.

(c) Distributions from the fund shall be made on January 1 and July 1 of each year. Money in the fund is annually appropriated to carry out the purposes of the fund.

SECTION 256. IC 33-24-12-7 IS REPEALED [EFFECTIVE JULY 1, 2023]. ~~Sec. 7. There is appropriated on June 30 and December 31 of each year five hundred thousand dollars (\$500,000) from the state general fund for deposit into the fund.~~

SECTION 257. IC 33-24-13-7 IS REPEALED [EFFECTIVE JULY 1, 2023]. ~~Sec. 7. During every state fiscal year, there is appropriated from the state general fund to the supreme court six hundred twenty-five thousand dollars (\$625,000) to be used for the Indiana conference for legal education opportunity established by this chapter.~~

SECTION 258. IC 33-34-8-3, AS AMENDED BY P.L.174-2022, SECTION 60, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 3. (a) Payment for all costs made as a result of proceedings in a small claims court shall be to the \_\_\_\_\_ Township of Marion County Small Claims Court (with the name of the township inserted). The court shall issue a receipt for all money received on a form numbered serially in duplicate.

(b) This subsection applies only to a low caseload court (as defined in section 5 of this chapter). All township docket fees and late fees received by the court shall be paid to the township trustee at the close of each month.

(c) This subsection does not apply to a low caseload court. This subsection applies to all other township small claims courts in Marion County. One dollar and fifty cents (\$1.50) of the township docket fee shall be paid to the township trustee of each low caseload court at the end of each month. The remaining township docket fees and late fees received by the court shall be paid to the township trustee at the close of each month.

(d) The court shall:

(1) semiannually distribute to the auditor of state:

HEA 1001 — CC 1



- (A) all automated record keeping fees (IC 33-37-5-21) received by the court for deposit in the homeowner protection unit account established by IC 4-6-12-9 and the state user fee fund established under IC 33-37-9;
- (B) all public defense administration fees collected by the court under IC 33-37-5-21.2 for deposit in the state general fund;
- (C) sixty percent (60%) of all court administration fees collected by the court under IC 33-37-5-27 for deposit in the state general fund;
- (D) all judicial insurance adjustment fees collected by the court under IC 33-37-5-25 for deposit in the state general fund;
- (E) seventy-five percent (75%) of all judicial salaries fees collected by the court under IC 33-37-5-26 for deposit in the state general fund; and
- (F) one hundred percent (100%) of the pro bono legal services fees collected before July 1, 2025, by the court under IC 33-37-5-31 **for deposit in the pro bono legal services fund established by IC 33-37-5-34;** and

(2) distribute monthly to the county auditor all document storage fees received by the court.

The remaining twenty-five percent (25%) of the judicial salaries fees described in subdivision (1)(E) shall be deposited monthly in the township general fund of the township in which the court is located. The county auditor shall deposit fees distributed under subdivision (2) into the clerk's record perpetuation fund under IC 33-37-5-2.

(e) The court semiannually shall pay to the township trustee of the township in which the court is located the remaining forty percent (40%) of the court administration fees described under subsection (d)(1)(C) to fund the operations of the small claims court in the trustee's township.

SECTION 259. IC 33-37-5-34 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: **Sec. 34. (a) The pro bono legal services fund is established. The auditor of state shall administer the fund.**

**(b) The fund consists of distributions of pro bono legal services fees under:**

- (1) IC 33-34-8-3(d)(1)(F);**
- (2) IC 33-37-7-2(l); or**
- (3) IC 33-37-7-8(i).**

**(c) The auditor of state shall transfer semiannually the pro bono legal services fees in the fund to the Indiana Bar Foundation (or a successor entity) as the entity designated to organize and administer the interest on lawyers trust accounts (IOLTA) program under Rule 1.15 of the Rules of Professional Conduct of the Indiana supreme court. The Indiana Bar Foundation shall:**

- (1) deposit in an appropriate account and otherwise manage the fees the Indiana Bar Foundation receives under this subsection in the same manner the Indiana Bar Foundation deposits and manages the net earnings the Indiana Bar Foundation receives from IOLTA accounts; and**
- (2) use the fees the Indiana Bar Foundation receives under this subsection to assist or establish approved pro bono legal services programs.**

**The handling and expenditure of the pro bono legal services fees received under this section by the Indiana Bar Foundation (or its successor entity) are subject to audit by the state board of accounts.**

**(d) Money in the fund and any interest that accrues to the fund remain in the fund and do not revert to the state general fund.**



**(e) Money in the fund is continuously appropriated to carry out the transfers required under subsection (c).**

SECTION 260. IC 33-37-7-2, AS AMENDED BY HEA 1015-2023, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 2. (a) The clerk of a circuit court shall distribute semiannually to the auditor of state as the state share for deposit in the homeowner protection unit account established by IC 4-6-12-9 one hundred percent (100%) of the automated record keeping fees collected under IC 33-37-5-21 with respect to actions resulting in the accused person entering into a pretrial diversion program agreement under IC 33-39-1-8 or a deferral program agreement under IC 34-28-5-1 and for deposit in the state general fund seventy percent (70%) of the amount of fees collected under the following:

- (1) IC 33-37-4-1(a) (criminal costs fees).
- (2) IC 33-37-4-2(a) (infraction or ordinance violation costs fees).
- (3) IC 33-37-4-3(a) (juvenile costs fees).
- (4) IC 33-37-4-4(a) (civil costs fees).
- (5) IC 33-37-4-6(a)(1)(A) (small claims costs fees).
- (6) IC 33-37-4-7(a) (probate costs fees).
- (7) IC 33-37-5-17 (deferred prosecution fees).

(b) The clerk of a circuit court shall distribute semiannually to the auditor of state for deposit in the state user fee fund established in IC 33-37-9-2 the following:

- (1) Twenty-five percent (25%) of the drug abuse, prosecution, interdiction, and correction fees collected under IC 33-37-4-1(b)(5).
- (2) Twenty-five percent (25%) of the alcohol and drug countermeasures fees collected under IC 33-37-4-1(b)(6), IC 33-37-4-2(b)(4), and IC 33-37-4-3(b)(5).
- (3) One hundred percent (100%) of the child abuse prevention fees collected under IC 33-37-4-1(b)(7).
- (4) One hundred percent (100%) of the domestic violence prevention and treatment fees collected under IC 33-37-4-1(b)(8).
- (5) One hundred percent (100%) of the highway worksite fees collected under IC 33-37-4-1(b)(9) and IC 33-37-4-2(b)(5).
- (6) Seventy-five percent (75%) of the safe schools fee collected under IC 33-37-5-18.
- (7) One hundred percent (100%) of the automated record keeping fee collected under IC 33-37-5-21 not distributed under subsection (a).

(c) The clerk of a circuit court shall distribute monthly to the county auditor the following:

- (1) Seventy-five percent (75%) of the drug abuse, prosecution, interdiction, and correction fees collected under IC 33-37-4-1(b)(5).
- (2) Seventy-five percent (75%) of the alcohol and drug countermeasures fees collected under IC 33-37-4-1(b)(6), IC 33-37-4-2(b)(4), and IC 33-37-4-3(b)(5).

The county auditor shall deposit fees distributed by a clerk under this subsection into the county drug free community fund established under IC 5-2-11.

(d) The clerk of a circuit court shall distribute monthly to the county auditor one hundred percent (100%) of the late payment fees collected under IC 33-37-5-22. The county auditor shall deposit fees distributed by a clerk under this subsection as follows:





(1) If directed to do so by an ordinance adopted by the county fiscal body, the county auditor shall deposit forty percent (40%) of the fees in the clerk's record perpetuation fund established under IC 33-37-5-2 and sixty percent (60%) of the fees in the county general fund.

(2) If the county fiscal body has not adopted an ordinance described in subdivision (1), the county auditor shall deposit all the fees in the county general fund.

(e) The clerk of the circuit court shall distribute semiannually to the auditor of state for deposit in the sexual assault victims assistance fund established by IC 5-2-6-23(d) one hundred percent (100%) of the sexual assault victims assistance fees collected under IC 33-37-5-23.

(f) The clerk of a circuit court shall distribute monthly to the county auditor the following:

(1) One hundred percent (100%) of the support and maintenance fees for cases designated as non-Title IV-D child support cases in the Indiana support enforcement tracking system (ISETS) or the successor statewide automated support enforcement system collected under IC 33-37-5-6.

(2) The percentage share of the support and maintenance fees for cases designated as Title IV-D child support cases in ISETS or the successor statewide automated support enforcement system collected under IC 33-37-5-6 that is reimbursable to the county at the federal financial participation rate.

The county clerk shall distribute monthly to the department of child services the percentage share of the support and maintenance fees for cases designated as Title IV-D child support cases in ISETS, or the successor statewide automated support enforcement system, collected under IC 33-37-5-6 that is not reimbursable to the county at the applicable federal financial participation rate.

(g) The clerk of a circuit court shall distribute monthly to the county auditor the following:

(1) One hundred percent (100%) of the small claims service fee under IC 33-37-4-6(a)(1)(B) or IC 33-37-4-6(a)(2) for deposit in the county general fund.

(2) One hundred percent (100%) of the small claims garnishee service fee under IC 33-37-4-6(a)(1)(C) or IC 33-37-4-6(a)(3) for deposit in the county general fund.

(3) Twenty-five percent (25%) of the safe schools fee collected under IC 33-37-5-18 for deposit in the county general fund.

(h) This subsection does not apply to court administration fees collected in small claims actions filed in a court described in IC 33-34. The clerk of a circuit court shall semiannually distribute to the auditor of state for deposit in the state general fund one hundred percent (100%) of the following:

(1) The public defense administration fee collected under IC 33-37-5-21.2.

(2) The judicial salaries fees collected under IC 33-37-5-26.

(3) The DNA sample processing fees collected under IC 33-37-5-26.2.

(4) The court administration fees collected under IC 33-37-5-27.

(5) The judicial insurance adjustment fee collected under IC 33-37-5-25.

(i) The proceeds of the service fee collected under IC 33-37-5-28(b)(1) or IC 33-37-5-28(b)(2) shall be distributed as follows:

(1) The clerk shall distribute one hundred percent (100%) of the service fees collected in a circuit, superior, county, or probate court to the county auditor for deposit in the county general fund.

(2) The clerk shall distribute one hundred percent (100%) of the service fees collected in a city or town court to the city or town fiscal officer for deposit in the city or town general fund.

(j) The proceeds of the garnishee service fee collected under IC 33-37-5-28(b)(3) or IC 33-37-5-28(b)(4) shall be distributed as follows:



(1) The clerk shall distribute one hundred percent (100%) of the garnishee service fees collected in a circuit, superior, county, or probate court to the county auditor for deposit in the county general fund.

(2) The clerk shall distribute one hundred percent (100%) of the garnishee service fees collected in a city or town court to the city or town fiscal officer for deposit in the city or town general fund.

(k) The clerk of the circuit court shall distribute semiannually to the auditor of state for deposit in the home ownership education account established by IC 5-20-1-27 one hundred percent (100%) of the following:

(1) The mortgage foreclosure counseling and education fees collected under IC 33-37-5-33 (before its expiration on July 1, 2017).

(2) Any civil penalties imposed and collected by a court for a violation of a court order in a foreclosure action under IC 32-30-10.5.

(l) The clerk of a circuit court shall distribute semiannually to the auditor of state **for deposit in the pro bono legal services fund established by IC 33-37-5-34** one hundred percent (100%) of the pro bono legal services fees collected before July 1, 2025, under IC 33-37-5-31. ~~The auditor of state shall transfer semiannually the pro bono legal services fees to the Indiana Bar Foundation (or a successor entity) as the entity designated to organize and administer the interest on lawyers trust accounts (IOLTA) program under Rule 1.15 of the Rules of Professional Conduct of the Indiana supreme court. The Indiana Bar Foundation shall:~~

~~(1) deposit in an appropriate account and otherwise manage the fees the Indiana Bar Foundation receives under this subsection in the same manner the Indiana Bar Foundation deposits and manages the net earnings the Indiana Bar Foundation receives from IOLTA accounts; and~~

~~(2) use the fees the Indiana Bar Foundation receives under this subsection to assist or establish approved pro bono legal services programs.~~

~~The handling and expenditure of the pro bono legal services fees received under this section by the Indiana Bar Foundation (or its successor entity) are subject to audit by the state board of accounts. The amounts necessary to make the transfers required by this subsection are appropriated from the state general fund.~~

SECTION 261. IC 33-37-7-8, AS AMENDED BY HEA 1015-2023, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 8. (a) The clerk of a city or town court shall distribute semiannually to the auditor of state as the state share for deposit in the homeowner protection unit account established by IC 4-6-12-9 one hundred percent (100%) of the automated record keeping fees collected under IC 33-37-5-21 with respect to actions resulting in the accused person entering into a pretrial diversion program agreement under IC 33-39-1-8 or a deferral program agreement under IC 34-28-5-1 and for deposit in the state general fund fifty-five percent (55%) of the amount of fees collected under the following:

(1) IC 33-37-4-1(a) (criminal costs fees).

(2) IC 33-37-4-2(a) (infraction or ordinance violation costs fees).

(3) IC 33-37-4-4(a) (civil costs fees).

(4) IC 33-37-4-6(a)(1)(A) (small claims costs fees).

(5) IC 33-37-5-17 (deferred prosecution fees).

(b) The city or town fiscal officer shall distribute monthly to the county auditor as the county share twenty percent (20%) of the amount of fees collected under the following:

(1) IC 33-37-4-1(a) (criminal costs fees).



- (2) IC 33-37-4-2(a) (infraction or ordinance violation costs fees).
- (3) IC 33-37-4-4(a) (civil costs fees).
- (4) IC 33-37-4-6(a)(1)(A) (small claims costs fees).
- (5) IC 33-37-5-17 (deferred prosecution fees).

(c) The city or town fiscal officer shall retain twenty-five percent (25%) as the city or town share of the fees collected under the following:

- (1) IC 33-37-4-1(a) (criminal costs fees).
- (2) IC 33-37-4-2(a) (infraction or ordinance violation costs fees).
- (3) IC 33-37-4-4(a) (civil costs fees).
- (4) IC 33-37-4-6(a)(1)(A) (small claims costs fees).
- (5) IC 33-37-5-17 (deferred prosecution fees).

(d) The clerk of a city or town court shall distribute semiannually to the auditor of state for deposit in the state user fee fund established in IC 33-37-9 the following:

- (1) Twenty-five percent (25%) of the drug abuse, prosecution, interdiction, and correction fees collected under IC 33-37-4-1(b)(5).
- (2) Twenty-five percent (25%) of the alcohol and drug countermeasures fees collected under IC 33-37-4-1(b)(6), IC 33-37-4-2(b)(4), and IC 33-37-4-3(b)(5).
- (3) One hundred percent (100%) of the highway worksite fees collected under IC 33-37-4-1(b)(9) and IC 33-37-4-2(b)(5).
- (4) Seventy-five percent (75%) of the safe schools fee collected under IC 33-37-5-18.
- (5) One hundred percent (100%) of the automated record keeping fee collected under IC 33-37-5-21 not distributed under subsection (a).

(e) The clerk of a city or town court shall distribute monthly to the county auditor the following:

- (1) Seventy-five percent (75%) of the drug abuse, prosecution, interdiction, and correction fees collected under IC 33-37-4-1(b)(5).
- (2) Seventy-five percent (75%) of the alcohol and drug countermeasures fees collected under IC 33-37-4-1(b)(6), IC 33-37-4-2(b)(4), and IC 33-37-4-3(b)(5).

The county auditor shall deposit fees distributed by a clerk under this subsection into the county drug free community fund established under IC 5-2-11.

(f) The clerk of a city or town court shall distribute monthly to the city or town fiscal officer (as defined in IC 36-1-2-7) one hundred percent (100%) of the following:

- (1) The late payment fees collected under IC 33-37-5-22.
- (2) The small claims service fee collected under IC 33-37-4-6(a)(1)(B) or IC 33-37-4-6(a)(2).
- (3) The small claims garnishee service fee collected under IC 33-37-4-6(a)(1)(C) or IC 33-37-4-6(a)(3).
- (4) Twenty-five percent (25%) of the safe schools fee collected under IC 33-37-5-18.

The city or town fiscal officer (as defined in IC 36-1-2-7) shall deposit fees distributed by a clerk under this subsection in the city or town general fund.

(g) The clerk of a city or town court shall semiannually distribute to the auditor of state for deposit in the state general fund one hundred percent (100%) of the following:

- (1) The public defense administration fee collected under IC 33-37-5-21.2.
- (2) The DNA sample processing fees collected under IC 33-37-5-26.2.
- (3) The court administration fees collected under IC 33-37-5-27.
- (4) The judicial insurance adjustment fee collected under IC 33-37-5-25.

**HEA 1001 — CC 1**



(h) The clerk of a city or town court shall semiannually distribute to the auditor of state for deposit in the state general fund seventy-five percent (75%) of the judicial salaries fee collected under IC 33-37-5-26. The city or town fiscal officer shall retain twenty-five percent (25%) of the judicial salaries fee collected under IC 33-37-5-26. The funds retained by the city or town shall be prioritized to fund city or town court operations.

(i) The clerk of a city or town court shall distribute semiannually to the auditor of state **for deposit in the pro bono legal services fund established by IC 33-37-5-34** one hundred percent (100%) of the pro bono legal services fees collected before July 1, 2025, under IC 33-37-5-31. ~~The auditor of state shall transfer semiannually the pro bono legal services fees to the Indiana Bar Foundation (or a successor entity) as the entity designated to organize and administer the interest on lawyers trust accounts (IOLTA) program under Rule 1.15 of the Rules of Professional Conduct of the Indiana supreme court. The Indiana Bar Foundation shall:~~

- ~~(1) deposit in an appropriate account and otherwise manage the fees the Indiana Bar Foundation receives under this subsection in the same manner the Indiana Bar Foundation deposits and manages the net earnings the Indiana Bar Foundation receives from IOLTA accounts; and~~
- ~~(2) use the fees the Indiana Bar Foundation receives under this subsection to assist or establish approved pro bono legal services programs.~~

~~The handling and expenditure of the pro bono legal services fees received under this section by the Indiana Bar Foundation (or its successor entity) are subject to audit by the state board of accounts. The amounts necessary to make the transfers required by this subsection are appropriated from the state general fund.~~

SECTION 262. IC 33-37-9-4, AS AMENDED BY HEA 1492-2023, SECTION 34, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 4. (a) The treasurer of state shall distribute semiannually one million two hundred eighty-eight thousand dollars (\$1,288,000) of the amounts transferred to the state fund under section 3 of this chapter as follows:

- (1) Fourteen and ninety-eight hundredths percent (14.98%) shall be deposited into the alcohol and drug countermeasures fund established by IC 9-27-2-11.
- (2) Eight and forty-two hundredths percent (8.42%) shall be deposited into the drug interdiction fund established by IC 10-11-7-1.
- (3) Four and sixty-eight hundredths percent (4.68%) shall be deposited into the substance abuse prosecution fund established by IC 33-39-8-6.
- (4) Five and sixty-two hundredths percent (5.62%) shall be deposited into the corrections drug abuse fund established by IC 11-8-2-11.
- (5) Twenty-two and forty-seven hundredths percent (22.47%) shall be deposited into the state drug free communities fund established by IC 5-2-10-2.
- (6) Seven and ninety-eight hundredths percent (7.98%) shall be distributed to the Indiana department of transportation for use under IC 8-23-2-15.
- (7) Twenty and thirty-two hundredths percent (20.32%) shall be deposited in the family violence and victim assistance fund established by IC 5-2-6.8-3.
- (8) Fifteen and fifty-three hundredths percent (15.53%) shall be deposited in the Indiana secured school fund established by IC 10-21-1-2.

(b) The treasurer of state shall distribute semiannually the amount remaining after the distributions are made under subsection (a) to the ~~court technology fund established by IC 33-24-6-12:~~ **state general fund.**



SECTION 263. IC 33-39-6-2, AS AMENDED BY P.L.78-2011, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 2. (a) A prosecuting attorney may appoint one (1) chief deputy prosecuting attorney. The maximum annual salary paid by the state of a chief deputy prosecuting attorney appointed under this subsection is as follows:

(1) If the prosecuting attorney is a full-time prosecuting attorney appointing a full-time chief deputy prosecuting attorney, the annual salary of the chief deputy prosecuting attorney is equal to seventy-five percent (75%) of the salary paid by the state to a full-time prosecuting attorney.

(2) If the prosecuting attorney is a full-time prosecuting attorney appointing a part-time chief deputy prosecuting attorney, the annual salary of the chief deputy prosecuting attorney is equal to seventy-five percent (75%) of the salary paid by the state to a part-time prosecuting attorney serving the judicial district served by the chief deputy prosecuting attorney.

(3) If the prosecuting attorney is a part-time prosecuting attorney appointing a full-time chief deputy prosecuting attorney, the annual salary of the chief deputy prosecuting attorney is equal to seventy-five percent (75%) of the salary paid by the state to a full-time prosecuting attorney.

(4) If the prosecuting attorney is a part-time prosecuting attorney appointing a part-time chief deputy prosecuting attorney, the annual salary of the chief deputy prosecuting attorney is equal to seventy-five percent (75%) of the salary paid by the state to a part-time prosecuting attorney.

(b) The prosecuting attorney in a county in which is located at least one (1) institution operated by the department of correction that houses at least one thousand five hundred (1,500) offenders may appoint two (2) additional deputy prosecuting attorneys. In a county having two (2) institutions, each of which houses at least one thousand five hundred (1,500) offenders, the prosecuting attorney may appoint a third deputy prosecuting attorney.

(c) The prosecuting attorney in a county in which is located an institution operated by the department of correction that houses at least one hundred (100) but less than one thousand five hundred (1,500) adult offenders may appoint one (1) additional deputy prosecuting attorney.

(d) The prosecuting attorney in a county in which is located a state institution (as defined in IC 12-7-2-184) that has a daily population of at least three hundred fifty (350) patients may appoint one (1) additional deputy prosecuting attorney.

(e) The prosecuting attorney of Cass County may appoint one (1) additional deputy prosecuting attorney.

(f) The annual salary of a deputy prosecuting attorney appointed under subsections (b) through (e) may not be less than ~~seventy-five percent (75%)~~ **seventy percent (70%)** of the annual salary of ~~the appointing~~ **a full-time** prosecuting attorney. ~~as determined under section 5 of this chapter as though the prosecuting attorney had not elected full-time status.~~

(g) The salaries provided in this section shall be paid by the state once every two (2) weeks from the state general fund. There is appropriated annually out of the general fund of the state sufficient funds to pay any amount necessary. However, the salaries fixed in this chapter are determined to be maximum salaries to be paid by the state. This chapter does not limit the power of counties comprising the respective judicial circuits to pay additional salaries upon proper action by the appropriate county officials.

(h) The various county councils shall appropriate annually for other deputy prosecuting attorneys, investigators, clerical assistance, witness fees, out-of-state travel, postage, telephone tolls and telegraph, repairs to equipment, office supplies, other operating expenses, and equipment an amount necessary for the proper discharge of the duties imposed by law upon the office of the prosecuting attorney of each judicial circuit.



SECTION 264. IC 34-30-2.1-55.8 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS** [EFFECTIVE JULY 1, 2023]: **Sec. 55.8. IC 6-3.1-39.5-13 (Concerning taxpayer liability for acts or omissions at an Indiana qualified child care facility).**

SECTION 265. IC 36-2-2-4, AS AMENDED BY P.L.105-2022, SECTION 36, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 4. (a) This subsection does not apply to the following counties:

(1) A county having a population of more than four hundred thousand (400,000) and less than seven hundred thousand (700,000).

(2) A county having a population of more than ~~two hundred fifty thousand (250,000)~~ **one hundred eighty-five thousand (185,000)** and less than three hundred thousand (300,000).

The executive shall divide the county into three (3) districts that are composed of contiguous territory and are reasonably compact. The district boundaries drawn by the executive must not cross precinct boundary lines and must divide townships only when a division is clearly necessary to accomplish redistricting under this section. If necessary, the county auditor shall call a special meeting of the executive to establish or revise districts.

(b) This subsection applies to a county having a population of more than four hundred thousand (400,000) and less than seven hundred thousand (700,000). A county redistricting commission shall divide the county into three (3) single-member districts that comply with subsection (d). The commission is composed of:

(1) the members of the Indiana election commission;

(2) two (2) members of the senate selected by the president pro tempore, one (1) from each political party; and

(3) two (2) members of the house of representatives selected by the speaker, one (1) from each political party.

The legislative members of the commission have no vote and may act only in an advisory capacity. A majority vote of the voting members is required for the commission to take action. The commission may meet as frequently as necessary to perform its duty under this subsection. The commission's members serve without additional compensation above that provided for them as members of the Indiana election commission, the senate, or the house of representatives.

(c) This subsection applies to a county having a population of more than ~~two hundred fifty thousand (250,000)~~ **one hundred eighty-five thousand (185,000)** and less than three hundred thousand (300,000) **that opts in to the system of county government described in subsection (d), sections 4.7(c) and 5(d)(2) of this chapter, IC 36-2-3-2(b), IC 36-2-3-4(c), and IC 36-2-3.5-1(2) by passing a resolution by a majority vote of its executive body not later than September 1, 2023. In the event the executive body of a county described in this subsection does not opt in by September 1, 2023, the county shall be governed by the general provisions of this chapter.** The executive shall divide the county into three (3) single-member districts that comply with subsection (d).

(d) Single-member districts established under subsection (b) or (c) must:

(1) be compact, subject only to natural boundary lines (such as railroads, major highways, rivers, creeks, parks, and major industrial complexes);

(2) contain, as nearly as is possible, equal population; and

(3) not cross precinct lines.

(e) Except as provided by subsection (f), a division under subsection (a), (b), or (c) shall be made only at times permitted under IC 3-5-10.



(f) If the county executive or county redistricting commission determines that a division under subsection (e) is not required, the county executive or county redistricting commission shall adopt an ordinance recertifying that the districts as drawn comply with this section.

(g) Each time there is a division under subsection (e) or a recertification under subsection (f), the county executive or county redistricting commission shall file with the circuit court clerk of the county, not later than thirty (30) days after the division or recertification occurs, a map of the district boundaries:

- (1) adopted under subsection (e); or
- (2) recertified under subsection (f).

(h) The limitations set forth in this section are part of the ordinance, but do not have to be specifically set forth in the ordinance. The ordinance must be construed, if possible, to comply with this chapter. If a provision of the ordinance or an application of the ordinance violates this chapter, the invalidity does not affect the other provisions or applications of the ordinance that can be given effect without the invalid provision or application. The provisions of the ordinance are severable.

(i) IC 3-5-10 applies to a plan established under this section.

SECTION 266. IC 36-2-2-4.7, AS AMENDED BY P.L.104-2022, SECTION 147, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 4.7. (a) Except as provided in subsection (c), whenever the executive divides the county into districts under section 4 of this chapter, the executive shall adopt an ordinance.

(b) The executive shall file a copy of an ordinance adopted under subsection (a) with the circuit court clerk.

(c) This subsection applies to a county having a population of more than ~~two hundred fifty thousand (250,000)~~ **one hundred eighty-five thousand (185,000)** and less than three hundred thousand (300,000) **that opts in to the system of county government as described in section 4(c) of this chapter.** Whenever the executive divides the county into districts under section 4 of this chapter, the executive shall adopt a resolution at two (2) separate public meetings. The executive shall file a copy of the resolution adopted under this subsection with the circuit court clerk.

SECTION 267. IC 36-2-2-5, AS AMENDED BY P.L.104-2022, SECTION 148, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 5. (a) To be eligible for election to the executive, a person must meet the qualifications prescribed by IC 3-8-1-21.

(b) A member of the executive must reside within:

- (1) the county as provided in Article 6, Section 6 of the Constitution of the State of Indiana; and
- (2) the district from which the member was elected.

(c) If the person does not remain a resident of the county and district after taking office, the person forfeits the office. The county fiscal body shall declare the office vacant whenever a member of the executive forfeits office under this subsection.

(d) In a county having a population of:

- (1) more than four hundred thousand (400,000) and less than seven hundred thousand (700,000); or
- (2) more than ~~two hundred fifty thousand (250,000)~~ **one hundred eighty-five thousand (185,000)** and less than three hundred thousand (300,000) **that opts in to the system of county government as described in section 4(c) of this chapter;**

one (1) member of the executive shall be elected by the voters of each of the three (3) single-member districts established under section 4(b) or 4(c) of this chapter. In other counties, all three (3) members of the executive shall be elected by the voters of the whole county.



SECTION 268. IC 36-2-3-2, AS AMENDED BY P.L.104-2022, SECTION 149, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 2. (a) The seven (7) member county council elected under this chapter is the county fiscal body. The fiscal body shall act in the name of "The \_\_\_\_\_ County Council".

(b) Notwithstanding subsection (a), in a county having a population of more than ~~two hundred fifty thousand (250,000)~~ **one hundred eighty-five thousand (185,000)** and less than three hundred thousand (300,000) **that opts in to the system of county government as described in IC 36-2-2-4(c)**, the county council has nine (9) members.

SECTION 269. IC 36-2-3-4, AS AMENDED BY HEA 1336-2023, SECTION 142, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 4. (a) This subsection does not apply to the following counties:

(1) A county having a population of more than four hundred thousand (400,000) and less than seven hundred thousand (700,000).

(2) A county having a population of more than ~~two hundred fifty thousand (250,000)~~ **one hundred eighty-five thousand (185,000)** and less than three hundred thousand (300,000) **that opts in to the system of county government as described in IC 36-2-2-4(c)**.

The county executive shall, by ordinance, divide the county into four (4) single-member districts that comply with subsection (d). If necessary, the county auditor shall call a special meeting of the executive to establish or revise districts. One (1) member of the fiscal body shall be elected by the voters of each of the four (4) districts. Three (3) at-large members of the fiscal body shall be elected by the voters of the whole county.

(b) This subsection applies to a county having a population of more than four hundred thousand (400,000) and less than seven hundred thousand (700,000). The county redistricting commission established under IC 36-2-2-4 shall divide the county into seven (7) single-member districts that comply with subsection (d). One (1) member of the fiscal body shall be elected by the voters of each of these seven (7) single-member districts.

(c) This subsection applies to a county having a population of more than ~~two hundred fifty thousand (250,000)~~ **one hundred eighty-five thousand (185,000)** and less than three hundred thousand (300,000) **that opts in to the system of county government described in IC 36-2-2-4(c)**. The fiscal body shall divide the county into nine (9) single-member districts that comply with subsection (d). Three (3) of these districts must be contained within each of the three (3) districts established under IC 36-2-2-4(c). One (1) member of the fiscal body shall be elected by the voters of each of these nine (9) single-member districts.

(d) Single-member districts established under subsection (a), (b), or (c) must:

(1) be compact and be composed of contiguous territory, subject only to natural boundary lines (such as railroads, major highways, rivers, creeks, parks, and major industrial complexes);

(2) not cross precinct boundary lines;

(3) contain, as nearly as possible, equal population; and

(4) include whole townships, except when a division is clearly necessary to accomplish redistricting under this section.

(e) Except as provided by subsection (f), a division under subsection (a), (b), or (c) shall be made only at times permitted under IC 3-5-10.

(f) If the county executive, county redistricting commission, or county fiscal body determines that a division under subsection (e) is not required, the county executive, county redistricting commission, or





county fiscal body shall adopt an ordinance recertifying that the districts as drawn comply with this section.

(g) Each time there is a division under subsection (e) or a recertification under subsection (f), the county executive, county redistricting commission, or county fiscal body shall file with the circuit court clerk of the county, not later than thirty (30) days after the division or recertification occurs, a map of the district boundaries:

- (1) adopted under subsection (e); or
- (2) recertified under subsection (f).

(h) The limitations set forth in this section are part of the ordinance, but do not have to be specifically set forth in the ordinance. The ordinance must be construed, if possible, to comply with this chapter. If a provision of the ordinance or an application of the ordinance violates this chapter, the invalidity does not affect the other provisions or applications of the ordinance that can be given effect without the invalid provision or application. The provisions of the ordinance are severable.

(i) IC 3-5-10 applies to a plan established under this section.

SECTION 270. IC 36-2-3.5-1, AS AMENDED BY P.L.104-2022, SECTION 151, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 1. This chapter applies to the following counties:

- (1) A county having a population of more than four hundred thousand (400,000) and less than seven hundred thousand (700,000).
- (2) A county having a population of more than ~~two hundred fifty thousand (250,000)~~ **one hundred eighty-five thousand (185,000)** and less than three hundred thousand (300,000) **that opts in to the system of county government as described in IC 36-2-2-4(c).**
- (3) Any other county not having a consolidated city, if both the county executive and the county fiscal body adopt identical ordinances providing for the county to be governed by this chapter beginning on a specified effective date.

SECTION 271. IC 36-7-32.5-1.5 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: **Sec. 1.5. As used in this chapter, "contractor" has the meaning set forth in IC 6-2.5-1-14.9.**

SECTION 272. IC 36-7-32.5-4, AS AMENDED BY THE TECHNICAL CORRECTIONS BILL OF THE 2023 GENERAL ASSEMBLY, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 4. As used in this chapter, "gross retail base period amount" means the aggregate amount of state gross retail and use taxes remitted under IC 6-2.5: ~~by the businesses:~~

- (1) **by the businesses** operating in the territory comprising an innovation development district; and
- (2) that is, in the case of the:
  - (A) state gross retail tax, collected by a business for sales occurring at a physical location of the business in the innovation development district; ~~and~~
  - (B) state use tax, incurred with regard to property used in the innovation development district; **and**
  - (C) **state gross retail and use tax incurred and paid by a contractor with regard to tangible personal property incorporated into real property that is located in the innovation development district, if the:**
    - (i) **contractor can determine the amount of state gross retail or use tax incurred and paid on the tangible personal property incorporated into real property that is located in the**



**innovation development district based on records maintained under section 16.5 of this chapter;**

**(ii) state gross retail or use tax is not otherwise collected in an allocation area listed in section 10(b) of this chapter; and**

**(iii) state gross retail or use tax is not otherwise included in any innovation development district or section 5 of this chapter;**

during the full state fiscal year that precedes the date on which the innovation development district was designated under section 9 of this chapter.

SECTION 273. IC 36-7-32.5-5, AS AMENDED BY THE TECHNICAL CORRECTIONS BILL OF THE 2023 GENERAL ASSEMBLY, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 5. As used in this chapter, "gross retail incremental amount" means the remainder of:

(1) the aggregate amount of state gross retail and use taxes that are remitted under IC 6-2.5: ~~by businesses:~~

(A) **by businesses** operating in the territory comprising an innovation development district; and

(B) that is, in the case of the:

(i) state gross retail tax, collected by a business for sales occurring at a physical location of the business in the innovation development district; ~~and~~

(ii) state use tax, incurred with regard to property used in the innovation development district; **and**

**(iii) state gross retail and use tax incurred and paid by a contractor with regard to tangible personal property incorporated into real property that is located in the innovation development district, if the contractor can determine the amount of state gross retail or use tax incurred and paid based on records maintained under section 16.5 of this chapter, the state gross retail and use tax is not otherwise collected in an allocation area listed in section 10(b) of this chapter, and the state gross retail and use tax is not otherwise included in any innovation development district or section 4 of this chapter;**

during a state fiscal year; minus

(2) the gross retail base period amount;

as determined by the department of state revenue.

SECTION 274. IC 36-7-32.5-6, AS ADDED BY P.L.135-2022, SECTION 28, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 6. As used in this chapter, "income tax base period amount" means the aggregate amount of state adjusted gross income taxes paid:

**(1) by employees employed in the territory comprising an innovation development district with respect to wages and salary earned for work in the innovation development district; and**

**(2) by individuals who are not employees with respect to income received for services performed in the territory comprising an innovation development district;**

for the state fiscal year that precedes the date on which the innovation development district was designated under section 9 of this chapter. **However, the term does not include state adjusted gross income taxes otherwise attributable to an allocation area listed in section 10(b) of this chapter.**

SECTION 275. IC 36-7-32.5-7, AS ADDED BY P.L.135-2022, SECTION 28, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 7. As used in this chapter, "income tax incremental amount" means the remainder of:

(1) the total amount of state adjusted gross income taxes paid:



(A) by employees employed in the territory comprising the innovation development district with respect to wages and salary earned for work in the territory comprising the innovation development district; **and**

(B) by individuals who are not employees with respect to income received for services performed in the territory comprising an innovation development district;

for a particular state fiscal year **that are not otherwise attributable to an allocation area listed in section 10(b) of this chapter**; minus

(2) the sum of the:

(A) income tax base period amount; plus

(B) tax credits awarded by the Indiana economic development corporation under IC 6-3.1-13 to businesses operating in an innovation development district as the result of wages earned for work in the innovation development district for the state fiscal year;

as determined by the department of state revenue.

SECTION 276. IC 36-7-32.5-16.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: **Sec. 16.5. (a) A contractor that provides tangible personal property incorporated into real property in a project located in an innovation development district shall maintain records of all state gross retail and use tax paid or collected during a state fiscal year for the tangible personal property incorporated into the real property in projects located in an innovation development district.**

**(b) A contractor may issue an exemption certificate under IC 6-2.5-8-8 to a vendor when purchasing tangible personal property to be incorporated into real property located in an innovation development district.**

**(c) A contractor that issues an exemption certificate to a vendor under subsection (b) is liable for collecting gross retail tax from the customer on the tangible personal property if the contractor uses a time and materials contract, or when accruing and remitting state use tax on the purchase price of the tangible personal property if the contractor uses a lump sum contract.**

**(d) A contractor shall report the following to the department of state revenue, disaggregated by project, annually for each state fiscal year:**

**(1) The amount of state gross retail and use taxes paid or collected by a contractor with respect to tangible personal property incorporated into real property in a project located in an innovation development district.**

**(2) The issuing of any exemption certificates by the contractor under subsection (b).**

**A contractor shall report the information required under this subsection for a state fiscal year not later than the July 31 immediately following the end of the state fiscal year.**

SECTION 277. IC 36-7-32.5-17, AS ADDED BY P.L.135-2022, SECTION 28, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: **Sec. 17. (a) If an innovation development district is designated under section 9 of this chapter, the corporation shall send to the department of state revenue:**

**(1) a certified copy of the designation of the innovation development district under section 9 of this chapter;**

**(2) if an agreement is entered into under section 12 of this chapter, a certified copy of the agreement; and**

**(3) a complete list of the employers and businesses that are paying for the services of individuals who are not employees in the innovation development district and the street names and the range of street numbers of each street in the innovation development district.**



The corporation shall update the list provided under subdivision (3) before July 1 of each year.

(b) Not later than sixty (60) days after receiving a copy of the designation of the innovation development district, the department of state revenue shall determine the gross retail base period amount and the income tax base period amount.

SECTION 278. IC 36-7-39-3.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: **Sec. 3.5. (a) The northeast Indiana strategic development fund is established for the purpose of carrying out this chapter. The fund shall be administered by the commission.**

**(b) The fund consists of the following:**

- (1) Fees collected under this chapter.**
- (2) Appropriations.**
- (3) Gifts, contributions, and grants.**

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

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

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

**(f) Money in the fund is continuously appropriated for the purposes set forth in this chapter.**

**(g) Money in the fund may not be used for the purposes of expanding or increasing access to broadband.**

SECTION 279. IC 36-7-40 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]:

**Chapter 40. Economic Enhancement Districts**

**Sec. 1. This chapter applies to a first class city.**

**Sec. 2. As used in this chapter, "board" refers to an economic enhancement district board established under section 5 of this chapter.**

**Sec. 3. As used in this chapter, "economic enhancement project" means the following:**

- (1) Providing security for public areas, including installing and maintaining exterior cameras directly linked with the Indianapolis metropolitan police department central control.**
- (2) Employing safety ambassadors to:**
  - (A) deter aggressive panhandling and other nuisance behavior;**
  - (B) assist with directions and information;**
  - (C) facilitate open communications with police to report ongoing issues;**
  - (D) provide safety escort services; and**
  - (E) maintain a network of communication throughout the downtown area by engaging with private and public security companies.**
- (3) Cleaning and maintaining sidewalks, including picking up litter, removing graffiti, and power washing.**
- (4) Conducting extensive outreach to unsheltered homeless individuals.**
- (5) Funding facility operations for a low barrier shelter for homeless individuals.**
- (6) Designing, landscaping, beautifying, or maintaining public areas.**
- (7) Activating and promoting public events.**
- (8) Creating innovative approaches to attracting new businesses.**
- (9) Supporting business development.**



**(10) Planning improvement activities.**

**Sec. 4. (a)** The legislative body of a city may adopt an ordinance establishing a special assessment district known as the economic enhancement district. The adopting ordinance must contain the following:

- (1)** the boundaries of the proposed economic enhancement district, which may not exceed the boundaries of the Mile Square area of the city;
- (2)** a finding that the proposed economic enhancement projects will provide special benefits to all property owners of the economic enhancement district;
- (3)** the formula to be used for the assessment of benefits as provided in section 6 of this chapter; and
- (4)** an expiration date of the economic enhancement district, which, subject to subsection (b), may not be later than ten (10) years from the date of the adoption of the ordinance.

The adopting ordinance must establish an economic enhancement district board.

**(b)** Notwithstanding subsection (a), the termination of the downtown recovery district may be extended for a period of ten (10) additional years if the legislative body adopts an ordinance and the general assembly enacts legislation to extend the life of the economic enhancement district.

**Sec. 5. (a)** An ordinance adopted under section 4 of this chapter must establish an economic enhancement board consisting of eight (8) members to be appointed as follows:

- (1)** Two (2) members appointed by the legislative body of the city.
- (2)** Two (2) members appointed by the mayor of the city.
- (3)** Two (2) members appointed by the governor. One (1) of the members appointed under this subdivision must represent the business community and own real property located within the economic enhancement district.
- (4)** One (1) member of the state senate appointed by the president pro tempore.
- (5)** One (1) member of the house of representatives appointed by the speaker.

A majority of the board members must own real property within the economic enhancement district. Each board member shall serve a term of one (1) year from the first day of January after the board member's appointment and until the board member's successor is appointed and qualified.

**(b)** A proposal before the board must receive at least five (5) votes to authorize action by the board.

**(c)** Downtown Indy, Inc., or its successor organization, shall provide staff support to the economic enhancement board.

**(d)** The members appointed under subsection (a)(4) and (a)(5) may not receive compensation for service on the board.

**Sec. 6. (a)** The board, after approval of the legislative body of the city and subject to section 13 of this chapter, may impose an annual special benefits assessment on all of the taxable real property of the economic enhancement district based on the relative benefits to be received by each type of property. The benefits accruing to parcels of real property within an economic enhancement district may be apportioned among those parcels on any basis reasonably representative of the diffusion of benefits from the economic enhancement projects, including but not limited to the following:

- (1)** Proximity of the parcel to the projects.
- (2)** Accessibility of the parcel to the projects.



- (3) True cash value of the parcels.
- (4) True cash value of any improvement on the parcel.
- (5) Age of any improvement on the parcel.
- (6) Other similar factors.

The apportionment of benefits under this subsection may be adjusted by zone or land use as provided in subsections (c) and (d).

(b) Upon determining the proposed assessment for each parcel, the board shall promptly mail notice to each owner of property to be assessed. This notice must:

- (1) set forth the amount of the proposed special assessment;
- (2) state that the proposed special assessment on each parcel of real property in the economic enhancement district is on file and may be seen in the board's office;
- (3) set forth the time and place where the board will hold a public hearing to hear any owner of assessed real property regarding their proposed assessment; and
- (4) state that the board, after hearing evidence, may decrease, or leave unchanged, the special assessment on any parcel.

The notices must be deposited in the mail not later than twenty (20) days before the hearing date. The notices to the owners must be addressed as the names and addresses appear on the tax duplicates and the records of the county auditor.

(c) If the benefit of the economic enhancement project varies from one (1) area to another within the economic enhancement district, up to three (3) zones may be established within the economic enhancement district to delineate the approximate difference in beneficial impact, and benefits may be apportioned accordingly.

(d) In order to encourage the retention or development of various land uses within the economic enhancement district, assessments may be adjusted according to the zoning classification of the property.

(e) Each special assessment is a lien on the real property that is assessed, second only to ad valorem property taxes levied on that property.

(f) After the public hearing is conducted under subsection (b), the board shall certify to the county auditor the schedule of special assessments of benefits. For purposes of providing substantiation of the deductibility of a special assessment for federal adjusted gross income tax purposes under Section 164 of the Internal Revenue Code, the board shall, to the extent practicable, supplement the schedule of special assessments provided to the county auditor with a statement that identifies the part of each special assessment that is allocable to interest, maintenance, and repair charges. If the board provides the county auditor with the statement, the county auditor shall show, on the tax statement, the part of the special assessment that is for interest and maintenance and repair items separately from the remainder of the special assessment.

(g) Not later than thirty (30) days after the county auditor receives the certification of final scheduled assessments for the completion of the economic enhancement projects, the county auditor shall deliver a copy of the certificate to the county treasurer. Each year, the county treasurer shall add the full annual assessment due in that year to the tax statements of the person owning the property affected by the assessment, designating it in a manner distinct from general taxes.

(h) The proceeds of the special benefits assessments shall be deposited into a special fund known as the economic enhancement district project fund, and shall be used by the board solely to finance



economic enhancement projects in or directly serving or benefiting the economic enhancement district. Any money earned from investment of money in the fund becomes a part of the fund.

**Sec. 7. (a)** Not later than November 1 of each year, the board shall prepare and submit to the city fiscal body a budget for the following calendar year governing the board's projected expenditures from the economic enhancement district project fund. The city fiscal body may approve, modify, or reject the proposed budget.

**(b)** The board may make an expenditure from the economic enhancement district project fund only if the expenditure is approved by the city fiscal body in its review of the board's budget or is otherwise approved by the city fiscal body.

**Sec. 8.** The board shall comply with IC 36-1-12 when contracting for public works.

**Sec. 9.** The board may enter into lease or contractual agreements, or both, with governmental, not-for-profit, or other private entities for the purpose of carrying out recovery projects.

**Sec. 10.** If the ordinance that established an economic enhancement district is repealed, the assets and liabilities of the economic enhancement district shall be disposed of in the manner determined by the city. However, liabilities incurred by the economic enhancement district are not an obligation of the city and are payable only from the special benefits assessments and other revenues of the economic enhancement district.

**Sec. 11.** The board shall submit an annual report to the city fiscal body not later than June 30 of each year. The report must summarize the board's activities and expenditures during the preceding calendar year.

**Sec. 12.** Subject to section 13 of this chapter, after approval of the city fiscal body, the board may issue revenue bonds payable from special benefits assessment revenues or other revenues of the economic enhancement district to finance an economic enhancement project.

**Sec. 13.** If the board fails to comply with a requirement under this chapter, the board may not issue revenue bonds and a special assessment may not be assessed within the economic enhancement district.

SECTION 280. IC 36-8-10.6-5, AS ADDED BY P.L.187-2021, SECTION 144, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 5. The department shall do the following:

- (1) Develop curriculum for the executive training program.
- (2) Offer an executive training program, either in person or by electronic means, at least two (2) times per year.
- (3) Pay any costs of the executive training program out of the regional public safety training fund established by ~~IC 10-15-3-12~~ **IC 10-19-9.1-1**.
- (4) Provide a certificate of completion to any fire service personnel who complete the executive training program offered by the department.

SECTION 281. IC 36-8-25.5-8, AS ADDED BY P.L.217-2021, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 8. (a) The Indiana criminal justice institute shall establish the Indiana crime guns task force fund for the purpose of providing support for the operations of the task force.

**(b)** The fund consists of the following:

- (1) Grants and donations made to the task force.
- (2) Money from participating agencies in accordance with the memorandum of understanding.
- (3) Money appropriated to fund the task force.

**(c)** The expenses of the task force shall be paid by the fund.



(d) The Indiana criminal justice institute shall administer the fund.

(e) The Indiana criminal justice institute shall process all expenditures and claims for payment made by the executive board. Expenditures from the fund shall not exceed the available balance of the fund.

(f) The Indiana criminal justice institute shall use all money in the fund to support the operations of the task force.

(g) The Indiana criminal justice institute may not transfer, assign, or otherwise remove money from the Indiana crime guns task force fund for any purpose outside of the mission of the task force as determined by the executive board of the task force.

**(h) Money in the fund at the end of a state fiscal year does not revert to the state general fund.**

SECTION 282. [EFFECTIVE JULY 1, 2023] **(a) Not later than July 15, 2023, each:**

**(1) township trustee that operates a school corporation; or**

**(2) governing body of a school corporation;**

**shall distribute an equal amount of the remaining balance from the school corporation's curricular materials rental fund established under IC 20-41-2 into the curricular materials account of each public school of the school corporation that is established in accordance with IC 20-40-22-9, as added by this act.**

**(b) This SECTION expires January 1, 2024.**

SECTION 283. [EFFECTIVE JULY 1, 2023] **(a) The legislative services agency, under the direction of the code revision commission, shall prepare legislation for introduction in the 2024 regular session of the general assembly to make appropriate amendments to the Indiana Code to change references from the "auditor of state" to the "state comptroller" and to make any other changes necessary to implement IC 4-7-1-1, as amended by this act.**

**(b) After June 30, 2023, state agencies shall refer to the auditor of state as the state comptroller when adopting agency rules, and references to the auditor of state in the Indiana Administrative Code are considered references to the state comptroller.**

**(c) This SECTION expires July 1, 2026.**

SECTION 284. [EFFECTIVE JULY 1, 2023] **(a) Notwithstanding IC 4-13-2-19 or any other law, the appropriations made in P.L.165-2021, SECTION 26, from the account in the federal economic stimulus fund created for the American Rescue Plan Act that are unexpended and unencumbered at the close of the state fiscal year ending on June 30, 2023, do not lapse but instead remain available for expenditure during either state fiscal year in a biennium beginning after June 30, 2023, and ending before July 1, 2025, for the purpose for which the appropriation was originally made.**

**(b) This SECTION expires July 1, 2025.**

SECTION 285. [EFFECTIVE UPON PASSAGE] **(a) Any balance in the financial responsibility compliance verification fund established by IC 9-25-9-7, as repealed by this act, shall be transferred to the bureau of motor vehicles commission fund established by IC 9-14-14-1 on June 30, 2023.**

**(b) This SECTION expires July 1, 2023.**

SECTION 286. [EFFECTIVE UPON PASSAGE] **(a) Any balance in the public mass transportation fund established by IC 8-23-3-8, as repealed by this act, shall be transferred to the state general fund on June 30, 2023.**

**(b) This SECTION expires July 1, 2023.**





SECTION 287. [EFFECTIVE UPON PASSAGE] (a) Any balance on June 30, 2023, in the Indiana safe schools fund established by IC 5-2-10.1-2, shall be transferred to the Indiana secured school fund established by IC 10-21-1-2 on June 30, 2023.

(b) This SECTION expires July 1, 2023.

SECTION 288. [EFFECTIVE UPON PASSAGE] (a) Any balance in the special education fund under IC 20-35-4-4, as repealed by this act, shall be transferred to the state general fund on June 30, 2023.

(b) This SECTION expires July 1, 2023.

SECTION 289. [EFFECTIVE UPON PASSAGE] (a) Any balance in the mental health centers fund (IC 6-7-1-32.1), as repealed by this act, shall be transferred to the state general fund on June 30, 2023.

(b) This SECTION expires July 1, 2023.

SECTION 290. P.L.165-2021, SECTION 216, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: SECTION 216. (a) Notwithstanding IC 4-13-2-19 or any other law, any part of an appropriation made for the legislative council and the legislative services agency, in a state fiscal year beginning after June 30, 2018, and ending before July 1, ~~2022~~, **2024**, that is unexpended and unencumbered at the close of that state fiscal year does not lapse and is not returned to the state general revenue fund but remains available for expenditure during either state fiscal year in a biennium beginning after June 30, ~~2019~~, **2023**, and ending before July 1, ~~2023~~, **2025**. The unexpended and unencumbered amount may be used to supplement the amounts appropriated in this act for each state fiscal year in the biennium and shall be allotted, as requested by the executive director of the legislative services agency, for the total operating expenses of the legislative council or the legislative services agency, or both.

(b) This SECTION expires July 1, ~~2023~~, **2025**.

SECTION 291. P.L.165-2021, SECTION 220, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JUNE 29, 2023]: SECTION 220. (a) The definitions of "vacation leave", "sick leave", and other types of leave used on July 1, 2010, by the department apply to this SECTION.

(b) As used in this SECTION, "department" refers to the state personnel department established by IC 4-15-2.2-13.

(c) As used in this SECTION, "pilot program" refers to the pilot program reestablished under subsection (d).

(d) The personnel committee of the legislative council for the legislative branch of state government or the Indiana supreme court for the judicial branch of state government, or both, may reestablish the pilot program established by P.L.220-2005, SECTION 8 (before its expiration), and P.L.220-2005, SECTION 10 (before its expiration), including provisions adopted by:

- (1) the deferred compensation committee (established by IC 5-10-1.1-4) to govern the pilot program;
- (2) the department under LSA Document #06-488(E) (before its expiration), filed with the publisher of the Indiana Register on October 16, 2006, to govern the pilot program; or
- (3) the auditor of state to administer the pilot program.

(e) Subject to the Internal Revenue Code and applicable regulations, the personnel committee of the legislative council or the Indiana supreme court, or both, may adopt procedures to implement and administer the pilot program, including provisions established or reestablished under subsection (d).

(f) The auditor of state shall provide for the administration of the pilot program.

(g) This SECTION expires June 30, ~~2023~~, **2025**.



SECTION 292. [EFFECTIVE UPON PASSAGE] (a) There is appropriated from the state general fund for the state fiscal year beginning July 1, 2022, and ending June 30, 2023, money to the following agencies for the following purposes:

- (1) Eight hundred million dollars (\$800,000,000) to the department of correction to be used for correctional facility upgrades.
- (2) Ninety-seven million dollars (\$97,000,000) to the department of administration to be used for capital expenses for the state archives building project.
- (3) Two hundred fifty-three million dollars (\$253,000,000) to the department of administration to be used for capital expenses for the consolidated campus for the Indiana School for the Deaf and the Indiana School for the Blind and Visually Impaired project.
- (4) One hundred million dollars (\$100,000,000) to the department of natural resources to be used for capital expenses for the new lodge at Potato Creek State Park project.
- (5) Ten million dollars (\$10,000,000) to department of natural resources to be used for the President Benjamin Harrison conservation trust fund.
- (6) Ten million dollars (\$10,000,000) to the department of education to be used for the Lilly Endowment literacy grant state match.
- (7) Seven hundred million dollars (\$700,000,000) to the pension stabilization fund (established by IC 5-10.4-2-5) for purposes of the pre-1996 account.
- (8) Five hundred million dollars (\$500,000,000) to the Indiana economic development corporation for the deal closing fund. The Indiana economic development corporation shall allocate at least five percent (5%) of the appropriation for the deal closing fund to projects located in counties with a population of less than fifty thousand (50,000). After review by the budget committee, the appropriation for the deal closing fund may be augmented by the budget agency for any economic development project for which the proposed capital investment will be five billion dollars (\$5,000,000,000) or more.
- (9) Five million dollars (\$5,000,000) to the department of natural resources to be used for repairs at McCormick's Creek State Park campground.
- (10) Fifteen million dollars (\$15,000,000) to Purdue University Fort Wayne for the school of music building.
- (11) Sixty million dollars (\$60,000,000) to Indiana University for the school of science instructional and research building.
- (12) Sixty million dollars (\$60,000,000) to Purdue University for the academic and student success building.
- (13) Eighty-one million six hundred thousand dollars (\$81,600,000) to Ball State University to be used for north campus building renovations.
- (14) Sixty-six million dollars (\$66,000,000) to Indiana State University to be used for the center for technology, engineering, and design.
- (15) Eighty-nine million five hundred thousand dollars (\$89,500,000) to Indiana University to be used for the Wells Quad and public health building renovation.
- (16) Thirty-three million one thousand four hundred fifty dollars (\$33,001,450) to Ivy Tech Community College to be used for the Indianapolis campus restructure.
- (17) Eighty-nine million dollars (\$89,000,000) to Purdue University to be used for the nursing and pharmacy education buildings.



**(18) Five million dollars (\$5,000,000) to Purdue University to be used for the animal disease diagnostic laboratory upgrades.**

**(19) Eighty-three million dollars (\$83,000,000) to the University of Southern Indiana to be used for the first phase of the academic building renovation.**

**(20) Thirty-three million nine hundred thousand dollars (\$33,900,000) to Vincennes University to be used for the center for health sciences and active learning.**

**(b) The budget agency may not allot the money under this SECTION until after review by the budget committee.**

**(c) This SECTION expires July 1, 2026.**

**SECTION 293. [EFFECTIVE JULY 1, 2023] (a) On July 1, 2023, the state comptroller shall transfer eighty five million dollars (\$85,000,000) from the tobacco master settlement agreement fund established by IC 4-12-1-14.3 to the state construction fund established by IC 7.1-4-8.**

**(b) This SECTION expires July 1, 2025.**

**SECTION 294. [EFFECTIVE JANUARY 1, 2023 (RETROACTIVE)] (a) IC 6-3-1-3.5, as amended by this act, applies to taxable years beginning after December 31, 2022.**

**(b) This SECTION expires July 1, 2026.**

**SECTION 295. [EFFECTIVE UPON PASSAGE] (a) IC 6-3.1-40.9, as added by this act, applies to contributions made in taxable years beginning after December 31, 2023.**

**(b) This SECTION expires January 1, 2027.**

**SECTION 296. [EFFECTIVE JANUARY 1, 2024] (a) IC 6-3-2-1, as amended by this act, applies to taxable years beginning after December 31, 2023.**

**(b) This SECTION expires January 1, 2026.**

**SECTION 297. [EFFECTIVE UPON PASSAGE] (a) Any balance in the Indiana homeland security fund established by IC 10-15-3-1, as repealed by this act, shall be transferred to the regional public safety training fund established by IC 10-19-9.1-1, as added by this act, on June 30, 2023. Any revenue that would otherwise be deposited in the Indiana homeland security fund on or after June 30, 2023, shall be deposited in the regional public safety training fund established by IC 10-19-9.1-1, as added by this act.**

**(b) Any balance in the fire training infrastructure fund established by IC 22-14-6-2, as repealed by this act, shall be transferred to the regional public safety training fund established by IC 10-19-9.1-1, as added by this act, on June 30, 2023.**

**(c) Any balance in the regional public safety training fund established by IC 10-15-3-12, as repealed by this act, shall be transferred to the regional public safety training fund established by IC 10-19-9.1-1, as added by this act, on June 30, 2023.**

**(d) This SECTION expires July 1, 2024.**

**SECTION 298. [EFFECTIVE JULY 1, 2023] (a) IC 6-7-1-17, as amended by this act, applies only to cigarette stamps purchased by distributors after June 30, 2023.**

**(b) This SECTION expires June 30, 2024.**

**SECTION 299. [EFFECTIVE JULY 1, 2023] IC 6-3.1-39.5, as added by this act, applies only to taxable years beginning after December 31, 2023.**

**SECTION 300. [EFFECTIVE UPON PASSAGE] (a) The legislative council is urged to assign to an appropriate interim study committee during the 2023 legislative interim the task of studying issues pertaining to the feasibility of the department of child services contracting with private attorneys to perform legal services and provide representation in child in need of services cases**



under IC 31-34, termination of parental rights cases under IC 31-35, delinquency cases under IC 31-37, and similar legal matters instead of employing staff attorneys within the department of child services for those purposes.

**(b) This SECTION expires January 1, 2024.**

**SECTION 301. [EFFECTIVE UPON PASSAGE] (a) The Indiana public retirement system shall study and report and present to the interim study committee on pension management oversight on the following topics before November 1, 2023:**

**(1) Scenarios to increase the contribution rate for supplemental allowance reserve accounts under IC 5-10.2-12 in order to fund a cost of living adjustment (COLA) at increments of one-half of one percent (0.5%) each year. Additional contribution rate increase scenarios may also be considered.**

**(2) The fiscal impact of each contribution rate increase scenario under subdivision (1) to the state and local units of government.**

**(3) The recommended timing of when a COLA or other postretirement benefit should take effect.**

**(4) Options that the state police pre-1987 benefit system (IC 10-12-3) and the state police 1987 benefit system (IC 10-12-4) can consider for the creation of a supplemental allowance reserve account for the purpose of funding a COLA and other postretirement benefits.**

**(b) This SECTION expires January 1, 2024.**

**SECTION 302. [EFFECTIVE UPON PASSAGE] (a) As used in this SECTION, "task force" refers to the funding Indiana's roads for a stronger, safer tomorrow task force established by subsection (b).**

**(b) The funding Indiana's roads for a stronger, safer tomorrow task force is established.**

**(c) The task force consists of the following members:**

**(1) The chairperson of the house of representatives ways and means committee.**

**(2) The chairperson of the senate appropriations committee.**

**(3) The chairperson of the senate tax and fiscal policy committee.**

**(4) The chairperson of the house of representatives roads and transportation committee.**

**(5) The chairperson of the senate homeland security and transportation committee.**

**(6) The director of the office of management and budget.**

**(7) The public finance director of the Indiana finance authority.**

**(8) One (1) member who represents counties and is appointed by the governor after considering the recommendation of the Association of Indiana Counties.**

**(9) One (1) member who represents municipalities and is appointed by the governor after considering the recommendation of Accelerate Indiana Municipalities.**

**(10) One (1) member appointed by the governor after considering the recommendation of the Build Indiana Council.**

**(11) One (1) member appointed by the governor who is an employee of the Indiana department of transportation.**

**(12) One (1) member appointed by the governor who is a member of the Indiana Motor Truck Association.**

**(13) One (1) member appointed by the governor who represents taxpayers.**

**(14) One (1) member of the general assembly who is a member of the majority party of the house of representatives and is appointed by the speaker of the house of representatives.**



**(15) One (1) member of the general assembly who is a member of the minority party of the house of representatives and is appointed by the speaker of the house of representatives in consultation with the minority leader of the house of representatives.**

**(16) One (1) member of the general assembly who is a member of the minority party of the senate and is appointed by the president pro tempore of the senate in consultation with the minority leader of the senate.**

**(d) The budget committee shall select a member of the task force to serve as the chairperson of the task force.**

**(e) The task force shall do the following:**

**(1) Review state highway and major bridge needs.**

**(2) Verify road and bridge needs at the local level.**

**(3) Develop a long term plan for state highway and major bridge needs that addresses the ten (10) points described in subsection (g) and:**

**(A) will achieve the recommended pavement and bridge conditions;**

**(B) will complete the current statewide priority projects by finishing projects that have been started;**

**(C) includes Tier 1, 2, and 3 projects; and**

**(D) using the model developed by the Indiana department of transportation, includes sustainable funding mechanisms for the various components of the plan.**

**(4) Review the long term impact of electric and hybrid vehicles.**

**(5) Develop a long term plan for local road and bridge needs.**

**(f) The long term plan for state highway and major bridge needs must provide a basis for consideration for the state biennial budget enacted for the biennium beginning July 1, 2025.**

**(g) The long term plan for state highway and major bridge needs must include the following ten (10) points:**

**(1) Estimates of the costs of major projects, including a study of which projects can be done within current revenue streams and which projects may require additional funding.**

**(2) The identification of projects for which a public-private partnership, a public-private agreement, or tolling might be viable, with planning to verify and confirm these public-private partnership, public-private agreement, or tolling opportunities.**

**(3) The identification of resources for annual maintenance needs, concentrating first on available user fees and attempting to secure stable and predictable funding sources. This must include a determination of whether additional resources must be pursued and what form of resource is most appropriate for each project.**

**(4) A review of the state's debt situation and the development of a plan to maintain a strong financial position for the state. This must include consideration of whether a fee or tax could be associated with the life of a bond for an individual project, with the fee or tax then expiring by law upon payment of the bond.**

**(5) The evaluation of the state system of taxes, fees, and registration fees, and the equity of payments by different groups of users of transportation assets. This must include an evaluation of the overall reliability over time of the receipt of revenue from these sources.**

**(6) A review of the fuel tax system, including such concepts as indexing tax rates, changing tax rates, and the appropriate collection points for these taxes.**



**(7) The ensuring that the projects listed in the plan are priority items that should be carried out, and confirming that these projects bring value to citizens either through access and safety needs or for economic development of Indiana as a whole.**

**(8) A review of the impact and advisability of dedicating some part of state sales tax to roads and road maintenance.**

**(9) An analysis of how collective purchasing agreements could be developed to share and reduce costs across the system of state and local governments.**

**(10) A presentation of the plan and recommendations to the budget committee before January 1, 2024.**

**(h) The legislative services agency shall provide staff support to the task force.**

**(i) The meetings of the task force must be held in public as provided under IC 5-14-1.5. However, the task force is permitted to meet in executive session as determined necessary by the chairperson of the task force.**

**(j) This SECTION expires June 30, 2024.**

**SECTION 303. An emergency is declared for this act.**



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Speaker of the House of Representatives

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President of the Senate

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President Pro Tempore

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Governor of the State of Indiana

Date: \_\_\_\_\_ Time: \_\_\_\_\_

**HEA 1001 — CC 1**

