

Second Regular Session of the 124th General Assembly (2026)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2025 Regular Session of the General Assembly.

HOUSE ENROLLED ACT No. 1302

AN ACT to amend the Indiana Code concerning labor and safety.

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

SECTION 1. IC 3-6-6-39, AS AMENDED BY P.L.108-2021, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 39. (a) The county election board by unanimous vote of the entire membership of the board may permit an individual who is not a voter to serve in any capacity described in subsection (b), if the individual satisfies all the following:

- (1) The individual is at least sixteen (16) years of age but not eighteen (18) years of age or older.
- (2) The individual is a citizen of the United States.
- (3) The individual is a resident of the county.
- (4) The individual has a cumulative grade point average equivalent to not less than 3.0 on a 4.0 scale.
- (5) The individual:
 - (A) either:
 - (i) has the written approval of the principal of the school the individual attends at the time of the appointment; or
 - (ii) attends a school that will not be in session on election day; or
 - (B) if the student is educated in the home, has the approval of the individual responsible for the education of the student.
- (6) The individual has the approval of the individual's parent or legal guardian.

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(7) The individual has satisfactorily completed any training required by the county election board.

(8) The individual otherwise is eligible to serve as a precinct election officer under this chapter but is not required to be a registered voter of the county.

(b) An individual described in subsection (a) may serve in any of the following capacities, as determined by the county election board:

(1) As any election officer, other than as an inspector, either before election day, on election day, or both.

(2) Providing assistance to an election officer, either before election day, on election day, or both.

(3) Providing assistance to the preparation of absentee ballots.

(c) An individual appointed as an election officer or assistant under this section, while serving as an election officer or assistant:

(1) is not required to obtain an employment certificate under IC 22-2-18 (before its expiration on June 30, 2021); and

(2) is not subject to the limitations on time and duration of employment under IC 22-2-18 (before its expiration on June 30, 2021) or IC 22-2-18.1.

~~(d) The county election board is not required to register as an employer under IC 22-2-18.1.~~

SECTION 2. IC 3-11.5-4-23, AS AMENDED BY P.L.153-2024, SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 23. (a) Not later than noon fifty (50) days before election day, each county election board shall notify the county chairmen of the two (2) political parties that have appointed members on the county election board of the number of:

(1) absentee voter boards;

(2) teams of absentee ballot counters; and

(3) teams of couriers;

to be appointed under section 22 of this chapter.

(b) The county chairmen shall make written recommendations for the appointments to the county election board not later than forty-six (46) days before election day. The county election board shall make the appointments as recommended.

(c) If a county chairman fails to make any recommendations, then the county election board may appoint any voters of the county who comply with section 22 of this chapter.

(d) The county election board may permit an individual who is not a voter to serve as an absentee board member, other than a member of a board under IC 3-11-10-25, an absentee ballot counter, or a courier if the individual:

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- (1) satisfies the requirements under IC 3-6-6-39; and
- (2) is approved by the unanimous vote of the entire membership of the county election board.

(e) An individual appointed to serve as an absentee board member, other than the member of a board under IC 3-11-10-25, an absentee ballot counter or a courier under subsection (d), while serving as an absentee ballot counter or courier:

- (1) is not required to obtain an employment certificate under IC 22-2-18 (before its expiration on June 30, 2021); and
- (2) is not subject to the limitations on time and duration of employment under IC 22-2-18 (before its expiration on June 30, 2021) or IC 22-2-18.1.

~~(f) The county election board is not required to register as an employer under IC 22-2-18.1.~~

~~(g)~~ (f) When the county election board makes an appointment under this section and the individual accepts the appointment by swearing the oath of office required under this title, a contract is created between the county election board and the individual in which the county election board retains the services of the appointed individual as an independent contractor.

~~(h)~~ (g) For purposes of Article 2, Section 9 of the Constitution of the State of Indiana, the position of:

- (1) member of an absentee voter board;
- (2) member of an absentee ballot counter team; or
- (3) member of a courier team;

is not a lucrative office.

SECTION 3. IC 22-2-18.1-25 IS REPEALED [EFFECTIVE JULY 1, 2026]. See: 25: (a) The department shall create and maintain a data base that is accessible by the public and that displays each employer that is required to register under this chapter:

(b) The data base must include the name and electronic mail address of each employer registered under this chapter:

SECTION 4. IC 22-2-18.1-26 IS REPEALED [EFFECTIVE JULY 1, 2026]. See: 26: (a) Each employer that hires, employs, or permits at least five (5) minors who are:

- (1) at least fourteen (14) years of age; and
- (2) less than eighteen (18) years of age;

to work in a gainful occupation must register with the department:

(b) An employer that must register under this chapter must provide, in the form and manner prescribed by the department, the following information:

- (1) The name of the employer:



- (2) The electronic mail address of the employer;
- (3) The number of minors whom the employer has hired; employed; or permitted to work in a gainful occupation: For purposes of this subdivision, the minor's date of hire is the first date on which the minor performs work for the employer;
- (4) Any other information required by the department;
- (c) On or before the fifteenth and last business day of each month, an employer that must register under this chapter shall enter any new or changed information regarding:

- (1) a qualifying location; and
- (2) the names and numbers of minors at each qualifying location;

SECTION 5. IC 22-2-18.1-27, AS AMENDED BY P.L.93-2024, SECTION 155, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 27. (a) The department shall adopt rules under IC 4-22-2 to

- (1) develop a schedule for the submission of the registration under section 26 of this chapter; and
- (2) implement this chapter.

(b) The department may establish recommendations for rest breaks.

SECTION 6. IC 22-2-18.1-30, AS AMENDED BY P.L.104-2024, SECTION 46, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 30. (a) An employer that violates this chapter may be assessed the civil penalties described in this section by the department.

(b) For an hour violation of not more than thirty (30) minutes under section 17 of this chapter or a posting violation under section 22 of this chapter the civil penalties are as follows:

- (1) A warning letter for any violations identified during an initial inspection.
- (2) Fifty dollars (\$50) per instance for a second violation identified in a subsequent inspection.
- (3) Seventy-five dollars (\$75) per instance for a third violation that is identified in a subsequent inspection.
- (4) One hundred dollars (\$100) per instance for a fourth or subsequent violation that is identified in an inspection subsequent to the inspection under subdivision (3) and that occurs not more than two (2) years after a prior violation.

A civil penalty may not be assessed under this subsection for a violation of ten (10) minutes or less.

(c) For a failure to register or failure to register the correct number of minors employed under section 26 of this chapter, an hour violation of more than thirty (30) minutes under section 17 of this chapter, an



age violation under section 12 of this chapter, each minor employed in violation of section 12(b) of this chapter, or a hazardous occupation violation under section 23 of this chapter the civil penalties are as follows:

- (1) A warning letter for any violations identified during an initial inspection.
- (2) One hundred dollars (\$100) per instance for each violation identified in a subsequent inspection.
- (3) Two hundred dollars (\$200) per instance for a third violation that is identified in a subsequent inspection.
- (4) Four hundred dollars (\$400) per instance for a fourth or subsequent violation that is identified in an inspection subsequent to the inspection under subdivision (3) and that occurs not more than two (2) years after a prior violation.

SECTION 7. IC 22-2-18.1-32, AS ADDED BY P.L.147-2020, SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 32. (a) There is established a labor education and youth employment fund to educate affected parties on the purposes and contents of this chapter and the responsibilities of all parties under this chapter.

(b) The labor education and youth employment fund shall be used each year for the expenses of hiring and salaries of additional inspectors to enforce this chapter under section 30 of this chapter. ~~and to develop and maintain the data base under this chapter.~~ Any remaining funds may be used for the purpose of the education provision of this subsection and may be used to award grants to provide educational programs.

(c) The labor education and youth employment fund shall be administered by the department. The expenses of administering the labor education and youth employment fund shall be paid from money in the fund. The treasurer of state shall invest the money in the labor education and youth employment 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 labor education and youth employment fund. Money in the labor education and youth employment fund at the end of a state fiscal year does not revert to the state general fund.

(d) Revenue received from civil penalties under section 30 of this chapter shall be deposited in the labor education and youth employment fund.

(e) All inspectors hired to enforce this chapter shall also be available to educate affected parties on the purposes and contents of



this chapter and the responsibilities of all parties under this chapter.

SECTION 8. IC 22-10-3-1, AS AMENDED BY P.L.10-2012, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1. As used in this article:

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

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

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

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

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

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

"Interested persons" means the director, safety personnel designated by the operator, state and federal coal mine inspectors, and, to the extent required by law, any other person.

"Mine" means an underground commercial coal mine.

"Mine electrician" means a properly certified individual who can perform electrical work in:

- (1) a surface coal mine;
- (2) surface areas of underground coal mines; and
- (3) underground coal mines.

"Mine examiner" means a properly certified person designated by the mine foreman to examine the mine for gas and other dangers. A mine examiner may temporarily act as a section foreman if designated to act as such by the mine foreman.

"Mine foreman" means the person charged with the responsibility of the general supervision of the underground working of a mine and the persons employed in the mine and for the health and safety of those employees.

"Mine inspector" means the person appointed to assist in administering this article.

"Mine Safety Administration" refers to the Mine Safety and Health Administration, United States Department of Labor.

"Mining laws" means:

- (1) this article;



- (2) IC 22-1-1-5(a);
- (3) 30 CFR part 75; and
- (4) 30 CFR part 77.

"Operator" means an individual, firm, association, partnership, limited liability company, or corporation operating an underground coal mine or any part of a mine.

"Shot-firer" means a properly certified person designated by the mine foreman to perform the functions as required in this article in connection with breaking down coal or rock.

SECTION 9. IC 22-10-3-9, AS AMENDED BY THE TECHNICAL CORRECTIONS BILL OF THE 2026 GENERAL ASSEMBLY, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 9. (a) The director shall keep a record of the board's official actions concerning certificates issued under this chapter and file the record together with questions and answers pertaining to examinations established by the board, including the grade given for the answer to each question. The record shall be open for inspection by interested persons. If applications for certification are received, the board shall meet at least quarterly at such time and place as it shall consider advisable for the purpose of examining applicants for certificates. These quarterly meetings shall be held in January, April, July, and October. The date, time, and place of examination shall be published at all coal mines in this state and posted on the ~~web site~~ **website** maintained by the bureau of mines and mine safety at least thirty (30) days before the examination. By a majority vote, the board shall establish its rules of procedure and provide suitable certificates. The board shall adopt rules establishing standards for the competent practice of mine foreman, ~~belt examiner~~, mine examiner, shot-firer, mine electrician, and hoisting engineer.

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

SECTION 10. IC 22-10-3-10, AS AMENDED BY P.L.10-2012, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 10. (a) It is the duty of the board to examine any person applying for a certificate for mine foreman, shot-firer, mine examiner, hoisting engineer, ~~or~~ mine electrician ~~or belt examiner~~ and to issue certificates of competency to the applicants who, upon examination, prove themselves competent and qualified. A certificate is valid only when the examination for certification has been held in the presence of a member of the board and signed by the chairman of the



board. A certificate of competency may not be issued to any person whose grade is less than seventy-five percent (75%) for any certification other than that of a certificate for mine electrician, which requires a passing grade of not less than eighty percent (80%). The board shall observe the requirements set forth in this section in conducting the examinations.

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

- (1) the theory and practice of coal mining;
- (2) the nature and properties of poisonous, noxious, and explosive gases and methods for their detection and control;
- (3) the requirements of the coal mining laws of this state; and
- (4) the responsibilities and duties of a mine foreman under such laws;

and that the applicant is otherwise qualified by law.

(c) An applicant for a mine examiner certificate must have at least three (3) years of experience underground in coal mines. However, a person who has graduated and holds a degree in engineering or an associate in applied science degree in coal mining technology from an accredited school, college, or university is required to have only two (2) years of practical underground mining experience to qualify for the examination. An applicant must prove to the board by written and oral examination and by demonstration, where applicable, that the applicant has a thorough knowledge of:

- (1) the nature and properties of poisonous, noxious, and explosive gases and methods for their detection and control;
- (2) the practical aspects of coal mining pertaining especially to ventilation and roof control; and
- (3) the responsibilities of a mine examiner under coal mining laws of this state;

and that the applicant is otherwise qualified by law.



(d) An applicant for a shot-firer certificate must have at least one (1) year of underground experience and must have been properly trained in a course approved by the director in the safe use and handling of explosives. An applicant must prove to the board by written and oral examination and by demonstration, where applicable, that the applicant has a working knowledge of:

- (1) the proper handling and use of explosives and blasting devices and the danger connected therewith;
- (2) the nature and properties of poisonous, noxious, and explosive gases and methods for their detection;
- (3) the coal mining laws of the state pertaining to ventilation, roof control, and blasting; and
- (4) the responsibilities of a shot-firer under applicable mining laws;

and that the applicant is otherwise qualified by law.

(e) An applicant for a hoisting engineer certificate must prove to the board by written and oral examination and by demonstration, where applicable, that the applicant:

- (1) is capable of operating a hoist;
- (2) has a thorough knowledge of the coal mining laws of this state pertaining to hoisting operations;
- (3) has at least one (1) year mining experience;
- (4) has at least twenty (20) hours practical experience under the supervision of a certified hoisting engineer; and
- (5) is otherwise qualified by law.

~~(f) An applicant for a belt examiner certificate must have at least one (1) year of experience in belt maintenance or installation work. The applicant must prove to the board by written and oral examination and by demonstration, where applicable, that the applicant has a thorough knowledge of:~~

- ~~(1) the requirements of the coal mining laws of this state with particular emphasis upon those laws pertaining to the use of electrical or belt equipment and the transmission of electrical energy into coal mines; and~~
- ~~(2) the responsibilities of a belt examiner under those laws;~~

~~and that the applicant is otherwise qualified by law.~~

~~(g)~~ (f) An applicant for a mine electrician certificate must have sufficient (but not less than one (1) year of) experience in performing electrical work. The applicant must prove to the board by written and oral examination and by demonstration, where applicable, that the applicant has a thorough knowledge of:

- (1) the requirements of the coal mining laws of this state, with



particular emphasis upon laws pertaining to electrical energy in coal mines;

- (2) direct and alternating current theory and application;
- (3) electric equipment and electrical circuits in coal mines;
- (4) permissibility of electric equipment;
- (5) 30 CFR 75 subparts F-K; and
- (6) 30 CFR 77 subparts F-J and S.

~~(h)~~ **(g)** An applicant for an examination under this section must pay the bureau of mines and mine safety an examination fee of twenty-five dollars (\$25). All fees collected under this subsection shall be deposited in the mine safety fund established by IC 22-10-12-16. The board may set a different fee by rule under IC 22-10-1.5-4.

~~(i)~~ **(h)** A mine foreman, mine examiner, shot-firer, hoisting engineer, **or** mine electrician ~~or belt examiner~~ certificate issued before September 1, 1979, is valid under the mining laws of Indiana.

~~(j)~~ **(i)** A person who was issued a fire-boss certificate before July 1, 2007, shall be issued a replacement mine examiner certificate upon request to the director.

~~(k)~~ **(j)** A person designated as mine superintendent or assistant mine superintendent, or acting in either capacity, must hold a mine foreman certificate.

~~(l)~~ **(k)** A certificate may be granted to an applicant who presents to the board satisfactory evidence that the applicant has not been convicted of:

- (1) an act which would constitute a ground for disciplinary sanction under section 11.1(b) of this chapter; or
- (2) a felony that has a direct bearing on the applicant's ability to act competently as a mine foreman, shot-firer, mine examiner, hoisting engineer, **or** mine electrician. ~~or belt examiner.~~

~~(m)~~ **(l)** For the purpose of safety, the board may refuse to examine an applicant who cannot:

- (1) readily understand the written English language; or
- (2) express himself or herself in the English language.

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

(b) The holder of a mine foreman, mine examiner, shot-firer,



hoisting engineer, ~~or~~ mine electrician ~~or belt examiner~~ certificate must present the same or a photostatic copy to the official of the mine where the holder is employed, who shall file it in the office at such mine, and such file shall be available for inspection by interested persons.

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

- (1) by the federal Mine Safety and Health Administration; or
- (2) in another state that recognizes the mine electrician certification in Indiana;

may serve in the individual's certified capacity and be issued a mine electrician certificate by the director in Indiana without the requirement of applying to the board for examination. However, the individual must obtain an Indiana miner's certificate of competency from the director.

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

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

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

SECTION 13. IC 22-10-12-16, AS AMENDED BY P.L.10-2012, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 16. (a) The mine safety fund is established to provide funding for the purchase and maintenance of underground mine rescue equipment.

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

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(c) The fund consists of:

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

(2) fees:

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

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

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

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

(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 accumulates from these investments shall be deposited into the fund.

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



Speaker of the House of Representatives

President of the Senate

President Pro Tempore

Governor of the State of Indiana

Date: _____ Time: _____

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