



Reprinted
February 18, 2021

HOUSE BILL No. 1001

DIGEST OF HB 1001 (Updated February 17, 2021 7:06 pm - DI 125)

Citations Affected: IC 4-9.1; IC 4-12; IC 4-13.1; IC 4-31; IC 4-33; IC 5-2; IC 5-10.5; IC 5-11; IC 5-28; IC 6-1.1; IC 6-2.5; IC 6-3; IC 6-3.1; IC 6-6; IC 6-7; IC 6-8.1; IC 7.1-4; IC 8-15.5; IC 8-15.7; IC 8-23; IC 12-15; IC 12-16; IC 12-17.2; IC 16-21; IC 16-28; IC 20-20; IC 20-24; IC 20-25.7; IC 20-26; IC 20-36; IC 20-43; IC 20-51; IC 20-51.4; IC 21-18.5; IC 33-34; IC 33-37; IC 33-38; IC 35-52; IC 36-7.6; noncode.

Synopsis: State budget. Appropriates money for capital expenditures, the operation of the state, K-12 and higher education, the delivery of Medicaid and other services, and various other distributions and purposes. Replaces the governor with the budget director or the budget director's designee on the state board of finance. Renames the personal services/fringe benefits contingency fund as the budget agency contingency fund (fund). Adds the following authorized fund uses: (1) Emergency capital project expenses. (2) Necessary expenses for existing programs as determined by the governor and budget director. Removes a provision that prevents transfers from the fund for other purposes. Requires the budget committee to be advised of each transfer from the fund that exceeds \$500,000. Replaces the state librarian with
(Continued next page)

Effective: Upon passage; January 1, 2021 (retroactive); June 29, 2021; July 1, 2021; January 1, 2022.

Brown T, Porter, Cherry, Sullivan

January 14, 2021, read first time and referred to Committee on Ways and Means.
February 15, 2021, amended, reported—Do Pass.
February 17, 2021, read second time, amended, ordered engrossed.

HB 1001—LS 7431/DI 120



the budget director as a member of the enhanced access fee committee. Transfers the operations of the Indiana department of gaming research into a newly established gaming research division of the Indiana gaming commission. Repeals the exoneration fund. Provides that any money remaining in the fund is transferred to the state general fund. Replaces the director of the budget agency with the director of the office of management and budget as an ex officio voting member of the board of trustees of the Indiana public retirement system. Removes the annual appropriation provision for the examinations fund of the state board of accounts. Replaces the state superintendent of public instruction with the secretary of education or the secretary's designee as a member of the distressed unit appeal board. Amends the venture capital investment tax credit to apply to taxpayers that provide qualified investment capital to certain qualified Indiana investment funds (qualified fund). Provides that the Indiana economic development corporation (IEDC) may only certify a fund as a qualified fund if the fund meets the definition of a venture capital fund under federal regulations and the fund makes investments according to specified policy requirements and priorities. Provides that a taxpayer may not claim a credit certified with regard to a qualified fund before July 1, 2023. Specifies the maximum available tax credits in a calendar year with regard to a qualified fund. Increases the maximum available tax credits in a calendar year with regard to qualified Indiana businesses under current law, including an additional increase in the maximum amount if the qualified Indiana business is a minority business enterprise or a women's business enterprise. Caps the total amount of credits that the IEDC may award in a calendar year at \$20,000,000, provided that not more than \$7,500,000 is awarded for proposed investments in a qualified fund. Provides that, beginning July 1, 2021, all aviation fuel excise tax revenue is transferred to the airport development grant fund (under current law, 50% of the aviation fuel excise tax revenue is transferred to the general fund and 50% is transferred to the airport development grant fund). Adjusts the distributions from the excise fund to increase the amount transferred to the enforcement and administration fund and correspondingly decrease the amount transferred to the state general fund. Clarifies the equal opportunity procurement and contracting requirements for certain projects. Removes the sunset of provisions regarding public-private agreements that provide that legislative approval is not required to impose tolls on certain projects. Specifies that, except for those certain projects, the general assembly must enact authorizing legislation before the Indiana department of transportation (INDOT), the Indiana finance authority (IFA), or an operator may enter into public-private agreements that impose user fees on motor vehicles for use on highways and roads in existence or under construction on July 1, 2011. Provides that the IFA must be a party to any public-private agreement that requires payments to be made to an operator after the operator receives final payment for construction. Specifies the IFA's bonding authority for public-private partnership projects. Removes annual budget committee review of the distribution formula established by INDOT for the public mass transportation fund. Extends the expiration of the hospital assessment fee and the quality assessment fee from June 30, 2021, to June 30, 2023. Removes a provision that prevents unused money appropriated to the department of education for the advanced placement program from reverting to the state general fund. Provides that any increase in the maximum higher education award and freedom of choice award by the commission for higher education is subject to approval by the budget agency. (Under current law, the commission's annual determination of the maximum awards is subject to approval by the budget agency with review by the budget committee.) Requires

(Continued next page)



money from judicial insurance adjustment fees to be deposited in the state general fund. Appropriates amounts for defeasing bonds. Allows the budget agency to augment the county jail maintenance contingency fund appropriation from the state general fund for the 2020-2021 state fiscal year by an amount necessary to cover jail and parole holds. Specifies the uses for the augmented amount. Allows the horse racing commission to authorize a permit holder to conduct more than 14 races on one racing day. Allows a permit holder to conduct pari-mutuel wagering at the permit holder's racetrack or satellite facility on certain horse races that are conducted during a time when the permit holder's facility is not open. Provides that unexpended and unencumbered amounts appropriated to the legislative services agency in a state fiscal year ending before July 1, 2022, do not revert to the state general fund. Increases the Medicaid reimbursement rate for certain services delivered by a direct care staff. Requires an authorized service provider to use at least 85% (instead of 75%) of the reimbursement rate increase to pay payroll tax liabilities and to increase wages and benefits paid to direct care staff. Increases the tax credit that a taxpayer can claim for contributions made to a scholarship granting organization. Phases in increases to the household income percentage required to qualify as an eligible student for purposes of a scholarship granting organization. Increases the amount of a grant under the charter and innovation network school grant program. Extends the expiration date for funding of certain charter schools for adults. Repeals the deposit of a part of the wine excise tax rate collected on each gallon of wine in the wine grape market development fund and requires the department of state revenue to instead deposit that part of the wine excise tax in the state general fund. Increases the cigarette tax to \$1.50 per pack of regular size cigarettes and a corresponding increase for larger cigarettes. Makes corresponding adjustments to the distribution percentages of revenue received from imposition of the cigarette tax. Changes the definition of "Internal Revenue Code" in the adjusted gross income tax law to mean the Internal Revenue Code of 1986 as amended and in effect on January 1, 2021. Provides that in the case of an amendment to a federal statute that is made outside of Title 26 of the United States Code and affects federal adjusted gross income, federal taxable income, federal tax credits, or other federal tax attributes, the federal statute shall be considered to be part of the Internal Revenue Code as amended and in effect on January 1, 2021. Imposes an excise tax, known as the electronic cigarette tax, on the retail sale of vapor products and consumable material in Indiana. Provides that the excise tax equals 10% of the gross retail income received by the retail dealer for the sale. Defines "vapor product". Defines "consumable material". Requires a retail dealer to obtain an electronic cigarette retail dealer's certificate from the department of state revenue (in addition to a retail merchant's certificate). Deposits the revenue from the excise tax in the state general fund. Establishes the next level regional recovery fund to provide grants and loans to support economic development and regional recovery. Provides that the IEDC administers the next level regional recovery fund. Provides that the board of the IEDC may review applications for grants and loans from the next level regional recovery fund. Requires the IEDC to establish a policy for the next level regional recovery initiative. Requires that the February count of a school corporation's average daily membership (ADM) must be increased by the number of students who, during the preceding school year: (1) were enrolled in the school corporation on the September ADM count day; (2) completed graduation requirements before the February ADM count day; and (3) were not enrolled in the school corporation on the February ADM count day. Establishes the Indiana

(Continued next page)



education scholarship account program (program). Requires the treasurer of state to establish an application date by which a parent of an eligible student or an emancipated eligible student may establish an account in the program. Defines an eligible student as: (1) a student with a disability who requires special education; (2) a student with a parent who is on active duty service in the armed forces of the United States or national guard; or (3) a student placed in foster care or otherwise under care and supervision of the department of child services. Provides that an eligible student who has an account and attends a qualified school is eligible to receive an annual grant amount that may be used to pay for tuition at an accredited nonpublic school or education related expenses. Provides that the treasurer of state shall administer the program. Provides a deduction from Indiana adjusted gross income for a grant amount that is distributed to a taxpayer's account and used for a qualified expense, to the extent the distribution is included in the taxpayer's federal adjusted gross income. Changes the eligibility requirements to receive choice scholarships. Makes changes to the amount of tuition an eligible choice scholarship student is entitled to receive to attend a choice scholarship school. Establishes the Indiana education scholarship account program advisory council to provide guidance on the implementation of the program as well as to provide recommendations for program improvements to the treasurer of state and to the general assembly. Repeals provisions that provide eligibility to certain students if the student's household income increases. Provides that the department of education shall provide services that offer objective advice upon request to parents of an eligible student or an emancipated eligible student relating to services that can help meet the eligible student's or emancipated eligible student's particular needs. Makes corresponding changes.



First Regular Session of the 122nd General Assembly (2021)

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 2020 Regular Session of the General Assembly.

HOUSE BILL No. 1001

A BILL FOR 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:

1 **SECTION 1. [EFFECTIVE JULY 1, 2021]**

2

3 (a) The following definitions apply throughout this act:

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

7 (2) "Biennium" means the period beginning July 1, 2021, and ending June 30, 2023.
8 Appropriations appearing in the biennial column for construction or other permanent
9 improvements do not revert under IC 4-13-2-19 and may be allotted.

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

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

17 (5) "Federally qualified health center" means a community health center that is
18 designated by the Health Resources Services Administration, Bureau of Primary Health
19 Care, as a Federally Qualified Health Center Look Alike under the FED 330 Consolidated
20 Health Center Program authorization, including Community Health Center (330e), Migrant
21 Health Center (330g), Health Care for the Homeless (330h), Public Housing Primary

HB 1001—LS 7431/DI 120



Care (330i), and School Based Health Centers (330).

(6) "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".

(7) "Pension fund contributions" means the state of Indiana's contributions to a specific retirement fund.

(8) "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.

(9) "SSBG" means the Social Services Block Grant. This was formerly referred to as "Title XX".

(10) "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.

(11) "State funded community health center" means a public or private not for profit (501(c)(3)) organization that provides comprehensive primary health care services to all age groups.

(12) "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 auditor of state, 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 auditor of state'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, 2021]

For the conduct of state government, its offices, funds, boards, commissions, departments, societies, associations, services, agencies, and undertakings, and 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, 2021]

GENERAL GOVERNMENT

A. LEGISLATIVE

FOR THE GENERAL ASSEMBLY

LEGISLATORS' SALARIES - HOUSE

Total Operating Expense	8,373,634	8,373,634
-------------------------	-----------	-----------

HOUSE EXPENSES

Total Operating Expense	11,393,610	11,393,610
-------------------------	------------	------------

LEGISLATORS' SALARIES - SENATE

Total Operating Expense	2,449,000	2,545,000
-------------------------	-----------	-----------

SENATE EXPENSES

Total Operating Expense	10,259,000	11,463,000
-------------------------	------------	------------

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



1 allowance for every day the member is engaged in official business.

2
3 The legislative business per diem allowance that each member of the general assembly
4 is entitled to receive equals the maximum daily amount allowable to employees of the
5 executive branch of the federal government for subsistence expenses while away from
6 home in travel status in the Indianapolis area. The legislative business per diem changes
7 each time there is a change in that maximum daily amount.

8
9 In addition to the legislative business per diem allowance, each member of the general
10 assembly shall receive the mileage allowance in an amount equal to the standard
11 mileage rates for personally owned transportation equipment established by the federal
12 Internal Revenue Service for each mile necessarily traveled from the member's usual
13 place of residence to the state capitol. However, if the member traveled by a means
14 other than by motor vehicle, and the member's usual place of residence is more than
15 one hundred (100) miles from the state capitol, the member is entitled to reimbursement
16 in an amount equal to the lowest air travel cost incurred in traveling from the
17 usual place of residence to the state capitol. During the period the general assembly
18 is convened in regular or special session, the mileage allowance shall be limited
19 to one (1) round trip each week per member.

20
21 Any member of the general assembly who is appointed by the governor, speaker of
22 the house, president or president pro tempore of the senate, house or senate minority
23 floor leader, or Indiana legislative council to serve on any research, study, or survey
24 committee or commission, or who attends any meetings authorized or convened
25 under the auspices of the Indiana legislative council, including pre-session conferences
26 and federal-state relations conferences, is entitled, when authorized by the legislative
27 council, to receive the legislative business per diem allowance for each day the
28 member is in actual attendance and is also entitled to a mileage allowance, at the
29 rate specified above, for each mile necessarily traveled from the member's usual
30 place of residence to the state capitol, or other in-state site of the committee,
31 commission, or conference. The per diem allowance and the mileage allowance permitted
32 under this paragraph shall be paid from the legislative council appropriation for
33 legislator and lay member travel unless the member is attending an out-of-state
34 meeting, as authorized by the speaker of the house of representatives or the president
35 pro tempore of the senate, in which case the member is entitled to receive:
36 (1) the legislative business per diem allowance for each day the member is engaged
37 in approved out-of-state travel; and
38 (2) reimbursement for traveling expenses actually incurred in connection with the
39 member's duties, as provided in the state travel policies and procedures established
40 by the legislative council.

41
42 Notwithstanding the provisions of this or any other statute, the legislative council
43 may adopt, by resolution, travel policies and procedures that apply only to members
44 of the general assembly or to the staffs of the house of representatives, senate, and
45 legislative services agency, or both members and staffs. The legislative council may
46 apply these travel policies and procedures to lay members serving on research, study,
47 or survey committees or commissions that are under the jurisdiction of the legislative
48 council. Notwithstanding any other law, rule, or policy, the state travel policies and
49 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 auditor of state 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.

LEGISLATORS' SUBSISTENCE

LEGISLATORS' EXPENSES - HOUSE

Total Operating Expense	3,071,402	3,071,402
-------------------------	-----------	-----------

LEGISLATORS' EXPENSES - SENATE

Total Operating Expense	1,482,000	1,470,000
-------------------------	-----------	-----------

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.

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, \$5,500; minority floor leader, \$4,500; minority caucus chair, \$4,500; minority whip, \$3,000; assistant minority leader, \$1,500; assistant minority floor leader, \$1,500; assistant minority caucus chair, \$1,500; assistant minority whip, \$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 and insurance committee chair, \$1,000; government and regulatory reform 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

Total Operating Expense	17,391,754	17,539,785
LEGISLATOR AND LAY MEMBER TRAVEL		
Total Operating Expense	600,000	700,000

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 122nd 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

Other Operating Expense	4,836,800	3,883,458
--------------------------------	------------------	------------------

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, 2025, 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

Per page charge for copies of legislative documents: \$0.15

NATIONAL ASSOCIATION DUES

Other Operating Expense	589,537	609,975
--------------------------------	----------------	----------------

FOR THE COMMISSION ON UNIFORM STATE LAWS

Total Operating Expense	97,811	87,428
--------------------------------	---------------	---------------

FOR THE INDIANA LOBBY REGISTRATION COMMISSION

Total Operating Expense	362,273	399,238
--------------------------------	----------------	----------------



**FOR THE INDIANA PUBLIC RETIREMENT SYSTEM
LEGISLATORS' RETIREMENT FUND**

Total Operating Expense	182,512	182,512	
--------------------------------	----------------	----------------	--

B. JUDICIAL

FOR THE SUPREME COURT

Personal Services	14,443,945	14,443,945	
--------------------------	-------------------	-------------------	--

Other Operating Expense	4,956,660	4,956,660	
--------------------------------	------------------	------------------	--

The above appropriation for the supreme court personal services includes the subsistence allowance as provided by IC 33-38-5-8.

LOCAL JUDGES' SALARIES

Total Operating Expense	75,897,094	75,897,094	
--------------------------------	-------------------	-------------------	--

COUNTY PROSECUTORS' SALARIES

Total Operating Expense	30,017,552	30,017,552	
--------------------------------	-------------------	-------------------	--

The above appropriations for county prosecutors' salaries represent the amounts authorized by IC 33-39-6-5.

SUPREME COURT TITLE IV-D

Total Operating Expense	1,950,000	1,950,000	
--------------------------------	------------------	------------------	--

TRIAL COURT OPERATIONS

Total Operating Expense	1,246,075	1,246,075	
--------------------------------	------------------	------------------	--

Of the above appropriations, \$500,000 each fiscal year is for court interpreters.

INDIANA COURT TECHNOLOGY

Total Operating Expense	3,000,000	3,000,000	
--------------------------------	------------------	------------------	--

Court Technology Fund (IC 33-24-6-12)

Total Operating Expense	14,588,380	14,588,380	
--------------------------------	-------------------	-------------------	--

Augmentation allowed.

INDIANA CONFERENCE FOR LEGAL EDUCATION OPPORTUNITY

Total Operating Expense	778,750	778,750	
--------------------------------	----------------	----------------	--

The above funds are appropriated to the Office of Judicial Administration in lieu of the appropriation made by IC 33-24-13-7.

GUARDIAN AD LITEM

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 and to administer the program. 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

Total Operating Expense	1,500,000	1,500,000
--------------------------------	------------------	------------------

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 division of state court 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

Total Operating Expense	1,500,000	1,500,000
--------------------------------	------------------	------------------

The above appropriations include the appropriation provided in IC 33-24-12-7.

SPECIAL JUDGES - COUNTY COURTS

Total Operating Expense	149,000	149,000
--------------------------------	----------------	----------------

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

Total Operating Expense	380,996	380,996
--------------------------------	----------------	----------------

INTERSTATE COMPACT FOR ADULT OFFENDERS

Total Operating Expense	236,180	236,180
--------------------------------	----------------	----------------

PROBATION OFFICERS TRAINING

Total Operating Expense	750,000	750,000
--------------------------------	----------------	----------------

VETERANS PROBLEM-SOLVING COURT

Total Operating Expense	1,000,000	1,000,000
--------------------------------	------------------	------------------

DRUG AND ALCOHOL PROGRAMS FUND

Total Operating Expense	100,000	100,000
--------------------------------	----------------	----------------

FOR THE PUBLIC DEFENDER COMMISSION

Total Operating Expense	25,720,000	25,720,000
--------------------------------	-------------------	-------------------

Public Defense Fund (IC 33-40-6)

Total Operating Expense	7,400,000	7,400,000
--------------------------------	------------------	------------------

The above appropriation is made in addition to 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. Of the above appropriations, \$1,000,000 each year is for the public defense of the parents of children in need of services.

FOR THE COURT OF APPEALS

Personal Services	11,140,624	11,140,624
Other Operating Expense	1,593,452	1,593,452

The above appropriations for the court of appeals personal services include the subsistence allowance provided by IC 33-38-5-8.

FOR THE TAX COURT

Personal Services	760,834	760,834
Other Operating Expense	154,249	154,249

FOR THE PUBLIC DEFENDER

Personal Services	6,736,625	6,736,625
Other Operating Expense	762,318	762,318

FOR THE PUBLIC DEFENDER COUNCIL

Personal Services	1,405,856	1,405,856
Other Operating Expense	300,589	300,589

FOR THE PROSECUTING ATTORNEYS' COUNCIL

Personal Services	1,117,170	1,117,170
Other Operating Expense	136,660	136,660

DRUG PROSECUTION**Drug Prosecution Fund (IC 33-39-8-6)**

Total Operating Expense	221,709	221,709
-------------------------	---------	---------

Augmentation allowed.

HIGH TECH CRIMES UNIT PROGRAM

Total Operating Expense	3,000,000	3,000,000
-------------------------	-----------	-----------

TITLE IV-D REIMBURSEMENT FUND

Total Operating Expense	1,950,000	1,950,000
-------------------------	-----------	-----------

FOR THE INDIANA PUBLIC RETIREMENT SYSTEM**JUDGES' RETIREMENT FUND**

Total Operating Expense	10,410,696	10,893,703
-------------------------	------------	------------

PROSECUTORS' RETIREMENT FUND

Total Operating Expense	4,044,194	4,155,409
-------------------------	-----------	-----------

C. EXECUTIVE**FOR THE GOVERNOR'S OFFICE**

Personal Services	1,752,359	1,752,359
Other Operating Expense	81,000	81,000

GOVERNOR'S RESIDENCE

Total Operating Expense	100,413	100,413
-------------------------	---------	---------

HB 1001—LS 7431/DI 120



1	GOVERNOR'S CONTINGENCY FUND		
2	Total Operating Expense	5,104	5,104
3	SUBSTANCE ABUSE PREVENTION, TREATMENT, AND ENFORCEMENT		
4	Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)		
5	Total Operating Expense	5,000,000	5,000,000
6	WASHINGTON LIAISON OFFICE		
7	Total Operating Expense	51,936	51,936
8			
9	FOR THE LIEUTENANT GOVERNOR		
10	Total Operating Expense	4,823,513	4,823,513
11	LIEUTENANT GOVERNOR'S CONTINGENCY FUND		
12	Total Operating Expense	4,341	4,341
13			
14	Direct disbursements from the lieutenant governor's contingency fund are not subject		
15	to the provisions of IC 5-22.		
16			
17	FOR THE SECRETARY OF STATE		
18	ADMINISTRATION		
19	Personal Services	4,486,932	4,486,932
20	Other Operating Expense	845,612	845,612
21	VOTER EDUCATION OUTREACH		
22	Total Operating Expense	0	400,000
23			
24	FOR THE ATTORNEY GENERAL		
25	20,132,051	20,132,051	
26	Agency Settlement Fund (IC 4-12-16-2)		
27	3,554,032	3,554,032	
28	Augmentation allowed.		
29	Homeowner Protection Unit Account (IC 4-6-12-9)		
30	473,186	473,186	
31	Augmentation allowed.		
32	Real Estate Appraiser Licensing (IC 25-34.1-8-7.5)		
33	50,000	50,000	
34	Augmentation allowed.		
35	Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)		
36	818,916	818,916	
37	Augmentation allowed.		
38	Abandoned Property Fund (IC 32-34-1-33)		
39	2,054,730	2,054,730	
40	Augmentation allowed.		
41			
42	The amounts specified from the general fund, homeowner protection unit account,		
43	agency settlements fund, real estate appraiser investigative fund,		
44	tobacco master settlement agreement fund, and abandoned property		
45	fund are for the following purposes:		
46			
47	Personal Services	23,883,469	23,883,469
48	Other Operating Expense	3,199,446	3,199,446
49			



1 **MEDICAID FRAUD CONTROL UNIT**

2 Total Operating Expense	1,400,000	1,400,000
----------------------------------	------------------	------------------

3

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

7

8 **UNCLAIMED PROPERTY**

9 **Abandoned Property Fund (IC 32-34-1-33)**

10 Total Operating Expense	7,883,908	7,883,908
-----------------------------------	------------------	------------------

11 **Augmentation allowed.**

12

13 **D. FINANCIAL MANAGEMENT**

14

15 **FOR THE AUDITOR OF STATE**

16 Personal Services	5,503,465	5,503,465
-----------------------------	------------------	------------------

17 Other Operating Expense	1,429,870	1,429,870
-----------------------------------	------------------	------------------

18

19 **FOR THE STATE BOARD OF ACCOUNTS**

20 Personal Services	13,720,717	13,720,717
-----------------------------	-------------------	-------------------

21 **EXAMINATIONS**

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

23 Total Operating Expense	15,292,119	15,292,119
-----------------------------------	-------------------	-------------------

24 **Augmentation allowed.**

25

26 **FOR THE OFFICE OF MANAGEMENT AND BUDGET**

27 Personal Services	466,174	466,174
-----------------------------	----------------	----------------

28 Other Operating Expense	31,341	31,341
-----------------------------------	---------------	---------------

29

30 **FOR THE DISTRESSED UNIT APPEAL BOARD**

31 Total Operating Expense	4,250,000	4,250,000
-----------------------------------	------------------	------------------

32

33 **FOR THE MANAGEMENT AND PERFORMANCE HUB**

34 Total Operating Expense	7,375,352	7,375,352
-----------------------------------	------------------	------------------

35

36 **FOR THE STATE BUDGET AGENCY**

37 Personal Services	3,640,731	3,640,731
-----------------------------	------------------	------------------

38 Other Operating Expense	205,167	205,167
-----------------------------------	----------------	----------------

39 **BUDGET AGENCY CONTINGENCY FUND**

40 Total Operating Expense	2,800,000	47,800,000
-----------------------------------	------------------	-------------------

41 **Budget Agency Contingency Fund (IC 4-12-17)**

42 Total Operating Expense	10,000,000	10,000,000
-----------------------------------	-------------------	-------------------

43 **Augmentation allowed.**

44

45 Any balance remaining on June 30, 2021 in the Personal Services/Fringe Benefits
46 Contingency Fund shall be transferred to the budget agency contingency fund
47 effective July 1, 2021.

48

49 **OUTSIDE ACTS**



1 **Total Operating Expense**
2 **Augmentation allowed.**

1 1 1

3
4 **STATE BUDGET COMMITTEE**

5 **Total Operating Expense**
6 **Augmentation allowed.**

86,312 86,312

7
8 Notwithstanding IC 4-12-1-11(b), the salary per diem of the legislative members of
9 the budget committee is equal to one hundred fifty percent (150%) of the legislative
10 business per diem allowance.

11
12 **THIRTEENTH CHECKS**

13 **Total Operating Expense**

33,800,000 34,400,000

14
15 Notwithstanding IC 5-10.2-12-2 for the funds that have established supplemental
16 allowance reserve accounts, the above appropriation shall be used to fund thirteenth
17 checks for retired members of the public employees' retirement fund, the teachers'
18 retirement fund, the state excise police, gaming agent, gaming control officer,
19 and conservation enforcement officers' retirement plan, the state police pre-1987
20 benefit system, and the state police 1987 benefit system. In FY 2022 and FY 2023,
21 the budget agency shall transfer to the Indiana public retirement system and the
22 Treasurer of State the amounts determined necessary to fund thirteenth checks as
23 required by a statute or statutes enacted for this purpose by the 122nd General
24 Assembly.

25
26 **FOR THE INDIANA PUBLIC RETIREMENT SYSTEM**

27 **PUBLIC SAFETY PENSION**

28 **Total Operating Expense**
29 **Augmentation allowed.**

155,000,000 152,500,000

30
31 **FOR THE TREASURER OF STATE**

32 **Personal Services**

1,286,204 1,286,204

33 **Other Operating Expense**

46,305 46,305

34 **ABLE AUTHORITY (IC 12-11-14)**

35 **Total Operating Expense**

285,500 294,000

36
37 **E. TAX ADMINISTRATION**

38
39 **FOR THE DEPARTMENT OF REVENUE**

40 **COLLECTION AND ADMINISTRATION**

41 **Personal Services**

41,406,274 41,406,274

42 **Other Operating Expense**

17,697,908 22,497,908

43
44 With the approval of the governor and the budget agency, the department shall annually
45 reimburse the state general fund for expenses incurred in support of the collection
46 of dedicated fund revenue according to the department's cost allocation plan.

47
48 With the approval of the governor and the budget agency, the foregoing sums for
49 the department of state revenue 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 of state revenue 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 foregoing sums for the department of state revenue's outside collections 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

Motor Carrier Regulation Fund (IC 8-2.1-23)

Personal Services	5,205,090	5,205,090
-------------------	-----------	-----------

Other Operating Expense	3,409,489	3,409,489
-------------------------	-----------	-----------

Augmentation allowed.

FOR THE INDIANA GAMING COMMISSION

State Gaming Fund (IC 4-33-13-2)

2,310,874	2,310,874
-----------	-----------

Gaming Investigations Fund (IC 4-33-4-18(b))

1,074,000	1,074,000
-----------	-----------

The amounts specified from the state gaming fund and gaming investigations fund are for the following purposes:

Personal Services	3,047,610	3,047,610
-------------------	-----------	-----------

Other Operating Expense	337,264	337,264
-------------------------	---------	---------

Augmentation allowed.

The above appropriations to the Indiana gaming commission 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.

The above appropriations to the Indiana gaming commission are made instead of the appropriation made in IC 4-33-13-4.

GAMING RESEARCH DIVISION

Personal Services	5,000	5,000
-------------------	-------	-------

Other Operating Expense	320,000	320,000
-------------------------	---------	---------

ATHLETIC COMMISSION

State Gaming Fund (IC 4-33-13-2)

Total Operating Expense	92,371	92,371
-------------------------	--------	--------

Augmentation allowed.

Athletic Fund (IC 4-33-22-9)

Total Operating Expense	6,000	6,000
-------------------------	-------	-------

Augmentation allowed.

FANTASY SPORTS REGULATION AND ADMINISTRATION



1	Fantasy Sports Regulation and Administration Fund (IC 4-33-24-28)		
2	Total Operating Expense	25,500	25,500
3	Augmentation allowed.		

5	FOR THE INDIANA HORSE RACING COMMISSION		
6	Indiana Horse Racing Commission Operating Fund (IC 4-31-10-2)		
7	Personal Services	1,873,711	1,873,711
8	Other Operating Expense	409,870	409,870

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

14	STANDARD BRED ADVISORY BOARD		
15	Indiana Horse Racing Commission Operating Fund (IC 4-31-10-2)		
16	Total Operating Expense	193,500	193,500
17	Augmentation allowed.		

19	FOR THE DEPARTMENT OF LOCAL GOVERNMENT FINANCE		
20	Personal Services	3,201,090	3,201,090
21	Other Operating Expense	495,111	495,111
22	Assessment Training Fund (IC 6-1.1-5.5-4.7)		
23	Total Operating Expense	540,280	540,280
24	Augmentation allowed.		

26	FOR THE INDIANA BOARD OF TAX REVIEW		
27	Personal Services	1,292,876	1,292,876
28	Other Operating Expense	74,092	74,092
29	Assessment Training Fund (IC 6-1.1-5.5-4.7)		
30	Total Operating Expense	320,628	320,628
31	Augmentation allowed.		

33 **F. ADMINISTRATION**

35	FOR THE DEPARTMENT OF ADMINISTRATION		
36	Personal Services	10,153,021	10,153,021
37	Other Operating Expense	11,671,441	11,671,441
38	MOTOR POOL ROTARY FUND		
39	Total Operating Expense	4,882,500	7,875,000
40	Indiana Horse Racing Commission Operating Fund (IC 4-31-10-2)		
41	Total Operating Expense	28,000	0
42	Gaming Enforcement Agents (IC 4-35-4-5)		
43	Total Operating Expense	18,980	18,980
44	Charity Gaming Enforcement Fund (IC 4-32.3-7-1)		
45	Total Operating Expense	21,942	21,942
46	Fire and Building Services Fund (IC 22-12-6-1)		
47	Total Operating Expense	345,847	320,053
48	State Highway Fund (IC 8-23-9-54)		
49	Total Operating Expense	3,089,000	3,089,000



The budget agency may transfer portions of the above dedicated fund appropriations from the department of administration back to the agency that provided the appropriation if necessary.

In addition to the appropriations above, the budget agency with the approval of the governor may transfer appropriations to the motor pool rotary fund for the purchase of vehicles and related equipment.

FOR THE STATE PERSONNEL DEPARTMENT

Personal Services	2,863,157	2,863,157
Other Operating Expense	152,830	152,830

GOVERNOR'S FELLOWSHIP PROGRAM

Total Operating Expense	280,779	280,779
-------------------------	---------	---------

OFFICE OF ADMINISTRATIVE LAW PROCEEDINGS

Total Operating Expense	1,500,000	1,500,000
-------------------------	-----------	-----------

FOR THE STATE EMPLOYEES' APPEALS COMMISSION

Total Operating Expense	127,197	127,197
-------------------------	---------	---------

FOR THE OFFICE OF TECHNOLOGY

PAY PHONE FUND

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

Total Operating Expense	1,175,918	1,175,918
-------------------------	-----------	-----------

Augmentation allowed.

The pay phone fund is established for the procurement of hardware, software, and related equipment and services needed to expand and enhance the state campus backbone and other central information technology initiatives. Such procurements may include, but are not limited to, wiring and rewiring of state offices, Internet services, video conferencing, telecommunications, application software, and related services. Notwithstanding IC 5-22-23-5, the fund consists of the net proceeds received from contracts with companies providing phone services at state institutions and other state properties. The fund shall be administered by the office of technology. Money in the fund may be spent by the office in compliance with a plan approved by the budget agency. Any money remaining in the fund at the end of any fiscal year does not revert to the general fund or any other fund but remains in the pay phone fund.

FOR THE INDIANA ARCHIVES AND RECORDS ADMINISTRATION

Personal Services	1,504,877	1,504,877
Other Operating Expense	481,021	481,021

The above appropriations include funds for the Indiana archives and records administration to conduct a study to determine the cost of digitizing all records housed at the archives of historic significance or that are of general interest to researchers and the public. The study should include the estimated cost of creating a website through which the public could access the digital records of the archives. The study shall be submitted to the Budget Committee by no later than November 1, 2022.



FOR THE OFFICE OF THE PUBLIC ACCESS COUNSELOR

Personal Services	246,841	246,841
Other Operating Expense	35,867	35,867

G. OTHER**FOR THE OFFICE OF INSPECTOR GENERAL**

Personal Services	1,111,157	1,111,157
Other Operating Expense	74,000	74,000

STATE ETHICS COMMISSION

Total Operating Expense	4,011	4,011
-------------------------	-------	-------

FOR THE SECRETARY OF STATE**ELECTION DIVISION**

Personal Services	1,020,095	1,020,095
Other Operating Expense	224,506	224,506

VOTER LIST MAINTENANCE

Total Operating Expense	516,174	516,174
-------------------------	---------	---------

VOTER REGISTRATION SYSTEM

Total Operating Expense	3,211,759	3,211,759
-------------------------	-----------	-----------

VOTING SYSTEM TECHNICAL OVERSIGHT PROGRAM

Total Operating Expense	595,000	595,000
-------------------------	---------	---------

SECTION 4. [EFFECTIVE JULY 1, 2021]**PUBLIC SAFETY****A. CORRECTION****FOR THE DEPARTMENT OF CORRECTION****CENTRAL OFFICE**

Personal Services	15,786,135	15,786,135
Other Operating Expense	10,585,988	10,585,988

ESCAPEE COUNSEL AND TRIAL EXPENSE

Total Operating Expense	199,736	199,736
-------------------------	---------	---------

COUNTY JAIL MISDEMEANANT HOUSING

Total Operating Expense	4,152,639	4,152,639
-------------------------	-----------	-----------

ADULT CONTRACT BEDS

Total Operating Expense	1,048,200	1,048,200
-------------------------	-----------	-----------

STAFF DEVELOPMENT AND TRAINING

Personal Services	2,395,274	2,395,274
Other Operating Expense	205,438	205,438

PAROLE BOARD

Total Operating Expense	887,990	887,990
-------------------------	---------	---------

INFORMATION MANAGEMENT SERVICES

Total Operating Expense	1,374,209	1,374,209
-------------------------	-----------	-----------

JUVENILE TRANSITION

Total Operating Expense	1,436,884	1,436,884
-------------------------	-----------	-----------



COMMUNITY CORRECTIONS PROGRAMS

Total Operating Expense	72,449,242	72,449,242
--------------------------------	-------------------	-------------------

The above appropriations for community corrections programs are not subject to transfer to any other fund or to 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 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 program.

The appropriations are not subject to having allotment withheld by the state budget agency.

HOOSIER INITIATIVE FOR RE-ENTRY (HIRE)

Total Operating Expense	648,742	648,742
--------------------------------	----------------	----------------

INDIANAPOLIS RE-ENTRY EDUCATION FACILITY

Total Operating Expense	700,000	700,000
--------------------------------	----------------	----------------

CENTRAL EMERGENCY RESPONSE

Personal Services	1,226,045	1,226,045
--------------------------	------------------	------------------

Other Operating Expense	142,812	142,812
--------------------------------	----------------	----------------

HEPATITIS C TREATMENT

Total Operating Expense	19,682,000	24,037,000
--------------------------------	-------------------	-------------------

DRUG ABUSE PREVENTION

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

Total Operating Expense	127,500	127,500
--------------------------------	----------------	----------------

Augmentation allowed.

EXONERATION FUND

Total Operating Expense	1	1
--------------------------------	----------	----------

Augmentation allowed.

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

COUNTY JAIL MAINTENANCE CONTINGENCY FUND

Total Operating Expense	31,000,000	31,000,000
--------------------------------	-------------------	-------------------

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 appropriation, 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 appropriation, the department of correction may distribute up to \$5,700,000 to sheriffs for the costs of jail and parole holds. The department shall reimburse sheriffs up to \$37.50 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 of correction policy. In addition to the per diem of up to \$37.50, 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.

The state budget agency may only augment this appropriation if the \$5,700,000 allocated for the costs of jail and parole holds is insufficient. Any augmentation may only be used to pay for additional jail and parole holds and may not be used to provide additional funding to sheriffs for persons convicted of level 6 felonies or to increase the jail and parole hold per diem of up to \$37.50.

CORRECTIONAL SERVICES

Total Operating Expense	145,159,148	145,159,148
-------------------------	-------------	-------------

The above appropriations include amounts for food, educational, and medical services.

JUVENILE DETENTION ALTERNATIVES INITIATIVE (JDAI)

Total Operating Expense	3,017,447	3,017,447
-------------------------	-----------	-----------

PAROLE DIVISION

Total Operating Expense	13,810,281	13,810,281
-------------------------	------------	------------

HERITAGE TRAIL CORRECTIONAL FACILITY

Total Operating Expense	8,738,507	8,738,507
-------------------------	-----------	-----------

SOUTH BEND COMMUNITY RE-ENTRY CENTER

Total Operating Expense	2,171,865	2,171,865
-------------------------	-----------	-----------

Work Release Fund (IC 11-10-8-6.5)

Total Operating Expense	655,820	655,820
-------------------------	---------	---------

Augmentation allowed

INDIANA STATE PRISON

Personal Services	36,670,286	36,670,286
-------------------	------------	------------

Other Operating Expense	5,528,973	5,528,973
-------------------------	-----------	-----------

PENDLETON CORRECTIONAL FACILITY



		<i>FY 2021-2022</i>	<i>FY 2022-2023</i>	<i>Biennial</i>
		<i>Appropriation</i>	<i>Appropriation</i>	<i>Appropriation</i>
1	Personal Services	33,896,695	33,896,695	
2	Other Operating Expense	4,394,466	4,394,466	
3	CORRECTIONAL INDUSTRIAL FACILITY			
4	Personal Services	22,446,621	22,446,621	
5	Other Operating Expense	1,364,124	1,364,124	
6	INDIANA WOMEN'S PRISON			
7	Personal Services	12,993,480	12,993,480	
8	Other Operating Expense	1,304,985	1,304,985	
9	PUTNAMVILLE CORRECTIONAL FACILITY			
10	Personal Services	33,377,336	33,377,336	
11	Other Operating Expense	2,814,807	2,814,807	
12	WABASH VALLEY CORRECTIONAL FACILITY			
13	Personal Services	43,044,710	43,044,710	
14	Other Operating Expense	3,953,977	3,953,977	
15	BRANCHVILLE CORRECTIONAL FACILITY			
16	Personal Services	17,681,071	17,681,071	
17	Other Operating Expense	2,023,166	2,023,166	
18	WESTVILLE CORRECTIONAL FACILITY			
19	Personal Services	47,091,628	47,091,628	
20	Other Operating Expense	4,183,941	4,183,941	
21	ROCKVILLE CORRECTIONAL FACILITY FOR WOMEN			
22	Personal Services	16,823,679	16,823,679	
23	Other Operating Expense	1,773,034	1,773,034	
24	PLAINFIELD CORRECTIONAL FACILITY			
25	Personal Services	24,846,722	24,846,722	
26	Other Operating Expense	3,063,226	3,063,226	
27	RECEPTION AND DIAGNOSTIC CENTER			
28	Personal Services	16,197,190	16,197,190	
29	Other Operating Expense	1,272,105	1,272,105	
30	MIAMI CORRECTIONAL FACILITY			
31	Personal Services	31,243,293	31,243,293	
32	Other Operating Expense	4,485,552	4,485,552	
33	NEW CASTLE CORRECTIONAL FACILITY			
34	Other Operating Expense	41,398,400	41,398,400	
35	CHAIN O' LAKES CORRECTIONAL FACILITY			
36	Personal Services	1,659,389	1,659,389	
37	Other Operating Expense	205,475	205,475	
38	MADISON CORRECTIONAL FACILITY			
39	Personal Services	12,089,906	12,089,906	
40	Other Operating Expense	1,280,043	1,280,043	
41	EDINBURGH CORRECTIONAL FACILITY			
42	Personal Services	4,357,056	4,357,056	
43	Other Operating Expense	365,579	365,579	
44	NORTH CENTRAL JUVENILE CORRECTIONAL FACILITY			
45	Personal Services	12,867,579	12,867,579	
46	Other Operating Expense	752,485	752,485	
47	LAPORTE JUVENILE CORRECTIONAL FACILITY			
48	Personal Services	4,221,165	4,221,165	
49	Other Operating Expense	284,745	284,745	

HB 1001—LS 7431/DI 120



PENDLETON JUVENILE CORRECTIONAL FACILITY

Personal Services	18,282,033	18,282,033
Other Operating Expense	939,152	939,152

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

Personal Services	133,115	133,115
Other Operating Expense	69,323	69,323

B. LAW ENFORCEMENT**FOR THE INDIANA STATE POLICE AND MOTOR CARRIER INSPECTION**

154,406,570	154,406,570
-------------	-------------

Motor Carrier Regulation Fund (IC 8-2.1-23)

5,041,673	5,041,673
-----------	-----------

Augmentation allowed from the motor carrier regulation fund.

The amounts specified from the General Fund and the Motor Carrier Regulation Fund are for the following purposes:

Personal Services	140,740,927	140,740,927
Other Operating Expense	18,707,316	18,707,316

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 OPEB CONTRIBUTION

Total Operating Expense	5,964,305	6,006,409
-------------------------	-----------	-----------

INDIANA INTELLIGENCE FUSION CENTER

Total Operating Expense	1,246,649	1,246,649
-------------------------	-----------	-----------

FORENSIC AND HEALTH SCIENCES LABORATORIES

12,522,368	12,522,368
------------	------------

Motor Carrier Regulation Fund (IC 8-2.1-23)

464,960	464,960
---------	---------

Augmentation allowed from the motor carrier regulation fund.

The amounts specified from the Motor Carrier Regulation Fund and the General Fund are for the following purposes:

Personal Services	12,707,328	12,707,328
Other Operating Expense	280,000	280,000

ENFORCEMENT AID

1	Total Operating Expense	59,791	59,791
---	--------------------------------	---------------	---------------

2

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

6

7 **RETIREMENT PENSION FUND**

8	Total Operating Expense	25,255,100	25,255,100
---	--------------------------------	-------------------	-------------------

9

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

13

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

17

18 **BENEFIT TRUST FUND**

19	Total Operating Expense	6,000,000	6,000,000
----	--------------------------------	------------------	------------------

20

21 All benefits to members shall be paid by warrant drawn on the treasurer of state
22 by the auditor of state on the basis of claims filed and approved by the trustees
23 of the state police pension and benefit funds created by IC 10-12-2.

24

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

28

29 **PRE-1987 RETIREMENT**

30	Total Operating Expense	5,450,000	5,450,000
----	--------------------------------	------------------	------------------

31

32 If the amount actually required under IC 10-12-5 is greater than the above
33 appropriations, then, with the approval of the governor and the budget agency,
34 those sums may be augmented from the general fund.

35

36 **BODY CAMERAS**

37	Total Operating Expense	1	1
----	--------------------------------	----------	----------

38

38 **Augmentation allowed.**

39

39 **ACCIDENT REPORTING**

40	Accident Report Account (IC 9-26-9-3)		
41	Total Operating Expense	4,122	4,122

42

42 **Augmentation allowed.**

43

43 **DRUG INTERDICTION**

44	Drug Interdiction Fund (IC 10-11-7)		
45	Total Operating Expense	202,249	202,249

46

46 **Augmentation allowed.**

47

47 **DNA SAMPLE PROCESSING**

48	DNA Sample Processing (IC 10-13-6-9.5)		
49	Total Operating Expense	1,776,907	1,776,907

49

HB 1001—LS 7431/DI 120



1 Augmentation allowed.

FOR THE INTEGRATED PUBLIC SAFETY COMMISSION

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

Total Operating Expense	14,698,322	14,698,322
--------------------------------	-------------------	-------------------

Augmentation allowed.

FOR THE ADJUTANT GENERAL

Personal Services	4,202,888	4,202,888
--------------------------	------------------	------------------

Other Operating Expense	5,152,993	5,152,993
--------------------------------	------------------	------------------

CAMP ATTERBURY MUSCATATUCK CENTER FOR COMPLEX OPERATIONS

Total Operating Expense	503,273	503,273
--------------------------------	----------------	----------------

MUTC - MUŠCATATUČK URBAN TRAINING CENTER

Total Operating Expense	852,442	852,442
--------------------------------	----------------	----------------

HOOSIER YOUTH CHALLENGE ACADEMY

Total Operating Expense	2,027,276	2,027,276
--------------------------------	------------------	------------------

GOVERNOR'S CIVIL AND MILITARY CONTINGENCY FUND

Total Operating Expense	65,031	65,031
--------------------------------	---------------	---------------

Augmentation allowed.

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

Total Operating Expense	1,577,171	1,577,171
--------------------------------	------------------	------------------

Indiana Safe Schools Fund (IC 5-2-10.1-2)

Total Operating Expense	25,000	25,000
--------------------------------	---------------	---------------

Augmentation allowed.

Violent Crime Victims Compensation Fund (IC 5-2-6.1-40)

Total Operating Expense	10,000	10,000
--------------------------------	---------------	---------------

Augmentation allowed.

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

Total Operating Expense	50,000	50,000
--------------------------------	---------------	---------------

Augmentation allowed.

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

Total Operating Expense	50,000	50,000
--------------------------------	---------------	---------------

Augmentation allowed.

DRUG ENFORCEMENT MATCH

Total Operating Expense	250,000	250,000
--------------------------------	----------------	----------------

To facilitate the duties of the Indiana criminal justice institute as outlined in IC 5-2-6-3, the above appropriation is 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)

Total Operating Expense	381,833	381,833
--------------------------------	----------------	----------------

Augmentation allowed.



ALCOHOL AND DRUG COUNTERMEASURES**Alcohol and Drug Countermeasures Fund (IC 9-27-2-11)**

Total Operating Expense	335,000	335,000	
-------------------------	---------	---------	--

Augmentation allowed.

STATE DRUG FREE COMMUNITIES**State Drug Free Communities Fund (IC 5-2-10-2)**

Total Operating Expense	323,125	323,125	
-------------------------	---------	---------	--

Augmentation allowed.

INDIANA SAFE SCHOOLS

Total Operating Expense	1,313,059	1,313,059	
-------------------------	-----------	-----------	--

Indiana Safe Schools Fund (IC 5-2-10.1-2)

Total Operating Expense	300,000	300,000	
-------------------------	---------	---------	--

Augmentation allowed from Indiana Safe Schools Fund.

The above appropriations for the Indiana safe schools program are for the purpose of providing grants to school corporations and charter schools for school safe haven programs, emergency preparedness programs, and school safety programs. The criminal justice institute shall transfer \$750,000 each fiscal year to the department of education to provide training to school safety specialists.

INDIANA CRIME GUNS TASK FORCE

Total Operating Expense	5,000,000	5,000,000	
-------------------------	-----------	-----------	--

BODY CAMERA GRANTS

Total Operating Expense			10,000,000
-------------------------	--	--	------------

The above appropriation is for the purpose of providing grants to city, town, and county law enforcement agencies for the acquisition of body cameras. Law enforcement agencies that have previously purchased or deployed body cameras to the agency's law enforcement officers are not eligible to receive grants. Grant proceeds may only be used for the purchase of body cameras and may not be used to purchase video storage equipment or services. Eligible law enforcement agencies may apply for grants in accordance with procedures established by the criminal justice institute.

LOCAL LAW ENFORCEMENT TRAINING GRANTS

Total Operating Expense	3,500,000	3,500,000	
-------------------------	-----------	-----------	--

The above appropriations are for the purpose of providing grants to city, town, and county law enforcement agencies to conduct law enforcement training, including the purchase of supplies and training materials. Law enforcement agencies may apply for grants in accordance with policies and procedures established by the criminal justice institute. A grant awarded by the criminal justice institute 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

Total Operating Expense	507,633	507,633	
-------------------------	---------	---------	--

The above appropriation for the office of traffic safety may be used to cover 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

Total Operating Expense	2,000,000	2,000,000
-------------------------	-----------	-----------

VICTIMS OF VIOLENT CRIME ADMINISTRATION

Total Operating Expense	3,636,841	3,636,841
-------------------------	-----------	-----------

Violent Crime Victims Compensation Fund (IC 5-2-6.1-40)

Total Operating Expense	2,550,844	2,550,844
-------------------------	-----------	-----------

Augmentation allowed from the violent crime victims compensation fund.

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

DOMESTIC VIOLENCE PREVENTION AND TREATMENT

Total Operating Expense	5,000,000	5,000,000
-------------------------	-----------	-----------

Domestic Violence Prevention and Treatment Fund (IC 5-2-6.7-4)

Total Operating Expense	1,226,800	1,226,800
-------------------------	-----------	-----------

Augmentation allowed from domestic violence prevention and treatment fund.

The above appropriations are for programs for the prevention of domestic violence. The appropriations may not be used to construct a shelter.

FOR THE DEPARTMENT OF TOXICOLOGY

Total Operating Expense	2,249,632	2,249,632
-------------------------	-----------	-----------

BREATH TEST TRAINING AND CERTIFICATION

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.

FOR THE CORONERS TRAINING BOARD

Coroners Training and Continuing Education Fund (IC 4-23-6.5-8)

Total Operating Expense	400,000	400,000
-------------------------	---------	---------

Augmentation allowed.

The state department of health shall administer the coroners training board fund.

FOR THE LAW ENFORCEMENT TRAINING ACADEMY

2,287,272	2,287,272
-----------	-----------

Law Enforcement Academy Fund (IC 5-2-1-13)

2,584,810	2,622,760
-----------	-----------

Augmentation allowed from the Law Enforcement Academy Fund.

The amounts specified from the General Fund and the Law Enforcement Academy Fund are for the following purposes:

Total Operating Expense	4,872,082	4,910,032
-------------------------	-----------	-----------



C. REGULATORY AND LICENSING**FOR THE BUREAU OF MOTOR VEHICLES**

Personal Services	15,780,460	15,780,460
-------------------	------------	------------

Other Operating Expense	10,529,389	10,529,389
-------------------------	------------	------------

FINANCIAL RESPONSIBILITY COMPLIANCE VERIFICATION

Financial Responsibility Compliance Verification Fund (IC 9-25-9-7)

Total Operating Expense	6,436,521	6,608,981
-------------------------	-----------	-----------

Augmentation allowed.

MOTORCYCLE OPERATOR SAFETY

Motorcycle Operator Safety Education Fund (IC 9-27-7-7)

Total Operating Expense	1,430,622	1,411,122
-------------------------	-----------	-----------

Augmentation allowed.

LICENSE BRANCHES

Bureau of Motor Vehicles Commission Fund (IC 9-14-14-1)

Total Operating Expense	106,681,667	106,681,667
-------------------------	-------------	-------------

Augmentation allowed.

FOR THE DEPARTMENT OF LABOR

Personal Services	651,148	651,148
-------------------	---------	---------

Other Operating Expense	52,037	52,037
-------------------------	--------	--------

BUREAU OF MINES AND SAFETY

Total Operating Expense	156,517	156,517
-------------------------	---------	---------

QUALITY, METRICS, AND STATISTICS (M.I.S.)

Total Operating Expense	151,682	151,682
-------------------------	---------	---------

OCCUPATIONAL SAFETY AND HEALTH

Total Operating Expense	2,269,118	2,269,118
-------------------------	-----------	-----------

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)

Total Operating Expense	532,110	532,110
-------------------------	---------	---------

Augmentation allowed.

INSAFE

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

Total Operating Expense	380,873	380,873
-------------------------	---------	---------

Augmentation allowed.

FOR THE DEPARTMENT OF INSURANCE

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

Personal Services	6,191,755	6,191,755
-------------------	-----------	-----------

Other Operating Expense	1,199,878	1,199,878
-------------------------	-----------	-----------

Augmentation allowed.



1	BAIL BOND DIVISION		
2	Bail Bond Enforcement and Administration Fund (IC 27-10-5-1)		
3	Total Operating Expense	66,465	66,465
4	Augmentation allowed.		
5	PATIENT'S COMPENSATION AUTHORITY		
6	Patient's Compensation Fund (IC 34-18-6-1)		
7	Total Operating Expense	4,149,289	4,149,289
8	Augmentation allowed.		
9	POLITICAL SUBDIVISION RISK MANAGEMENT		
10	Political Subdivision Risk Management Fund (IC 27-1-29-10)		
11	Other Operating Expense	133,108	133,108
12	Augmentation allowed.		
13	MINE SUBSIDENCE INSURANCE		
14	Mine Subsidence Insurance Fund (IC 27-7-9-7)		
15	Total Operating Expense	2,400,000	2,400,000
16	Augmentation allowed.		
17	TITLE INSURANCE ENFORCEMENT OPERATING		
18	Title Insurance Enforcement Fund (IC 27-7-3.6-1)		
19	Total Operating Expense	902,940	902,940
20	Augmentation allowed.		
21			
22	FOR THE ALCOHOL AND TOBACCO COMMISSION		
23	Enforcement and Administration Fund (IC 7.1-4-10-1)		
24	Personal Services	10,854,298	10,854,298
25	Other Operating Expense	1,645,458	1,645,458
26	Augmentation allowed.		
27	YOUTH TOBACCO EDUCATION AND ENFORCEMENT		
28	Richard D. Doyle Youth Tobacco Education and Enforcement Fund (IC 7.1-6-2-6)		
29	Total Operating Expense	72,849	72,849
30	Augmentation allowed.		
31	ATC OPEB CONTRIBUTION		
32	Enforcement and Administration Fund (IC 7.1-4-10-1)		
33	Total Operating Expense	638,532	658,617
34	Augmentation allowed.		
35			
36	FOR THE DEPARTMENT OF FINANCIAL INSTITUTIONS		
37	Financial Institutions Fund (IC 28-11-2-9)		
38	Personal Services	7,384,743	7,384,743
39	Other Operating Expense	1,943,928	1,943,928
40	Augmentation allowed.		
41			
42	FOR THE PROFESSIONAL LICENSING AGENCY		
43	Personal Services	4,216,420	4,216,420
44	Other Operating Expense	306,062	306,062
45	CONTROLLED SUBSTANCES DATA FUND (INSPECT)		
46	Controlled Substances Data Fund (IC 25-26-24-23)		
47	Total Operating Expense	1,459,572	1,459,572
48	Augmentation allowed.		
49	PRENEED CONSUMER PROTECTION		



	<i>FY 2021-2022 Appropriation</i>	<i>FY 2022-2023 Appropriation</i>	<i>Biennial Appropriation</i>
1	Preneed Consumer Protection Fund (IC 30-2-13-28)		
2	Total Operating Expense	67,000	67,000
3	Augmentation allowed.		
4	BOARD OF FUNERAL AND CEMETERY SERVICE		
5	Funeral Service Education Fund (IC 25-15-9-13)		
6	Total Operating Expense	250	250
7	Augmentation allowed.		
8	DENTAL PROFESSION INVESTIGATION		
9	Dental Compliance Fund (IC 25-14-1-3.7)		
10	Total Operating Expense	100,605	100,605
11	Augmentation allowed.		
12	PHYSICIAN INVESTIGATION		
13	Physician Compliance Fund (IC 25-22.5-2-8)		
14	Total Operating Expense	7,586	7,586
15	Augmentation allowed.		
16			
17	FOR THE CIVIL RIGHTS COMMISSION		
18	Personal Services	1,539,033	1,539,033
19	Other Operating Expense	276,044	276,044
20			
21	The above appropriation for the Indiana civil rights commission reflects only the		
22	general fund portion of the total program costs for the processing of employment		
23	and housing discrimination complaints. It is the intent of the general assembly		
24	that the commission shall apply to the federal government for funding based		
25	upon the processing of employment and housing discrimination complaints.		
26			
27	COMMISSION FOR WOMEN		
28	Total Operating Expense	98,115	98,115
29	COMMISSION ON THE SOCIAL STATUS OF BLACK MALES		
30	Total Operating Expense	135,431	135,431
31	NATIVE AMERICAN INDIAN AFFAIRS COMMISSION		
32	Total Operating Expense	74,379	74,379
33	COMMISSION ON HISPANIC/LATINO AFFAIRS		
34	Total Operating Expense	102,432	102,432
35	DR. MARTIN LUTHER KING JR. HOLIDAY COMMISSION		
36	Total Operating Expense	19,400	19,400
37			
38	FOR THE UTILITY CONSUMER COUNSELOR		
39	Public Utility Fund (IC 8-1-6-1)		
40	Personal Services	6,135,835	6,135,835
41	Other Operating Expense	771,825	771,825
42	Augmentation allowed.		
43	EXPERT WITNESS FEES AND AUDIT		
44	Public Utility Fund (IC 8-1-6-1)		
45	Total Operating Expense	787,998	787,998
46	Augmentation allowed.		
47			
48	FOR THE UTILITY REGULATORY COMMISSION		
49	Public Utility Fund (IC 8-1-6-1)		

HB 1001—LS 7431/DI 120



		<i>FY 2021-2022 Appropriation</i>	<i>FY 2022-2023 Appropriation</i>	<i>Biennial Appropriation</i>
1	Personal Services	6,739,751	6,739,751	
2	Other Operating Expense	2,172,236	2,172,236	
3	Augmentation allowed.			
4				
5	FOR THE WORKER'S COMPENSATION BOARD			
6	Total Operating Expense	1,835,964	1,835,964	
7	Workers' Compensation Supplemental Administration Fund (IC 22-3-5-6)			
8	Total Operating Expense	409,155	409,155	
9	Augmentation allowed from the worker's compensation supplemental administrative			
10	fund.			
11				
12	FOR THE STATE BOARD OF ANIMAL HEALTH			
13	Personal Services	4,626,244	4,626,244	
14	Other Operating Expense	518,500	518,500	
15	INDEMNITY FUND			
16	Total Operating Expense	42,500	42,500	
17	Augmentation allowed.			
18	MEAT & POULTRY			
19	Total Operating Expense	1,965,106	1,965,106	
20	CAPTIVE CERVIDAE PROGRAMS			
21	Captive Cervidae Programs Fund (IC 15-17-14.7-16)			
22	Total Operating Expense	40,000	40,000	
23	Augmentation allowed.			
24				
25	FOR THE DEPARTMENT OF HOMELAND SECURITY			
26	Fire and Building Services Fund (IC 22-12-6-1)			
27	Personal Services	11,411,500	11,691,962	
28	Other Operating Expense	2,587,891	2,708,591	
29	Augmentation allowed.			
30	REGIONAL PUBLIC SAFETY TRAINING			
31	Regional Public Safety Training Fund (IC 10-15-3-12)			
32	Total Operating Expense	1,936,185	1,936,185	
33	Augmentation allowed.			
34	RADIOLOGICAL HEALTH			
35	Total Operating Expense	63,023	63,023	
36	INDIANA SECURED SCHOOL SAFETY			
37	Total Operating Expense	19,010,000	19,010,000	
38				
39	The above appropriations include funds to provide grants for the provision of school based			
40	mental health services and social emotional wellness services to students in K-12			
41	schools. From the above appropriations, the department shall make \$500,000 available			
42	each fiscal year to accredited nonpublic schools that apply for grants for the purchase			
43	of security equipment or other security upgrades. The department shall prioritize			
44	grants to nonpublic schools that demonstrate a heightened risk of security threats.			
45				
46	EMERGENCY MANAGEMENT CONTINGENCY FUND			
47	Total Operating Expense	97,288	97,288	
48	Augmentation allowed.			
49				



The above appropriations for the emergency management contingency fund are made under IC 10-14-3-28.

PUBLIC ASSISTANCE

Total Operating Expense	1	1
-------------------------	---	---

Augmentation allowed.

INDIANA EMERGENCY RESPONSE COMMISSION

Total Operating Expense	48,579	48,579
-------------------------	--------	--------

Local Emergency Planning and Right to Know Fund (IC 13-25-2-10.5)

Total Operating Expense	63,251	63,251
-------------------------	--------	--------

Augmentation allowed.

STATE DISASTER RELIEF

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

Total Operating Expense	149,784	149,784
-------------------------	---------	---------

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
-------------------------	--------	--------

Augmentation allowed.

Any remaining balance in the reduced ignition propensity standards for cigarettes fund before its repeal shall be transferred to the fire prevention and public safety fund.

STATEWIDE FIRE AND BUILDING SAFETY EDUCATION FUND

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

Total Operating Expense	102,815	102,815
-------------------------	---------	---------

Augmentation allowed.

SECTION 5. [EFFECTIVE JULY 1, 2021]

CONSERVATION AND ENVIRONMENT

A. NATURAL RESOURCES

FOR THE DEPARTMENT OF NATURAL RESOURCES - ADMINISTRATION

Personal Services	9,090,851	9,090,851
-------------------	-----------	-----------

Other Operating Expense	1,926,025	1,926,025
-------------------------	-----------	-----------

DNR OPEB CONTRIBUTION

Total Operating Expense	2,399,766	2,454,372
-------------------------	-----------	-----------

ENTOMOLOGY AND PLANT PATHOLOGY DIVISION

Total Operating Expense	794,022	794,022
-------------------------	---------	---------

Entomology and Plant Pathology Fund (IC 14-24-10-3)

Total Operating Expense	302,415	302,415
-------------------------	---------	---------

DNR ENGINEERING DIVISION

Personal Services	1,749,853	1,749,853
-------------------	-----------	-----------

Other Operating Expense	348,650	348,650
-------------------------	---------	---------

DIVISION OF HISTORIC PRESERVATION AND ARCHAEOLOGY

Total Operating Expense	916,191	916,191
-------------------------	---------	---------

WABASH RIVER HERITAGE CORRIDOR



	<i>FY 2021-2022 Appropriation</i>	<i>FY 2022-2023 Appropriation</i>	<i>Biennial Appropriation</i>
1	Wabash River Heritage Corridor Fund (IC 14-13-6-23)		
2	Total Operating Expense	159,128	159,128
3	NATURE PRESERVES DIVISION		
4	Other Operating Expense	351,488	351,488
5	WATER DIVISION		
6	Personal Services	4,152,675	4,152,675
7	Other Operating Expense	500,001	500,001
8			
9	All revenues accruing from state and local units of government and from private		
10	utilities and industrial concerns as a result of water resources study projects,		
11	and as a result of topographic and other mapping projects, shall be deposited into		
12	the state general fund, in addition to the above appropriations, for water		
13	resources studies. The above appropriations include \$200,000 each fiscal year		
14	for the monitoring of water resources.		
15			
16	DEER RESEARCH AND MANAGEMENT		
17	Deer Research and Management Fund (IC 14-22-5-2)		
18	Total Operating Expense	90,180	90,180
19	Augmentation allowed.		
20	OIL AND GAS DIVISION		
21	Oil and Gas Fund (IC 6-8-1-27)		
22	Personal Services	1,054,473	1,054,473
23	Other Operating Expense	302,192	302,192
24	Augmentation allowed.		
25	STATE PARKS AND RESERVOIRS		
26	3,590,713	3,590,713	
27	State Parks and Reservoirs Special Revenue Fund (IC 14-19-8-2)		
28	35,210,802	35,210,802	
29	Augmentation allowed from the State Parks and Reservoirs Special Revenue Fund.		
30			
31	The amounts specified from the General Fund and the State Parks and Reservoirs		
32	Special Revenue Fund are for the following purposes:		
33			
34	Personal Services	25,623,759	25,623,759
35	Other Operating Expense	13,177,756	13,177,756
36			
37	SNOWMOBILE FUND		
38	Off-Road Vehicle and Snowmobile Fund (IC 14-16-1-30)		
39	Total Operating Expense	78,209	78,209
40	Augmentation allowed.		
41	DNR LAW ENFORCEMENT DIVISION		
42	13,108,321	13,108,321	
43	Fish and Wildlife Fund (IC 14-22-3-2)		
44	10,831,730	10,831,730	
45	Augmentation allowed from the Fish and Wildlife Fund.		
46			
47	The amounts specified from the General Fund and the Fish and Wildlife Fund are for		
48	the following purposes:		
49			



		<i>FY 2021-2022 Appropriation</i>	<i>FY 2022-2023 Appropriation</i>	<i>Biennial Appropriation</i>
1	Personal Services	20,671,551	20,671,551	
2	Other Operating Expense	3,268,500	3,268,500	
3				
4	SPORTSMEN'S BENEVOLENCE			
5	Total Operating Expense	145,500	145,500	
6	FISH AND WILDLIFE DIVISION			
7	Fish and Wildlife Fund (IC 14-22-3-2)			
8	Personal Services	5,239,323	5,239,323	
9	Other Operating Expense	4,302,011	4,302,011	
10	Augmentation allowed.			
11	FORESTRY DIVISION			
12		5,831,218	5,831,218	
13	State Forestry Fund (IC 14-23-3-2)			
14		3,643,741	3,643,741	
15	Augmentation allowed from the State Forestry Fund.			
16				
17	The amounts specified from the General Fund and the State Forestry Fund are for			
18	the following purposes:			
19				
20	Personal Services	7,184,827	7,184,827	
21	Other Operating Expense	2,290,132	2,290,132	
22				
23	In addition to any of the above appropriations for the department of natural resources,			
24	any federal funds received by the state of Indiana for support of approved outdoor			
25	recreation projects for planning, acquisition, and development under the provisions			
26	of the federal Land and Water Conservation Fund Act, P.L.88-578, are appropriated			
27	for the uses and purposes for which the funds were paid to the state, and shall			
28	be distributed by the department of natural resources to state agencies and other			
29	governmental units in accordance with the provisions under which the funds were			
30	received.			
31				
32	LAKE MICHIGAN COASTAL PROGRAM MATCH			
33	Cigarette Tax Fund (IC 6-7-1-28.1)			
34	Total Operating Expense	117,313	117,313	
35	Augmentation allowed.			
36	LAKE AND RIVER ENHANCEMENT			
37	Lake and River Enhancement Fund (IC 14-22-3.5-1)			
38	Total Operating Expense	2,046,309	2,046,309	
39	Augmentation allowed.			
40	HERITAGE TRUST			
41	Total Operating Expense	94,090	94,090	
42	Benjamin Harrison Conservation Trust Fund (IC 14-12-2-25)			
43	Total Operating Expense	811,750	811,750	
44	Augmentation allowed.			
45	INSTITUTIONAL ROAD CONSTRUCTION			
46	State Highway Fund (IC 8-23-9-54)			
47	Total Operating Expense	2,425,000	2,425,000	
48				
49	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	7,928,155	7,928,155
-------------------------	-----------	-----------

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

Personal Services	935,203	935,203
Other Operating Expense	453,615	453,615

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 DEVELOPMENT COMMISSION

Total Operating Expense	848,506	848,506
-------------------------	---------	---------

FOR THE MAUMEE RIVER BASIN COMMISSION

Total Operating Expense	101,850	101,850
-------------------------	---------	---------

FOR THE ST. JOSEPH RIVER BASIN COMMISSION

Total Operating Expense	104,974	104,974
-------------------------	---------	---------

FOR THE KANKAKEE RIVER BASIN COMMISSION

Total Operating Expense	71,614	71,614
-------------------------	--------	--------

C. ENVIRONMENTAL MANAGEMENT

FOR THE DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

OPERATING

Personal Services	8,379,269	8,379,269
Other Operating Expense	4,851,426	4,851,426

OFFICE OF ENVIRONMENTAL RESPONSE

Personal Services	2,109,416	2,109,416
Other Operating Expense	280,000	280,000

POLLUTION PREVENTION AND TECHNICAL ASSISTANCE

Personal Services	599,439	599,439
Other Operating Expense	70,000	70,000

RIVERSIDE CLEAN-UP

Total Operating Expense	1,950,000	1,950,000
-------------------------	-----------	-----------

STATE SOLID WASTE GRANTS MANAGEMENT

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



	<i>FY 2021-2022 Appropriation</i>	<i>FY 2022-2023 Appropriation</i>	<i>Biennial Appropriation</i>
1	Total Operating Expense	3,649,940	3,649,940
2	Augmentation allowed.		
3	RECYCLING PROMOTION AND ASSISTANCE PROGRAM		
4	Indiana Recycling Promotion and Assistance Fund (IC 4-23-5.5-14)		
5	Total Operating Expense	2,225,116	2,225,116
6	Augmentation allowed.		
7	VOLUNTARY CLEAN-UP PROGRAM		
8	Voluntary Remediation Fund (IC 13-25-5-21)		
9	Personal Services	1,076,668	1,076,668
10	Other Operating Expense	90,000	90,000
11	Augmentation allowed.		
12	TITLE V AIR PERMIT PROGRAM		
13	Title V Operating Permit Program Trust Fund (IC 13-17-8-1)		
14	Personal Services	10,842,859	10,842,859
15	Other Operating Expense	725,000	725,000
16	Augmentation allowed.		
17	WATER MANAGEMENT PERMITTING		
18	Environmental Management Permit Operation Fund (IC 13-15-11-1)		
19	Personal Services	6,030,674	6,030,674
20	Other Operating Expense	1,769,000	1,769,000
21	Augmentation allowed.		
22	SOLID WASTE MANAGEMENT PERMITTING		
23	Environmental Management Permit Operation Fund (IC 13-15-11-1)		
24	Personal Services	3,315,656	3,315,656
25	Other Operating Expense	963,000	963,000
26	Augmentation allowed.		
27	CFO/CAFO INSPECTIONS		
28	Total Operating Expense	812,248	812,248
29	HAZARDOUS WASTE MANAGEMENT PERMITTING		
30	Environmental Management Permit Operation Fund (IC 13-15-11-1)		
31	Personal Services	882,577	882,577
32	Other Operating Expense	339,000	339,000
33	Augmentation allowed.		
34	Environmental Management Special Fund (IC 13-14-12)		
35	Total Operating Expense	1,500,000	1,500,000
36	ELECTRONIC WASTE		
37	Electronic Waste Fund (IC 13-20.5-2-3)		
38	Total Operating Expense	213,685	213,685
39	Augmentation allowed.		
40	AUTO EMISSIONS TESTING PROGRAM		
41	Total Operating Expense	5,087,133	5,087,133
42			
43	The above appropriations for auto emissions testing are the maximum amounts available		
44	for this purpose. If it becomes necessary to conduct additional tests in other locations,		
45	the above appropriations shall be prorated among all locations.		
46			
47	HAZARDOUS WASTE SITES - STATE CLEAN-UP		
48	Hazardous Substances Response Trust Fund (IC 13-25-4-1)		
49	Total Operating Expense	3,486,973	3,486,973

HB 1001—LS 7431/DI 120



1	Augmentation allowed.		
2	HAZARDOUS WASTE - NATURAL RESOURCE DAMAGES		
3	Hazardous Substances Response Trust Fund (IC 13-25-4-1)		
4	Total Operating Expense	237,215	237,215
5	Augmentation allowed.		
6	SUPERFUND MATCH		
7	Hazardous Substances Response Trust Fund (IC 13-25-4-1)		
8	Total Operating Expense	1,500,000	1,500,000
9	Augmentation allowed.		
10	ASBESTOS TRUST - OPERATING		
11	Asbestos Trust Fund (IC 13-17-6-3)		
12	Total Operating Expense	567,086	567,086
13	Augmentation allowed.		
14	UNDERGROUND PETROLEUM STORAGE TANK - OPERATING		
15	Underground Petroleum Storage Tank Excess Liability Trust Fund (IC 13-23-7-1)		
16	Personal Services	3,399,496	3,399,496
17	Other Operating Expense	33,861,114	33,861,114
18	Augmentation allowed.		
19	WASTE TIRE MANAGEMENT		
20	Waste Tire Management Fund (IC 13-20-13-8)		
21	Total Operating Expense	1,508,758	1,508,758
22	Augmentation allowed.		
23	VOLUNTARY COMPLIANCE		
24	Environmental Management Special Fund (IC 13-14-12-1)		
25	Total Operating Expense	529,126	529,126
26	Augmentation allowed.		
27	PETROLEUM TRUST - OPERATING		
28	Underground Petroleum Storage Tank Trust Fund (IC 13-23-6-1)		
29	Total Operating Expense	1,110,000	1,110,000
30	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 nonpermitting, 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

Personal Services	319,652	319,652
Other Operating Expense	20,007	20,007

SECTION 6. [EFFECTIVE JULY 1, 2021]

ECONOMIC DEVELOPMENT

A. AGRICULTURE



FOR THE DEPARTMENT OF AGRICULTURE

Personal Services	1,302,532	1,302,532
Other Operating Expense	575,989	575,989

The above appropriations include \$5,000 each fiscal year to purchase plaques for the recipients of the Hoosier Homestead award.

DISTRIBUTIONS TO FOOD BANKS

Total Operating Expense	300,000	300,000
-------------------------	---------	---------

CLEAN WATER INDIANA

Total Operating Expense	824,500	824,500
-------------------------	---------	---------

Cigarette Tax Fund (IC 6-7-1-28.1)

Total Operating Expense	2,519,014	2,519,014
-------------------------	-----------	-----------

SOIL CONSERVATION DIVISION

Cigarette Tax Fund (IC 6-7-1-28.1)

Total Operating Expense	1,205,700	1,205,700
-------------------------	-----------	-----------

Augmentation allowed.

GRAIN BUYERS AND WAREHOUSE LICENSING

Grain Buyers and Warehouse Licensing Agency License Fee Fund (IC 26-3-7-6.3)

Total Operating Expense	598,090	598,090
-------------------------	---------	---------

Augmentation allowed.

B. COMMERCE

FOR THE LIEUTENANT GOVERNOR

INDIANA DESTINATION DEVELOPMENT CORP.

Total Operating Expense	5,697,925	5,697,925
-------------------------	-----------	-----------

The above appropriation includes \$500,000 annually to assist the department of natural resources with marketing efforts.

Of the above appropriations, the office of tourism development shall distribute up to \$550,000 each year to the Indiana sports corporation to promote the hosting of amateur sporting events in Indiana cities. Funds may be released after review by the budget committee.

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.

The above appropriations include up to \$75,000 each state fiscal year for the Grissom Air Museum and up to \$50,000 for the Studebaker Museum. The Studebaker Museum distribution requires a \$50,000 match. Of the above appropriations, up to \$500,000 each year may be used to pay costs associated with hosting the national convention for FFA.

OFFICE OF COMMUNITY AND RURAL AFFAIRS

Total Operating Expense	1,245,820	1,245,820
-------------------------	-----------	-----------

HISTORIC PRESERVATION GRANTS

HB 1001—LS 7431/DI 120



		<i>FY 2021-2022 Appropriation</i>	<i>FY 2022-2023 Appropriation</i>	<i>Biennial Appropriation</i>
1	Total Operating Expense	661,777	661,777	
2	LINCOLN PRODUCTION			
3	Total Operating Expense	164,493	164,493	
4	INDIANA GROWN			
5	Total Operating Expense	206,230	206,230	
6	RURAL ECONOMIC DEVELOPMENT			
7	Total Operating Expense	496,712	496,712	
8				
9	FOR THE OFFICE OF ENERGY DEVELOPMENT			
10	Total Operating Expense	199,843	199,843	
11				
12	FOR THE INDIANA ECONOMIC DEVELOPMENT CORPORATION			
13	ADMINISTRATIVE AND FINANCIAL SERVICES			
14	Total Operating Expense	7,694,904	7,694,904	
15	Skills Enhancement Fund (IC 5-28-7-5)			
16	Total Operating Expense	180,061	180,061	
17	Industrial Development Grant Fund (IC 5-28-25-4)			
18	Total Operating Expense	50,570	50,570	
19	INDIANA 21ST CENTURY RESEARCH AND TECHNOLOGY FUND			
20	Total Operating Expense	27,750,000	27,750,000	
21	SKILLS ENHANCEMENT FUND			
22	Total Operating Expense	11,500,000	11,500,000	
23	OFFICE OF SMALL BUSINESS AND ENTREPRENEURSHIP			
24	Total Operating Expense	1,183,000	1,183,000	
25	INDIANA OFFICE OF DEFENSE DEVELOPMENT			
26	Total Operating Expense	523,627	523,627	
27	CAREER CONNECTIONS AND TALENT			
28	Personal Services	595,197	595,197	
29	Other Operating Expense	79,235	79,235	
30	BUSINESS PROMOTION AND INNOVATION			
31	Total Operating Expense	17,000,000	17,000,000	
32				
33	The above appropriations may be used by the Indiana Economic Development Corporation			
34	to promote business investment and encourage entrepreneurship and innovation. The			
35	corporation may use the above appropriations to advance innovation and entrepreneurship			
36	education through strategic partnerships with higher education institutions and			
37	communities, provide innovation vouchers to small Hoosier businesses, establish			
38	a pilot project for income sharing agreements, support efforts to attract amateur			
39	sporting events, including contributions to bid funds, promote and enhance the motor			
40	sports industry in Indiana, and support activities that promote international trade.			
41				
42	INDUSTRIAL DEVELOPMENT GRANT PROGRAM			
43	Total Operating Expense	4,850,000	4,850,000	
44	NEXT LEVEL REGIONAL RECOVERY GRANTS			
45	Total Operating Expense			150,000,000
46	MANUFACTURING READINESS GRANTS			
47	Total Operating Expense	5,000,000	5,000,000	
48	NEXT LEVEL FLIGHTS			
49	Total Operating Expense			10,000,000

HB 1001—LS 7431/DI 120



Of the above appropriation for next level flights, the Indiana economic development corporation may award up three million dollars (\$3,000,000) to the Fort Wayne International Airport for a gate expansion project.

ECONOMIC DEVELOPMENT FUND

Total Operating Expense	947,344	947,344
-------------------------	---------	---------

FOR THE HOUSING AND COMMUNITY DEVELOPMENT AUTHORITY

HOUSING FIRST PROGRAM

Total Operating Expense	890,027	890,027
-------------------------	---------	---------

INDIANA INDIVIDUAL DEVELOPMENT ACCOUNTS

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.).

FOR THE INDIANA FINANCE AUTHORITY

ENVIRONMENTAL REMEDIATION REVOLVING LOAN PROGRAM

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

Total Operating Expense	2,500,000	2,500,000
-------------------------	-----------	-----------

C. EMPLOYMENT SERVICES

FOR THE DEPARTMENT OF WORKFORCE DEVELOPMENT

ADMINISTRATION

Total Operating Expense	1,138,715	1,138,715
-------------------------	-----------	-----------

PROPRIETARY EDUCATIONAL INSTITUTIONS

Total Operating Expense	53,243	53,243
-------------------------	--------	--------

NEXT LEVEL JOBS EMPLOYER TRAINING GRANT PROGRAM

Total Operating Expense	17,064,066	17,064,066
-------------------------	------------	------------

INDIANA CONSTRUCTION ROUNDTABLE FOUNDATION

Total Operating Expense	850,000	850,000
-------------------------	---------	---------

WORKFORCE READY GRANTS

Total Operating Expense	3,000,000	3,000,000
-------------------------	-----------	-----------

DROPOUT PREVENTION

Total Operating Expense	6,800,000	6,800,000
-------------------------	-----------	-----------

ADULT EDUCATION DISTRIBUTION

Total Operating Expense	12,985,041	12,985,041
-------------------------	------------	------------

It is the intent of the 2021 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.

SERVE INDIANA ADMINISTRATION

Total Operating Expense	239,560	239,560
-------------------------	---------	---------

FOR THE WORKFORCE CABINET

Total Operating Expense	500,000	500,000
-------------------------	---------	---------

WORKFORCE DIPLOMA REIMBURSEMENT PROGRAM

Total Operating Expense	1,000,000	1,000,000
-------------------------	-----------	-----------

PERKINS STATE MATCH

Total Operating Expense	494,000	494,000
-------------------------	---------	---------

PROMOTED INDUSTRY CERTIFICATION EXAMS

Total Operating Expense	600,000	600,000
-------------------------	---------	---------

The above appropriations for certifications are to provide funding for students of accredited public and nonpublic schools to take 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	2,128,859	2,128,859
-------------------------	-----------	-----------

SECTION 7. [EFFECTIVE JULY 1, 2021]

TRANSPORTATION

FOR THE DEPARTMENT OF TRANSPORTATION

RAILROAD GRADE CROSSING IMPROVEMENT

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

Total Operating Expense	750,000	750,000
-------------------------	---------	---------

PUBLIC MASS TRANSPORTATION

Other Operating Expense	45,000,000	45,000,000
-------------------------	------------	------------

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.



AIRPORT DEVELOPMENT

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

Other Operating Expense 3,600,000 3,600,000

Augmentation allowed.

HIGHWAY OPERATING

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

Personal Services 281,673,026 281,673,026

Other Operating Expense 74,645,808 76,511,954

Augmentation allowed.

HIGHWAY VEHICLE AND ROAD MAINTENANCE EQUIPMENT

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

Other Operating Expense 30,307,124 30,783,714

Augmentation allowed.

The above appropriations for highway operating and highway vehicle and road maintenance equipment may be used for the cost of providing transportation for the governor.

HIGHWAY MAINTENANCE WORK PROGRAM

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

Other Operating Expense 121,904,082 124,646,972

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 special maintenance and support activities consistent with the highway maintenance work program.

HIGHWAY CAPITAL IMPROVEMENTS

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

Right-of-Way Expense 50,000,000 50,000,000

Formal Contracts Expense 718,224,085 805,032,075

Consulting Services Expense 100,000,000 100,000,000

Institutional Road Construction 5,000,000 5,000,000

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 Budget Director, the above appropriation 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.

NEXT LEVEL CONNECTIONS

Next Level Connections Fund (IC 8-14-14.3)

Total Operating Expense	214,000,000	205,000,000
--------------------------------	--------------------	--------------------

Augmentation allowed

TOLL ROAD COUNTIES STATE HIGHWAY PROGRAM

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

Total Operating Expense	238,000,000	196,000,000
--------------------------------	--------------------	--------------------

Augmentation allowed

HIGHWAY PLANNING AND RESEARCH PROGRAM

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

Total Operating Expense	3,780,000	3,780,000
--------------------------------	------------------	------------------

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
--------------------------------------	-------------------	-------------------

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	38,400,000	38,400,000
-------------------------------------	-------------------	-------------------



1 **Augmentation allowed.**
2 **State Highway Fund (IC 8-23-9-54)**
3 **Lease Rental Payment Expense** **4,657,882** **5,070,335**
4 **Augmentation allowed.**

5
6 The above appropriations for the crossroads 2000 program shall be first used for
7 payment of rentals and leases relating to projects under IC 8-14-10-9. If any funds
8 remain, the funds may be used for the following purposes:

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

15
16 **JOINT MAJOR MOVES CONSTRUCTION**

17 **Major Moves Construction Fund (IC 8-14-14-5)**
18 **Formal Contracts Expense** **151,862,686** **0**
19 **Augmentation allowed.**

20 **FEDERAL APPORTIONMENT**

21 **Formal Contracts Expense** **1,184,000,000** **1,091,666,667**

22
23 The department may establish an account to be known as the "local government
24 revolving account". The account is to be used to administer the federal-local highway
25 construction program. All contracts issued and all funds received for federal-local
26 projects under this program shall be entered into this account.

27
28 If the federal apportionments for the fiscal years covered by this act exceed the
29 above estimated appropriations for the department or for local governments, the
30 excess federal apportionment is hereby appropriated for use by the department with
31 the approval of the governor and the budget agency.

32
33 The department shall bill, in a timely manner, the federal government for all
34 department payments that are eligible for total or partial reimbursement.

35
36 The department may let contracts and enter into agreements for construction and
37 preliminary engineering during each year of the 2021-2023 biennium that obligate
38 not more than one-third (1/3) of the amount of state funds estimated by the department
39 to be available for appropriation in the following year for formal contracts and
40 consulting engineers for the capital improvements program.

41
42 Under IC 8-23-5-7(a), the department, with the approval of the governor, may
43 construct and maintain roadside parks and highways where highways will connect any
44 state highway now existing, or hereafter constructed, with any state park, state
45 forest preserve, state game preserve, or the grounds of any state institution. There
46 is appropriated to the department of transportation an amount sufficient to carry
47 out the provisions of this paragraph. Under IC 8-23-5-7(d), such appropriations
48 shall be made from the motor vehicle highway account before distribution to local
49 units of government.



LOCAL TECHNICAL ASSISTANCE AND RESEARCH

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

Total Operating Expense	250,000	250,000
--------------------------------	----------------	----------------

The above appropriation is 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)

Total Operating Expense	500,000	500,000
--------------------------------	----------------	----------------

SECTION 8. [EFFECTIVE JULY 1, 2021]

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

Total Operating Expense	13,602,650	13,602,650
--------------------------------	-------------------	-------------------

SOCIAL SERVICES DATA WAREHOUSE

Total Operating Expense	38,273	38,273
--------------------------------	---------------	---------------



211 SERVICES

Total Operating Expense	1,263,519	1,263,519
--------------------------------	------------------	------------------

INDIANA PRESCRIPTION DRUG PROGRAM

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

Total Operating Expense	443,315	443,315
--------------------------------	----------------	----------------

CHILDREN'S HEALTH INSURANCE PROGRAM ASSISTANCE

Total Operating Expense	53,670,000	52,170,000
--------------------------------	-------------------	-------------------

CHILDREN'S HEALTH INSURANCE PROGRAM ADMINISTRATION

Total Operating Expense	1,403,000	1,403,000
--------------------------------	------------------	------------------

OMPP STATE PROGRAMS

Total Operating Expense	713,924	713,924
--------------------------------	----------------	----------------

MEDICAID ADMINISTRATION

Total Operating Expense	36,451,919	36,451,919
--------------------------------	-------------------	-------------------

MEDICAID ASSISTANCE

Total Operating Expense	2,747,200,000	2,873,000,000
--------------------------------	----------------------	----------------------

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. 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)

Total Operating Expense	103,034,565	99,134,565
--------------------------------	--------------------	-------------------

Augmentation allowed.

MARION COUNTY HEALTH AND HOSPITAL CORPORATION

Total Operating Expense	32,300,000	32,300,000
--------------------------------	-------------------	-------------------

MENTAL HEALTH ADMINISTRATION

Total Operating Expense	2,480,903	2,480,903
--------------------------------	------------------	------------------

Two hundred seventy-five thousand dollars (\$275,000) of the above appropriation shall be distributed annually to neighborhood based community service programs.

MENTAL HEALTH AND ADDICTION FORENSIC TREATMENT SERVICES GRANT

Total Operating Expense	20,000,000	20,000,000
--------------------------------	-------------------	-------------------

The Family and Social Services Administration shall report to the State Budget Committee prior to November 1, 2021, on the mental health and addiction forensic treatment services grant program including the amounts of the awards and grants, the number of recipients receiving services, and the impacts of the program in reducing incarceration and recidivism.



CHILD PSYCHIATRIC SERVICES

Total Operating Expense	13,458,508	13,458,508	
--------------------------------	-------------------	-------------------	--

The above appropriation includes \$4,500,000 in both FY 2022 and FY 2023 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 for FY 2022 and FY 2023, the Family and Social Services Administration shall require the contracted social services providers to secure matching funds that obligates 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.

CHILD ASSESSMENT NEEDS SURVEY

Total Operating Expense	218,525	218,525	
--------------------------------	----------------	----------------	--

SERIOUSLY EMOTIONALLY DISTURBED

Total Operating Expense	14,571,352	14,571,352	
--------------------------------	-------------------	-------------------	--

SERIOUSLY MENTALLY ILL

Total Operating Expense	85,779,650	85,779,650	
--------------------------------	-------------------	-------------------	--

Mental Health Centers Fund (IC 6-7-1-32.1)

Total Operating Expense	2,454,890	2,454,890	
--------------------------------	------------------	------------------	--

Augmentation allowed.

COMMUNITY MENTAL HEALTH CENTERS**Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)**

Total Operating Expense	7,200,000	7,200,000	
--------------------------------	------------------	------------------	--

The above appropriation from the Tobacco Master Settlement Agreement Fund is in addition to other funds. 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.

GAMBLERS' ASSISTANCE**Addiction Services Fund (IC 12-23-2)**

Total Operating Expense	3,047,034	3,047,034	
--------------------------------	------------------	------------------	--

Augmentation allowed.

SUBSTANCE ABUSE TREATMENT**Addiction Services Fund (IC 12-23-2)**

Total Operating Expense	1,257,131	1,257,131	
--------------------------------	------------------	------------------	--



		<i>FY 2021-2022 Appropriation</i>	<i>FY 2022-2023 Appropriation</i>	<i>Biennial Appropriation</i>
1	QUALITY ASSURANCE/RESEARCH			
2	Total Operating Expense	304,711	304,711	
3	PREVENTION			
4	Addiction Services Fund (IC 12-23-2)			
5	Total Operating Expense	1,572,675	1,572,675	
6	Augmentation allowed.			
7	METHADONE DIVERSION CONTROL AND OVERSIGHT (MDCO) PROGRAM			
8	Opioid Treatment Program Fund (IC 12-23-18-4)			
9	Total Operating Expense	363,995	363,995	
10	Augmentation allowed.			
11	DMHA YOUTH TOBACCO REDUCTION SUPPORT PROGRAM			
12	Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)			
13	Total Operating Expense	250,000	250,000	
14	Augmentation allowed.			
15	EVANSVILLE PSYCHIATRIC CHILDREN'S CENTER			
16	Total Operating Expense	1,539,869	1,539,869	
17	Mental Health Fund (IC 12-24-14-4)			
18	Total Operating Expense	2,209,422	2,209,422	
19	Augmentation allowed.			
20	EVANSVILLE STATE HOSPITAL			
21	Total Operating Expense	22,896,280	22,896,280	
22	Mental Health Fund (IC 12-24-14-4)			
23	Total Operating Expense	4,340,134	4,340,134	
24	Augmentation allowed.			
25	LARUE CARTER MEMORIAL HOSPITAL			
26	Total Operating Expense	414,749	414,749	
27	LOGANSPOUT STATE HOSPITAL			
28	Total Operating Expense	31,201,089	31,201,089	
29	Mental Health Fund (IC 12-24-14-4)			
30	Total Operating Expense	1,410,464	1,410,464	
31	Augmentation allowed.			
32	MADISON STATE HOSPITAL			
33	Total Operating Expense	25,147,845	25,147,845	
34	Mental Health Fund (IC 12-24-14-4)			
35	Total Operating Expense	2,796,667	2,796,667	
36	Augmentation allowed.			
37	RICHMOND STATE HOSPITAL			
38	Total Operating Expense	32,969,553	32,969,553	
39	Mental Health Fund (IC 12-24-14-4)			
40	Total Operating Expense	2,062,201	2,062,201	
41	Augmentation allowed.			
42	NEURO DIAGNOSTIC INSTITUTE			
43	Total Operating Expense	30,618,869	30,001,556	
44	Mental Health Fund (IC 12-24-14-4)			
45	Total Operating Expense	4,671,125	5,288,438	
46	Augmentation allowed.			
47				
48	PATIENT PAYROLL			
49	Total Operating Expense	148,533	148,533	

HB 1001—LS 7431/DI 120



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.

DIVISION OF FAMILY RESOURCES ADMINISTRATION

Total Operating Expense	1,994,565	1,994,565
-------------------------	-----------	-----------

EBT ADMINISTRATION

Total Operating Expense	114,079	114,079
-------------------------	---------	---------

DFR - COUNTY ADMINISTRATION

Total Operating Expense	85,115,284	84,315,284
-------------------------	------------	------------

INDIANA ELIGIBILITY SYSTEM

Total Operating Expense	8,377,529	8,377,529
-------------------------	-----------	-----------

SNAP/IMPACT ADMINISTRATION

Total Operating Expense	9,555,726	9,555,726
-------------------------	-----------	-----------

TEMPORARY ASSISTANCE TO NEEDY FAMILIES – STATE APPROPRIATION

Total Operating Expense	17,886,301	17,886,301
-------------------------	------------	------------

BURIAL EXPENSES

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

Total Operating Expense	5,816,761	5,816,761
-------------------------	-----------	-----------

DIVISION OF AGING ADMINISTRATION

Total Operating Expense	751,057	751,057
-------------------------	---------	---------

DIVISION OF AGING SERVICES

Total Operating Expense	563,561	563,561
-------------------------	---------	---------

ROOM AND BOARD ASSISTANCE (R-CAP)

Total Operating Expense	6,483,801	6,483,801
-------------------------	-----------	-----------

C.H.O.I.C.E. IN-HOME SERVICES

Total Operating Expense	43,914,740	44,240,193
-------------------------	------------	------------

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 \$18,000,000 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;
- (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.

STATE SUPPLEMENT TO SSBG - AGING

Total Operating Expense	687,396	687,396
-------------------------	---------	---------

OLDER HOOSIERS ACT

Total Operating Expense	1,573,446	1,573,446
-------------------------	-----------	-----------

ADULT PROTECTIVE SERVICES

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

Total Operating Expense	5,220,823	5,220,823
-------------------------	-----------	-----------

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

Total Operating Expense	405,565	405,565
-------------------------	---------	---------

DIVISION OF DISABILITY AND REHABILITATIVE SERVICES ADMINISTRATION

Total Operating Expense	61,775	61,775
-------------------------	--------	--------

BUREAU OF REHABILITATIVE SERVICES

-VOCATIONAL REHABILITATION

Total Operating Expense	16,093,405	16,093,405
-------------------------	------------	------------

INDEPENDENT LIVING

Total Operating Expense	871,926	871,926
-------------------------	---------	---------

The above appropriations include funding to be distributed to the centers for independent living for independent living services.

REHABILITATIVE SERVICES - DEAF AND HARD OF HEARING SERVICES

Total Operating Expense	236,402	236,402
-------------------------	---------	---------

BLIND VENDING - STATE APPROPRIATION

Total Operating Expense	64,295	64,295
-------------------------	--------	--------

QUALITY IMPROVEMENT SERVICES

Total Operating Expense	1,063,857	1,063,857
-------------------------	-----------	-----------

BUREAU OF DEVELOPMENTAL DISABILITIES SERVICES - DAY SERVICES

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

Other Operating Expense	3,418,884	3,418,884
-------------------------	-----------	-----------

FIRST STEPS

Total Operating Expense	18,000,000	18,000,000
-------------------------	------------	------------

BUREAU OF DEVELOPMENTAL DISABILITIES SERVICES - DIAGNOSIS AND EVALUATION

Total Operating Expense	20,000	20,000
-------------------------	--------	--------

BUREAU OF DEVELOPMENTAL DISABILITIES SERVICES - OPERATING

Total Operating Expense	4,945,448	4,945,448
-------------------------	-----------	-----------



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
--------------------------------	----------------	----------------

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	28,860,246	28,860,246
--------------------------------	-------------------	-------------------

PRE-K EDUCATION PILOT

Total Operating Expense	22,005,069	22,005,069
--------------------------------	-------------------	-------------------

FOR THE DEPARTMENT OF CHILD SERVICES

CHILD SERVICES ADMINISTRATION

Total Operating Expense	266,841,467	266,841,467
--------------------------------	--------------------	--------------------

DHHS CHILD WELFARE PROGRAM

Total Operating Expense	46,554,199	46,554,199
--------------------------------	-------------------	-------------------

CHILD WELFARE SERVICES STATE GRANTS

Total Operating Expense	11,416,415	11,416,415
--------------------------------	-------------------	-------------------

TITLE IV-D CHILD SUPPORT

Total Operating Expense	13,379,008	13,379,008
--------------------------------	-------------------	-------------------

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.

FAMILY AND CHILDREN FUND

Total Operating Expense	482,376,260	482,376,260
--------------------------------	--------------------	--------------------

Augmentation allowed.

With the above appropriations, the department of child services may:

- (1) Operate an early intervention, home-based program pursuant to IC 31-33-8-16.
- (2) Enter into a memorandum of understanding with the Public Defender Council and Commission to recruit, train, and reimburse public defenders for the support of at risk youth and families.

YOUTH SERVICE BUREAU

Total Operating Expense	1,008,947	1,008,947
--------------------------------	------------------	------------------

PROJECT SAFEPLACE

Total Operating Expense	112,000	112,000
--------------------------------	----------------	----------------

HEALTHY FAMILIES INDIANA

Total Operating Expense	3,093,145	3,093,145
--------------------------------	------------------	------------------

ADOPTION SERVICES

Total Operating Expense	26,362,735	26,362,735
--------------------------------	-------------------	-------------------

HB 1001—LS 7431/DI 120



1 **TITLE IV-E ADOPTION SERVICES**

2 **Total Operating Expense** **31,489,886** **31,489,886**

3
4 **FOR THE DEPARTMENT OF ADMINISTRATION**

5 **DEPARTMENT OF CHILD SERVICES OMBUDSMAN BUREAU**

6 **Total Operating Expense** **362,000** **362,000**

7
8 **B. PUBLIC HEALTH**

9
10 **FOR THE STATE DEPARTMENT OF HEALTH**

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

12 **Personal Services** **18,627,727** **18,627,727**

13 **Other Operating Expense** **4,484,468** **4,484,468**

14 **Augmentation allowed.**

15
16 **All receipts to the state department of health from licenses or permit fees shall**
17 **be deposited in the state general fund.**

18
19 **AREA HEALTH EDUCATION CENTERS**

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

21 **Total Operating Expense** **2,630,676** **2,630,676**

22 **MINORITY HEALTH INITIATIVE**

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

24 **Total Operating Expense** **3,000,000** **3,000,000**

25
26 **The above appropriations shall be allocated to the Indiana Minority Health Coalition**
27 **to work with the state department on the implementation of IC 16-46-11.**

28
29 **SICKLE CELL**

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

31 **Total Operating Expense** **750,000** **750,000**

32 **MEDICARE-MEDICAID CERTIFICATION**

33 **Total Operating Expense** **5,079,399** **5,079,399**

34
35 **Augmentation allowed in amounts not to exceed revenue from health facilities**
36 **license fees or from health care providers (as defined in IC 16-18-2-163) fee**
37 **increases or those adopted by the Executive Board of the Indiana State Department**
38 **of Health under IC 16-19-3.**

39
40 **INFECTIOUS DISEASE**

41 **Total Operating Expense** **1,390,325** **1,390,325**

42 **NUTRITION ASSISTANCE**

43 **Total Operating Expense** **280,806** **280,806**

44 **HIV/AIDS SERVICES**

45 **Total Operating Expense** **2,925,101** **2,925,101**

46 **CANCER PREVENTION**

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

48 **Total Operating Expense** **664,122** **664,122**

49 **MATERNAL & CHILD HEALTH INITIATIVES**

HB 1001—LS 7431/DI 120



		<i>FY 2021-2022 Appropriation</i>	<i>FY 2022-2023 Appropriation</i>	<i>Biennial Appropriation</i>
1	Total Operating Expense	239,639	239,639	
2	TUBERCULOSIS TREATMENT			
3	Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)			
4	Total Operating Expense	100,000	100,000	
5	STATE CHRONIC DISEASES			
6	Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)			
7	Total Operating Expense	862,488	862,488	
8				
9	At least \$82,560 of the above appropriations shall be distributed as grants to community			
10	groups and organizations as provided in IC 16-46-7-8. The state department of health			
11	may consider grants to the Kidney Foundation up to \$50,000.			
12				
13	OB NAVIGATOR PROGRAM			
14	Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)			
15	Total Operating Expense	3,300,000	3,300,000	
16	ADOPTION HISTORY			
17	Adoption History Fund (IC 31-19-18-6)			
18	Total Operating Expense	195,163	195,163	
19	Augmentation allowed.			
20	CHILDREN WITH SPECIAL HEALTH CARE NEEDS			
21	Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)			
22	Total Operating Expense	14,950,000	14,950,000	
23	Augmentation allowed.			
24	NEWBORN SCREENING PROGRAM			
25	Newborn Screening Fund (IC 16-41-17-11)			
26	Total Operating Expense	2,677,762	2,677,762	
27	Augmentation allowed.			
28	CENTER FOR DEAF AND HARD OF HEARING EDUCATION			
29	Total Operating Expense	2,452,677	2,452,677	
30	RADON GAS TRUST FUND			
31	Radon Gas Trust Fund (IC 16-41-38-8)			
32	Total Operating Expense	10,670	10,670	
33	Augmentation allowed.			
34	HEALTH ISSUES AND CHALLENGES GRANTS			
35	Total Operating Expense			50,000,000
36	SAFETY PIN PROGRAM			
37	Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)			
38	Total Operating Expense	5,500,000	5,500,000	
39	BIRTH PROBLEMS REGISTRY			
40	Birth Problems Registry Fund (IC 16-38-4-17)			
41	Total Operating Expense	73,517	73,517	
42	Augmentation allowed.			
43	MOTOR FUEL INSPECTION PROGRAM			
44	Motor Fuel Inspection Fund (IC 16-44-3-10)			
45	Total Operating Expense	239,125	239,125	
46	Augmentation allowed.			
47	DONATED DENTAL SERVICES			
48	Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)			
49	Total Operating Expense	34,335	34,335	



The above appropriations shall be used by the Indiana foundation for dentistry to provide dental services to individuals who are handicapped.

OFFICE OF WOMEN'S HEALTH

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

Total Operating Expense	96,970	96,970
-------------------------	--------	--------

SPINAL CORD AND BRAIN INJURY

Spinal Cord and Brain Injury Fund (IC 16-41-42.2-3)

Total Operating Expense	1,600,000	1,600,000
-------------------------	-----------	-----------

Augmentation allowed.

IMMUNIZATIONS AND HEALTH INITIATIVES

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

Total Operating Expense	10,665,435	10,665,435
-------------------------	------------	------------

WEIGHTS AND MEASURES FUND

Weights and Measures Fund (IC 16-19-5-4)

Total Operating Expense	7,106	7,106
-------------------------	-------	-------

Augmentation allowed.

MINORITY EPIDEMIOLOGY

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

Total Operating Expense	750,000	750,000
-------------------------	---------	---------

COMMUNITY HEALTH CENTERS

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

Total Operating Expense	14,453,000	14,453,000
-------------------------	------------	------------

PRENATAL SUBSTANCE USE & PREVENTION

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

Total Operating Expense	119,965	119,965
-------------------------	---------	---------

OPIOID OVERDOSE INTERVENTION

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

Total Operating Expense	250,000	250,000
-------------------------	---------	---------

NURSE FAMILY PARTNERSHIP

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

Total Operating Expense	5,000,000	5,000,000
-------------------------	-----------	-----------

HEARING AND BLIND SERVICES

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

Total Operating Expense	500,000	500,000
-------------------------	---------	---------

Of the above appropriations for hearing and blind services, \$375,000 shall be annually deposited in the Hearing Aid Fund established under IC 16-35-8-3.

LOCAL HEALTH MAINTENANCE FUND

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

Total Operating Expense	3,915,209	3,915,209
-------------------------	-----------	-----------

Augmentation allowed.

The amount appropriated from the tobacco master settlement agreement fund is in lieu of the appropriation provided for this purpose in IC 6-7-1-30.5 or any other law. Of the above appropriations for the local health maintenance fund, \$60,000 each year shall be used to provide additional funding to adjust funding through the formula in



IC 16-46-10 to reflect population increases in various counties. Money appropriated to the local health maintenance fund must be allocated under the following schedule each year to each local board of health whose application for funding is approved by the state department of health:

COUNTY POPULATION	AMOUNT OF GRANT
over 499,999	94,112
100,000 - 499,999	72,672
50,000 - 99,999	48,859
under 50,000	33,139

LOCAL HEALTH DEPARTMENT ACCOUNT

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

Total Operating Expense	3,000,000	3,000,000
-------------------------	-----------	-----------

The above appropriations for the local health department account are statutory distributions under IC 4-12-7.

TOBACCO USE PREVENTION AND CESSATION PROGRAM

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

Total Operating Expense	7,500,000	7,500,000
-------------------------	-----------	-----------

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

Personal Services	9,521,121	9,521,121
Other Operating Expense	1,876,205	1,876,205

FOR THE INDIANA SCHOOL FOR THE DEAF

Personal Services	14,394,996	14,394,996
Other Operating Expense	2,238,712	2,238,712

C. VETERANS' AFFAIRS

FOR THE INDIANA DEPARTMENT OF VETERANS' AFFAIRS

Personal Services	1,452,580	1,452,580
Other Operating Expense	785,536	785,536

The above appropriations for personal services include funding for a women's veteran services officer and \$300,000 each year for six state veterans services officers.

VETERAN SERVICE ORGANIZATIONS

Total Operating Expense	910,000	910,000
-------------------------	---------	---------

The above appropriations shall be used to assist veterans in securing available benefits. Of the above appropriations, the following amounts shall be allocated each fiscal year to the following organizations:



American Legion: \$202,000
 Disabled Veterans: \$202,000
 Veterans of Foreign Wars: \$202,000
 AMVETS: \$202,000
 Vietnam Veterans: \$102,000

The allocations shall be administered by the Indiana Department of Veterans' Affairs.

OPERATION OF VETERANS' CEMETERY

Total Operating Expense	350,000	350,000
-------------------------	---------	---------

INDIANA VETERANS' HOME

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

Total Operating Expense	10,000,000	10,000,000
-------------------------	------------	------------

IVH Medicaid Reimbursement Fund

Total Operating Expense	14,500,000	14,500,000
-------------------------	------------	------------

Augmentation allowed from the Comfort and Welfare Fund and the IVH Medicaid Reimbursement Fund.

SECTION 9. [EFFECTIVE JULY 1, 2021]

EDUCATION

A. HIGHER EDUCATION

FOR INDIANA UNIVERSITY

BLOOMINGTON CAMPUS

Total Operating Expense	201,961,310	198,962,890
-------------------------	-------------	-------------

Fee Replacement	20,864,079	20,740,449
-----------------	------------	------------

FOR INDIANA UNIVERSITY REGIONAL CAMPUSES

EAST

Total Operating Expense	14,047,315	15,042,686
-------------------------	------------	------------

KOKOMO

Total Operating Expense	16,059,485	16,526,185
-------------------------	------------	------------

NORTHWEST

Total Operating Expense	18,870,523	19,608,142
-------------------------	------------	------------

Fee Replacement	4,181,247	4,190,132
-----------------	-----------	-----------

SOUTH BEND

Total Operating Expense	24,873,721	25,266,685
-------------------------	------------	------------

Fee Replacement	1,445,375	1,451,375
-----------------	-----------	-----------

SOUTHEAST

Total Operating Expense	20,890,749	21,181,815
-------------------------	------------	------------

Fee Replacement	1,689,180	1,702,750
-----------------	-----------	-----------

FORT WAYNE HEALTH SCIENCES PROGRAM

Total Operating Expense	4,971,250	4,971,250
-------------------------	-----------	-----------

TOTAL APPROPRIATION - INDIANA UNIVERSITY REGIONAL CAMPUSES

107,028,845	109,941,020
-------------	-------------



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

I. U. SCHOOLS OF MEDICINE AND DENTISTRY

Total Operating Expense	105,712,799	107,827,053
Fee Replacement	7,006,738	6,982,835

FOR INDIANA UNIVERSITY SCHOOL OF MEDICINE

INDIANA UNIVERSITY SCHOOL OF MEDICINE - EVANSVILLE

Total Operating Expense	2,212,633	2,256,886
-------------------------	-----------	-----------

INDIANA UNIVERSITY SCHOOL OF MEDICINE - FORT WAYNE

Total Operating Expense	2,068,129	2,109,492
-------------------------	-----------	-----------

INDIANA UNIVERSITY SCHOOL OF MEDICINE - NORTHWEST - GARY

Total Operating Expense	2,766,537	2,821,868
-------------------------	-----------	-----------

INDIANA UNIVERSITY SCHOOL OF MEDICINE - LAFAYETTE

Total Operating Expense	2,513,302	2,563,568
-------------------------	-----------	-----------

INDIANA UNIVERSITY SCHOOL OF MEDICINE - MUNCIE

Total Operating Expense	2,300,988	2,347,008
-------------------------	-----------	-----------

INDIANA UNIVERSITY SCHOOL OF MEDICINE - SOUTH BEND

Total Operating Expense	2,163,502	2,206,772
-------------------------	-----------	-----------

INDIANA UNIVERSITY SCHOOL OF MEDICINE - TERRE HAUTE

Total Operating Expense	2,500,983	2,551,003
-------------------------	-----------	-----------

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	111,103,662	122,110,562
Fee Replacement	6,910,541	6,926,049

TOTAL APPROPRIATIONS - IUPUI

247,259,814 260,703,096

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	4,726,350	4,726,350
-------------------------	-----------	-----------

CLINICAL AND TRANSLATIONAL SCIENCES INSTITUTE

Total Operating Expense	2,500,000	2,500,000
-------------------------	-----------	-----------

GLOBAL NETWORK OPERATIONS CENTER

Total Operating Expense	721,861	721,861
-------------------------	---------	---------

SPINAL CORD AND HEAD INJURY RESEARCH CENTER

Total Operating Expense	553,429	553,429
-------------------------	---------	---------



1 **INSTITUTE FOR THE STUDY OF DEVELOPMENTAL DISABILITIES**
2 **Total Operating Expense** 2,491,824 2,491,824

3
4 **Of the above appropriations, \$386,000 per year shall be used to provide technology**
5 **support, technical assistance, and school improvement assistance to aid in educating**
6 **students with autism and other developmental disabilities.**
7

8 **GEOLOGICAL SURVEY**
9 **Total Operating Expense** 2,783,782 2,783,782

10 **I-LIGHT NETWORK OPERATIONS**
11 **Total Operating Expense** 1,508,628 1,508,628

12 **GIGAPOP PROJECT**
13 **Total Operating Expense** 672,562 672,562

14
15 **FOR PURDUE UNIVERSITY**
16 **WEST LAFAYETTE**
17 **Total Operating Expense** 222,755,871 223,527,695
18 **Fee Replacement** 32,152,425 29,002,950

19 **NORTHWEST**
20 **Total Operating Expense** 46,730,203 48,297,564
21 **Fee Replacement** 3,892,013 3,891,013

22 **FORT WAYNE**
23 **Total Operating Expense** 43,460,880 44,856,416
24 **Fee Replacement** 3,039,750 3,036,000

25 **COLLEGE OF VETERINARY MEDICINE**
26 **Total Operating Expense** 18,056,523 18,417,653

27
28 **Transfers of allocations between campuses to correct for errors in allocation**
29 **among the campuses of Purdue University can be made by the institution with the**
30 **approval of the commission for higher education and the budget agency.**
31

32 **DUAL CREDIT**
33 **Total Operating Expense** 1,018,450 1,018,450

34
35 **ANIMAL DISEASE DIAGNOSTIC LABORATORY SYSTEM**
36 **Total Operating Expense** 3,711,561 3,711,561

37
38 **The above appropriations shall be used to fund the animal disease diagnostic**
39 **laboratory system (ADDL), which consists of the main ADDL at West Lafayette, the**
40 **bangs disease testing service at West Lafayette, and the southern branch of ADDL**
41 **Southern Indiana Purdue Agricultural Center (SIPAC) in Dubois County. The above**
42 **appropriations are in addition to any user charges that may be established and**
43 **collected under IC 21-46-3-5. Notwithstanding IC 21-46-3-4, the trustees of**
44 **Purdue University may approve reasonable charges for testing for pseudorabies.**
45

46 **STATEWIDE TECHNOLOGY**
47 **Total Operating Expense** 6,695,258 6,695,258

48 **COUNTY AGRICULTURAL EXTENSION EDUCATORS**
49 **Total Operating Expense** 7,487,816 7,487,816



1	AGRICULTURAL RESEARCH AND EXTENSION - CROSSROADS		
2	Total Operating Expense	8,492,325	8,492,325
3	CENTER FOR PARALYSIS RESEARCH		
4	Total Operating Expense	522,558	522,558
5	IN TECH ASST. AND ADV. MFG. COMPETITIVENESS PROGRAM		
6	Total Operating Expense	4,430,212	4,430,212
7			
8	FOR INDIANA STATE UNIVERSITY		
9	Total Operating Expense	72,063,968	74,498,951
10	Fee Replacement	11,044,480	11,051,288
11	DUAL CREDIT		
12	Total Operating Expense	221,800	221,800
13	NURSING PROGRAM		
14	Total Operating Expense	204,000	204,000
15	PRINCIPAL LEADERSHIP ACADEMY		
16	Total Operating Expense	600,000	600,000
17	DEGREE LINK		
18	Total Operating Expense	446,438	446,438
19			
20	FOR UNIVERSITY OF SOUTHERN INDIANA		
21	Total Operating Expense	48,210,149	51,038,023
22	Fee Replacement	14,377,159	12,317,288
23	DUAL CREDIT		
24	Total Operating Expense	617,200	617,200
25	HISTORIC NEW HARMONY		
26	Total Operating Expense	486,878	486,878
27			
28	FOR BALL STATE UNIVERSITY		
29	Total Operating Expense	134,408,873	133,010,951
30	Fee Replacement	24,739,019	24,741,019
31	DUAL CREDIT		
32	Total Operating Expense	265,350	265,350
33	ENTREPRENEURIAL COLLEGE		
34	Total Operating Expense	2,500,000	2,500,000
35	ACADEMY FOR SCIENCE, MATHEMATICS, AND HUMANITIES		
36	Total Operating Expense	4,384,956	4,384,956
37			
38	FOR VINCENNES UNIVERSITY		
39	Total Operating Expense	43,561,521	44,475,375
40	Fee Replacement	6,204,550	5,507,270
41	DUAL CREDIT		
42	Total Operating Expense	4,794,850	4,794,850
43	CAREER AND TECHNICAL EARLY COLLEGE PROGRAM		
44	Total Operating Expense	3,000,000	3,000,000
45			
46	Additional Early College sites may be established upon approval by the Commission for		
47	Higher Education and review by the budget committee.		
48			
49	FOR IVY TECH COMMUNITY COLLEGE		



		<i>FY 2021-2022 Appropriation</i>	<i>FY 2022-2023 Appropriation</i>	<i>Biennial Appropriation</i>
1	Total Operating Expense	229,890,923	235,110,368	
2	Fee Replacement	28,938,873	28,484,398	
3	DUAL CREDIT			
4	Total Operating Expense	18,970,800	18,970,800	
5	STATEWIDE NURSING			
6	Total Operating Expense	85,411	85,411	
7	TESTING CENTERS			
8	Total Operating Expense	710,810	710,810	
9	INDIANA RURAL EDUCATION INITIATIVE			
10	Total Operating Expense	1,057,738	1,057,738	

11
12 The sums herein appropriated to Indiana University, Purdue University, Indiana State
13 University, University of Southern Indiana, Ball State University, Vincennes University,
14 and Ivy Tech Community College are in addition to all income of said institutions,
15 respectively, from all permanent fees and endowments and from all land grants, fees,
16 earnings, and receipts, including gifts, grants, bequests, and devises, and receipts
17 from any miscellaneous sales from whatever source derived.

18
19 All such income and all such fees, earnings, and receipts on hand June 30, 2021,
20 and all such income and fees, earnings, and receipts accruing thereafter are hereby
21 appropriated to the boards of trustees or directors of the aforementioned institutions
22 and may be expended for any necessary expenses of the respective institutions, including
23 university hospitals, schools of medicine, nurses' training schools, schools of dentistry,
24 and agricultural extension and experimental stations. However, such income, fees,
25 earnings, and receipts may be used for land and structures only if approved by the
26 governor and the budget agency.

27
28 The above appropriations to Indiana University, Purdue University, Indiana State
29 University, University of Southern Indiana, Ball State University, Vincennes University,
30 and Ivy Tech Community College include the employers' share of Social Security payments
31 for university employees under the public employees' retirement fund, or institutions
32 covered by the Indiana state teachers' retirement fund. The funds appropriated also
33 include funding for the employers' share of payments to the public employees' retirement
34 fund and to the Indiana state teachers' retirement fund at a rate to be established
35 by the retirement funds for both fiscal years for each institution's employees covered
36 by these retirement plans.

37
38 The treasurers of Indiana University, Purdue University, Indiana State University,
39 University of Southern Indiana, Ball State University, Vincennes University, and
40 Ivy Tech Community College shall, at the end of each three (3) month period,
41 prepare and file with the auditor of state a financial statement that shall show
42 in total all revenues received from any source, together with a consolidated
43 statement of disbursements for the same period. The budget director shall
44 establish the requirements for the form and substance of the reports.

45
46 The reports of the treasurer also shall contain in such form and in such detail as
47 the governor and the budget agency may specify, complete information concerning
48 receipts from all sources, together with any contracts, agreements, or arrangements
49 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 auditor of state 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 MEDICAL EDUCATION BOARD
FAMILY PRACTICE RESIDENCY FUND**

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

Total Operating Expense	1,852,698	1,852,698
-------------------------	-----------	-----------

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.

**FOR THE GRADUATE MEDICAL EDUCATION BOARD
MEDICAL RESIDENCY EDUCATION GRANTS**

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

Total Operating Expense	4,000,000	4,000,000
-------------------------	-----------	-----------

The above appropriations for medical residency education grants are to be distributed in accordance with IC 21-13-6.5.



FOR THE COMMISSION FOR HIGHER EDUCATION

Total Operating Expense	2,764,059	2,764,059
--------------------------------	------------------	------------------

FREEDOM OF CHOICE GRANTS

Total Operating Expense	66,225,902	66,225,902
--------------------------------	-------------------	-------------------

HIGHER EDUCATION AWARD PROGRAM

Total Operating Expense	101,425,081	101,425,081
--------------------------------	--------------------	--------------------

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 appropriation.

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

Total Operating Expense	31,773,696	31,773,696
--------------------------------	-------------------	-------------------

MIDWEST HIGHER EDUCATION COMPACT

Total Operating Expense	115,000	115,000
--------------------------------	----------------	----------------

ADULT STUDENT GRANT APPROPRIATION

Total Operating Expense	7,579,858	7,579,858
--------------------------------	------------------	------------------

Priority for awards made from the above appropriation 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

Total Operating Expense	5,000,000	5,000,000
--------------------------------	------------------	------------------

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 PROGRAM (IC 21-18-15.1)



		<i>FY 2021-2022 Appropriation</i>	<i>FY 2022-2023 Appropriation</i>	<i>Biennial Appropriation</i>
1	Total Operating Expense	1,000,000	1,000,000	
2	MINORITY TEACHER SCHOLARSHIP FUND (IC 21-13-2-1)			
3	Total Operating Expense	400,000	400,000	
4	HIGH NEED STUDENT TEACHING STIPEND FUND (IC 21-13-7)			
5	Total Operating Expense	450,000	450,000	
6	MINORITY STUDENT TEACHING STIPEND FUND (IC 21-13-8)			
7	Total Operating Expense	50,000	50,000	
8	EARN INDIANA WORK STUDY PROGRAM			
9	Total Operating Expense	606,099	606,099	
10	21ST CENTURY - ADMINISTRATIVE			
11	Total Operating Expense	1,645,774	1,645,774	
12	21ST CENTURY SCHOLAR AWARDS			
13	Total Operating Expense	166,270,623	166,270,623	
14				
15	The commission shall collect and report to the family and social services administration			
16	(FSSA) all data required for FSSA to meet the data collection and reporting requirements			
17	in 45 CFR 265.			
18				
19	The division of family resources shall apply all qualifying expenditures for the 21st			
20	century scholar program toward Indiana's maintenance of effort under the federal			
21	Temporary Assistance for Needy Families (TANF) program (45 CFR 260 et seq.).			
22				
23	WORK AND LEARN INDIANA			
24	Total Operating Expense	250,000	250,000	
25	NEXT GENERATION HOOSIER EDUCATORS			
26	Total Operating Expense	6,082,400	6,082,400	
27	NATIONAL GUARD TUITION SCHOLARSHIP			
28	Total Operating Expense	3,676,240	3,676,240	
29				
30	The above appropriations for national guard scholarships plus reserve balances in			
31	the fund shall be the total allowable state expenditure for the program in the			
32	biennium.			
33				
34	PRIMARY CARE SCHOLARSHIP			
35	Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)			
36	Total Operating Expense	2,000,000	2,000,000	
37				
38	The above appropriations for primary care scholarships shall be distributed in accordance			
39	with IC 21-13-9.			
40				
41	LEARN MORE INDIANA			
42	Total Operating Expense	582,295	582,295	
43	STATEWIDE TRANSFER AND TECHNOLOGY			
44	Total Operating Expense	913,263	913,263	
45	HIGH VALUE WORKFORCE READY CREDIT BEARING GRANT (IC 21-12-8)			
46	Total Operating Expense	1,000,000	1,000,000	
47				
48	The above appropriations may be used to provide grants to adults who pursue high			
49	value certificates.			



FOR THE DEPARTMENT OF ADMINISTRATION

COLUMBUS LEARNING CENTER LEASE PAYMENT

Total Operating Expense	4,933,000	4,988,000
--------------------------------	------------------	------------------

B. ELEMENTARY AND SECONDARY EDUCATION

FOR THE DEPARTMENT OF EDUCATION

17,529,420	17,529,420
-------------------	-------------------

Professional Standards Fund (IC 20-28-2-10)

1,237,940	1,237,940
------------------	------------------

Augmentation allowed from the Professional Standards Fund.

The amounts specified from the General Fund and the Professional Standards Fund are for the following purposes:

Personal Services	13,499,980	13,499,980
Other Operating Expense	5,267,380	5,267,380

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

PUBLIC TELEVISION DISTRIBUTION

Total Operating Expense	3,123,750	3,123,750
--------------------------------	------------------	------------------

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	3,000,000	3,000,000
--------------------------------	------------------	------------------

The above appropriations for STEM program alignment shall be used to provide grants to high-need schools (as determined by a needs assessment conducted in partnership with a state research institution) for the purpose of 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, 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, \$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.

INDIANA BAR FOUNDATION - WE THE PEOPLE

Total Operating Expense	300,000	300,000
-------------------------	---------	---------

RILEY HOSPITAL

Total Operating Expense	212,500	212,500
-------------------------	---------	---------

BEST BUDDIES

Total Operating Expense	175,206	175,206
-------------------------	---------	---------

SCHOOL TRAFFIC SAFETY

Total Operating Expense	227,143	227,143
-------------------------	---------	---------

CHARTER AND INNOVATION NETWORK SCHOOL GRANT PROGRAM

Total Operating Expense	36,700,000	47,500,000
-------------------------	------------	------------

Augmentation allowed.

SPECIAL EDUCATION (S-5)

Total Operating Expense		48,140,000
-------------------------	--	------------

The above appropriations for special education are made under IC 20-35-6-2.

NEXT LEVEL COMPUTER SCIENCE PROGRAM

Total Operating Expense	3,000,000	3,000,000
-------------------------	-----------	-----------

SPECIAL EDUCATION EXCISE

Excise Tax Funds of the Alcohol Beverage Commission (IC 20-35-4-4)

Total Operating Expense	172,856	172,856
-------------------------	---------	---------

Augmentation allowed.

TEACHERS' SOCIAL SECURITY AND RETIREMENT DISTRIBUTION

Total Operating Expense	2,157,521	2,157,521
-------------------------	-----------	-----------

The above appropriations shall be distributed by the department of education on a monthly basis and in approximately 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	7,608,330,000	7,798,540,000
-------------------------	---------------	---------------

The above appropriations for tuition support are to be distributed in accordance with a statute enacted for this purpose during the 2021 session of the general assembly.

If the above appropriations for distribution for tuition support are more than the amount required by statute, the excess shall revert to the general fund.

The above appropriations for tuition support shall be made each fiscal year 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
-------------------------	------------	------------

It is the intent of the 2021 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

Total Operating Expense	18,360,000	18,360,000
-------------------------	------------	------------

It is the intent of the 2021 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.

DISTRIBUTION FOR ADULT LEARNERS

Total Operating Expense	40,331,250	40,331,250
-------------------------	------------	------------

EARLY INTERVENTION PROGRAM AND READING DIAGNOSTIC ASSESSMENT

Total Operating Expense	3,225,130	3,225,130
-------------------------	-----------	-----------

The above appropriations for the early intervention program may be used for grants to local school corporations for grant proposals for early intervention programs.

The above appropriations may be used by the department of education for the reading diagnostic assessment and subsequent remedial programs or activities. The reading diagnostic assessment program, as approved by the board, is to be made available on a voluntary basis to all Indiana public and accredited nonpublic school first and second grade students upon the approval of the governing body of the school corporations or the accredited nonpublic school. The board shall determine how the funds will be distributed for the assessment and related remediation. The department or its representative shall provide progress reports on the assessment as requested by the board.

NATIONAL SCHOOL LUNCH PROGRAM

Total Operating Expense	5,033,086	5,108,582
-------------------------	-----------	-----------

CURRICULAR MATERIAL REIMBURSEMENT

Total Operating Expense	39,000,000	39,000,000
-------------------------	------------	------------

Before a school corporation or an accredited nonpublic school may receive a distribution under the textbook 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 textbook reimbursement program toward Indiana's maintenance of effort under the federal Temporary Assistance for Needy Families (TANF) program (45 CFR 260 et seq.).

TESTING

Total Operating Expense	22,355,000	22,355,000
-------------------------	------------	------------

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

Total Operating Expense	11,711,344	11,711,344
-------------------------	------------	------------

The above appropriations for remediation testing are for grants to public and accredited nonpublic schools through the department of education. Public and accredited nonpublic schools shall use the grants to fund formative tests to identify students who require remediation. Prior to distribution to public and accredited nonpublic schools, the grant amounts and formula shall be submitted to the state board of education and the budget agency for review and approval, and the department of education shall provide a report to the budget committee.

ADVANCED PLACEMENT PROGRAM

Other Operating Expense	5,200,000	5,200,000
-------------------------	-----------	-----------

The above appropriations for the Advanced Placement Program are to provide funding for students of accredited public and nonpublic schools to take the College Board Advanced Placement math, English, and science exams. Any remaining funds available after exam fees have been paid shall be prioritized for use by teachers of math and science Advanced Placement courses to attend professional development training for those courses.

PSAT PROGRAM

Other Operating Expense	1,900,000	1,900,000
-------------------------	-----------	-----------

The above appropriations for the PSAT program are to provide funding for students of accredited public and nonpublic schools in grade 10 and 11 to take the PSAT exam.

NON-ENGLISH SPEAKING PROGRAM

Total Operating Expense	25,000,000	25,000,000
-------------------------	------------	------------

Augmentation allowed.

The above appropriations for the Non-English Speaking Program are for students who have a primary language other than English and limited English proficiency, as determined by using the WIDA Consortium ACCESS assessment.



The grant amount is determined as follows:

- (1) Determine the number of students who score at level one (1) or level two (2) on the WIDA Consortium ACCESS assessment or who are English language learners who have severe special needs that require a different test to assess English proficiency multiplied by four hundred seventy-seven dollars (\$477) for state fiscal years beginning after June 30, 2021.
- (2) Determine the number of students who score at level three (3) or level four (4) on the WIDA Consortium ACCESS assessment or who score at level five (5) or higher on the Tier A form of the WIDA Consortium ACCESS assessment multiplied by three hundred thirty-three dollars (\$333) for state fiscal years beginning after June 30, 2021.
- (3) Determine the sum of the subdivision (1) amount plus the subdivision (2) amount.

GIFTED AND TALENTED EDUCATION PROGRAM

Total Operating Expense	11,095,389	11,095,389
--------------------------------	-------------------	-------------------

In each fiscal year, \$500,000 shall be made 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

Total Operating Expense	5,306,394	5,306,394
--------------------------------	------------------	------------------

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 tuition support for the charter school.

SENATOR DAVID C. FORD EDUCATIONAL TECHNOLOGY PROGRAM

Total Operating Expense	3,086,071	3,086,071
--------------------------------	------------------	------------------

The department shall use the funds to make grants to school corporations to promote student learning through the use of technology. Notwithstanding distribution guidelines in IC 20-20-13, the department shall develop guidelines for distribution of the grants.

SCHOOL BUSINESS OFFICIALS LEADERSHIP ACADEMY

Total Operating Expense	127,500	127,500
--------------------------------	----------------	----------------

The department shall make available the above appropriations to the Indiana Association of School Business Officials to assist in the creation of an academy designed to strengthen the management and leadership skills of practicing Indiana school business officials.

SCHOOL INTERNET CONNECTION

Total Operating Expense	3,415,000	3,415,000
--------------------------------	------------------	------------------

DUAL IMMERSION PILOT PROGRAM

Total Operating Expense	425,000	425,000
--------------------------------	----------------	----------------



FOR THE STATE BOARD OF EDUCATION

Total Operating Expense	1,831,499	1,831,499
--------------------------------	------------------	------------------

The above appropriations for the Indiana state board of education are for the academic standards project to distribute copies of the academic standards and provide teachers with curriculum frameworks, for special evaluation and research projects, including national and international assessments, and for state board administrative expenses.

FOR THE INDIANA CHARTER SCHOOL BOARD

Total Operating Expense	444,059	444,059
--------------------------------	----------------	----------------

**FOR THE INDIANA PUBLIC RETIREMENT SYSTEM
TEACHERS' RETIREMENT FUND DISTRIBUTION**

Other Operating Expense	950,000,000	975,000,000
--------------------------------	--------------------	--------------------

Augmentation allowed.

If the amount actually 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

Personal Services	821,734	821,734
Other Operating Expense	162,971	162,971

FOR THE STATE LIBRARY

Personal Services	2,508,960	2,508,960
Other Operating Expense	256,603	256,603

STATEWIDE LIBRARY SERVICES

Total Operating Expense	1,184,343	1,184,343
--------------------------------	------------------	------------------

LIBRARY SERVICES FOR THE BLIND - ELECTRONIC NEWSLINES

Other Operating Expense	153,000	153,000
--------------------------------	----------------	----------------

ACADEMY OF SCIENCE

Total Operating Expense	4,357	4,357
--------------------------------	--------------	--------------

HISTORICAL MARKER PROGRAM

Total Operating Expense	8,649	8,649
--------------------------------	--------------	--------------

INSPIRE

Total Operating Expense	1,382,250	1,382,250
--------------------------------	------------------	------------------

LOCAL LIBRARY CONNECTIVITY GRANT



1	Total Operating Expense	1,419,434	1,419,434
2			
3	FOR THE ARTS COMMISSION		
4	Personal Services	529,978	529,978
5	Other Operating Expense	2,802,439	2,802,439
6			

7 The above appropriations to the arts commission includes \$650,000 each year to
8 provide grants to:
9 (1) the arts organizations that have most recently qualified for general operating
10 support as major arts organizations as determined by the arts commission; and
11 (2) the significant regional organizations that have most recently qualified
12 for general operating support as mid-major arts organizations, as determined
13 by the arts commission and its regional re-granting partners.

14
15 **SECTION 10. [EFFECTIVE JULY 1, 2021]**

16
17 **DISTRIBUTIONS**

18
19 **FOR THE AUDITOR OF STATE**
20 **GAMING TAX**

21	Total Operating Expense	50,500,000	50,500,000
22	Augmentation allowed.		

23 **ALCOHOL BEVERAGE COMMISSION GALLONAGE TAX**

24	Total Operating Expense	9,864,160	9,864,160
25	Augmentation allowed.		

26
27 **SECTION 11. [EFFECTIVE JULY 1, 2021]**

28
29 Utility bills for the month of June, travel claims covering the period June 16 to
30 June 30, payroll for the period of the last half of June, any interdepartmental
31 bills for supplies or services for the month of June, and any other miscellaneous
32 expenses incurred during the period June 16 to June 30 shall be charged to
33 the appropriation for the succeeding year. No interdepartmental bill shall be recorded
34 as a refund of expenditure to any current year allotment account for supplies or
35 services rendered or delivered at any time during the preceding June period.

36
37 **SECTION 12. [EFFECTIVE JULY 1, 2021]**

38
39 The budget agency, under IC 4-10-11, IC 4-12-1-13, and IC 4-13-1, in cooperation
40 with the Indiana department of administration, may fix the amount of reimbursement
41 for traveling expenses (other than transportation) for travel within the limits of
42 Indiana. This amount may not exceed actual lodging and miscellaneous expenses
43 incurred. A person in travel status, as defined by the state travel policies and
44 procedures established by the Indiana department of administration and the budget
45 agency, is entitled to a meal allowance not to exceed during any twenty-four (24)
46 hour period the standard meal allowances established by the federal Internal Revenue
47 Service.

48
49 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 auditor of state 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 13. [EFFECTIVE JULY 1, 2021]

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 14. [EFFECTIVE JULY 1, 2021]

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

SECTION 15. [EFFECTIVE JULY 1, 2021]

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 16. [EFFECTIVE JULY 1, 2021]

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 17. [EFFECTIVE JULY 1, 2021]

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 18. [EFFECTIVE JULY 1, 2021]

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 19. [EFFECTIVE JULY 1, 2021]

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 20. [EFFECTIVE JULY 1, 2021]

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 21. [EFFECTIVE JULY 1, 2021]



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 22. [EFFECTIVE JULY 1, 2021]

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 23. [EFFECTIVE JULY 1, 2021]

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 24. [EFFECTIVE JULY 1, 2021]

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 25. [EFFECTIVE JULY 1, 2021]

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 26. [EFFECTIVE JULY 1, 2021]

Except in those cases where a specific appropriation has been made to cover the payments for any of the following, the auditor of state 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 27. [EFFECTIVE JULY 1, 2021]

Subject to SECTION 22 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 2021-2023 biennium, if it is considered necessary to do so in order to prevent a deficit financial situation.

SECTION 28. [EFFECTIVE JULY 1, 2021]

CONSTRUCTION

For the 2021-2023 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	225,602,266
State General Fund - Construction	629,093,746
Veterans' Home Building Fund (IC 10-17-9-7)	2,281,000
State Construction Fund (IC 9-13-2-173.1)	50,386,007
State Highway Fund (IC 8-23-9-54)	34,440,500



TOTAL 941,803,519

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

Stadium Lease Rental	40,469,646	67,943,587
Convention Center Lease Rental	0	14,719,700
Indiana Motorsports Commission	7,000,000	7,000,000
Water Infrastructure	20,000,000	20,000,000
Northwest Indiana Reg. Dev. Auth.	12,000,000	12,000,000

The above appropriation for water infrastructure assistance is for the creation of a leveraged loan program to provide grants, loans, and other financial assistance from the water infrastructure assistance fund in accordance with a statute enacted for this purpose by the 2019 General Assembly.

STATE BUDGET AGENCY

Enterprise Grant Management System	0	3,000,000
Capital Reserve Account	0	100,000,000

The above appropriation may be used for design and construction expenses for the Westville Correctional Facility, Evansville Police Post and Lab, and a new consolidated campus for the Indiana School for the Deaf and the Indiana School for the Blind and Visually Impaired, or for another purpose after review by the budget committee.

LIEUTENANT GOVERNOR

Broadband Grants	250,000,000	0
------------------	-------------	---

DEPARTMENT OF REVENUE

Integrated Tax System	20,300,000	0
-----------------------	------------	---

TREASURER OF STATE

Education Scholarship Accounts Impl.	5,000,000	0
--------------------------------------	-----------	---

DEPARTMENT OF ADMINISTRATION

Preventive Maintenance	5,300,000	5,300,000
------------------------	-----------	-----------

Repair and Rehabilitation	19,152,444	18,252,444
---------------------------	------------	------------

DEPARTMENT OF ADMINISTRATION - LEASES

NeuroDiagnostic Inst. Capital Lease	12,234,703	12,234,630
-------------------------------------	------------	------------

STATE LIBRARY

Repair and Rehabilitation	0	2,000,000
---------------------------	---	-----------

INDIANA STATE FAIR

Preventive Maintenance	1,045,000	1,045,000
------------------------	-----------	-----------

Repair and Rehabilitation	1,775,552	4,356,500
---------------------------	-----------	-----------

Fall Creek Pavilion	50,000,000	0
---------------------	------------	---

HB 1001—LS 7431/DI 120



B. PUBLIC SAFETY**(1) LAW ENFORCEMENT****INDIANA STATE POLICE**

Preventive Maintenance	955,899	955,899
Lowell District/Lab Construction	8,500,000	0
Repair and Rehabilitation	906,900	1,440,000

LAW ENFORCEMENT TRAINING BOARD

Preventive Maintenance	200,000	200,000
Repair and Rehabilitation	143,885	241,350

ADJUTANT GENERAL

Preventive Maintenance	930,250	930,250
Hamilton County Readiness Center	579,780	6,791,750
Danville Armory Add. and Alter.	1,520,000	0
Martinsville Armory Add. and Alter.	0	1,520,000
State Construction Fund (IC 9-13-2-173.1)		
Repair and Rehabilitation	1,180,574	1,451,277

(2) CORRECTIONS**STATE PRISON**

Preventive Maintenance	467,500	467,500
State Construction Fund (IC 9-13-2-173.1)		
Repair and Rehabilitation	1,500,000	500,000

PENDLETON CORRECTIONAL FACILITY

Preventive Maintenance	552,500	552,500
------------------------	---------	---------

WOMEN'S PRISON

Preventive Maintenance	153,000	153,000
------------------------	---------	---------

NEW CASTLE CORRECTIONAL FACILITY

Preventive Maintenance	700,000	700,000
------------------------	---------	---------

PUTNAMVILLE CORRECTIONAL FACILITY

Preventive Maintenance	340,000	340,000
------------------------	---------	---------

INDIANAPOLIS RE-ENTRY EDUCATION FACILITY

Preventive Maintenance	153,000	153,000
------------------------	---------	---------

BRANCHVILLE CORRECTIONAL FACILITY

Preventive Maintenance	153,000	153,000
------------------------	---------	---------

State Construction Fund (IC 9-13-2-173.1)

Repair and Rehabilitation	0	575,000
---------------------------	---	---------

WESTVILLE CORRECTIONAL FACILITY

Preventive Maintenance	442,000	442,000
------------------------	---------	---------

State Construction Fund (IC 9-13-2-173.1)

Repair and Rehabilitation	0	1,250,000
---------------------------	---	-----------

ROCKVILLE CORRECTIONAL FACILITY

Preventive Maintenance	212,500	212,500
------------------------	---------	---------

PLAINFIELD CORRECTIONAL FACILITY

Preventive Maintenance	212,500	212,500
------------------------	---------	---------

State Construction Fund (IC 9-13-2-173.1)

HB 1001—LS 7431/DI 120



		<i>FY 2021-2022 Appropriation</i>	<i>FY 2022-2023 Appropriation</i>	<i>Biennial Appropriation</i>
1	Repair and Rehabilitation	0	1,250,000	
2	RECEPTION AND DIAGNOSTIC CENTER			
3	Preventive Maintenance	89,250	89,250	
4	CORRECTIONAL INDUSTRIAL FACILITY			
5	Preventive Maintenance	255,000	255,000	
6	State Construction Fund (IC 9-13-2-173.1)			
7	Repair and Rehabilitation	4,250,000	950,000	
8	WABASH VALLEY CORRECTIONAL FACILITY			
9	Preventive Maintenance	224,125	224,125	
10	CHAIN O' LAKES CORRECTIONAL FACILITY			
11	Preventive Maintenance	38,250	38,250	
12	MADISON CORRECTIONAL FACILITY			
13	Preventive Maintenance	318,750	318,750	
14	MIAMI CORRECTIONAL FACILITY			
15	Preventive Maintenance	382,500	382,500	
16	LOGANSPOUT JUVENILE CORRECTIONAL FACILITY			
17	State Construction Fund (IC 9-13-2-173.1)			
18	Repair and Rehabilitation	100,000	0	
19	LAPORTE JUVENILE CORRECTIONAL FACILITY			
20	Preventive Maintenance	34,000	34,000	
21	EDINBURGH CORRECTIONAL FACILITY			
22	Preventive Maintenance	34,000	34,000	
23	PENDLETON JUVENILE CORRECTIONAL FACILITY			
24	Preventive Maintenance	127,500	127,500	
25	NORTH CENTRAL JUVENILE CORRECTIONAL FACILITY			
26	Preventive Maintenance	51,000	51,000	
27	SOUTH BEND WORK RELEASE CENTER			
28	Preventive Maintenance	42,500	42,500	
29	HERITAGE TRAIL CORRECTIONAL FACILITY			
30	Preventive Maintenance	191,250	191,250	
31	State Construction Fund (IC 9-13-2-173.1)			
32	Repair and Rehabilitation	0	250,000	
33				
34	C. CONSERVATION AND ENVIRONMENT			
35				
36	DEPARTMENT OF NATURAL RESOURCES - GENERAL ADMINISTRATION			
37	Preventive Maintenance	50,000	50,000	
38	State Construction Fund (IC 9-13-2-173.1)			
39	Repair and Rehabilitation	6,063,788	5,670,788	
40	FISH AND WILDLIFE			
41	Preventive Maintenance	1,550,000	1,550,000	
42	State Construction Fund (IC 9-13-2-173.1)			
43	Repair and Rehabilitation	0	850,000	
44	FORESTRY			
45	Preventive Maintenance	1,525,000	1,525,000	
46	State Construction Fund (IC 9-13-2-173.1)			
47	Repair and Rehabilitation	750,000	0	
48	NATURE PRESERVES			
49	Preventive Maintenance	586,614	586,614	

HB 1001—LS 7431/DI 120



		<i>FY 2021-2022 Appropriation</i>	<i>FY 2022-2023 Appropriation</i>	<i>Biennial Appropriation</i>
1	OUTDOOR RECREATION			
2	Preventive Maintenance	35,000	35,000	
3	STATE PARKS AND RESERVOIR MANAGEMENT			
4	Preventive Maintenance	4,050,000	4,050,000	
5	State Construction Fund (IC 9-13-2-173.1)			
6	Repair and Rehabilitation	2,875,000	3,397,500	
7	DIVISION OF WATER			
8	Preventive Maintenance	83,500	83,500	
9	State Construction Fund (IC 9-13-2-173.1)			
10	Repair and Rehabilitation	2,110,000	2,000,000	
11	ENFORCEMENT			
12	Preventive Maintenance	270,000	270,000	
13	ENTOMOLOGY			
14	Preventive Maintenance	137,500	137,500	
15	INDIANA STATE MUSEUM AND HISTORIC SITES CORPORATION			
16	Preventive Maintenance	574,687	574,687	
17	Repair and Rehabilitation	1,950,505	1,912,500	
18	State Construction Fund (IC 9-13-2-173.1)			
19	Repair and Rehabilitation	0	757,800	
20	WAR MEMORIALS COMMISSION			
21	Preventive Maintenance	617,000	617,000	
22	Repair and Rehabilitation	681,960	2,251,200	
23				
24	D. TRANSPORTATION			
25				
26	DEPARTMENT OF TRANSPORTATION - BUILDINGS AND GROUNDS			
27	State Highway Fund (IC 8-23-9-54)			
28	Preventive Maintenance	2,232,888	2,232,888	
29	State Highway Fund (IC 8-23-9-54)			
30	Repair and Rehabilitation	1,872,362	1,872,362	
31	State Highway Fund (IC 8-23-9-54)			
32	A&E Fee Matl. & Test. Lab Phase 4	105,000	0	
33	State Highway Fund (IC 8-23-9-54)			
34	Materials & Testing Lab Phase 4	1,500,000	0	
35	State Highway Fund (IC 8-23-9-54)			
36	Const. of the LaGrange Unit/Salt Bldg	8,700,000	0	
37	State Highway Fund (IC 8-23-9-54)			
38	Bluffton Subdistrict Renovation	4,950,000	0	
39	State Highway Fund (IC 8-23-9-54)			
40	A&E Fee Cloverdale Salt Building	125,000	0	
41	State Highway Fund (IC 8-23-9-54)			
42	Const. of the Cloverdale Salt Bldg	2,050,000	0	
43	State Highway Fund (IC 8-23-9-54)			
44	A&E Fee Mishawaka Unit/Salt Bldg	450,000	0	
45	State Highway Fund (IC 8-23-9-54)			
46	Cap. Land Purchase-Evansville Unit 1	250,000	0	
47	State Highway Fund (IC 8-23-9-54)			
48	Const. of the Mishawaka Unit/Salt Bldg	0	7,100,000	
49	State Highway Fund (IC 8-23-9-54)			

HB 1001—LS 7431/DI 120



		<i>FY 2021-2022 Appropriation</i>	<i>FY 2022-2023 Appropriation</i>	<i>Biennial Appropriation</i>
1	A&E Fee for Evansville Unit 1/Salt Bldg	0	450,000	
2	State Highway Fund (IC 8-23-9-54)			
3	A&E Fee Frankfort Subdistrict Renv.	0	300,000	
4	State Highway Fund (IC 8-23-9-54)			
5	Cap. Land Purchase-Roselawn Unit	0	250,000	
6				
7	E. FAMILY AND SOCIAL SERVICES, HEALTH, AND VETERANS' AFFAIRS			
8				
9	(1) FAMILY AND SOCIAL SERVICES ADMINISTRATION			
10				
11	FSSA - DIVISION OF MENTAL HEALTH			
12	State Construction Fund (IC 9-13-2-173.1)			
13	Repair and Rehabilitation	3,386,146	0	
14	EVANSVILLE PSYCHIATRIC CHILDREN'S CENTER			
15	Preventive Maintenance	36,500	36,500	
16	State Construction Fund (IC 9-13-2-173.1)			
17	Repair and Rehabilitation	452,000	0	
18	EVANSVILLE STATE HOSPITAL			
19	Preventive Maintenance	391,162	391,162	
20	MADISON STATE HOSPITAL			
21	Preventive Maintenance	464,104	464,104	
22	State Construction Fund (IC 9-13-2-173.1)			
23	Repair and Rehabilitation	0	98,400	
24	LOGANSPOUT STATE HOSPITAL			
25	Preventive Maintenance	491,572	491,572	
26	State Construction Fund (IC 9-13-2-173.1)			
27	Repair and Rehabilitation	833,369	1,824,000	
28	RICHMOND STATE HOSPITAL			
29	Preventive Maintenance	550,000	550,000	
30	State Construction Fund (IC 9-13-2-173.1)			
31	Repair and Rehabilitation	0	1,217,485	
32	LARUE CARTER MEMORIAL HOSPITAL			
33	Preventive Maintenance	417,703	417,703	
34	NEURO DIAGNOSTIC INSTITUTE			
35	Preventive Maintenance	475,810	475,810	
36				
37	(2) PUBLIC HEALTH			
38				
39	SCHOOL FOR THE BLIND AND VISUALLY IMPAIRED			
40	Preventive Maintenance	282,857	282,857	
41	State Construction Fund (IC 9-13-2-173.1)			
42	Repair and Rehabilitation	1,262,390	885,249	
43	SCHOOL FOR THE DEAF			
44	Preventive Maintenance	424,285	424,285	
45	State Construction Fund (IC 9-13-2-173.1)			
46	Repair and Rehabilitation	734,637	1,960,604	
47				
48	(3) VETERANS' AFFAIRS			
49				



1	DEPARTMENT OF VETERANS' AFFAIRS		
2	Preventive Maintenance	48,195	48,195
3	INDIANA VETERANS' HOME		
4	Veterans' Home Building Fund (IC 10-17-9-7)		
5	Preventive Maintenance	637,500	637,500
6	Veterans' Home Building Fund (IC 10-17-9-7)		
7	Repair and Rehabilitation	789,000	217,000

8

9 **F. EDUCATION**

10

11 **HIGHER EDUCATION**

12	INDIANA UNIVERSITY - TOTAL SYSTEM		
13	Repair and Rehabilitation	14,349,098	14,349,098
14	PURDUE UNIVERSITY - TOTAL SYSTEM		
15	Repair and Rehabilitation	12,242,154	12,242,154
16	INDIANA STATE UNIVERSITY		
17	Repair and Rehabilitation	1,504,289	1,504,289
18	UNIVERSITY OF SOUTHERN INDIANA		
19	Repair and Rehabilitation	1,112,962	1,112,962
20	BALL STATE UNIVERSITY		
21	Repair and Rehabilitation	2,917,359	2,917,359
22	VINCENNES UNIVERSITY		
23	Repair and Rehabilitation	1,005,286	1,005,286
24	IVY TECH COMMUNITY COLLEGE		
25	Repair and Rehabilitation	3,610,577	3,610,577

26

27

28 **SECTION 29. [EFFECTIVE JULY 1, 2021]**

29

30 The budget agency may employ one (1) or more architects or engineers to inspect

31 construction, rehabilitation, and repair projects covered by the appropriations

32 in this act or previous acts.

33

34 **SECTION 30. [EFFECTIVE UPON PASSAGE]**

35

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

37 this act or any previous acts has not been allotted or encumbered before the expiration

38 of the biennium, the budget agency may determine that the balance of the appropriation

39 is not available for allotment. The appropriation may be terminated, and the balance

40 may revert to the fund from which the original appropriation was made.

41

42 **SECTION 31. [EFFECTIVE JULY 1, 2021]**

43

44 The budget agency may retain balances in the mental health fund at the end of any

45 fiscal year to ensure there are sufficient funds to meet the service needs of the

46 developmentally disabled and the mentally ill in any year.

47

48 **SECTION 32. [EFFECTIVE JULY 1, 2021]**

49



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

8 SECTION 33. IC 4-9.1-1-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]:

9 Sec. 1. The ~~governor~~, **budget director or the budget director's designee**, the auditor of state, and the
10 treasurer of state constitute the state board of finance, referred to as the "board" in this chapter. The board
11 has advisory supervision of the safekeeping of all funds coming into the state treasury and all other funds
12 belonging to the state coming into the possession of any state officer or agency.

13 SECTION 34. IC 4-12-1-13, AS AMENDED BY P.L.8-2019, SECTION 10, IS AMENDED TO
14 READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 13. (a) During the interval between sessions
15 of the general assembly, the budget agency shall make regular or, at the request of the governor, special
16 inspections of the respective institutions of the state supported by public funds. The budget agency shall
17 report regularly to the governor relative to the physical condition of such institutions, and any
18 contemplated action of the institution on a new or important matter, and on any other subject which the
19 budget agency may deem pertinent or on which the governor may require information. The budget agency
20 shall likewise familiarize itself with the best and approved practices in each of such institutions and
21 supply such information to other institutions to make their operation more efficient and economical.

22 (b) Except as to officers and employees of state educational institutions, the executive secretary of the
23 governor, the administrative assistants to the governor, the elected officials, and persons whose salaries
24 or compensation are fixed by the governor pursuant to law, the annual compensation of all persons
25 employed by agencies of the state shall be subject to the approval of the budget agency. Except as
26 otherwise provided by IC 4-15-2.2, the budget agency shall establish classifications and schedules for
27 fixing compensation, salaries and wages of all classes and types of employees of any state agency or state
28 agencies, and any and all other such classifications affecting compensation as the budget agency shall
29 deem necessary or desirable. The classifications and schedules thus established shall be filed in the office
30 of the budget agency. Requests by an appointing authority for salary and wage adjustments or personal
31 service payments coming within such classifications and schedules shall become effective when approved
32 by, and upon the terms of approval fixed by, the budget agency. All personnel requests pertaining to the
33 staffing of programs or agencies supported in whole or in part by federal funds are subject to review and
34 approval by the state personnel department under IC 4-15-2.2.

35 (c) The budget agency shall review and approve, for the sufficiency of funds, all payments for personal
36 services which are submitted to the auditor of state for payment.

37 (d) The budget agency shall review all contracts for personal services or other services and no contract
38 for personal services or other services may be entered into by any agency of the state before the written
39 approval of the budget agency is given. Each demand for payment submitted by an agency to the auditor
40 of state under these contracts must be accompanied by a copy of the budget agency approval. No payment
41 may be made by the auditor of state without such approval. However, this subsection does not apply to
42 a contract entered into by:

43 (1) a state educational institution; or

44 (2) an agency of the state if the contract is not required to be approved by the budget agency under
45 IC 4-13-2-14.1.

46 (e) The budget agency shall review and approve the policy and procedures governing travel prepared
47 by the department of administration under IC 4-13-1, before the travel policies and procedures are



1 distributed.

2 (f) Except as provided in subsections (g), (h), and (i), the budget agency may adopt such policies and
3 procedures not inconsistent with law as it may deem advisable to facilitate and carry out the powers and
4 duties of the agency, including the execution and administration of all appropriations made by law.
5 IC 4-22-2 does not apply to these policies and procedures.

6 (g) The budget agency may not enforce or apply any policy or procedure, unless specifically authorized
7 by this chapter or an applicable statute, against or in relation to the following officials or agencies, unless
8 the official or agency consents to comply with the policy or procedure, or emergency circumstances justify
9 extraordinary measures to protect the state's budget or fiscal reserves:

10 (1) The judicial department of the state.

11 (2) The general assembly, the legislative services agency, or any other entity of the legislative
12 department of the state.

13 (3) The attorney general.

14 (4) The auditor of state.

15 (5) The secretary of state.

16 (6) The superintendent of public instruction. This subdivision does not apply after January 10, 2021.

17 (7) The treasurer of state.

18 (h) The budget agency may not enforce a policy or procedure against an official or an agency specified
19 in subsection (g)(1) through (g)(7) by refusing to allot money from the ~~personal services/fringe benefits~~
20 **budget agency** contingency fund to the official or agency **without review by the budget committee**.

21 (i) The budget agency may not withhold or refuse to allot appropriations for a state educational
22 institution without review by the budget committee.

23 SECTION 35. IC 4-12-17-1, AS ADDED BY P.L.217-2017, SECTION 40, IS AMENDED TO READ
24 AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 1. (a) The ~~personal services/fringe benefits~~ **budget**
25 **agency** contingency fund is established for the purpose of allotting money to departments, institutions,
26 and state agencies for the purposes set forth in subsection (b). The fund consists of money appropriated
27 to the fund by the general assembly. The budget agency shall administer the fund.

28 (b) Money in the fund may be used only with the approval of the governor for:

29 (1) salary increases;

30 (2) fringe benefit increases;

31 (3) an employee leave conversion program;

32 (4) state retiree health programs; ~~and~~

33 **(5) emergency capital project expenses;**

34 **(6) necessary expenses for existing programs as determined by the governor and budget**
35 **director; and**

36 ~~(5) (7)~~ any related expenses.

37 (c) Money in the fund at the end of a state fiscal year does not revert to the state general fund but
38 remains available for expenditure.

39 (d) ~~Notwithstanding IC 4-9.1-1-7, IC 4-13-2-23, or any other law, money may not be transferred,~~
40 ~~assigned, reassigned, or otherwise removed from the fund by the state board of finance, the budget~~
41 ~~agency, or any other state agency, except for the purposes specified in this section. The budget~~
42 ~~committee shall be advised of each transfer from the fund that exceeds five hundred thousand~~
43 ~~dollars (\$500,000).~~

44 SECTION 36. IC 4-13.1-2-4, AS AMENDED BY P.L.171-2015, SECTION 3, IS AMENDED TO
45 READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 4. The chief information officer, in conjunction
46 with:

47 (1) ~~the state librarian or the state librarian's designee;~~ **budget director or the budget director's**



1 **designee;**

2 (2) the director of the Indiana archives and records administration or the director's designee; and

3 (3) a representative from each of the two (2) state agencies that generate the most revenue under this
4 section;

5 shall establish reasonable fees for enhanced access to public records and other electronic records, so that
6 the revenues generated are sufficient to develop, maintain, operate, and expand services that make public
7 records available electronically. A meeting to establish or revise the fees described in this section is
8 subject to the requirements of IC 5-14-1.5.

9 SECTION 37. IC 4-31-5-9, AS AMENDED BY P.L.256-2015, SECTION 4, IS AMENDED TO
10 READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 9. (a) The commission shall determine the
11 dates and (if the commission adopts a rule under subsection (c)) the number of racing days authorized
12 under each recognized meeting permit. Except for racing at winterized tracks, a recognized meeting may
13 not be conducted after December 10 of a calendar year.

14 (b) Except as provided in subsection (c), the commission shall require at least two hundred eighty
15 (280) but not more than three hundred thirty (330) total live racing days each calendar year combined at
16 both racetracks, as follows:

17 (1) At least one hundred sixty (160) but not more than one hundred eighty (180) live racing days
18 must be for standardbreds to race at Hoosier Park.

19 (2) At least one hundred twenty (120) but not more than one hundred fifty (150) live racing days
20 must be for horses that are:

21 (A) mounted by jockeys; and

22 (B) run on a course without jumps or obstacles;

23 to race at Indiana Grand.

24 The requirements of this subsection are a continuing condition for maintaining the permit holder's permit.
25 However, the requirements do not apply if the commission determines that the permit holder is prevented
26 from conducting live horse racing as a result of a natural disaster or another event over which the permit
27 holder has no control.

28 (c) The commission may by rule adjust any of the following:

29 (1) The total required number of live racing days under subsection (b).

30 (2) The number of live racing days required under subsection (b)(1).

31 (3) The number of live racing days required under subsection (b)(2).

32 (d) A permit holder may not conduct more than fourteen (14) races on a particular racing day, **unless**
33 **authorized by the commission to conduct additional races.**

34 SECTION 38. IC 4-31-5.5-6, AS AMENDED BY P.L.229-2013, SECTION 5, IS AMENDED TO
35 READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 6. (a) A permit holder or group of permit
36 holders that is authorized to operate satellite facilities may accept and transmit pari-mutuel wagers on
37 horse racing at those facilities and may engage in all activities necessary to establish and operate
38 appropriate satellite wagering facilities, including the following:

39 (1) Live simulcasts of horse racing conducted at the permit holder's racetrack or at other racetracks.
40 However, a satellite facility operated by a permit holder may not simulcast races conducted in other
41 states on any day that is not a live racing day (as defined in section 3 of this chapter) unless the
42 satellite facility also simulcasts all available races conducted in Indiana on that day.

43 (2) Construction or leasing of satellite wagering facilities.

44 (3) Sale of food and beverages.

45 (4) Advertising and promotion.

46 (5) All other related activities.

47 (b) A permit holder authorized to operate a satellite facility may use an approved limited mobile



gaming system to accept pari-mutuel wagers on horse racing at the satellite facility in accordance with IC 4-31-7-10.

(c) A permit holder authorized to operate a satellite facility may accept and transmit pari-mutuel wagers on races conducted at a racetrack that has entered into a simulcasting contract with the permit holder even if the races are conducted during a time when the satellite facility is not open.

SECTION 39. IC 4-31-7-1, AS AMENDED BY P.L.268-2017, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1. (a) A person holding a permit to conduct a horse racing meeting or a license to operate a satellite facility may provide a place in the racing meeting grounds or enclosure or the satellite facility at which the person may conduct and supervise the pari-mutuel system of wagering by patrons of legal age on the horse races conducted or simulcast by the person, **and as permitted in section 7 of this chapter, IC 4-31-5.5, and IC 4-31-7.5.** The person may not permit or use:

(1) another place other than that provided and designated by the person; or

(2) another method or system of betting or wagering.

However, a permit holder licensed to conduct gambling games under IC 4-35 may permit wagering on gambling games at a racetrack as permitted by IC 4-35.

(b) Except as provided in section 7 of this chapter, IC 4-31-5.5, and IC 4-31-7.5, the pari-mutuel system of wagering may not be conducted on any races except the races at the racetrack, grounds, or enclosure for which the person holds a permit.

SECTION 40. IC 4-31-7-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 7. (a) As used in this section, "live racing day" means a day on which at least eight (8) live horse races are conducted.

(b) Upon request by a permit holder from time to time, the commission may authorize the permit holder to conduct pari-mutuel wagering at the permit holder's racetrack on televised simulcasts of horse races from other racetracks in Indiana or in other states or countries where horse racing and wagering are permitted by law. **In addition, the commission may authorize the permit holder to conduct pari-mutuel wagering at the permit holder's racetrack on races from racetracks that have entered into a simulcasting contract with the permit holder even if the races are conducted during a time when the permit holder's racetrack is not open.** The commission may adopt rules regarding simulcasting. A permit holder that conducts at least one hundred twenty (120) live racing days annually may request an unlimited number of days of simulcasting per year. However, the requirement for one hundred twenty (120) live racing days does not apply if the commission determines that the permit holder is prevented from conducting live horse racing as a result of a natural disaster or other event over which the permit holder has no control. In addition, if the initial racing meeting conducted by a permit holder commences at such a time as to make it impractical to conduct one hundred twenty (120) live racing days during the permit holder's first year of operations, the commission may authorize the permit holder to conduct simulcast wagering during the first year of operations with fewer than one hundred twenty (120) live racing days. A permit holder that conducts fewer than one hundred twenty (120) live racing days annually may request permission to conduct simulcasting only during the hours on a racing day when racing is being conducted at the permit holder's racetrack. The televised simulcasts must comply with the Interstate Horse Racing Act of 1978 (15 U.S.C. 3001 et seq.).

(c) A permit holder that conducts simulcasts on a day that is not a live racing day may not simulcast races conducted in other states unless the permit holder also simulcasts all available races conducted in Indiana on that day.

SECTION 41. IC 4-31-9-3, AS AMENDED BY P.L.108-2019, SECTION 70, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 3. (a) At the close of each day on which a permit holder or satellite facility operator conducts pari-mutuel wagering on live racing or simulcasts



1 at a racetrack or satellite facility, the permit holder or satellite facility operator shall pay to the department
2 of state revenue a tax on the total amount of money wagered on that day as follows:

3 (1) Two percent (2%) of the total amount of money wagered ~~on live races and simulcasts conducted~~
4 **under IC 4-31-7** at a permit holder's racetrack.

5 (2) Two and one-half percent (2.5%) of the total amount of money wagered ~~on simulcasts at satellite~~
6 ~~facilities, regardless of whether those simulcasts originate from Indiana or another state.~~ **under**
7 **IC 4-31-5.5-6 at a permit holder's satellite facility.**

8 (b) The taxes collected under subsection (a) shall be paid from the amounts withheld under section 1
9 of this chapter and shall be distributed as follows:

10 (1) The first one hundred fifty thousand dollars (\$150,000) of taxes collected during each state fiscal
11 year shall be deposited in the veterinary school research account established by IC 4-31-12-22.

12 (2) The remainder of the taxes collected during each state fiscal year shall be paid into the Indiana
13 horse racing commission operating fund (IC 4-31-10).

14 (c) The tax imposed by this section is a listed tax for purposes of IC 6-8.1-1.

15 SECTION 42. IC 4-33-18-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]:

16 Sec. 1. As used in this chapter, "~~department~~" means the Indiana department of gaming research.
17 "**division**" means the gaming research division of the commission established by section 2 of this
18 chapter.

19 SECTION 43. IC 4-33-18-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]:

20 Sec. 2. ~~The Indiana department of gaming research is established as an agency of the state of Indiana~~ **The**
21 **gaming research division is established within the commission** for the purpose of enhancing the
22 gaming industry in Indiana through research and analysis.

23 SECTION 44. IC 4-33-18-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]:

24 Sec. 3. ~~The department is under the control of the governor, who~~ **commission** shall appoint or employ the
25 executive director **of the division** and other persons that the ~~governor~~ **commission** considers necessary.

26 SECTION 45. IC 4-33-18-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]:

27 Sec. 4. ~~(a) The executive director, with the governor's~~ **commission's** approval, may employ individuals
28 as are necessary to perform the various functions of the ~~department.~~ **division.**

29 ~~(b) The executive director and the budget agency shall set the compensation for the department's~~
30 ~~employees.~~

31 SECTION 46. IC 4-33-18-5, AS AMENDED BY P.L.58-2019, SECTION 6, IS AMENDED TO
32 READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 5. The ~~department~~ **division** shall research and
33 analyze data and public policy issues relating to all aspects of gaming in Indiana for the enhancement of:

34 (1) the Indiana lottery under IC 4-30;

35 (2) pari-mutuel horse racing under IC 4-31;

36 (3) charity gaming under IC 4-32.3; and

37 (4) riverboat casino gambling under IC 4-33.

38 SECTION 47. IC 4-33-18-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]:

39 Sec. 6. The ~~department~~ **division** shall study and make findings and recommendations on the following:

40 (1) Alternative methods of taxing gaming entities, including taxes based upon the size of a riverboat
41 or the number of gaming positions on board a riverboat.

42 (2) The impact of flexible boarding on the gaming industry.

43 (3) The impact of breed development programs and sire stakes racing in Indiana.

44 (4) Any other issue considered appropriate by the ~~department~~ **commission** or suggested by:

45 (A) the Indiana lottery commission;

46 (B) the Indiana horse racing commission; **or**

47 (C) the department of state revenue. **or**



1 ~~(D) the Indiana gaming commission.~~
2 SECTION 48. IC 4-33-18-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]:
3 Sec. 7. The executive director shall submit the ~~department's~~ **division's** findings and recommendations to
4 **the commission**, the governor, and the legislative council.
5 SECTION 49. IC 4-33-18-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]:
6 Sec. 8. The ~~department~~ **division** shall impose an annual fee of twenty-five thousand dollars (\$25,000)
7 upon the following:
8 (1) Each licensed owner or operating agent operating a riverboat in Indiana.
9 (2) Each permit holder (as defined in IC 4-31-2-14) operating a live pari-mutuel horse racing facility
10 in Indiana.
11 SECTION 50. IC 4-33-18-9 IS REPEALED [EFFECTIVE JULY 1, 2021]. ~~Sec. 9: (a) Nothing in this~~
12 ~~chapter may be construed to limit the powers or responsibilities of:~~
13 ~~(1) the state lottery commission under IC 4-30;~~
14 ~~(2) the Indiana horse racing commission under IC 4-31; or~~
15 ~~(3) the Indiana gaming commission under IC 4-32.3; IC 4-33; or IC 4-35.~~
16 ~~(b) The department may not exercise any administrative or regulatory powers with respect to:~~
17 ~~(1) the Indiana lottery under IC 4-30;~~
18 ~~(2) pari-mutuel horse racing under IC 4-31;~~
19 ~~(3) charity gaming under IC 4-32.3;~~
20 ~~(4) riverboat casino gambling under IC 4-33; or~~
21 ~~(5) gambling games conducted at a racetrack (as defined in IC 4-35-2-9) under IC 4-35.~~
22 SECTION 51. IC 5-2-23-7 IS REPEALED [EFFECTIVE JULY 1, 2021]. ~~Sec. 7: (a) The exoneration~~
23 ~~fund is established for the purpose of carrying out this chapter. The fund shall be administered by the~~
24 ~~criminal justice institute.~~
25 ~~(b) The fund consists of appropriations from the general assembly.~~
26 SECTION 52. IC 5-2-23-8, AS ADDED BY P.L.165-2019, SECTION 1, IS AMENDED TO READ
27 AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 8. (a) A person to whom this chapter applies may seek
28 compensation under this chapter by applying to the criminal justice institute on a form and in a manner
29 to be determined by the criminal justice institute. An application must be submitted not later than:
30 (1) November 1, 2021; or
31 (2) two (2) years from the date the:
32 (A) judgment vacating, reversing, or setting aside the person's conviction becomes final; or
33 (B) governor pardons the person;
34 whichever is later. An applicant shall submit additional evidence to the criminal justice institute upon
35 request by the criminal justice institute.
36 (b) An applicant must demonstrate the following in any application submitted to the criminal justice
37 institute:
38 (1) The applicant's eligibility for compensation under this chapter as described in this chapter.
39 (2) The applicant's compliance with any rules promulgated or required by the criminal justice
40 institute pursuant to section 9 of this chapter.
41 (c) Upon receipt of:
42 (1) a completed application; and
43 (2) any additional evidence required by the criminal justice institute;
44 the criminal justice institute shall evaluate, investigate, and make a determination with respect to an
45 applicant's claim.
46 (d) If, at the conclusion of an investigation performed pursuant to subsection (c), the criminal justice
47 institute determines that the applicant qualifies for compensation under this chapter, the criminal justice



1 institute shall pay ~~from the exoneration fund~~; any compensation due to the applicant, subject to the
2 requirements of subsections (e) and (f).

3 (e) The criminal justice institute may not pay compensation to an applicant who:

4 (1) has received an award for restitution or damages described in section 1 of this chapter in
5 connection with the conviction;

6 (2) has a pending case that might result in an award for restitution or damages described in section
7 1 of this chapter with respect to the conviction; or

8 (3) has not executed the waiver described in section 4 of this chapter.

9 (f) The criminal justice institute may only pay compensation to the individual who was wrongfully
10 incarcerated or, on behalf of the individual, to the individual's guardian. The criminal justice institute may
11 not pay compensation to:

12 (1) the estate of;

13 (2) a fiduciary of;

14 (3) a trust on behalf of; or

15 (4) an assignee of;

16 the wrongfully incarcerated individual.

17 SECTION 53. IC 5-10.5-3-2, AS ADDED BY P.L.23-2011, SECTION 22, IS AMENDED TO READ
18 AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 2. (a) The board is composed of nine (9) trustees
19 appointed by the governor as follows:

20 (1) At least one (1) trustee must have experience in economics, finance, or investments.

21 (2) At least one (1) trustee must have experience in executive management or benefits
22 administration.

23 (3) The director of the ~~budget agency~~ **office of management and budget** or the ~~budget agency~~
24 director's designee serving as an ex officio voting member of the board. An individual appointed
25 under this subdivision to serve as the ~~budget agency~~ **office of management and budget** director's
26 designee:

27 (A) is subject to section 5 of this chapter; and

28 (B) serves as a permanent designee until replaced by the ~~budget agency~~ **office of management**
29 **and budget** director.

30 (4) Two (2) trustees nominated by the speaker of the house of representatives as follows:

31 (A) One (1) must be an active or retired police officer or firefighter who is a member of the 1977
32 police officers' and firefighters' pension and disability fund.

33 (B) One (1) must be a member of the teachers' retirement fund with at least ten (10) years of
34 creditable service.

35 (5) Two (2) trustees nominated by the president pro tempore of the senate as follows:

36 (A) One (1) must be a member of the public employees' retirement fund with at least ten (10)
37 years of creditable service.

38 (B) One (1) must be a member of the teachers' retirement fund with at least ten (10) years of
39 creditable service.

40 (6) One (1) trustee nominated by the auditor of state. The individual nominated under this
41 subdivision may be the auditor of state or another individual who has experience in professional
42 financial accounting or actuarial science.

43 (7) One (1) trustee nominated by the treasurer of state. The individual nominated under this
44 subdivision may be the treasurer of state or another individual who has experience in economics,
45 finance, or investments.

46 (b) If a vacancy on the board occurs, the governor shall, not later than forty-five (45) days after the date
47 the vacancy occurs, appoint an individual to fill the vacancy using the criteria in subsection (a).



(c) During the first year after an individual's initial appointment as a trustee and each year thereafter during which the individual serves as a trustee, the individual is strongly encouraged to complete at least twelve (12) hours of trustee education, at least two (2) hours in each of the following areas:

- (1) Fiduciary duties and responsibilities of a trustee.
- (2) Ethics.
- (3) Governance process and procedures.
- (4) Retirement plan design and administration.
- (5) Investments.
- (6) Actuarial principles and methods.

(d) Subject to the director's approval, each trustee is entitled to reimbursement for reasonable expenses actually incurred in fulfilling the educational requirements under subsection (c). The director shall give a preference for reimbursement for in-state training that meets the requirements under subsection (c), if in-state training is available.

SECTION 54. IC 5-11-4-3, AS AMENDED BY P.L.209-2019, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: 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).

(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 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. 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), all other audited entities shall be charged the actual direct and indirect cost of performing the examination or investigation.

(e) 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).

(f) In addition to other charges provided in this chapter, the state examiner may charge a reasonable



1 fee for technology and processing costs related to completing reports of examination and processing
2 reports of examination in the same manner as other charges are made under this chapter. The fees shall
3 be deposited in the examinations fund created by subsection (g).

4 (g) There is created a dedicated fund known as the examinations fund in the hands of the state
5 examiner to be used by the state examiner for the payment of the expense of examinations under this
6 article. All fees charged for examinations under this article shall be deposited into the examinations fund.
7 ~~Money in the fund is annually appropriated for the payment of the expense of examinations by the state~~
8 ~~board of accounts.~~ Money remaining in the fund at the end of the state fiscal year does not revert to the
9 state general fund.

10 (h) A municipality that contracts for services with a volunteer fire department may pay the cost of an
11 examination or investigation of the volunteer fire department under this chapter.

12 (i) An audit of a county shall include, but not be limited to, an audit of that county's soil and water
13 conservation district established under IC 14-32.

14 SECTION 55. IC 5-28-38 IS REPEALED [EFFECTIVE UPON PASSAGE]. (Indiana Regional Cities
15 Development Fund).

16 SECTION 56. IC 5-28-41.6 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ
17 AS FOLLOWS [EFFECTIVE UPON PASSAGE]:

18 **Chapter 41.6. Next Level Regional Recovery Fund**

19 **Sec. 1. As used in this chapter, "development authority" includes:**

- 20 (1) the northwest Indiana regional development authority established by IC 36-7.5-2-1;
- 21 (2) a regional development authority established under IC 36-7.6-2-3; and
- 22 (3) a regional development authority established under IC 36-7.7-3-1.

23 **Sec. 2. As used in this chapter, "eligible regional recovery organization" means:**

- 24 (1) a development authority; and
- 25 (2) a qualified nonprofit organization.

26 **Sec. 3. As used in this chapter, "fund" refers to the next level regional recovery fund established**
27 **by section 6 of this chapter.**

28 **Sec. 4. As used in this chapter, "qualified nonprofit organization" means a private, nonprofit**
29 **entity formed as a partnership between local units (as defined in IC 4-4-32.2-9), private sector**
30 **businesses, or community or philanthropic organizations to develop and implement a regional**
31 **recovery strategy that has an organizational structure that conforms with the requirements of a**
32 **policy developed by the corporation under section 15 of this chapter.**

33 **Sec. 5. As used in this chapter, "regional recovery strategy" refers to:**

- 34 (1) a development plan prepared by a development authority under IC 36-7.5-3-4,
- 35 IC 36-7.6-3-5, or IC 36-7.7-3-4; or
- 36 (2) a comprehensive economic development strategy developed by an eligible regional recovery
- 37 organization.

38 **Sec. 6. The next level regional recovery fund is established within the state treasury to do the**
39 **following:**

- 40 (1) Support the corporation's next level regional recovery initiative.
- 41 (2) Provide grants or loans to support proposals for economic development and regional
- 42 recovery.

43 **Sec. 7. The fund consists of:**

- 44 (1) appropriations from the general assembly;
- 45 (2) grants, gifts, and donations intended for deposit in the fund;
- 46 (3) interest deposited into the fund under section 9 of this chapter; and
- 47 (4) loan repayments.



1 **Sec. 8. The corporation shall administer the fund. The following may be paid from money in the**
2 **fund:**

3 (1) Expenses of administering the fund.

4 (2) Administrative expenses incurred to carry out the purposes of this chapter.

5 **Sec. 9. The treasurer of state shall invest the money in the fund not currently needed to meet the**
6 **obligations of the fund in the same manner as other public funds may be invested. Interest that**
7 **accrues from these investments shall be deposited in the state general fund. Interest from loans**
8 **made under this chapter shall be deposited in the fund.**

9 **Sec. 10. (a) Money in the fund at the end of a state fiscal year does not revert to the state general**
10 **fund.**

11 (b) Money in the fund is continuously appropriated for the purposes of this chapter.

12 **Sec. 11. The board has the following powers:**

13 (1) To accept, analyze, approve, and deny applications under this chapter.

14 (2) To contract with experts for advice and counsel.

15 (3) To employ staff to assist in carrying out this chapter, including the following:

16 (A) Providing assistance to applicants that wish to apply for a grant or loan from the fund.

17 (B) Analyzing proposals.

18 (C) Working with experts engaged by the board.

19 (D) Preparing reports and recommendations for the board.

20 **Sec. 12. (a) The board may form a strategic review committee to review applications that are**
21 **submitted under this chapter.**

22 (b) The board may invite employees of state agencies and outside experts to:

23 (1) sit on the strategic review committee; or

24 (2) present analysis or opinions about any aspect of an application under review.

25 An employee of a state agency who sits on the strategic review committee or otherwise participates
26 in the review of an application may not receive compensation for the employee's service on the
27 strategic review committee or participation with the strategic review committee.

28 **Sec. 13. (a) The board shall consider the following when reviewing applications for a grant or**
29 **loan from the fund:**

30 (1) Recommendations from the board's strategic review committee described in section 12 of
31 this chapter.

32 (2) Which projects have the greatest economic development potential.

33 (3) Whether the application includes a mental health component.

34 (4) Whether the application has a focus on rural areas of the state.

35 (5) The degree of regional collaboration.

36 (6) The application's alignment with the state's economic development priorities.

37 (7) Any other criteria as determined by the board.

38 (b) The board shall make final funding determinations for applications for a grant or loan from
39 the fund.

40 (c) The board may not approve an application for a grant or loan from the fund unless the board
41 finds that approving the application will have an overall positive return on investment for the state.

42 **Sec. 14. (a) An eligible regional recovery organization may submit an application to the**
43 **corporation for a grant or loan from the fund.**

44 (b) An application for a grant or loan from the fund must be made on an application form
45 prescribed by the board.

46 (c) An applicant shall provide all information required by this chapter.

47 (d) All applications for a grant or loan from the fund must include a regional recovery strategy



1 that complies with the requirements of a policy established under section 15 of this chapter and
2 contain at least the following:

3 (1) A comprehensive development plan and timeline.

4 (2) A detailed financial analysis that includes the commitment of resources and a return on
5 investment analysis.

6 (3) A demonstration of the expected impact of the grant or loan on the region and state.

7 (4) Any other information the board considers appropriate.

8 (e) An applicant for a grant or loan from the fund may request that information that may be
9 excepted from disclosure under IC 5-14-3 that is submitted by the applicant be kept confidential.

10 Sec. 15. (a) Before July 1, 2021, the corporation shall develop a policy that establishes the
11 framework for a next level regional recovery initiative.

12 (b) The policy developed by the corporation shall include detailed information outlining:

13 (1) the entities that are eligible to submit applications for a grant or loan from the fund;

14 (2) the elements of a regional recovery strategy, and the information a regional recovery
15 strategy must contain in order to make projects to implement the strategy eligible for a grant
16 or loan from the fund;

17 (3) the types of projects that are eligible for financial support from the fund; and

18 (4) the criteria that will be used by a strategic review committee and the board to analyze
19 applications for a grant or loan from the fund.

20 (c) The policy developed by the corporation must be approved by the board after review by the
21 budget committee.

22 SECTION 57. IC 6-1.1-10-48, AS ADDED BY P.L.85-2019, SECTION 3, IS AMENDED TO READ
23 AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 48. (a) This section applies to assessment dates
24 occurring after December 31, 2016.

25 (b) Tangible property is exempt from property taxation if:

26 (1) it is owned by an Indiana nonprofit public benefit corporation exempt from taxation under
27 Section 501(c)(3) of the Internal Revenue Code;

28 (2) the property is used in the operation of a nonprofit health, fitness, aquatics, and community
29 center; and

30 (3) funds for the acquisition and development of the property have been provided in part under the
31 regional cities initiative of the Indiana economic development corporation under IC 5-28-38 (**before**
32 **its repeal**).

33 (c) The property that is exempt under this section also includes any part of the property that is leased
34 or licensed by the owner to another nonprofit or municipal entity for use as a nonprofit health, fitness,
35 aquatics, or community center and property used for storage and parking.

36 (d) For purposes of this section, a tract of land and any improvements on the land are exempt from
37 taxation if not more than four (4) years after the property is purchased, and for each year after the four
38 (4) year period, the owner demonstrates substantial progress and active pursuit towards the use of the tract
39 of land and any improvements on the tract as a nonprofit health, fitness, aquatics, and community center.
40 To establish substantial progress and active pursuit under this subsection, the owner must prove the
41 existence of factors such as the following:

42 (1) Organization of and activity by a building committee or other oversight group.

43 (2) Completion and filing of building plans with the appropriate local government authority.

44 (3) Cash reserves dedicated to the project of a sufficient amount to lead a reasonable individual to
45 believe actual construction can and will begin within four (4) years.

46 (4) The breaking of ground and the beginning of actual construction.

47 (5) Any other factor that would lead a reasonable individual to believe that construction of the



1 improvement is an active plan and that the improvement is capable of being completed within eight
2 (8) years considering the circumstances of the owner.

3 (e) To the extent the owner of property that is exempt from taxation as provided in this section has paid
4 any property taxes, penalties, or interest with respect to the property for the 2017 assessment date through
5 the 2018 assessment date, the owner of the exempt property is entitled to a refund of the amounts paid
6 on the exempt property. Notwithstanding the filing deadlines for a claim under IC 6-1.1-26, any claim for
7 a refund filed by the owner of exempt property under this subsection before September 1, 2019, is
8 considered timely filed. The county auditor shall pay the refund due under this subsection in one (1)
9 installment.

10 (f) If a refund is due under subsection (e) to an owner of property that is exempt under this section, the
11 owner is not entitled to interest on the refund under this article or any other law to the extent interest has
12 not been paid by or on behalf of the owner.

13 SECTION 58. IC 6-1.1-20.3-4, AS AMENDED BY P.L.241-2017, SECTION 5, IS AMENDED TO
14 READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 4. (a) The distressed unit appeal board is
15 established.

16 (b) The distressed unit appeal board consists of the following members:

17 (1) The director of the office of management and budget or the director's designee. The director or
18 the director's designee shall serve as chairperson of the distressed unit appeal board.

19 (2) The commissioner of the department of local government finance or the commissioner's
20 designee.

21 (3) The state examiner of the state board of accounts or the state examiner's designee.

22 (4) The ~~state superintendent of public instruction~~ **secretary of education** or the ~~superintendent's~~
23 **secretary's** designee.

24 (5) An individual appointed by the governor.

25 (6) A member of the house of representatives appointed by the speaker of the house of
26 representatives, who shall serve as a nonvoting member.

27 (7) A member of the senate appointed by the president pro tempore of the senate, who shall serve
28 as a nonvoting member.

29 (8) A member to serve a one (1) year term in each even-numbered year who:

30 (A) is a member of the house of representatives; and

31 (B) is appointed by the minority leader of the house of representatives.

32 The member is a nonvoting member.

33 (9) A member to serve a one (1) year term in each odd-numbered year who:

34 (A) is a member of the senate; and

35 (B) is appointed by the minority leader of the senate.

36 The member is a nonvoting member.

37 (c) Each member of the board who is not a member of the general assembly is entitled to
38 reimbursement for:

39 (1) traveling expenses as provided under IC 4-13-1-4; and

40 (2) other expenses actually incurred in connection with the member's duties as provided in the state
41 policies and procedures established by the Indiana department of administration and approved by
42 the budget agency.

43 (d) Each member of the board who is a member of the general assembly is entitled to receive the same
44 per diem, mileage, and travel allowances paid to legislative members of interim study committees. Per
45 diem, mileage, and travel allowances paid under this section shall be paid from appropriations made to
46 the legislative council or the legislative services agency.

47 SECTION 59. IC 6-2.5-1-5, AS AMENDED BY P.L.146-2020, SECTION 3, IS AMENDED TO



1 READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 5. (a) Except as provided in subsection (b),
2 "gross retail income" means the total amount of consideration, including cash, credit, property, and
3 services, for which tangible personal property is sold, leased, or rented, valued in money, whether
4 received in money or otherwise, without any deduction for:

5 (1) the seller's cost of the property sold;

6 (2) the cost of materials used, labor or service cost, interest, losses, all costs of transportation to the
7 seller, all taxes imposed on the seller, and any other expense of the seller;

8 (3) charges by the seller for any services necessary to complete the sale, other than delivery and
9 installation charges;

10 (4) delivery charges; or

11 (5) consideration received by the seller from a third party if:

12 (A) the seller actually receives consideration from a party other than the purchaser and the
13 consideration is directly related to a price reduction or discount on the sale;

14 (B) the seller has an obligation to pass the price reduction or discount through to the purchaser;

15 (C) the amount of the consideration attributable to the sale is fixed and determinable by the seller
16 at the time of the sale of the item to the purchaser; and

17 (D) the price reduction or discount is identified as a third party price reduction or discount on the
18 invoice received by the purchaser or on a coupon, certificate, or other documentation presented
19 by the purchaser.

20 For purposes of subdivision (4), delivery charges are charges by the seller for preparation and delivery
21 of the property to a location designated by the purchaser of property, including but not limited to
22 transportation, shipping, postage charges that are not separately stated on the invoice, bill of sale, or
23 similar document, handling, crating, and packing. Delivery charges do not include postage charges that
24 are separately stated on the invoice, bill of sale, or similar document.

25 (b) "Gross retail income" does not include that part of the gross receipts attributable to:

26 (1) the value of any tangible personal property received in a like kind exchange in the retail
27 transaction, if the value of the property given in exchange is separately stated on the invoice, bill of
28 sale, or similar document given to the purchaser;

29 (2) the receipts received in a retail transaction which constitute interest, finance charges, or
30 insurance premiums on either a promissory note or an installment sales contract;

31 (3) discounts, including cash, terms, or coupons that are not reimbursed by a third party that are
32 allowed by a seller and taken by a purchaser on a sale;

33 (4) interest, financing, and carrying charges from credit extended on the sale of personal property
34 if the amount is separately stated on the invoice, bill of sale, or similar document given to the
35 purchaser;

36 (5) any taxes legally imposed directly on the consumer that are separately stated on the invoice, bill
37 of sale, or similar document given to the purchaser, including an excise tax imposed under
38 IC 6-6-15;

39 (6) installation charges that are separately stated on the invoice, bill of sale, or similar document
40 given to the purchaser;

41 (7) telecommunications nonrecurring charges;

42 (8) postage charges that are separately stated on the invoice, bill of sale, or similar document; or

43 (9) charges for serving or delivering food and food ingredients furnished, prepared, or served for
44 consumption at a location, or on equipment, provided by the retail merchant, to the extent that the
45 charges for the serving or delivery are stated separately from the price of the food and food
46 ingredients when the purchaser pays the charges.

47 (c) Notwithstanding subsection (b)(5):



(1) in the case of retail sales of special fuel (as defined in IC 6-6-2.5-22), the gross retail income is the total sales price of the special fuel minus the part of that price attributable to tax imposed under IC 6-6-2.5 or Section 4041 or Section 4081 of the Internal Revenue Code; ~~and~~

(2) in the case of retail sales of cigarettes (as defined in IC 6-7-1-2), the gross retail income is the total sales price of the cigarettes including the tax imposed under IC 6-7-1; **and**

(3) in the case of retail sales of consumable material (as defined in IC 6-7-4-1) and vapor products (as defined in IC 6-7-4-6), the gross retail income received from selling at retail is the total sales price of the consumable material (as defined in IC 6-7-4-1) and vapor products (as defined in IC 6-7-4-6) including the tax imposed under IC 6-7-4.

(d) Gross retail income is only taxable under this article to the extent that the income represents:

(1) the price of the property transferred, without the rendition of any services; and

(2) except as provided in subsection (b), any bona fide changes which are made for preparation, fabrication, alteration, modification, finishing, completion, delivery, or other service performed in respect to the property transferred before its transfer and which are separately stated on the transferor's records. For purposes of this subdivision, a transfer is considered to have occurred after the delivery of the property to the purchaser.

(e) A public utility's or a power subsidiary's gross retail income includes all gross retail income received by the public utility or power subsidiary, including any minimum charge, flat charge, membership fee, or any other form of charge or billing.

SECTION 60. IC 6-2.5-8-1, AS AMENDED BY P.L.146-2020, SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 1. (a) A retail merchant may not make a retail transaction in Indiana, unless the retail merchant has applied for a registered retail merchant's certificate.

(b) A retail merchant may obtain a registered retail merchant's certificate by filing an application with the department and paying a registration fee of twenty-five dollars (\$25) for each place of business listed on the application. The retail merchant shall also provide such security for payment of the tax as the department may require under IC 6-2.5-6-12.

(c) The retail merchant shall list on the application the location (including the township) of each place of business where the retail merchant makes retail transactions. However, if the retail merchant does not have a fixed place of business, the retail merchant shall list the retail merchant's residence as the retail merchant's place of business. In addition, a public utility may list only its principal Indiana office as its place of business for sales of public utility commodities or service, but the utility must also list on the application the places of business where it makes retail transactions other than sales of public utility commodities or service.

(d) Upon receiving a proper application, the correct fee, and the security for payment, if required, the department shall issue to the retail merchant a separate registered retail merchant's certificate for each place of business listed on the application. Each certificate shall bear a serial number and the location of the place of business for which it is issued.

(e) The department may deny an application for a registered retail merchant's certificate if the applicant's business is operated, managed, or otherwise controlled by or affiliated with a person, including a relative, family member, responsible officer, or owner, who the department has determined:

(1) failed to:

(A) file all tax returns or information reports with the department for listed taxes; or

(B) pay all taxes, penalties, and interest to the department for listed taxes; and

(2) the business of the person who has failed to file all tax returns or information reports under subdivision (1)(A) or who has failed to pay all taxes, penalties, and interest under subdivision (1)(B) is substantially similar to the business of the applicant.

(f) If a retail merchant intends to make retail transactions during a calendar year at a new Indiana place



1 of business, the retail merchant must file a supplemental application and pay the fee for that place of
2 business.

3 (g) Except as provided in subsection (i), a registered retail merchant's certificate is valid for two (2)
4 years after the date the registered retail merchant's certificate is originally issued or renewed. If the retail
5 merchant has filed all returns and remitted all taxes the retail merchant is currently obligated to file or
6 remit, the department shall renew the registered retail merchant's certificate within thirty (30) days after
7 the expiration date, at no cost to the retail merchant. Before issuing or renewing the registered retail
8 merchant certification, the department may require the following to be provided:

9 (1) The names and addresses of the retail merchant's principal employees, agents, or representatives
10 who engage in Indiana in the solicitation or negotiation of the retail transaction.

11 (2) The location of all of the retail merchant's places of business in Indiana, including offices and
12 distribution houses.

13 (3) Any other information that the department requests.

14 (h) The department may not renew a registered retail merchant certificate of a retail merchant who is
15 delinquent in remitting withholding taxes required to be remitted under IC 6-3-4, **the electronic cigarette**
16 **tax under IC 6-7-4**, or sales or use tax. The department, at least sixty (60) days before the date on which
17 a retail merchant's registered retail merchant's certificate expires, shall notify a retail merchant who is
18 delinquent in remitting withholding taxes required to be remitted under IC 6-3-4, **the electronic cigarette**
19 **tax under IC 6-7-4**, or sales or use tax that the department will not renew the retail merchant's registered
20 retail merchant's certificate.

21 (i) If:

22 (1) a retail merchant has been notified by the department that the retail merchant is delinquent in
23 remitting withholding taxes or sales or use tax in accordance with subsection (h); and

24 (2) the retail merchant pays the outstanding liability before the expiration of the retail merchant's
25 registered retail merchant's certificate;

26 the department shall renew the retail merchant's registered retail merchant's certificate for one (1) year.

27 (j) The department may permit an out-of-state retail merchant to collect the gross retail tax in instances
28 where the retail merchant has not met the thresholds in IC 6-2.5-2-1(d). However, before the out-of-state
29 retail merchant may collect the tax, the out-of-state retail merchant must obtain a registered retail
30 merchant's certificate in the manner provided by this section. Upon receiving the certificate, the
31 out-of-state retail merchant becomes subject to the same conditions and duties as an Indiana retail
32 merchant and must then collect the gross retail tax due on all retail transactions that the out-of-state retail
33 merchant knows are sourced to Indiana pursuant to IC 6-2.5-13-1.

34 (k) Except as provided in subsection (l), the department shall submit to the township assessor, or the
35 county assessor if there is no township assessor for the township, before January 15 of each year:

36 (1) the name of each retail merchant that has newly obtained a registered retail merchant's certificate
37 during the preceding year for a place of business located in the township or county;

38 (2) the address of each place of business of the taxpayer in the township or county described in
39 subdivision (1);

40 (3) the name of each retail merchant that:

41 (A) held a registered retail merchant's certificate at any time during the preceding year for a place
42 of business located in the township or county; and

43 (B) had ceased to hold the registered retail merchant's certificate at the end of the preceding year
44 for the place of business; and

45 (4) the address of each place of business described in subdivision (3).

46 (l) If the duties of the township assessor have been transferred to the county assessor as described in
47 IC 6-1.1-1-24, the department shall submit the information listed in subsection (k) to the county assessor.



SECTION 61. IC 6-3-1-3.5, AS AMENDED BY P.L.146-2020, SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: 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:

(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);

(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); and

(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).

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:



1 (A) exempt from taxation under IC 6-3-2-21.7 (certain income derived from patents); and
 2 (B) included in the individual's federal adjusted gross income under the Internal Revenue Code.
 3 (20) Add an amount equal to any income not included in gross income as a result of the deferral of
 4 income arising from business indebtedness discharged in connection with the reacquisition after
 5 December 31, 2008, and before January 1, 2011, of an applicable debt instrument, as provided in
 6 Section 108(i) of the Internal Revenue Code. Subtract the amount necessary from the adjusted gross
 7 income of any taxpayer that added an amount to adjusted gross income in a previous year to offset
 8 the amount included in federal gross income as a result of the deferral of income arising from
 9 business indebtedness discharged in connection with the reacquisition after December 31, 2008, and
 10 before January 1, 2011, of an applicable debt instrument, as provided in Section 108(i) of the
 11 Internal Revenue Code.
 12 (21) Add the amount excluded from federal gross income under Section 103 of the Internal Revenue
 13 Code for interest received on an obligation of a state other than Indiana, or a political subdivision
 14 of such a state, that is acquired by the taxpayer after December 31, 2011.
 15 (22) Subtract an amount as described in Section 1341(a)(2) of the Internal Revenue Code to the
 16 extent, if any, that the amount was previously included in the taxpayer's adjusted gross income for
 17 a prior taxable year.
 18 (23) For taxable years beginning after December 25, 2016, add an amount equal to the deduction
 19 for deferred foreign income that was claimed by the taxpayer for the taxable year under Section
 20 965(c) of the Internal Revenue Code.
 21 (24) Subtract any interest expense paid or accrued in the current taxable year but not deducted as
 22 a result of the limitation imposed under Section 163(j)(1) of the Internal Revenue Code. Add any
 23 interest expense paid or accrued in a previous taxable year but allowed as a deduction under Section
 24 163 of the Internal Revenue Code in the current taxable year. For purposes of this subdivision, an
 25 interest expense is considered paid or accrued only in the first taxable year the deduction would have
 26 been allowable under Section 163 of the Internal Revenue Code if the limitation under Section
 27 163(j)(1) of the Internal Revenue Code did not exist.
 28 (25) Subtract the amount that would have been excluded from gross income but for the enactment
 29 of Section 118(b)(2) of the Internal Revenue Code for taxable years ending after December 22, 2017.
 30 (26) Subtract any other amounts the taxpayer is entitled to deduct under IC 6-3-2.
 31 **(27) Subtract the amount of an annual grant amount distributed to a taxpayer's Indiana**
 32 **education scholarship account under IC 20-51.4-4-2 that is used for a qualified expense (as**
 33 **defined in IC 20-51.4-2-11), to the extent the distribution used for the qualified expense is**
 34 **included in the taxpayer's adjusted federal gross income under the Internal Revenue Code.**
 35 (b) In the case of corporations, the same as "taxable income" (as defined in Section 63 of the Internal
 36 Revenue Code) adjusted as follows:
 37 (1) Subtract income that is exempt from taxation under this article by the Constitution and statutes
 38 of the United States.
 39 (2) Add an amount equal to any deduction or deductions allowed or allowable pursuant to Section
 40 170 of the Internal Revenue Code (concerning charitable contributions).
 41 (3) Except as provided in subsection (c), add an amount equal to any deduction or deductions
 42 allowed or allowable pursuant to Section 63 of the Internal Revenue Code for taxes based on or
 43 measured by income and levied at the state level by any state of the United States.
 44 (4) Subtract an amount equal to the amount included in the corporation's taxable income under
 45 Section 78 of the Internal Revenue Code (concerning foreign tax credits).
 46 (5) Add or subtract the amount necessary to make the adjusted gross income of any taxpayer that
 47 owns property for which bonus depreciation was allowed in the current taxable year or in an earlier



1 taxable year equal to the amount of adjusted gross income that would have been computed had an
2 election not been made under Section 168(k) of the Internal Revenue Code to apply bonus
3 depreciation to the property in the year that it was placed in service.

4 (6) Add an amount equal to any deduction allowed under Section 172 of the Internal Revenue Code
5 (concerning net operating losses).

6 (7) Add or subtract the amount necessary to make the adjusted gross income of any taxpayer that
7 placed Section 179 property (as defined in Section 179 of the Internal Revenue Code) in service in
8 the current taxable year or in an earlier taxable year equal to the amount of adjusted gross income
9 that would have been computed had an election for federal income tax purposes not been made for
10 the year in which the property was placed in service to take deductions under Section 179 of the
11 Internal Revenue Code in a total amount exceeding the sum of:

12 (A) twenty-five thousand dollars (\$25,000) to the extent deductions under Section 179 of the
13 Internal Revenue Code were not elected as provided in clause (B); and

14 (B) for taxable years beginning after December 31, 2017, the deductions elected under Section
15 179 of the Internal Revenue Code on property acquired in an exchange if:

16 (i) the exchange would have been eligible for nonrecognition of gain or loss under Section
17 1031 of the Internal Revenue Code in effect on January 1, 2017;

18 (ii) the exchange is not eligible for nonrecognition of gain or loss under Section 1031 of the
19 Internal Revenue Code; and

20 (iii) the taxpayer made an election to take deductions under Section 179 of the Internal
21 Revenue Code with regard to the acquired property in the year that the property was placed into
22 service.

23 The amount of deductions allowable for an item of property under this clause may not exceed the
24 amount of adjusted gross income realized on the property that would have been deferred under
25 the Internal Revenue Code in effect on January 1, 2017.

26 (8) Add to the extent required by IC 6-3-2-20:

27 (A) the amount of intangible expenses (as defined in IC 6-3-2-20) for the taxable year that
28 reduced the corporation's taxable income (as defined in Section 63 of the Internal Revenue Code)
29 for federal income tax purposes; and

30 (B) any directly related interest expenses (as defined in IC 6-3-2-20) that reduced the
31 corporation's adjusted gross income (determined without regard to this subdivision). For purposes
32 of this clause, any directly related interest expense that constitutes business interest within the
33 meaning of Section 163(j) of the Internal Revenue Code shall be considered to have reduced the
34 taxpayer's federal taxable income only in the first taxable year in which the deduction otherwise
35 would have been allowable under Section 163 of the Internal Revenue Code if the limitation
36 under Section 163(j)(1) of the Internal Revenue Code did not exist.

37 (9) Add an amount equal to any deduction for dividends paid (as defined in Section 561 of the
38 Internal Revenue Code) to shareholders of a captive real estate investment trust (as defined in
39 section 34.5 of this chapter).

40 (10) Subtract income that is:

41 (A) exempt from taxation under IC 6-3-2-21.7 (certain income derived from patents); and

42 (B) included in the corporation's taxable income under the Internal Revenue Code.

43 (11) Add an amount equal to any income not included in gross income as a result of the deferral of
44 income arising from business indebtedness discharged in connection with the reacquisition after
45 December 31, 2008, and before January 1, 2011, of an applicable debt instrument, as provided in
46 Section 108(i) of the Internal Revenue Code. Subtract from the adjusted gross income of any
47 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 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



1 required to add back under this section sixty-two and five-tenths percent (62.5%) of any deduction
2 allowed on the taxpayer's federal income tax return for wagering taxes.

3 (4) For taxable years beginning after December 31, 2021, and before January 1, 2023, a taxpayer is
4 required to add back under this section fifty percent (50%) of any deduction allowed on the
5 taxpayer's federal income tax return for wagering taxes.

6 (5) For taxable years beginning after December 31, 2022, and before January 1, 2024, a taxpayer is
7 required to add back under this section thirty-seven and five-tenths percent (37.5%) of any deduction
8 allowed on the taxpayer's federal income tax return for wagering taxes.

9 (6) For taxable years beginning after December 31, 2023, and before January 1, 2025, a taxpayer is
10 required to add back under this section twenty-five percent (25%) of any deduction allowed on the
11 taxpayer's federal income tax return for wagering taxes.

12 (7) For taxable years beginning after December 31, 2024, and before January 1, 2026, a taxpayer is
13 required to add back under this section twelve and five-tenths percent (12.5%) of any deduction
14 allowed on the taxpayer's federal income tax return for wagering taxes.

15 (8) For taxable years beginning after December 31, 2025, a taxpayer is not required to add back
16 under this section any amount of a deduction allowed on the taxpayer's federal income tax return for
17 wagering taxes.

18 (d) In the case of life insurance companies (as defined in Section 816(a) of the Internal Revenue Code)
19 that are organized under Indiana law, the same as "life insurance company taxable income" (as defined
20 in Section 801 of the Internal Revenue Code), adjusted as follows:

21 (1) Subtract income that is exempt from taxation under this article by the Constitution and statutes
22 of the United States.

23 (2) Add an amount equal to any deduction allowed or allowable under Section 170 of the Internal
24 Revenue Code (concerning charitable contributions).

25 (3) Add an amount equal to a deduction allowed or allowable under Section 805 or Section 832(c)
26 of the Internal Revenue Code for taxes based on or measured by income and levied at the state level
27 by any state.

28 (4) Subtract an amount equal to the amount included in the company's taxable income under Section
29 78 of the Internal Revenue Code (concerning foreign tax credits).

30 (5) Add or subtract the amount necessary to make the adjusted gross income of any taxpayer that
31 owns property for which bonus depreciation was allowed in the current taxable year or in an earlier
32 taxable year equal to the amount of adjusted gross income that would have been computed had an
33 election not been made under Section 168(k) of the Internal Revenue Code to apply bonus
34 depreciation to the property in the year that it was placed in service.

35 (6) Add an amount equal to any deduction allowed under Section 172 of the Internal Revenue Code
36 (concerning net operating losses).

37 (7) Add or subtract the amount necessary to make the adjusted gross income of any taxpayer that
38 placed Section 179 property (as defined in Section 179 of the Internal Revenue Code) in service in
39 the current taxable year or in an earlier taxable year equal to the amount of adjusted gross income
40 that would have been computed had an election for federal income tax purposes not been made for
41 the year in which the property was placed in service to take deductions under Section 179 of the
42 Internal Revenue Code in a total amount exceeding the sum of:

43 (A) twenty-five thousand dollars (\$25,000) to the extent deductions under Section 179 of the
44 Internal Revenue Code were not elected as provided in clause (B); and

45 (B) for taxable years beginning after December 31, 2017, the deductions elected under Section
46 179 of the Internal Revenue Code on property acquired in an exchange if:

47 (i) the exchange would have been eligible for nonrecognition of gain or loss under Section



1 1031 of the Internal Revenue Code in effect on January 1, 2017;
2 (ii) the exchange is not eligible for nonrecognition of gain or loss under Section 1031 of the
3 Internal Revenue Code; and
4 (iii) the taxpayer made an election to take deductions under Section 179 of the Internal
5 Revenue Code with regard to the acquired property in the year that the property was placed into
6 service.
7 The amount of deductions allowable for an item of property under this clause may not exceed the
8 amount of adjusted gross income realized on the property that would have been deferred under
9 the Internal Revenue Code in effect on January 1, 2017.

10 (8) Subtract income that is:
11 (A) exempt from taxation under IC 6-3-2-21.7 (certain income derived from patents); and
12 (B) included in the insurance company's taxable income under the Internal Revenue Code.

13 (9) Add an amount equal to any income not included in gross income as a result of the deferral of
14 income arising from business indebtedness discharged in connection with the reacquisition after
15 December 31, 2008, and before January 1, 2011, of an applicable debt instrument, as provided in
16 Section 108(i) of the Internal Revenue Code. Subtract from the adjusted gross income of any
17 taxpayer that added an amount to adjusted gross income in a previous year the amount necessary to
18 offset the amount included in federal gross income as a result of the deferral of income arising from
19 business indebtedness discharged in connection with the reacquisition after December 31, 2008, and
20 before January 1, 2011, of an applicable debt instrument, as provided in Section 108(i) of the
21 Internal Revenue Code.

22 (10) Add an amount equal to any exempt insurance income under Section 953(e) of the Internal
23 Revenue Code that is active financing income under Subpart F of Subtitle A, Chapter 1, Subchapter
24 N of the Internal Revenue Code.

25 (11) Add the amount excluded from federal gross income under Section 103 of the Internal Revenue
26 Code for interest received on an obligation of a state other than Indiana, or a political subdivision
27 of such a state, that is acquired by the taxpayer after December 31, 2011.

28 (12) For taxable years beginning after December 25, 2016, add:
29 (A) an amount equal to the amount reported by the taxpayer on IRC 965 Transition Tax
30 Statement, line 1; or
31 (B) if the taxpayer deducted an amount under Section 965(c) of the Internal Revenue Code in
32 determining the taxpayer's taxable income for purposes of the federal income tax, the amount
33 deducted under Section 965(c) of the Internal Revenue Code.

34 (13) Add an amount equal to the deduction that was claimed by the taxpayer for the taxable year
35 under Section 250(a)(1)(B) of the Internal Revenue Code (attributable to global intangible low-taxed
36 income). The taxpayer shall separately specify the amount of the reduction under Section
37 250(a)(1)(B)(i) of the Internal Revenue Code and under Section 250(a)(1)(B)(ii) of the Internal
38 Revenue Code.

39 (14) Subtract any interest expense paid or accrued in the current taxable year but not deducted as
40 a result of the limitation imposed under Section 163(j)(1) of the Internal Revenue Code. Add any
41 interest expense paid or accrued in a previous taxable year but allowed as a deduction under Section
42 163 of the Internal Revenue Code in the current taxable year. For purposes of this subdivision, an
43 interest expense is considered paid or accrued only in the first taxable year the deduction would have
44 been allowable under Section 163 of the Internal Revenue Code if the limitation under Section
45 163(j)(1) of the Internal Revenue Code did not exist.

46 (15) Subtract the amount that would have been excluded from gross income but for the enactment
47 of Section 118(b)(2) of the Internal Revenue Code for taxable years ending after December 22, 2017.



1 (16) Add or subtract any other amounts the taxpayer is:

2 (A) required to add or subtract; or

3 (B) entitled to deduct;

4 under IC 6-3-2.

5 (e) In the case of insurance companies subject to tax under Section 831 of the Internal Revenue Code
6 and organized under Indiana law, the same as "taxable income" (as defined in Section 832 of the Internal
7 Revenue Code), adjusted as follows:

8 (1) Subtract income that is exempt from taxation under this article by the Constitution and statutes
9 of the United States.

10 (2) Add an amount equal to any deduction allowed or allowable under Section 170 of the Internal
11 Revenue Code (concerning charitable contributions).

12 (3) Add an amount equal to a deduction allowed or allowable under Section 805 or Section 832(c)
13 of the Internal Revenue Code for taxes based on or measured by income and levied at the state level
14 by any state.

15 (4) Subtract an amount equal to the amount included in the company's taxable income under Section
16 78 of the Internal Revenue Code (concerning foreign tax credits).

17 (5) Add or subtract the amount necessary to make the adjusted gross income of any taxpayer that
18 owns property for which bonus depreciation was allowed in the current taxable year or in an earlier
19 taxable year equal to the amount of adjusted gross income that would have been computed had an
20 election not been made under Section 168(k) of the Internal Revenue Code to apply bonus
21 depreciation to the property in the year that it was placed in service.

22 (6) Add an amount equal to any deduction allowed under Section 172 of the Internal Revenue Code
23 (concerning net operating losses).

24 (7) Add or subtract the amount necessary to make the adjusted gross income of any taxpayer that
25 placed Section 179 property (as defined in Section 179 of the Internal Revenue Code) in service in
26 the current taxable year or in an earlier taxable year equal to the amount of adjusted gross income
27 that would have been computed had an election for federal income tax purposes not been made for
28 the year in which the property was placed in service to take deductions under Section 179 of the
29 Internal Revenue Code in a total amount exceeding the sum of:

30 (A) twenty-five thousand dollars (\$25,000) to the extent deductions under Section 179 of the
31 Internal Revenue Code were not elected as provided in clause (B); and

32 (B) for taxable years beginning after December 31, 2017, the deductions elected under Section
33 179 of the Internal Revenue Code on property acquired in an exchange if:

34 (i) the exchange would have been eligible for nonrecognition of gain or loss under Section
35 1031 of the Internal Revenue Code in effect on January 1, 2017;

36 (ii) the exchange is not eligible for nonrecognition of gain or loss under Section 1031 of the
37 Internal Revenue Code; and

38 (iii) the taxpayer made an election to take deductions under Section 179 of the Internal
39 Revenue Code with regard to the acquired property in the year that the property was placed into
40 service.

41 The amount of deductions allowable for an item of property under this clause may not exceed the
42 amount of adjusted gross income realized on the property that would have been deferred under
43 the Internal Revenue Code in effect on January 1, 2017.

44 (8) Subtract income that is:

45 (A) exempt from taxation under IC 6-3-2-21.7 (certain income derived from patents); and

46 (B) included in the insurance company's taxable income under the Internal Revenue Code.

47 (9) Add an amount equal to any income not included in gross income as a result of the deferral of



1 income arising from business indebtedness discharged in connection with the reacquisition after
2 December 31, 2008, and before January 1, 2011, of an applicable debt instrument, as provided in
3 Section 108(i) of the Internal Revenue Code. Subtract from the adjusted gross income of any
4 taxpayer that added an amount to adjusted gross income in a previous year the amount necessary to
5 offset the amount included in federal gross income as a result of the deferral of income arising from
6 business indebtedness discharged in connection with the reacquisition after December 31, 2008, and
7 before January 1, 2011, of an applicable debt instrument, as provided in Section 108(i) of the
8 Internal Revenue Code.

9 (10) Add an amount equal to any exempt insurance income under Section 953(e) of the Internal
10 Revenue Code that is active financing income under Subpart F of Subtitle A, Chapter 1, Subchapter
11 N of the Internal Revenue Code.

12 (11) Add the amount excluded from federal gross income under Section 103 of the Internal Revenue
13 Code for interest received on an obligation of a state other than Indiana, or a political subdivision
14 of such a state, that is acquired by the taxpayer after December 31, 2011.

15 (12) For taxable years beginning after December 25, 2016, add:

16 (A) an amount equal to the amount reported by the taxpayer on IRC 965 Transition Tax
17 Statement, line 1; or

18 (B) if the taxpayer deducted an amount under Section 965(c) of the Internal Revenue Code in
19 determining the taxpayer's taxable income for purposes of the federal income tax, the amount
20 deducted under Section 965(c) of the Internal Revenue Code.

21 (13) Add an amount equal to the deduction that was claimed by the taxpayer for the taxable year
22 under Section 250(a)(1)(B) of the Internal Revenue Code (attributable to global intangible low-taxed
23 income). The taxpayer shall separately specify the amount of the reduction under Section
24 250(a)(1)(B)(i) of the Internal Revenue Code and under Section 250(a)(1)(B)(ii) of the Internal
25 Revenue Code.

26 (14) Subtract any interest expense paid or accrued in the current taxable year but not deducted as
27 a result of the limitation imposed under Section 163(j)(1) of the Internal Revenue Code. Add any
28 interest expense paid or accrued in a previous taxable year but allowed as a deduction under Section
29 163 of the Internal Revenue Code in the current taxable year. For purposes of this subdivision, an
30 interest expense is considered paid or accrued only in the first taxable year the deduction would have
31 been allowable under Section 163 of the Internal Revenue Code if the limitation under Section
32 163(j)(1) of the Internal Revenue Code did not exist.

33 (15) Subtract the amount that would have been excluded from gross income but for the enactment
34 of Section 118(b)(2) of the Internal Revenue Code for taxable years ending after December 22, 2017.

35 (16) Add or subtract any other amounts the taxpayer is:

36 (A) required to add or subtract; or

37 (B) entitled to deduct;

38 under IC 6-3-2.

39 (f) In the case of trusts and estates, "taxable income" (as defined for trusts and estates in Section 641(b)
40 of the Internal Revenue Code) adjusted as follows:

41 (1) Subtract income that is exempt from taxation under this article by the Constitution and statutes
42 of the United States.

43 (2) Subtract an amount equal to the amount of a September 11 terrorist attack settlement payment
44 included in the federal adjusted gross income of the estate of a victim of the September 11 terrorist
45 attack or a trust to the extent the trust benefits a victim of the September 11 terrorist attack.

46 (3) Add or subtract the amount necessary to make the adjusted gross income of any taxpayer that
47 owns property for which bonus depreciation was allowed in the current taxable year or in an earlier



1 taxable year equal to the amount of adjusted gross income that would have been computed had an
2 election not been made under Section 168(k) of the Internal Revenue Code to apply bonus
3 depreciation to the property in the year that it was placed in service.

4 (4) Add an amount equal to any deduction allowed under Section 172 of the Internal Revenue Code
5 (concerning net operating losses).

6 (5) Add or subtract the amount necessary to make the adjusted gross income of any taxpayer that
7 placed Section 179 property (as defined in Section 179 of the Internal Revenue Code) in service in
8 the current taxable year or in an earlier taxable year equal to the amount of adjusted gross income
9 that would have been computed had an election for federal income tax purposes not been made for
10 the year in which the property was placed in service to take deductions under Section 179 of the
11 Internal Revenue Code in a total amount exceeding the sum of:

12 (A) twenty-five thousand dollars (\$25,000) to the extent deductions under Section 179 of the
13 Internal Revenue Code were not elected as provided in clause (B); and

14 (B) for taxable years beginning after December 31, 2017, the deductions elected under Section
15 179 of the Internal Revenue Code on property acquired in an exchange if:

16 (i) the exchange would have been eligible for nonrecognition of gain or loss under Section
17 1031 of the Internal Revenue Code in effect on January 1, 2017;

18 (ii) the exchange is not eligible for nonrecognition of gain or loss under Section 1031 of the
19 Internal Revenue Code; and

20 (iii) the taxpayer made an election to take deductions under Section 179 of the Internal
21 Revenue Code with regard to the acquired property in the year that the property was placed into
22 service.

23 The amount of deductions allowable for an item of property under this clause may not exceed the
24 amount of adjusted gross income realized on the property that would have been deferred under
25 the Internal Revenue Code in effect on January 1, 2017.

26 (6) Subtract income that is:

27 (A) exempt from taxation under IC 6-3-2-21.7 (certain income derived from patents); and

28 (B) included in the taxpayer's taxable income under the Internal Revenue Code.

29 (7) Add an amount equal to any income not included in gross income as a result of the deferral of
30 income arising from business indebtedness discharged in connection with the reacquisition after
31 December 31, 2008, and before January 1, 2011, of an applicable debt instrument, as provided in
32 Section 108(i) of the Internal Revenue Code. Subtract from the adjusted gross income of any
33 taxpayer that added an amount to adjusted gross income in a previous year the amount necessary to
34 offset the amount included in federal gross income as a result of the deferral of income arising from
35 business indebtedness discharged in connection with the reacquisition after December 31, 2008, and
36 before January 1, 2011, of an applicable debt instrument, as provided in Section 108(i) of the
37 Internal Revenue Code.

38 (8) Add the amount excluded from federal gross income under Section 103 of the Internal Revenue
39 Code for interest received on an obligation of a state other than Indiana, or a political subdivision
40 of such a state, that is acquired by the taxpayer after December 31, 2011.

41 (9) For taxable years beginning after December 25, 2016, add an amount equal to:

42 (A) the amount reported by the taxpayer on IRC 965 Transition Tax Statement, line 1;

43 (B) if the taxpayer deducted an amount under Section 965(c) of the Internal Revenue Code in
44 determining the taxpayer's taxable income for purposes of the federal income tax, the amount
45 deducted under Section 965(c) of the Internal Revenue Code; and

46 (C) with regard to any amounts of income under Section 965 of the Internal Revenue Code
47 distributed by the taxpayer, the deduction under Section 965(c) of the Internal Revenue Code



1 attributable to such distributed amounts and not reported to the beneficiary.
 2 For purposes of this article, the amount required to be added back under clause (B) is not considered
 3 to be distributed or distributable to a beneficiary of the estate or trust for purposes of Sections 651
 4 and 661 of the Internal Revenue Code.
 5 (10) Subtract any interest expense paid or accrued in the current taxable year but not deducted as
 6 a result of the limitation imposed under Section 163(j)(1) of the Internal Revenue Code. Add any
 7 interest expense paid or accrued in a previous taxable year but allowed as a deduction under Section
 8 163 of the Internal Revenue Code in the current taxable year. For purposes of this subdivision, an
 9 interest expense is considered paid or accrued only in the first taxable year the deduction would have
 10 been allowable under Section 163 of the Internal Revenue Code if the limitation under Section
 11 163(j)(1) of the Internal Revenue Code did not exist.
 12 (11) Add an amount equal to the deduction for qualified business income that was claimed by the
 13 taxpayer for the taxable year under Section 199A of the Internal Revenue Code.
 14 (12) Subtract the amount that would have been excluded from gross income but for the enactment
 15 of Section 118(b)(2) of the Internal Revenue Code for taxable years ending after December 22, 2017.
 16 (13) Add or subtract any other amounts the taxpayer is:
 17 (A) required to add or subtract; or
 18 (B) entitled to deduct;
 19 under IC 6-3-2.
 20 (g) Subsections (a)(26), (b)(17), (d)(16), (e)(16), or (f)(13) may not be construed to require an add
 21 back or allow a deduction or exemption more than once for a particular add back, deduction, or
 22 exemption.
 23 (h) For taxable years beginning after December 25, 2016, if:
 24 (1) a taxpayer is a shareholder, either directly or indirectly, in a corporation that is an E&P deficit
 25 foreign corporation as defined in Section 965(b)(3)(B) of the Internal Revenue Code, and the
 26 earnings and profit deficit, or a portion of the earnings and profit deficit, of the E&P deficit foreign
 27 corporation is permitted to reduce the federal adjusted gross income or federal taxable income of
 28 the taxpayer, the deficit, or the portion of the deficit, shall also reduce the amount taxable under this
 29 section to the extent permitted under the Internal Revenue Code, however, in no case shall this
 30 permit a reduction in the amount taxable under Section 965 of the Internal Revenue Code for
 31 purposes of this section to be less than zero (0); and
 32 (2) the Internal Revenue Service issues guidance that such an income or deduction is not reported
 33 directly on a federal tax return or is to be reported in a manner different than specified in this
 34 section, this section shall be construed as if federal adjusted gross income or federal taxable income
 35 included the income or deduction.
 36 SECTION 62. IC 6-3-1-11, AS AMENDED BY P.L.146-2020, SECTION 22, IS AMENDED TO
 37 READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021 (RETROACTIVE)]: Sec. 11. (a) The term
 38 "Internal Revenue Code" means the Internal Revenue Code of 1986 of the United States as amended and
 39 in effect on January 1, ~~2020~~ **2021**.
 40 (b) Whenever the Internal Revenue Code is mentioned in this article, **or in another provision of the**
 41 **Indiana Code that cites to the definition of "Internal Revenue Code" provided in this section**, the
 42 particular provisions that are referred to, together with all the other provisions of the Internal Revenue
 43 Code in effect on January 1, ~~2020~~ **2021**, that pertain to the provisions specifically mentioned, shall be
 44 regarded as incorporated in this article by reference and have the same force and effect as though fully
 45 set forth in this article. **To the extent that a federal statute in the United States Code is enacted or**
 46 **amended in a title other than the Internal Revenue Code on or before January 1, 2021, and affects**
 47 **federal adjusted gross income, federal taxable income, federal tax credits, or other federal tax**



1 attributes, the federal statute shall be considered to be part of the Internal Revenue Code as
2 amended and in effect on January 1, 2021. Such federal statutes include, but are not limited to,
3 federal statutes enacted or amended in the federal Coronavirus Aid, Relief, and Economic Security
4 (CARES) Act (P.L. 116-136) and the federal Consolidated Appropriations Act, 2021 (P.L. 116-260).

5 To the extent:

6 (1) the provisions of the Internal Revenue Code apply to this article, regulations adopted under
7 Section 7805(a) of the Internal Revenue Code, and in effect on January 1, 2020; 2021; and

8 (2) a federal statute in the United States Code that is enacted or amended in a title other than
9 the Internal Revenue Code on or before January 1, 2021, and affects federal adjusted gross
10 income, federal taxable income, federal tax credits, or other federal tax attributes applies to
11 this article, regulations adopted under the federal statute of the United States Code and in
12 effect on January 1, 2021;

13 shall be regarded as rules adopted by the department under this article, unless the department adopts
14 specific rules that supersede the regulation.

15 (c) An amendment to the Internal Revenue Code made by an act passed by Congress before January
16 1, 2020; 2021, other than the federal 21st Century Cures Act (P.L. 114-255) and the federal Disaster Tax
17 Relief and Airport and Airway Extension Act of 2017 (P.L. 115-63), that is effective for any taxable year
18 that began before January 1, 2020; 2021, and that affects:

19 (1) individual adjusted gross income (as defined in Section 62 of the Internal Revenue Code);

20 (2) corporate taxable income (as defined in Section 63 of the Internal Revenue Code);

21 (3) trust and estate taxable income (as defined in Section 641(b) of the Internal Revenue Code);

22 (4) life insurance company taxable income (as defined in Section 801(b) of the Internal Revenue
23 Code);

24 (5) mutual insurance company taxable income (as defined in Section 821(b) of the Internal Revenue
25 Code); or

26 (6) taxable income (as defined in Section 832 of the Internal Revenue Code);

27 is also effective for that same taxable year for purposes of determining adjusted gross income under
28 section 3.5 of this chapter and IC 6-5.5-1-2.

29 (d) This subsection applies to a taxable year ending before January 1, 2013. The following provisions
30 of the Internal Revenue Code that were amended by the Tax Relief Act, Unemployment Insurance
31 Reauthorization, and Job Creation Act of 2010 (P.L. 111-312) are treated as though they were not
32 amended by the Tax Relief Act, Unemployment Insurance Reauthorization, and Job Creation Act of 2010
33 (P.L. 111-312):

34 (1) Section 1367(a)(2) of the Internal Revenue Code pertaining to an adjustment of basis of the stock
35 of shareholders.

36 (2) Section 871(k)(1)(C) and 871(k)(2)(C) of the Internal Revenue Code pertaining the treatment
37 of certain dividends of regulated investment companies.

38 (3) Section 897(h)(4)(A)(ii) of the Internal Revenue Code pertaining to regulated investment
39 companies qualified entity treatment.

40 (4) Section 512(b)(13)(E)(iv) of the Internal Revenue Code pertaining to the modification of tax
41 treatment of certain payments to controlling exempt organizations.

42 (5) Section 613A(c)(6)(H)(ii) of the Internal Revenue Code pertaining to the limitations on
43 percentage depletion in the case of oil and gas wells.

44 (6) Section 451(i)(3) of the Internal Revenue Code pertaining to special rule for sales or dispositions
45 to implement Federal Energy Regulatory Commission or state electric restructuring policy for
46 qualified electric utilities.

47 (7) Section 954(c)(6) of the Internal Revenue Code pertaining to the look-through treatment of



1 payments between related controlled foreign corporation under foreign personal holding company
2 rules.

3 The department shall develop forms and adopt any necessary rules under IC 4-22-2 to implement this
4 subsection.

5 SECTION 63. IC 6-3.1-24-2.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO
6 READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: **Sec. 2.5. As used in this chapter, "qualified**
7 **Indiana investment fund" means any private fund that meets the definition of a venture capital**
8 **fund in 17 CFR 275.203(l)-1 and that is certified by the Indiana economic development corporation**
9 **as provided in section 7.5 of this chapter.**

10 SECTION 64. IC 6-3.1-24-3, AS AMENDED BY P.L.193-2005, SECTION 16, IS AMENDED TO
11 READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: **Sec. 3. As used in this chapter, "qualified**
12 **investment capital" means debt or equity capital that is provided to a qualified Indiana business or a**
13 **qualified Indiana investment fund after December 31, 2003. However, the term does not include debt**
14 **that:**

- 15 (1) is provided by a financial institution (as defined in IC 5-13-4-10) after May 15, 2005; and
16 (2) is secured by a valid mortgage, security agreement, or other agreement or document that
17 establishes a collateral or security position for the financial institution that is senior to all collateral
18 or security interests of other taxpayers that provide debt or equity capital to the qualified Indiana
19 business.

20 SECTION 65. IC 6-3.1-24-4.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO
21 READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: **Sec. 4.5. (a) As used in this chapter,**
22 **"substantial presence" means:**

- 23 (1) maintaining a company headquarters in Indiana; or
24 (2) maintaining at least seventy-five percent (75%) of a company's total payroll in Indiana.
25 (b) Notwithstanding subsection (a), a company receiving qualified investment capital from a
26 qualified Indiana investment fund shall be considered to have substantial presence in Indiana if the
27 company commits to relocate:
28 (1) its headquarters; or
29 (2) seventy-five percent (75%) of its total payroll;
30 to Indiana within one (1) year of receiving qualified investment capital from a qualified Indiana
31 investment fund.

32 SECTION 66. IC 6-3.1-24-6, AS AMENDED BY P.L.4-2005, SECTION 97, IS AMENDED TO
33 READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: **Sec. 6. A taxpayer that:**

- 34 (1) provides qualified investment capital to a qualified Indiana business **or a qualified Indiana**
35 **investment fund;** and
36 (2) fulfills the requirements of the Indiana economic development corporation under section 12.5
37 of this chapter;

38 is entitled to a credit against the ~~person's~~ **taxpayer's** state tax liability in a taxable year equal to the
39 amount specified in section ~~10 8~~ **or 8.5** of this chapter, **whichever is applicable.**

40 SECTION 67. IC 6-3.1-24-7.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO
41 READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: **Sec. 7.5. (a) The Indiana economic**
42 **development corporation may certify that an investment fund is a qualified Indiana investment**
43 **fund if the corporation determines that the fund meets the definition in section 2.5 of this chapter**
44 **and the requirements in subsection (b).**

45 (b) The Indiana economic development corporation may only certify a fund as a qualified
46 Indiana investment fund if the fund makes investments according to a policy that:

- 47 (1) requires eligible companies to be primarily focused on the commercialization of research



1 and development, technology transfer, or application of new technology; and

2 (2) prioritizes investments in companies that:

3 (A) have received a grant, loan, or other investment funds provided by the Indiana
4 twenty-first century research and technology fund established by IC 5-28-16-2; or

5 (B) maintain a substantial presence in Indiana.

6 (c) An investment fund must apply to be certified as a qualified Indiana investment fund on a
7 form prescribed by the Indiana economic development corporation.

8 (d) If an investment fund is certified as a qualified Indiana investment fund under this section,
9 the Indiana economic development corporation shall provide a copy of the certification to the
10 investors in the qualified Indiana investment fund for inclusion in tax filings.

11 SECTION 68. IC 6-3.1-24-8, AS AMENDED BY P.L.172-2011, SECTION 67, IS AMENDED TO
12 READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: Sec. 8. (a) A certification provided under
13 section 7 of this chapter must include notice to the investors of the maximum amount of tax credits
14 available under this chapter for the provision of qualified investment capital to the qualified Indiana
15 business.

16 (b) For a calendar year ending before January 1, 2011, the maximum amount of tax credits available
17 under this chapter for the provision of qualified investment capital to a particular qualified Indiana
18 business equals the lesser of:

19 (1) the total amount of qualified investment capital provided to the qualified Indiana business in the
20 calendar year, multiplied by twenty percent (20%); or

21 (2) five hundred thousand dollars (\$500,000).

22 (c) For a calendar year beginning after December 31, 2010, and ending before January 1, 2022, the
23 maximum amount of tax credits available under this chapter for the provision of qualified investment
24 capital to a particular qualified Indiana business equals the lesser of the following:

25 (1) The total amount of qualified investment capital provided to the qualified Indiana business in
26 the calendar year, multiplied by twenty percent (20%).

27 (2) One million dollars (\$1,000,000).

28 (d) For a calendar year beginning after December 31, 2021, the maximum amount of tax credits
29 available under this chapter for the provision of qualified investment capital to a particular
30 qualified Indiana business equals the lesser of the following:

31 (1) The total amount of qualified investment capital provided to the qualified Indiana business
32 in the calendar year, multiplied by twenty-five percent (25%).

33 (2) One million dollars (\$1,000,000).

34 (e) Notwithstanding subsection (d), for a calendar year beginning after December 31, 2021, the
35 maximum amount of tax credits available under this chapter for the provision of qualified
36 investment capital to a particular qualified Indiana business, if the qualified Indiana business is a
37 minority business enterprise or a women's business enterprise, equals the lesser of the following:

38 (1) The total amount of qualified investment capital provided to the qualified Indiana business
39 in the calendar year, multiplied by thirty percent (30%).

40 (2) One million five hundred thousand dollars (\$1,500,000).

41 SECTION 69. IC 6-3.1-24-8.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO
42 READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: Sec. 8.5. (a) A certification provided under
43 section 7.5 of this chapter must include notice to investors of the maximum amount of tax credits
44 available under this chapter for the provision of qualified investment capital to the qualified
45 Indiana investment fund.

46 (b) The maximum amount of tax credits available under this chapter for the provision of
47 qualified investment capital to a qualified Indiana investment fund equals the lesser of the



1 following:

2 (1) The total amount of qualified investment capital provided to the qualified Indiana
3 investment fund in the calendar year, multiplied by twenty percent (20%).

4 (2) Five million dollars (\$5,000,000).

5 SECTION 70. IC 6-3.1-24-9 IS REPEALED [EFFECTIVE JANUARY 1, 2022]. Sec. 9: The total
6 amount of tax credits that may be approved by the corporation under this chapter in a particular calendar
7 year for qualified investment capital provided during that calendar year may not exceed twelve million
8 five hundred thousand dollars (\$12,500,000). An amount of an unused credit carried over by a taxpayer
9 from a previous calendar year may not be considered in determining the amount of proposed investments
10 that the Indiana economic development corporation may certify under this chapter.

11 SECTION 71. IC 6-3.1-24-10 IS REPEALED [EFFECTIVE JANUARY 1, 2022]. Sec. 10: Subject to
12 sections 8 and 13 of this chapter, the amount of the credit to which a taxpayer is entitled under section
13 6 this chapter equals the product of:

14 (1) twenty percent (20%); multiplied by

15 (2) the amount of the qualified investment capital provided to a qualified Indiana business by the
16 taxpayer in the taxable year.

17 SECTION 72. IC 6-3.1-24-12, AS AMENDED BY P.L.158-2019, SECTION 14, IS AMENDED TO
18 READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: Sec. 12. (a) If the amount of the credit
19 determined under section ~~10 8~~ or 8.5 of this chapter for a taxpayer in a taxable year exceeds the taxpayer's
20 state tax liability for that taxable year, the taxpayer may carry the excess credit over for a period not to
21 exceed the taxpayer's following five (5) taxable years. The amount of the credit carryover from a taxable
22 year shall be reduced to the extent that the carryover is used by the taxpayer to obtain a credit under this
23 chapter for any subsequent taxable year. A taxpayer is not entitled to a carryback or a refund of any
24 unused credit amount.

25 (b) If the corporation certifies a credit for an investment that is made after June 30, 2020, and before
26 July 1, 2029, the taxpayer may assign all or part of the credit to which the taxpayer is entitled under this
27 chapter, subject to the limitations set forth in subsection (c).

28 (c) The following apply to the assignment of a credit under this chapter:

29 (1) A taxpayer may not assign all or part of a credit or credits to a particular person in amounts that
30 are less than ten thousand dollars (\$10,000).

31 (2) Before a credit may be assigned, the taxpayer must notify the corporation of the assignment of
32 the credit in the manner prescribed by the corporation.

33 (3) An assignment of a credit must be in writing, and both the taxpayer and assignee shall report the
34 assignment on the taxpayer's and assignee's state tax returns for the year in which the assignment
35 is made, in the manner prescribed by the department.

36 (4) Once a particular credit or credits are assigned, the assignee may not assign all or part of the
37 credit or credits to another person.

38 (5) A taxpayer may not receive value in connection with an assignment under this section that
39 exceeds the value of that part of the credit assigned.

40 (d) The corporation shall collect and compile data on the assignments of tax credits under this chapter
41 and determine the effectiveness of each assignment in getting projects completed. The corporation shall
42 report its findings under this subsection to the legislative council in an electronic format under IC 5-14-6
43 before November 1, 2022. This subsection expires January 1, 2023.

44 SECTION 73. IC 6-3.1-24-12.5, AS AMENDED BY P.L.193-2005, SECTION 20, IS AMENDED TO
45 READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: Sec. 12.5. (a) A taxpayer wishing to obtain
46 a credit under this chapter must apply to the Indiana economic development corporation for a certification
47 that the taxpayer's proposed investment plan would qualify for a credit under this chapter.



(b) The application required under subsection (a) must include:

- (1) the name and address of the taxpayer;
- (2) the name and address of each proposed recipient of the taxpayer's proposed investment;
- (3) the amount of the proposed investment;
- (4) a copy of the certification issued under section 7 or 7.5 of this chapter that the proposed recipient is a qualified Indiana business **or qualified Indiana investment fund, whichever is applicable**; and
- (5) any other information required by the Indiana economic development corporation.

(c) If the Indiana economic development corporation determines that

- ~~(1) the proposed investment would qualify the taxpayer for a credit under this chapter, and~~
- ~~(2) the amount of the proposed investment would not result in the total amount of tax credits certified for the calendar year exceeding twelve million five hundred thousand dollars (\$12,500,000);~~

the corporation ~~shall~~ **may** certify the taxpayer's proposed investment plan.

(d) To receive a credit under this chapter, the taxpayer must provide qualified investment capital to a qualified Indiana business **or qualified Indiana investment fund, whichever is applicable**, according to the taxpayer's certified investment plan within two (2) years after the date on which the Indiana economic development corporation certifies the investment plan.

(e) Upon making the investment required under subsection (d), the taxpayer shall provide proof of the investment to the Indiana economic development corporation.

(f) Upon receiving proof of a taxpayer's investment under subsection (e), the Indiana economic development corporation shall issue the taxpayer a certificate indicating that the taxpayer has fulfilled the requirements of the corporation and that the taxpayer is entitled to a credit under this chapter.

(g) Notwithstanding subsection (f), if a taxpayer is issued a certificate by the Indiana economic development corporation for an investment made in a qualified Indiana investment fund, a taxpayer may not claim the credit as provided in section 13 of this chapter before July 1, 2023.

~~(g)~~ (h) A taxpayer forfeits the right to a tax credit attributable to an investment certified under subsection (c) if the taxpayer fails to make the proposed investment within the period required under subsection (d).

SECTION 74. IC 6-3.1-24-15 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: **Sec. 15. (a) Before January 1, 2022, the total amount of credits that may be awarded by the Indiana economic development corporation under this chapter for investment plans certified as provided in section 12.5 of this chapter that propose investing qualified investment capital in a particular qualified Indiana business during a particular calendar year is twelve million five hundred thousand dollars (\$12,500,000).**

(b) After December 31, 2021, the total amount of credits that may be awarded by the Indiana economic development corporation under this chapter for investment plans certified as provided in section 12.5 of this chapter that propose investing qualified investment capital in a particular qualified Indiana business or qualified Indiana investment fund during a particular calendar year is twenty million dollars (\$20,000,000), provided that not more than seven million five hundred thousand dollars (\$7,500,000) may be awarded for proposed investments of qualified investment capital in a qualified Indiana investment fund.

SECTION 75. IC 6-3.1-30.5-13, AS AMENDED BY P.L.108-2019, SECTION 123, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: **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



1 following:

2 (1) Twelve million five hundred thousand dollars (\$12,500,000) for the state fiscal year beginning
3 July 1, 2017, and ending June 30, 2018.

4 (2) Fourteen million dollars (\$14,000,000) for the state fiscal year beginning July 1, 2018, and
5 ending June 30, 2019.

6 (3) Fifteen million dollars (\$15,000,000) for the state fiscal year beginning July 1, 2019, and ending
7 June 30, 2020.

8 (4) Sixteen million five hundred thousand dollars (\$16,500,000) for ~~each the~~ state fiscal year
9 beginning ~~after June 30, 2020~~: **July 1, 2020, and ending June 30, 2021.**

10 **(5) Eighteen million dollars (\$18,000,000) for the state fiscal year beginning July 1, 2021, and**
11 **ending June 30, 2022.**

12 **(6) Nineteen million dollars (\$19,000,000) for each state fiscal year beginning after June 30,**
13 **2022.**

14 SECTION 76. IC 6-6-13-15, AS AMENDED BY P.L.218-2017, SECTION 57, IS AMENDED TO
15 READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 15. The department shall transfer aviation fuel
16 excise taxes collected under this chapter to the treasurer of state for deposit **as follows:**

17 (1) Before July 1, 2017, in the state general fund. ~~and~~

18 (2) After June 30, 2017, **and before July 1, 2021**, as follows:

19 (A) Fifty percent (50%) in the state general fund.

20 (B) Fifty percent (50%) in the airport development grant fund established by IC 8-21-11-4.

21 **(3) After June 30, 2021, in the airport development grant fund established by IC 8-21-11-4.**

22 SECTION 77. IC 6-7-1-0.4, AS ADDED BY P.L.220-2011, SECTION 161, IS AMENDED TO READ
23 AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 0.4. **(a)** Notwithstanding section 14 of this chapter,
24 revenue stamps paid for before July 1, 2007, and in the possession of a distributor may be used after June
25 30, 2007, only if the full amount of the tax imposed by section 12 of this chapter, as effective after June
26 30, 2007, and as amended by P.L.218-2007, is remitted to the department under the procedures prescribed
27 by the department.

28 **(b) Notwithstanding section 14 of this chapter, revenue stamps paid for before July 1, 2021, and**
29 **in possession of a distributor may be used after June 30, 2021, only if the full amount of the tax**
30 **imposed under section 12 of this chapter, as amended and effective after June 30, 2021, is remitted**
31 **to the department under the procedures prescribed by the department.**

32 SECTION 78. IC 6-7-1-12, AS AMENDED BY P.L.191-2016, SECTION 4, IS AMENDED TO
33 READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 12. The following taxes are imposed, and shall
34 be collected and paid as provided in this chapter, upon the sale, exchange, bartering, furnishing, giving
35 away, or otherwise disposing of cigarettes within the state of Indiana:

36 (1) On cigarettes weighing not more than three (3) pounds per thousand (1,000), a tax at the rate of
37 ~~four and nine hundred seventy-five thousandths cents (\$0.04975)~~ **seven and five-tenths cents**
38 **(\$0.075)** per individual cigarette.

39 (2) On cigarettes weighing more than three (3) pounds per thousand (1,000), a tax at the rate of ~~six~~
40 ~~and six hundred twelve thousandths cents (\$0.06612)~~ **ten cents (\$0.10)** per individual cigarette,
41 except that if any cigarettes weighing more than three (3) pounds per thousand (1,000) shall be more
42 than six and one-half (6 1/2) inches in length, they shall be taxable at the rate provided in
43 subdivision (1), counting each two and three-fourths (2 3/4) inches (or fraction thereof) as a separate
44 cigarette.

45 SECTION 79. IC 6-7-1-28.1, AS AMENDED BY P.L.213-2015, SECTION 90, IS AMENDED TO
46 READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 28.1. The taxes, registration fees, fines, or
47 penalties collected under this chapter shall be deposited in the following manner:



- (1) ~~Four and twenty-two hundredths percent (4.22%)~~ **Three and eleven hundredths percent (3.11%)** of the money shall be deposited in a fund to be known as the cigarette tax fund.
- (2) ~~Six-tenths percent (0.6%)~~ **Forty-four hundredths percent (0.44%)** of the money shall be deposited in a fund to be known as the mental health centers fund.
- (3) 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, 2021**, fifty-six and twenty-four hundredths percent (56.24%).
- (C) **After June 30, 2021, forty-one and five-tenths percent (41.5%).**
- (4) ~~Five and forty-three hundredths percent (5.43%)~~ **Four and one hundredths percent (4.01%)** of the money shall be deposited into the pension relief fund established in IC 5-10.3-11.
- (5) ~~Twenty-seven and five hundredths percent (27.05%)~~ **Nineteen and ninety-six hundredths percent (19.96%)** of the money shall be deposited in the healthy Indiana plan trust fund established by IC 12-15-44.2-17.
- (6) ~~Two and forty-six hundredths percent (2.46%)~~ **Twenty-eight and three hundredths percent (28.03%)** 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) 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, **and before July 1, 2021**, four percent (4%).
- (D) **After June 30, 2021, two and ninety-five hundredths percent (2.95%).**

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) shall be reduced by the amount of that difference. Money deposited under subdivisions (6) through (7) may not be used for any purpose other than the purpose stated in the subdivision.

SECTION 80. IC 6-7-4 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]:

Chapter 4. Electronic Cigarette Tax

Sec. 1. As used in this chapter, "consumable material" means any liquid solution or other material that is depleted as a vapor product is used.

Sec. 2. As used in this chapter, "department" means the department of state revenue and includes its employees and agents.

Sec. 3. As used in this chapter, "gross retail income" has the meaning set forth in IC 6-2.5-1-5, except that the term does not include taxes imposed under IC 6-2.5 or the excise tax imposed under this chapter.

Sec. 4. As used in this chapter, "person" has the meaning set forth in IC 6-7-1-4.

Sec. 5. As used in this chapter, "retail dealer" means a person engaged in the selling of consumable material, vapor products, or both to ultimate consumers.

Sec. 6. As used in this chapter, "vapor product" means either of the following:

- (1) A device, such as an electronic cigarette, that employs a mechanical heating element,



1 battery, or electronic circuit, regardless of shape or size, that can be used to produce vapor
2 from a consumable material that may or may not be sold with the device.

3 (2) Any vapor cartridge or other container of a consumable material in a solution or other
4 form that is intended to be used with or in a device described in subdivision (1).

5 Sec. 7. (a) An excise tax, known as the electronic cigarette tax, is imposed on the retail sale of
6 consumable material and vapor products in Indiana.

7 (b) The electronic cigarette tax equals ten percent (10%) of the gross retail income received by
8 the retail dealer for the sale.

9 (c) The person who acquires consumable material or vapor products in a retail transaction is
10 liable for the tax on the transaction, and, except as otherwise incorporated in this chapter, shall pay
11 the tax to the retail dealer as a separate added amount to the consideration in the transaction. A
12 retail dealer that either:

13 (1) has a physical presence in Indiana, as described in IC 6-2.5-2-1(c); or

14 (2) meets one (1) or both of the thresholds in IC 6-2.5-2-1(d);

15 shall collect and remit the tax as an agent for the state.

16 (d) If the tax is not collected by the retail dealer, the consumer is responsible to remit the tax to
17 the department. A retail dealer that is required to collect and remit tax under this chapter is jointly
18 and severally liable for uncollected tax absent proof of exemption or payment by the purchaser.

19 (e) Before the fifteenth day of each month, each retail dealer liable for the collection and
20 remittance of the tax imposed by this chapter shall:

21 (1) file a return with the department that includes all information required by the department
22 including, but not limited to:

23 (A) the name of the retail dealer;

24 (B) the address of the retail dealer; and

25 (C) the certificate number of the retail dealer's electronic cigarette retail dealer's
26 certificate; and

27 (2) pay the tax for which it is liable under this chapter for the preceding month.

28 All returns required to be filed and taxes required to be paid under this chapter must be made in
29 an electronic format prescribed by the department.

30 (f) All of the provisions of IC 6-2.5 relating to rights, duties, liabilities, procedures, penalties,
31 definitions, exemptions, and administration apply to the imposition and administration of the tax
32 imposed under this section, except to the extent such provisions are in conflict or inconsistent with
33 the specific provisions of this chapter.

34 (g) A marketplace facilitator (as defined in IC 6-2.5-1-21.9) who is considered a retail merchant
35 under IC 6-2.5-4-18 for a transaction to which this chapter applies shall collect and remit electronic
36 cigarette taxes imposed on the retail transaction.

37 Sec. 8. (a) It is unlawful for any retail dealer to sell consumable material or vapor products in
38 Indiana unless the retail dealer has a valid electronic cigarette retail dealer's certificate issued by
39 the department.

40 (b) The department shall issue certificates to applicants that qualify under this section. A
41 certificate issued under this section is valid for one (1) year unless revoked or suspended by the
42 department and is not transferable. An electronic cigarette retail dealer's certificate may be
43 revoked or suspended by the department in the same manner, for the same reasons, and is subject
44 to the same procedures as for the revocation or suspension of a retail merchant's certificate under
45 IC 6-2.5-8-7.

46 (c) An applicant for a certificate under this section must submit proof to the department of the
47 appointment of an agent for service of process in Indiana if the applicant is:



1 (1) an individual whose principal place of residence is outside Indiana; or
 2 (2) a person, other than an individual, that has its principal place of business outside Indiana.
 3 (d) To obtain or renew a certificate under this section, a person must:
 4 (1) submit, for each location where it intends to distribute consumable material or vapor
 5 products, an application that includes all information required by the department;
 6 (2) pay a fee of twenty-five dollars (\$25) at the time of application; and
 7 (3) at the time of application, post a bond, issued by a surety company approved by the
 8 department, in an amount not less than one thousand dollars (\$1,000) and conditioned on the
 9 applicant's compliance with this chapter.
 10 (e) If business is transacted at two (2) or more places by one (1) retail dealer, a separate
 11 certificate must be obtained for each place of business.
 12 (f) Each certificate must be numbered, show the name and address of the retail dealer, and be
 13 posted in a conspicuous place at the place of business for which it is issued.
 14 (g) If the department determines that a bond provided by a certificate is inadequate, the
 15 department may require a new bond in the amount necessary to fully protect the state.
 16 Sec. 9. A retail dealer that sells consumable material or vapor products in Indiana without
 17 having obtained an electronic cigarette retail dealer's certificate, or after the retail dealer's
 18 certificate has been revoked or suspended by the department, commits a Class A misdemeanor.
 19 Sec. 10. An individual who:
 20 (1) is an individual retail dealer or an employee, an officer, or a member of a corporate or
 21 partnership retail dealer; and
 22 (2) has a duty to remit electronic cigarette taxes to the department;
 23 holds those taxes in trust for the state and is personally liable for the payment of those taxes, plus
 24 any penalties and interest attributable to those taxes, to the state. If the individual knowingly fails
 25 to collect or remit those taxes to the state, the individual commits a Level 6 felony.
 26 Sec. 11. All revenue from the tax imposed by this chapter must be deposited in the state general
 27 fund.
 28 Sec. 12. The department may adopt rules under IC 4-22-2 necessary to enforce this chapter,
 29 including emergency rules under IC 4-22-2-37.1.
 30 SECTION 81. IC 6-8.1-1-1, AS AMENDED BY P.L.156-2020, SECTION 29, IS AMENDED TO
 31 READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 1. "Listed taxes" or "taxes" includes only the
 32 pari-mutuel taxes (IC 4-31-9-3 through IC 4-31-9-5); the supplemental wagering tax (IC 4-33-12); the
 33 riverboat wagering tax (IC 4-33-13); the slot machine wagering tax (IC 4-35-8); the type II gambling
 34 game excise tax (IC 4-36-9); the gross income tax (IC 6-2.1) (repealed); the utility receipts and utility
 35 services use taxes (IC 6-2.3); the state gross retail and use taxes (IC 6-2.5); the adjusted gross income tax
 36 (IC 6-3); the supplemental net income tax (IC 6-3-8) (repealed); the county adjusted gross income tax (IC
 37 6-3.5-1.1) (repealed); the county option income tax (IC 6-3.5-6) (repealed); the county economic
 38 development income tax (IC 6-3.5-7) (repealed); the local income tax (IC 6-3.6); the auto rental excise
 39 tax (IC 6-6-9); the financial institutions tax (IC 6-5.5); the gasoline tax (IC 6-6-1.1); the special fuel tax
 40 (IC 6-6-2.5); the motor carrier fuel tax (IC 6-6-4.1); a motor fuel tax collected under a reciprocal
 41 agreement under IC 6-8.1-3; the vehicle excise tax (IC 6-6-5); the aviation fuel excise tax (IC 6-6-13);
 42 the commercial vehicle excise tax (IC 6-6-5.5); the excise tax imposed on recreational vehicles and truck
 43 campers (IC 6-6-5.1); the hazardous waste disposal tax (IC 6-6-6.6) (repealed); the heavy equipment
 44 rental excise tax (IC 6-6-15); the vehicle sharing excise tax (IC 6-6-16); the cigarette tax (IC 6-7-1); **the**
 45 **electronic cigarette tax (IC 6-7-4);** the beer excise tax (IC 7.1-4-2); the liquor excise tax (IC 7.1-4-3);
 46 the wine excise tax (IC 7.1-4-4); the hard cider excise tax (IC 7.1-4-4.5); the petroleum severance tax (IC
 47 6-8-1); the various innkeeper's taxes (IC 6-9); the various food and beverage taxes (IC 6-9); the county



1 admissions tax (IC 6-9-13 and IC 6-9-28); the oil inspection fee (IC 16-44-2); the penalties assessed for
2 oversized vehicles (IC 9-20-3 and IC 9-20-18); the fees and penalties assessed for overweight vehicles (IC
3 9-20-4 and IC 9-20-18); and any other tax or fee that the department is required to collect or administer.

4 SECTION 82. IC 6-8.1-3-16, AS AMENDED BY P.L.234-2019, SECTION 29, IS AMENDED TO
5 READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 16. (a) The department shall prepare a list of
6 all outstanding tax warrants for listed taxes each month. The list shall identify each taxpayer liable for a
7 warrant by name, address, amount of tax, and either Social Security number or employer identification
8 number. Unless the department renews the warrant, the department shall exclude from the list a warrant
9 issued more than ten (10) years before the date of the list. The department shall certify a copy of the list
10 to the bureau of motor vehicles.

11 (b) The department shall prescribe and furnish tax release forms for use by tax collecting officials. A
12 tax collecting official who collects taxes in satisfaction of an outstanding warrant shall issue to the
13 taxpayers named on the warrant a tax release stating that the tax has been paid. The department may also
14 issue a tax release:

15 (1) to a taxpayer who has made arrangements satisfactory to the department for the payment of the
16 tax; or

17 (2) by action of the commissioner under IC 6-8.1-8-2(k).

18 (c) The department may not issue or renew:

19 (1) a certificate under IC 6-2.5-8 **or IC 6-7-4;**

20 (2) a license under IC 6-6-1.1 or IC 6-6-2.5; or

21 (3) a permit under IC 6-6-4.1;

22 to a taxpayer whose name appears on the most recent monthly warrant list, unless that taxpayer pays the
23 tax, makes arrangements satisfactory to the department for the payment of the tax, or a release is issued
24 under IC 6-8.1-8-2(k).

25 (d) The bureau of motor vehicles shall, before issuing the title to a motor vehicle under IC 9-17,
26 determine whether the purchaser's or assignee's name is on the most recent monthly warrant list. If the
27 purchaser's or assignee's name is on the list, the bureau shall enter as a lien on the title the name of the
28 state as the lienholder unless the bureau has received notice from the commissioner under IC 6-8.1-8-2(k).

29 The tax lien on the title:

30 (1) is subordinate to a perfected security interest (as defined and perfected in accordance with
31 IC 26-1-9.1); and

32 (2) shall otherwise be treated in the same manner as other title liens.

33 (e) The commissioner is the custodian of all titles for which the state is the sole lienholder under this
34 section. Upon receipt of the title by the department, the commissioner shall notify the owner of the
35 department's receipt of the title.

36 (f) The department shall reimburse the bureau of motor vehicles for all costs incurred in carrying out
37 this section.

38 (g) Notwithstanding IC 6-8.1-8, a person who is authorized to collect taxes, interest, or penalties on
39 behalf of the department under IC 6-3 or IC 6-3.6 may not, except as provided in subsection (h) or (i),
40 receive a fee for collecting the taxes, interest, or penalties if:

41 (1) the taxpayer pays the taxes, interest, or penalties as consideration for the release of a lien placed
42 under subsection (d) on a motor vehicle title; or

43 (2) the taxpayer has been denied a certificate or license under subsection (c) within sixty (60) days
44 before the date the taxes, interest, or penalties are collected.

45 (h) In the case of a sheriff, subsection (g) does not apply if:

46 (1) the sheriff collects the taxes, interest, or penalties within sixty (60) days after the date the sheriff
47 receives the tax warrant; or



1 (2) the sheriff collects the taxes, interest, or penalties through the sale or redemption, in a court
2 proceeding, of a motor vehicle that has a lien placed on its title under subsection (d).

3 (i) In the case of a person other than a sheriff:

4 (1) subsection (g)(2) does not apply if the person collects the taxes, interests, or penalties within
5 sixty (60) days after the date the commissioner employs the person to make the collection; and

6 (2) subsection (g)(1) does not apply if the person collects the taxes, interest, or penalties through the
7 sale or redemption, in a court proceeding, of a motor vehicle that has a lien placed on its title under
8 subsection (d).

9 (j) IC 5-14-3-4, IC 6-8.1-7-1, and any other law exempting information from disclosure by the
10 department do not apply to this subsection. The department shall prepare a list of retail merchants whose
11 registered retail merchant certificate has not been renewed under IC 6-2.5-8-1(h) or whose registered
12 retail merchant certificate has been revoked under IC 6-2.5-8-7 **or whose electronic cigarette retail**
13 **dealer's certificate has been revoked or suspended under IC 6-7-4-8.** The list compiled under this
14 subsection must identify each retail merchant by name (including any name under which the retail
15 merchant is doing business), address, and county. The department shall publish the list compiled under
16 this subsection on the department's Internet web site (as operated under IC 4-13.1-2) and make the list
17 available for public inspection and copying under IC 5-14-3. The department or an agent, employee, or
18 officer of the department is immune from liability for the publication of information under this subsection.

19 SECTION 83. IC 6-8.1-3-25, AS AMENDED BY P.L.10-2019, SECTION 42, IS AMENDED TO
20 READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 25. Notwithstanding any other law, the
21 department shall deposit the amounts collected under a tax amnesty program carried out under section
22 17 of this chapter after June 30, 2015, as follows:

23 (1) County income tax collected under IC 6-3.5-1.1, IC 6-3.5-6, or IC 6-3.5-7 (all repealed January
24 1, 2017) shall be distributed to counties in the same manner as otherwise provided by the appropriate
25 chapter of the Indiana Code.

26 (2) Eight percent (8%) of inheritance tax collected for resident decedents shall be distributed to
27 counties in the manner provided under IC 6-4.1-9-6.

28 (3) County innkeeper's tax collected shall be deposited as required by IC 6-9.

29 (4) County and municipal food and beverage tax collected shall be deposited as required by IC 6-9.

30 (5) County admissions taxes collected shall be deposited as required by IC 6-9-13 and IC 6-9-28.

31 (6) Aircraft license excise tax collected shall be deposited as required by IC 6-6-6.5-21.

32 (7) Auto rental excise tax collected shall be deposited as required by IC 6-6-9-11.

33 (8) Supplemental auto rental excise tax shall be deposited as otherwise required by the appropriate
34 chapter of the Indiana Code.

35 (9) Financial institutions tax collected shall be deposited as required by IC 6-5.5-8-2.

36 (10) After making the deposits required under subdivisions (1) through (9), the first eighty-four
37 million dollars (\$84,000,000) collected must be deposited into the Indiana regional cities
38 development fund established by IC 5-28-38-2 **(before its repeal).**

39 (11) After making the deposits required under subdivisions (1) through (10), the next six million
40 dollars (\$6,000,000) collected shall be transferred to the Indiana department of transportation to
41 reimburse the Indiana department of transportation for money expended by the Indiana department
42 of transportation under IC 8-23-2-18.5 (before its expiration) for the operation of the Hoosier State
43 Rail Line. However, the total amount transferred under this subdivision to the Indiana department
44 of transportation may not exceed the lesser of:

45 (A) six million dollars (\$6,000,000); or

46 (B) the total amount expended by the Indiana department of transportation under IC 8-23-2-18.5
47 (before its expiration) for the operation of the Hoosier State Rail Line after June 30, 2015, and



1 before July 1, 2017.

2 (12) After making the deposits required under subdivisions (1) through (11), the next forty-two
3 million dollars (\$42,000,000) collected must be deposited into the Indiana regional cities
4 development fund established by IC 5-28-38-2 (**before its repeal**). The amount deposited under this
5 subdivision is appropriated to the Indiana economic development corporation for the purposes of
6 the Indiana regional cities development fund.

7 (13) After making the deposits required under subdivisions (1) through (12), the next twenty-nine
8 million eight hundred seventy thousand dollars (\$29,870,000) shall be transferred as follows:

9 (A) Eight million seven hundred thousand dollars (\$8,700,000) to the Indiana public retirement
10 system for credit to the Indiana public employees' retirement fund established by IC 5-10.3-2-1.

11 (B) Twenty million seven hundred thousand dollars (\$20,700,000) to the Indiana public
12 retirement system for credit to the pre-1996 account of the Indiana state teachers' retirement fund
13 established by IC 5-10.4-2-1.

14 (C) Seventy thousand dollars (\$70,000) to the Indiana public retirement system for credit to the
15 state excise police, gaming agent, gaming control officer, and conservation enforcement officers'
16 retirement plan established by IC 5-10-5.5-2.

17 (D) Two hundred thousand dollars (\$200,000) to the treasurer of state for credit to the trust fund
18 under IC 10-12-1-11 for the state police pre-1987 benefit system.

19 (E) Two hundred thousand dollars (\$200,000) to the treasurer of state for credit to the trust fund
20 under IC 10-12-1-11 for the state police 1987 benefit system.

21 The amounts transferred under this subdivision shall be used to pay costs that must be paid for any
22 thirteenth check payments or similar supplemental check payments that are enacted by the general
23 assembly and made to the members and beneficiaries of a public pension plan under HEA
24 1161-2016. The amounts transferred under this subdivision are appropriated for the purposes of this
25 subdivision.

26 (14) After making the deposits required under subdivisions (1) through (13), the next ten million
27 dollars (\$10,000,000) shall be deposited into the next generation Hoosier educators scholarship fund
28 established by IC 21-12-16-3.

29 (15) Any remaining amounts collected must be deposited into the state general fund.

30 SECTION 84. IC 7.1-4-7-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]:

31 Sec. 5. The department shall deposit:

32 (1) four cents (\$0.04) of the beer excise tax rate collected on each gallon of beer or flavored malt
33 beverage;

34 (2) one dollar (\$1) of the liquor excise tax rate collected on each gallon of liquor;

35 (3) ~~twenty cents (\$0.20)~~ **twenty-five cents (\$0.25)** of the wine excise tax rate collected on each
36 gallon of wine;

37 (4) the entire amount of malt excise tax collected; and

38 (5) the entire amount of hard cider excise tax collected;

39 daily with the treasurer of state and not later than the fifth day of the following month shall cover them
40 into the general fund of the state for distribution as provided in this chapter.

41 SECTION 85. IC 7.1-4-9-4, AS AMENDED BY P.L.224-2005, SECTION 26, IS AMENDED TO
42 READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 4. ~~Thirty-seven percent (37%)~~ **Twenty-two**
43 **percent (22%)** of the money in the excise fund shall be deposited in the state general fund on the first
44 day of June and the first day of December of each year.

45 SECTION 86. IC 7.1-4-9-7.5, AS ADDED BY P.L.224-2005, SECTION 28, IS AMENDED TO
46 READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 7.5. ~~Thirty percent (30%)~~ **Forty-five percent**
47 **(45%)** of the money in the excise fund shall be deposited in the enforcement and administration fund



1 under IC 7.1-4-10 on the first day of June and the first day of December of each year.

2 SECTION 87. IC 7.1-4-11-5 IS REPEALED [EFFECTIVE JULY 1, 2021]. ~~Sec. 5. The department~~
3 ~~shall deposit in the wine grape market development fund created under IC 7.1-4-13 five cents (\$0.05) of~~
4 ~~the wine excise tax rate collected on each gallon of wine under IC 7.1-4-4.~~

5 SECTION 88. IC 8-15.5-1-2, AS AMENDED BY P.L.9-2020, SECTION 1, IS AMENDED TO READ
6 AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2. (a) This article contains full and complete
7 authority for public-private agreements between the authority, a private entity, and, where applicable, a
8 governmental entity. Except as provided in this article, no law, procedure, proceeding, publication, notice,
9 consent, approval, order, or act by the authority or any other officer, department, agency, or
10 instrumentality of the state or any political subdivision is required for the authority to enter into a
11 public-private agreement with a private entity under this article, or for a project that is the subject of a
12 public-private agreement to be constructed, acquired, maintained, repaired, operated, financed,
13 transferred, or conveyed.

14 (b) Before the authority or the department may issue a request for proposals for or enter into a
15 public-private agreement under this article that would authorize an operator to impose ~~tolls~~ **user fees** for
16 the operation of motor vehicles on all or part of a toll road project, the general assembly must adopt a
17 statute authorizing the imposition of ~~tolls~~ **user fees**. However, ~~during the period beginning July 1, 2011,~~
18 ~~and ending June 30, 2021, and notwithstanding subsection (c),~~ the general assembly is not required to
19 enact a statute authorizing the authority or the department to issue a request for proposals or enter into
20 a public-private agreement to authorize an operator to impose ~~tolls~~ **user fees** for the operation of motor
21 vehicles on all or part of the following projects:

22 (1) A project on which construction begins after June 30, 2011, not including any part of Interstate
23 Highway 69 other than a part described in subdivision (4).

24 (2) The addition of toll lanes, including high occupancy toll lanes, to a highway, roadway, or other
25 facility in existence on July 1, 2011, if the number of nontolled lanes on the highway, roadway, or
26 facility as of July 1, 2011, does not decrease due to the addition of the toll lanes.

27 (3) The Illiana Expressway, a limited access facility connecting Interstate Highway 65 in
28 northwestern Indiana with an interstate highway in Illinois.

29 (4) A project that is located within a metropolitan planning area (as defined by 23 U.S.C. 134) and
30 that connects the state of Indiana with the commonwealth of Kentucky.

31 However, neither the authority nor the department may issue a request for proposals for a public-private
32 agreement under this article that would authorize an operator to impose ~~tolls~~ **user fees** unless the budget
33 committee has reviewed the request for proposals.

34 (c) ~~Before~~ **Except as provided in subsection (b), before** the authority or an operator may carry out
35 any of the following activities under this article, the general assembly must enact a statute authorizing that
36 activity:

37 (1) Imposing ~~tolls~~ **user fees** on motor vehicles for use of Interstate Highway 69.

38 (2) Imposing ~~tolls~~ **user fees** on motor vehicles for use of a nontolled highway, roadway, or other
39 facility in existence or under construction on July 1, 2011, including nontolled interstate highways,
40 U.S. routes, and state routes.

41 (d) The general assembly is not required to enact a statute authorizing the authority or the department
42 to issue a request for proposals or enter into a public-private agreement for a freeway project.

43 (e) The authority may enter into a public-private agreement for a facility project if the general
44 assembly, by statute, authorizes the authority to enter into a public-private agreement for the facility
45 project.

46 (f) As permitted by subsection (e), the general assembly authorizes the authority to enter into
47 public-private agreements for a state park inn and related improvements in an existing state park located



1 in a county with a population of more than two hundred thousand (200,000) and less than three hundred
2 thousand (300,000).

3 SECTION 89. IC 8-15.5-6-3, AS AMENDED BY P.L.205-2013, SECTION 158, IS AMENDED TO
4 READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 3. The operator or any contractor or
5 subcontractor of the operator engaged in the construction of a project is subject to:

6 (1) the provisions of 25 IAC 5 concerning equal opportunities for minority business enterprises and
7 women's business enterprises to participate in procurement and contracting processes **or as required**
8 **by federal law;** and

9 (2) the provisions that may be established by the authority in a public-private agreement with respect
10 to awarding contracts to Indiana businesses (as defined in IC 5-22-15-20.5).

11 SECTION 90. IC 8-15.7-1-5, AS AMENDED BY P.L.94-2015, SECTION 4, IS AMENDED TO
12 READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 5. (a) This article contains full and
13 complete authority for agreements and leases with private entities to carry out the activities described in
14 this article. Except as provided in this article, no procedure, proceeding, publication, notice, consent,
15 approval, order, or act by the authority, the department, or any other state or local agency or official is
16 required **for the department to enter into an a public-private agreement or lease, with a private entity**
17 **under this article for a project to be constructed, maintained, repaired, or operated,** and no law to
18 the contrary affects, limits, or diminishes the authority for agreements and leases with private entities,
19 except as provided by this article. However, this article may not be construed to:

20 (1) limit the power of the authority, the department, or a private entity to enter an agreement; or
21 (2) impose any procedural or substantive requirements on the authority, the department, or a private
22 entity;

23 concerning a project (as defined by IC 8-15.5-2-7) carried out under IC 8-15.5.

24 (b) Notwithstanding any other law, **and except as provided in subsection (d),** before the department,
25 the authority, or an operator may ~~carry out any of the following activities under this article, the general~~
26 ~~assembly must enact a statute authorizing that activity: enter into public-private agreements that~~
27 **impose user fees on motor vehicles for use of:**

28 (1) Subject to subsection (d), and after June 30, 2011, issuing a request for proposals for, or entering
29 into, a public-private agreement concerning a project:

30 (2) ~~Imposing user fees on motor vehicles for use of Interstate Highway 69-~~

31 **(1) Interstate Highway 69; or**

32 **(2) nontolled highways, roadways, or other facilities in existence or under construction on July**
33 **1, 2011, including nontolled interstate highways, U.S. routes, and state routes;**

34 **the general assembly must enact a statute authorizing that activity.**

35 (c) Notwithstanding ~~subsection (b)~~ or any other law, the department or the authority may enter into a
36 public-private agreement concerning a project consisting of a passenger or freight railroad system
37 described in IC 8-15.7-2-14(a)(4). Such an agreement is subject to review and appropriation by the
38 general assembly. However, this subsection does not prohibit the department from:

39 (1) conducting preliminary studies that the department considers necessary to determine the
40 feasibility of such a project; or

41 (2) issuing a request for qualifications or a request for proposals, or both, under IC 8-15.7-4 for such
42 a project.

43 (d) ~~Notwithstanding subsection (b); during the period Beginning July 1, 2011, and ending June 30,~~
44 ~~2021,~~ the general assembly is not required to enact a statute authorizing the department, the authority, or
45 an operator to issue a request for proposals for, or enter into, a public-private agreement **that imposes**
46 **user fees for the operation of motor vehicles** for the following projects:

47 (1) A project on which construction begins after June 30, 2011, not including any part of Interstate



Highway 69 other than a part described in subdivision (4).

(2) The addition of toll lanes, including high occupancy toll lanes, to a highway, roadway, or other facility in existence on July 1, 2011, if the number of nontolled lanes on the highway, roadway, or facility as of July 1, 2011, does not decrease due to the addition of the toll lanes.

(3) The Illiana Expressway, a limited access facility connecting Interstate Highway 65 in northwestern Indiana with an interstate highway in Illinois.

(4) A project that is located within a metropolitan planning area (as defined by 23 U.S.C. 134) and that connects the state of Indiana with the commonwealth of Kentucky.

(e) The following apply:

(1) The authority shall be a party to any public-private agreement entered into pursuant to this article that requires payments to be made to an operator after the operator receives final payment for construction.

(2) The authority may issue bonds or refunding bonds under IC 5-1.2-4 to provide funds for any amounts identified under this article but is not required to comply with IC 8-9.5-8-10.

SECTION 91. IC 8-23-3-8, AS AMENDED BY P.L.153-2014, SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: 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 ~~annual review by the budget committee and~~ 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 92. IC 8-23-7-22, AS AMENDED BY P.L.94-2015, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 22. (a) Subject to subsection (b), the department may, after issuing an order and receiving the governor's approval, determine that a state highway should become a tollway. After the order becomes effective, the department shall maintain and operate the tollway and levy and collect tolls as provided in IC 8-15-3 or enter into a public-private agreement with an operator with respect to the tollway under IC 8-15.7. Before issuing an order under this section, the department shall submit to the governor a plan to bring the tollway to the current design standards of the department for new state highways within a specified period. The specified period may not exceed five (5) years.

(b) Before the governor, the department, or an operator may carry out any of the following activities under this section, the general assembly must enact a statute authorizing that activity:

(1) Determine that a highway that is in existence or under construction on July 1, 2011, should become a tollway.

(2) Impose tolls on motor vehicles for use of Interstate Highway 69.

(c) Notwithstanding subsection (b), ~~during the period~~ beginning July 1, 2011, ~~and ending June 30, 2021~~, the general assembly is not required to enact a statute authorizing the governor, the department, or an operator to determine that all or part of the following projects should become a tollway:

(1) A project on which construction begins after June 30, 2011, not including any part of Interstate Highway 69 other than a part described in subdivision (4).

(2) The addition of toll lanes, including high occupancy toll lanes, to a highway, roadway, or other



1 facility in existence on July 1, 2011, if the number of nontolled lanes on the highway, roadway, or
2 facility as of July 1, 2011, does not decrease due to the addition of the toll lanes.

3 (3) The Illiana Expressway, a limited access facility connecting Interstate Highway 65 in
4 northwestern Indiana with an interstate highway in Illinois.

5 (4) A project that is located within a metropolitan planning area (as defined by 23 U.S.C. 134) and
6 that connects the state of Indiana with the commonwealth of Kentucky.

7 SECTION 93. IC 12-15-1.3-18, AS ADDED BY P.L.217-2017, SECTION 78, IS AMENDED TO
8 READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 18. (a) The definitions set forth in 460 IAC 6-3
9 as of ~~January 1, 2017~~, **January 1, 2021**, apply to the terms that are used in this section.

10 **(b) As used in this section, "benefits" means allowances and services provided by employers to**
11 **employees as compensation that is in addition to salary and wages.**

12 ~~(b) (c)~~ (c) The office of the secretary shall increase the reimbursement rate for services if the services are
13 provided as follows:

14 (1) The services are provided to an individual who receives services under a Medicaid waiver under
15 the federal home and community based services program.

16 (2) The individual is authorized under the Medicaid waiver described in subdivision (1) to receive
17 any of the following services:

18 (A) Adult day services.

19 (B) Prevocational services.

20 (C) Residential habilitation and support.

21 (D) Respite.

22 ~~(E) Supported employment and~~ Extended services as defined in the family supports Medicaid
23 waiver **and the community integration habilitation Medicaid waiver.**

24 ~~(F) Community habilitation and participation services.~~ **Day rehabilitation, as defined in the**
25 **family supports Medicaid waiver and the community integration habilitation Medicaid**
26 **waiver.**

27 (G) Workplace assistance, as defined in the family supports Medicaid waiver and the community
28 integration habilitation Medicaid waiver.

29 ~~(H) Facility habilitation.~~

30 ~~(H)~~ **(H)** Residential habilitation and support (RHS daily).

31 ~~(I)~~ **(I)** Transportation services.

32 ~~(J)~~ **(J)** Participant assistance and care, as defined in the family supports Medicaid waiver.

33 ~~(K)~~ **(K)** Facility based support, as defined in the family supports Medicaid waiver and the
34 community integration habilitation Medicaid waiver.

35 (3) The services are delivered to the individual by a direct care staff.

36 ~~(e) (d)~~ (d) The amount of the increase in the reimbursement rate described in subsection ~~(b) (c)~~ for a state
37 fiscal year beginning July 1, ~~2017~~, **2021**, or thereafter is the reimbursement rate in effect as of June 30,
38 ~~2017~~, **2019**, for the services listed in subsection ~~(b) (2) (c) (2)~~ multiplied by ~~five percent (5%)~~, **seven**
39 **percent (7%).**

40 ~~(d) (e)~~ (e) An authorized service provider shall use at least ~~seventy-five percent (75%)~~ **eighty-five percent**
41 **(85%)** of the amount of the increase in the reimbursement rate to **pay payroll tax liabilities and to**
42 **increase the wages and benefits** paid to direct care staff who:

43 (1) are employed by the authorized service provider to provide services in Indiana; ~~and~~

44 (2) provide support services listed in subsection ~~(b) (2) (c) (2)~~; **and**

45 **(3) are paid on an hourly basis.**

46 ~~(e) (f)~~ (f) If a provider does not use at least ~~seventy-five percent (75%)~~ **eighty-five percent (85%)** of the
47 increase to **pay payroll tax liabilities and to** increase wages **and benefits** paid to direct care staff, the



1 office shall recoup part or all of the increase in the reimbursement rate that the provider receives as
2 provided in subsection ~~(g)~~: **(h)**.

3 ~~(f)~~ **(g)** An authorized service provider providing services in Indiana shall provide written and
4 electronic notification of its plan to **pay payroll tax liabilities and to increase wages and benefits** to:

5 (1) direct care staff **described in subsection (e) who are** employed by the provider; and

6 (2) the office of the secretary;

7 within thirty (30) days after the office implements an increase in reimbursement rates.

8 ~~(g)~~ **(h)** The office may recoup the difference between ~~seventy-five percent (75%)~~ **eighty-five percent**
9 **(85%)** of the amount received by a provider as a result of increased reimbursement rates and the amount
10 of the increase that is actually used by the provider to **pay payroll tax liabilities and to pay an increase**
11 in wages **and benefits** to direct care staff. The remaining ~~twenty-five percent (25%)~~ **fifteen percent**
12 **(15%)** may be retained by the provider to cover ~~the other employer related costs of providing direct care~~
13 ~~services, including payroll taxes, benefits, and paid time for nondirect services such as paid time off and~~
14 ~~training; administrative and overhead costs.~~

15 ~~(h)~~ **(i)** Providers shall maintain all books, documents, papers, accounting records, and other evidence
16 required to support the reporting of payroll information for **payment of payroll tax liabilities and for**
17 increased wages **and benefits** to direct care staff. Wages are defined as total compensation, **including**
18 **paid time off and training**, less overtime and shift differential for direct care staff providing services to
19 individuals receiving the services described in subsection ~~(b)(2)~~ **(c)(2)** as reported on the provider's
20 payroll records. Providers shall make these materials available at their respective offices at all reasonable
21 times and for three (3) years from the date of final payment for the services listed in subsection ~~(b)(2)~~
22 **(c)(2)** for inspection by the state or its authorized designees. Providers shall furnish copies at no cost to
23 the state if requested.

24 ~~(i)~~ **(j)** The office or its designee may recoup all or a part of the amount paid using the increased
25 reimbursement rates based upon an audit or review of the supporting documentation required to be
26 maintained under subsection ~~(h)~~ **(i)** if the provider cannot provide adequate documentation to support the
27 **payment of payroll tax liabilities and the payment of increased wages and benefits** to direct care staff.

28 ~~(j)~~ **(k)** If required, the office shall file Medicaid waiver amendments for the family supports Medicaid
29 waiver and the community integration and habilitation Medicaid waiver related to rate increases and
30 Medicaid waiver caps only on or before ~~September 30, 2017~~, **October 1, 2021**, with the earliest possible
31 effective date allowed by the federal Centers for Medicare and Medicaid Services. If the federal Centers
32 for Medicare and Medicaid Services ~~deny~~ **denies** the Medicaid waiver amendments, the office may
33 modify the waiver amendment request. If a waiver amendment is not approved, rate increases may not
34 be granted under this section.

35 ~~(k)~~ **(l)** This section may not be construed as creating an employment relationship of any kind between
36 office staff and direct care staff of an authorized service provider.

37 SECTION 94. IC 12-15-14-8, AS ADDED BY P.L.224-2017, SECTION 4, IS AMENDED TO READ
38 AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 8. ~~(a) The office shall use the RUG-IV, 48-Group~~
39 ~~model for payment of nursing facility services.~~

40 ~~(b)~~ **(a)** Beginning July 1, 2018, the office may implement an end of therapy reclassification
41 methodology in the RUG-IV, 48-Group model for payment of nursing facility services.

42 ~~(e)~~ **(b)** Before the office changes a health facility service reimbursement that results in a reduction in
43 reimbursement, the office shall provide public notice of at least one (1) year. The public notice under this
44 subsection:

45 (1) is not a rulemaking action or part of the administrative rulemaking process under IC 4-22; and

46 (2) must include the fiscal impact of the proposed reimbursement change.

47 SECTION 95. IC 12-16-17-1, AS ADDED BY P.L.146-2008, SECTION 391, IS AMENDED TO



1 READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 1. The office of the secretary of family and
2 social services shall annually transfer ~~forty million dollars (\$40,000,000)~~ **thirty-two million three**
3 **hundred thousand dollars (\$32,300,000)** to a hospital corporation established under IC 16-22-8 from
4 the state general fund for the purposes of the hospital corporation.

5 SECTION 96. IC 12-17.2-7.2-11, AS AMENDED BY P.L.184-2017, SECTION 28, IS AMENDED
6 TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 11. Except as provided under
7 ~~IC 20-51-1-4.3(3)(E)~~, **IC 20-51-1-4.3(4)(E)**, the receipt of a grant under the pilot program does not
8 qualify, nor have an effect on the qualification or eligibility, of a child for a choice scholarship under
9 IC 20-51-4.

10 SECTION 97. IC 16-21-10-21, AS AMENDED BY P.L.108-2019, SECTION 203, IS AMENDED TO
11 READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 21. This chapter expires June 30, ~~2021~~.
12 **2023.**

13 SECTION 98. IC 16-28-15-14, AS AMENDED BY P.L.108-2019, SECTION 204, IS AMENDED TO
14 READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 14. This chapter expires June 30, ~~2021~~.
15 **2023.**

16 SECTION 99. IC 20-20-12-1, AS ADDED BY P.L.1-2005, SECTION 4, IS AMENDED TO READ
17 AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 1. The department shall administer the advanced
18 placement program established by ~~IC 20-36-3-4(a)~~; **IC 20-36-3-4.**

19 SECTION 100. IC 20-24-7-13, AS AMENDED BY P.L.159-2019, SECTION 10, IS AMENDED TO
20 READ AS FOLLOWS [EFFECTIVE JUNE 29, 2021]: Sec. 13. (a) After June 30, 2019, a virtual charter
21 school may only apply for authorization with any statewide authorizer in accordance with the authorizer's
22 guidelines. After June 30, 2019, a virtual charter school that has a charter on June 30, 2019, may renew
23 a charter only with a statewide authorizer. An authorizer described in IC 20-24-1-2.5(1) and
24 IC 20-24-1-2.5(3) is not considered a statewide authorizer.

25 (b) For each state fiscal year, a virtual charter school is entitled to receive funding in a month from the
26 state in an amount equal to:

27 (1) the quotient of:

28 (A) the school's basic tuition support determined under ~~IC 20-43-6-3(e)~~; **IC 20-43-6-3**; divided
29 by

30 (B) twelve (12); plus

31 (2) the total of any:

32 (A) special education grants under IC 20-43-7;

33 (B) career and technical education grants under IC 20-43-8; and

34 (C) honor grants under IC 20-43-10;

35 to which the virtual charter school is entitled for the month.

36 For each state fiscal year, a virtual charter school's special education grants under IC 20-43-7 shall be
37 calculated in the same manner as special education grants are calculated for other school corporations.

38 (c) The state board shall adopt rules under IC 4-22-2 to govern the operation of virtual charter schools.

39 (d) Each authorizer of a virtual charter school shall establish requirements or guidelines for virtual
40 charter schools authorized by the authorizer that include the following:

41 (1) Minimum requirements for the mandatory annual onboarding process and orientation required
42 under IC 20-24-5-4.5, which shall include a requirement that a virtual charter school must provide
43 to a parent of a student:

44 (A) the student engagement and attendance requirements or policies of the virtual charter school;
45 and

46 (B) notice that a person who knowingly or intentionally deprives a dependent of education
47 commits a violation under IC 35-46-1-4.



1 (2) Requirements relating to tracking and monitoring student participation and attendance.
 2 (3) Ongoing student engagement and counseling policy requirements.
 3 (4) Employee policy requirements, including professional development requirements.
 4 (e) The department, with the approval of the state board, shall before December 1 of each year submit
 5 an annual report to the budget committee concerning the program under this section.
 6 (f) Each school year, at least sixty percent (60%) of the students who are enrolled in virtual charter
 7 schools under this section for the first time must have been included in the state's fall count of ADM
 8 conducted in the previous school year.
 9 (g) Each virtual charter school shall report annually to the department concerning the following, on
 10 a schedule determined by the department:
 11 (1) Classroom size.
 12 (2) The ratio of teachers per classroom.
 13 (3) The number of student-teacher meetings conducted in person or by video conference.
 14 (4) Any other information determined by the department.
 15 The department shall provide this information annually to the state board and the legislative council in
 16 an electronic format under IC 5-14-6.
 17 (h) A virtual charter school shall adopt a student engagement policy. A student who regularly fails to
 18 participate in courses may be withdrawn from enrollment under policies adopted by the virtual charter
 19 school. The policies adopted by the virtual charter school must ensure that:
 20 (1) adequate notice of the withdrawal is provided to the parent and the student; and
 21 (2) an opportunity is provided, before the withdrawal of the student by the virtual charter school, for
 22 the student or the parent to demonstrate that failure to participate in the course is due to an event that
 23 would be considered an excused absence under IC 20-33-2.
 24 (i) A student who is withdrawn from enrollment for failure to participate in courses pursuant to the
 25 school's student engagement policy may not reenroll in that same virtual charter school for the school year
 26 in which the student is withdrawn.
 27 (j) An authorizer shall review and monitor whether a virtual charter school that is authorized by the
 28 authorizer complies with the requirements described in subsections (h) and (i).
 29 SECTION 101. IC 20-24-7-13.5, AS AMENDED BY P.L.108-2019, SECTION 210, IS AMENDED
 30 TO READ AS FOLLOWS [EFFECTIVE JUNE 29, 2021]: Sec. 13.5. (a) This section applies to the
 31 following charter schools:
 32 (1) The Excel Centers for Adult Learners.
 33 (2) The Christel House DORS centers.
 34 (3) The Gary Middle College charter schools.
 35 (b) Notwithstanding any other law, for a state fiscal year, a charter school described in subsection (a)
 36 is entitled to receive funding from the state in an amount equal to the product of:
 37 (1) the charter school's number of students who are Indiana residents (expressed as full-time
 38 equivalents); multiplied by
 39 (2) six thousand seven hundred fifty dollars (\$6,750) beginning July 1, 2017.
 40 (c) However, in the case of the charter school described in subsection (a)(3), the funding under this
 41 section applies only for those students who are twenty-two (22) years of age and older. In addition, the
 42 total number of students (expressed as full-time equivalents) of all adult learners in charter schools
 43 covered by this section may not exceed the following:
 44 ~~(+) For the 2018-2019 state fiscal year:~~
 45 ~~(A) For the Christel House DORS centers, eight hundred twenty-five (825) adult learner students;~~
 46 ~~(B) For the Gary Middle College charter schools, two hundred (200) adult learner students;~~
 47 ~~(C) For the Excel Centers for Adult Learners, four thousand seven hundred (4,700) adult learner~~



1 students.

2 ~~(2)~~ **(1)** For the ~~2019-2020~~ **2021-2022** state fiscal year:

3 (A) For the Christel House DORS centers, eight hundred twenty-five (825) adult learner students.

4 (B) For the Gary Middle College charter schools, two hundred fifty (250) adult learner students.

5 (C) For the Excel Centers for Adult Learners, four thousand nine hundred (4,900) adult learner

6 students.

7 ~~(3)~~ **(2)** For the ~~2020-2021~~ **2022-2023** state fiscal year:

8 (A) For the Christel House DORS centers, eight hundred twenty-five (825) adult learner students.

9 (B) For the Gary Middle College charter schools, two hundred fifty (250) adult learner students.

10 (C) For the Excel Centers for Adult Learners, four thousand nine hundred (4,900) adult learner

11 students.

12 (d) A charter school described in subsection (a) is entitled to receive federal special education funding.

13 (e) The state funding under this section shall be paid each state fiscal year under a schedule set by the

14 budget agency and approved by the governor. However, the schedule shall provide for at least twelve (12)

15 payments, that one (1) payment shall be made at least every forty (40) days, and the aggregate of the

16 payments in each state fiscal year shall equal the amount required under this section. However, if the

17 appropriations for this purpose are insufficient, the distributions to each recipient shall be reduced

18 proportionately.

19 (f) A charter school that receives funding as provided in this section must report the following

20 information annually to the state board and (in an electronic format under IC 5-14-6) to the legislative

21 council, on a schedule specified by the state board:

22 (1) The number of adult learners enrolled in the charter school during the preceding year.

23 (2) The demographics of the adult learners enrolled in the charter school during the preceding year

24 (in a format requested by the state board).

25 (3) The graduation rates of the adult learners enrolled in the charter school during the preceding

26 year.

27 (4) The outcomes for adult learners enrolled in the charter school, as of graduation and as of two (2)

28 years after graduation. A charter school must include information concerning students' job placement

29 outcomes, information concerning students' matriculation into higher education, and any other

30 information concerning outcomes required by the state board.

31 (g) This section expires June 30, ~~2021~~, **2023**.

32 SECTION 102. IC 20-24-13-6, AS AMENDED BY P.L.108-2019, SECTION 211, IS AMENDED TO

33 READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 6. The annual grant amount for a school for

34 a state fiscal year is **the following:**

35 **(1) For the state fiscal year beginning July 1, 2021:**

36 **(A) ~~seven hundred fifty dollars (\$750); one thousand dollars (\$1,000);~~ multiplied by**

37 **~~(2)~~ (B) the number of eligible pupils who are counted in the current ADM of the school.**

38 **(2) For the state fiscal year beginning July 1, 2022, and each state fiscal year thereafter:**

39 **(A) one thousand two hundred fifty dollars (\$1,250); multiplied by**

40 **(B) the number of eligible pupils who are counted in the current ADM of the school.**

41 SECTION 103. IC 20-25.7-5-2, AS AMENDED BY P.L.156-2020, SECTION 75, IS AMENDED TO

42 READ AS FOLLOWS [EFFECTIVE JUNE 29, 2021]: Sec. 2. (a) The board may enter into an agreement

43 with an organizer to reconstitute an eligible school as a participating innovation network charter school

44 or to establish a participating innovation network charter school at a location selected by the board within

45 the boundary of the school corporation. Notwithstanding IC 20-26-7.1, a participating innovation network

46 charter school may be established within a vacant school building.

47 (b) The terms of the agreement entered into between the board and an organizer must specify the



1 following:

2 (1) A statement that the organizer authorizes the department to include the charter school's
3 performance assessment results under IC 20-31-8 when calculating the school corporation's
4 performance assessment under rules adopted by the state board.

5 (2) The amount of state funding, including tuition support (if the participating innovation network
6 charter school is treated in the same manner as a school operated by the school corporation under
7 subsection (d)(2)), and money levied as property taxes that will be distributed by the school
8 corporation to the organizer.

9 (3) The performance goals and accountability metrics agreed upon for the charter school in the
10 charter agreement between the organizer and the authorizer.

11 (c) If an organizer and the board enter into an agreement under subsection (a), the organizer and the
12 board shall notify the department that the agreement has been made under this section within thirty (30)
13 days after the agreement is entered into.

14 (d) Upon receipt of the notification under subsection (c), for school years starting after the date of the
15 agreement:

16 (1) the department shall include the participating innovation network charter school's performance
17 assessment results under IC 20-31-8 when calculating the school corporation's performance
18 assessment under rules adopted by the state board;

19 (2) the department shall treat the participating innovation network charter school in the same manner
20 as a school operated by the school corporation when calculating the total amount of state funding
21 to be distributed to the school corporation unless subsection (e) applies; and

22 (3) if requested by a participating innovation network charter school that reconstitutes an eligible
23 school, the department may use student growth as the state board's exclusive means to determine the
24 innovation network charter school's category or designation of school improvement under 511
25 IAC 6.2-10-10 for a period of three (3) years. Beginning with the 2019-2020 school year, the
26 department may not use student growth as the state board's exclusive means to determine an
27 innovation network charter school's category or designation of school improvement. This subdivision
28 expires July 1, 2023.

29 (e) If a participating innovation network school was established before January 1, 2016, and for the
30 current school year has a complexity index that is greater than the complexity index for the school
31 corporation that the innovation network school has contracted with, the innovation network school shall
32 be treated as a charter school for purposes of determining tuition support. This subsection expires June
33 30, ~~2021~~. **2023.**

34 **SECTION 104. IC 20-26-5-40 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO**
35 **READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 40. (a) Not later than April 15 each year,**
36 **each school corporation and charter school shall report to the department the number of students**
37 **who met the following conditions in the preceding school year:**

38 (1) The student was enrolled in the school corporation on the day in September fixed by the
39 state board for the fall count of students under IC 20-43-4-3.

40 (2) The student successfully completed Indiana high school graduation requirements during
41 the student's expected graduation year (as defined in IC 20-26-13-4) before the day in
42 February fixed by the state board for the spring count of students under IC 20-43-4-3.

43 (3) The student was not enrolled in the school corporation on the day in February fixed by the
44 state board for the spring count of students under IC 20-43-4-3.

45 (b) In addition to the number provided under subsection (a), each school corporation and charter
46 school shall submit information prescribed by the department that is necessary to verify the
47 number reported under subsection (a).



1 SECTION 105. IC 20-36-3-4, AS ADDED BY P.L.1-2005, SECTION 20, IS AMENDED TO READ
2 AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 4. ~~(a)~~ The advanced placement program is established
3 to encourage students to pursue advanced courses, particularly in math and science. The program shall
4 be administered by the department.

5 ~~(b) Unexpended money appropriated to the department to implement the program at the end of a state~~
6 ~~fiscal year does not revert to the state general fund.~~

7 SECTION 106. IC 20-43-1-1, AS AMENDED BY P.L.108-2019, SECTION 214, IS AMENDED TO
8 READ AS FOLLOWS [EFFECTIVE JUNE 29, 2021]: Sec. 1. This article expires June 30, ~~2021~~; **2023**.

9 SECTION 107. IC 20-43-1-15.5 IS REPEALED [EFFECTIVE JUNE 29, 2021]. ~~Sec. 15.5: This section~~
10 ~~applies after June 30, 2018. "Less than moderate value program" means a career and technical education~~
11 ~~program that the department of workforce development recognizes as:~~

12 ~~(1) having a low employment demand and a low average wage level;~~

13 ~~(2) having a moderate employment demand and a low average wage level; or~~

14 ~~(3) having a low employment demand and a moderate average wage level.~~

15 SECTION 108. IC 20-43-2-1, AS AMENDED BY P.L.205-2013, SECTION 268, IS AMENDED TO
16 READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 1. **Except as provided in IC 20-51.4-4-2**, the
17 department shall distribute the amount appropriated by the general assembly for distribution as state
18 tuition support in accordance with this article. If the appropriations for distribution as state tuition support
19 are more than required under this article, any excess shall revert to the state general fund. The
20 appropriations for state tuition support shall be made each state fiscal year under a schedule set by the
21 budget agency and approved by the governor. However, the schedule must provide:

22 (1) for at least twelve (12) payments;

23 (2) that one (1) payment shall be made at least every forty (40) days; and

24 (3) the total of the payments in each state fiscal year must equal the amount required under this
25 article.

26 SECTION 109. IC 20-43-2-3, AS AMENDED BY P.L.10-2019, SECTION 89, IS AMENDED TO
27 READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 3. In determining the total amount to be
28 distributed for purposes of section 2 of this chapter, distributions:

29 (1) as basic tuition support;

30 (2) for honors designation awards;

31 (3) for special education grants;

32 (4) for career and technical education grants;

33 (5) for choice scholarships; ~~and~~

34 (6) for Mitch Daniels early graduation scholarships; **and**

35 **(7) for Indiana education scholarship account grants;**

36 are to be considered for a particular state fiscal year.

37 SECTION 110. IC 20-43-3-8, AS AMENDED BY P.L.108-2019, SECTION 221, IS AMENDED TO
38 READ AS FOLLOWS [EFFECTIVE JUNE 29, 2021]: Sec. 8. A school corporation's foundation amount
39 is the following:

40 ~~(1) Five thousand five hundred forty-eight dollars (\$5,548) for the state fiscal year beginning July~~
41 ~~1, 2019.~~

42 ~~(2) Five thousand seven hundred three dollars (\$5,703) for the state fiscal year beginning July 1,~~
43 ~~2020.~~

44 **(1) Five thousand seven hundred seventy-one dollars (\$5,771) for the state fiscal year**
45 **beginning July 1, 2021.**

46 **(2) Five thousand nine hundred thirteen dollars (\$5,913) for the state fiscal year beginning July**
47 **1, 2022.**



1 SECTION 111. IC 20-43-4-2, AS AMENDED BY P.L.217-2017, SECTION 121, IS AMENDED TO
2 READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 2. (a) A school corporation's ADM is the
3 number of eligible pupils enrolled in:

4 (1) the school corporation; or

5 (2) a transferee corporation;

6 on the day fixed in September by the state board for a count of students under section 3 of this chapter
7 and as subsequently adjusted not later than the date specified under the rules adopted by the state board.

8 The state board may adjust the school's count of eligible pupils if the state board determines that the count
9 is unrepresentative of the school corporation's enrollment. In addition, a school corporation may petition
10 the state board to make an adjusted count of students enrolled in the school corporation if the corporation
11 has reason to believe that the count is unrepresentative of the school corporation's enrollment. In addition,
12 a school corporation shall determine the number of eligible pupils enrolled in:

13 (1) the school corporation; or

14 (2) a transferee corporation;

15 on the day fixed in February by the state board for a spring count of students ~~to be used only for~~
16 ~~informational purposes under this article. under section 3 of this chapter and as subsequently adjusted~~
17 **under this chapter or under rules adopted by the state board. The department shall adjust a school**
18 **corporation's February count of students as provided in section 3.5 of this chapter. Except as**
19 ~~specifically provided by law, the spring count shall not be used for determining school funding under this~~
20 ~~article.~~

21 (b) Each school corporation shall, before April 1 of each year, provide to the department an estimate
22 of the school corporation's ADM that will result from the count of eligible pupils in the following
23 September. The department may update and adjust the estimate as determined appropriate by the
24 department. In each odd-numbered year, the department shall provide the updated and adjusted estimate
25 of the school corporation's ADM to the legislative services agency before April 10 of that year.

26 (c) A new charter school shall submit an enrollment estimate to the department before April 1 of the
27 year the new charter school will be open for enrollment. The department shall use the new charter school's
28 enrollment estimate as the basis for the new charter school's distribution beginning in July and until actual
29 ADM is available, subject to section 9 of this chapter. However, if the new charter school's enrollment
30 estimate is greater than eighty percent (80%) of the new charter school's authorized enrollment cap, the
31 department may use that enrollment estimate if the department has requested and reviewed other
32 enrollment data that support that enrollment estimate. However, if the enrollment data requested and
33 reviewed by the department does not support the enrollment estimate submitted by the new charter school,
34 the department shall determine the estimated ADM based on the enrollment data requested and reviewed
35 by the department. In each odd-numbered year, the department shall provide the new charter school's
36 estimated ADM to the legislative services agency before April 10 of that year.

37 SECTION 112. IC 20-43-4-3.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO
38 READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: **Sec. 3.5. (a) Beginning with the February count**
39 **of students made in 2022, the department shall adjust the February count of a school corporation's**
40 **ADM (as otherwise adjusted under this chapter) by adding to each count the number of students**
41 **who met the following conditions in the preceding school year:**

42 (1) The student was enrolled in the school corporation on the day in September fixed by the
43 state board for the fall count of students under section 3 of this chapter.

44 (2) The student successfully completed Indiana high school graduation requirements during
45 the student's expected graduation year (as defined in IC 20-26-13-4) before the day in
46 February fixed by the state board for the spring count of students under section 3 of this
47 chapter.



1 **(3) The student was not enrolled in the school corporation on the day in February fixed by the**
2 **state board for the spring count of students under section 3 of this chapter.**

3 **(b) If a February count of students is adjusted retroactively under this section, the adjusted**
4 **count retroactively applies to the amount of state tuition support distributed to a school corporation**
5 **affected by the adjusted count, as provided in section 9 of this chapter.**

6 SECTION 113. IC 20-43-4-9, AS AMENDED BY P.L.108-2019, SECTION 224, IS AMENDED TO
7 READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 9. (a) Subject to subsections (b) and (c), this
8 subsection applies to the calculation of state tuition support distributions that are based on the current
9 ADM of a school corporation. The fall count of ADM, as adjusted by the state board under section 2 of
10 this chapter, shall be used to compute state tuition support distributions made in the first six (6) months
11 of the current state fiscal year. ~~and~~ The spring count of ADM, as adjusted by:

12 **(1) the state board under section 2 of this chapter; and**

13 **(2) the department under section 3.5 of this chapter;**

14 shall be used to compute state tuition support distributions made in the second six (6) months of the state
15 fiscal year.

16 (b) This subsection applies to a school corporation that does not provide the estimates required by
17 section 2(b) of this chapter before the deadline. For monthly state tuition support distributions made
18 before the count of ADM is finalized, the department shall determine the distribution amount for such a
19 school corporation for a state fiscal year of the biennium, using data that were used by the general
20 assembly in determining the state tuition support appropriation for the budget act for that state fiscal year.
21 The department may adjust the data used under this subsection for errors.

22 (c) If the:

23 **(1) state board; or**

24 **(2) department, under section 3.5 of this chapter;**

25 adjusts a count of ADM after a distribution is made under this article, the adjusted count retroactively
26 applies to the amount of state tuition support distributed to a school corporation affected by the adjusted
27 count. The department shall settle any overpayment or underpayment of state tuition support resulting
28 from an adjusted count of ADM on the schedule determined by the department and approved by the
29 budget agency.

30 SECTION 114. IC 20-43-6-3, AS AMENDED BY P.L.108-2019, SECTION 225, IS AMENDED TO
31 READ AS FOLLOWS [EFFECTIVE JUNE 29, 2021]: Sec. 3. ~~(a) A school corporation's basic tuition~~
32 ~~support for a state fiscal year is the amount determined under the applicable provision of this section.~~

33 **(b) This subsection applies to a school corporation that does not have any students in the school**
34 **corporation's current ADM for the year for whom, of the instructional services that the students receive**
35 **from the school corporation, at least fifty percent (50%) is virtual instruction. The school corporation's**
36 **basic tuition support for a state fiscal year is equal to the result using the following formula:**

37 STEP ONE: Multiply the foundation amount by the school corporation's current ADM.

38 STEP TWO: Multiply the school corporation's complexity index by

39 **(A) for the state fiscal year beginning July 1, 2019; three thousand six hundred fifty dollars**
40 **(\$3,650); and**

41 **(B) for the state fiscal year beginning July 1, 2020; three thousand six hundred seventy-five**
42 **dollars (\$3,675).**

43 STEP THREE: Multiply the STEP TWO amount by the school corporation's current ADM.

44 STEP FOUR: This STEP applies only to a school corporation that has at least eighteen percent
45 (+18%) of its ADM eligible for the English language learners program and that experienced a
46 percentage decrease of at least forty-five percent (45%) in the school corporation's complexity index
47 for the school year ending in 2017 compared to the school corporation's complexity index for the



current school year. For such a school corporation determine the result of:

- (A) the school corporation's current ADM; multiplied by
- (B) one hundred twenty-eight dollars (\$128).

STEP FIVE: **FOUR:** Determine the result of:

- (A) the STEP ONE amount; plus
- (B) the STEP THREE amount; plus
- (C) the STEP FOUR amount; if applicable.

(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 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:

- (A) for the state fiscal year beginning July 1, 2019; three thousand six hundred fifty dollars (\$3,650); and
- (B) for the state fiscal year beginning July 1, 2020; three thousand six hundred seventy-five dollars (\$3,675).

STEP SIX: Multiply the STEP FIVE amount by the school corporation's current ADM.

STEP SEVEN: This STEP applies only to a school corporation that has at least eighteen percent (18%) of its ADM eligible for the English language learners program and that experienced a percentage decrease of at least forty-five percent (45%) in the school corporation's complexity index for the school year ending in 2017 compared to the school corporation's complexity index for the current school year. For such a school corporation determine the result of:

- (A) the school corporation's current ADM; multiplied by
- (B) one hundred twenty-eight dollars (\$128).

STEP EIGHT: Determine the result of:

- (A) the STEP THREE amount; plus
- (B) the STEP FOUR amount; plus
- (C) the STEP SIX amount; plus
- (D) the STEP SEVEN amount; if applicable.

SECTION 115. IC 20-43-7-6, AS AMENDED BY P.L.108-2019, SECTION 226, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JUNE 29, 2021]: 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 nine thousand one hundred fifty-six dollars (\$9,156).



1 (2) The nonduplicated count of pupils in programs for severe disabilities level (2), including
2 blind or low vision, deaf or hard of hearing, and deaf and blind, multiplied by nine thousand
3 one hundred fifty-six dollars (\$9,156).

4 ~~(2)~~ (3) The nonduplicated count of pupils in programs of mild and moderate disabilities level one
5 (1), including specific learning disability, developmental delay, and other health impairment,
6 multiplied by two thousand three hundred dollars (\$2,300).

7 (4) The nonduplicated count of pupils in programs for mild and moderate disabilities level two
8 (2), including emotional disability not requiring full-time placement, mild intellectual
9 disability, and moderate intellectual disability, multiplied by two thousand three hundred
10 dollars (\$2,300).

11 ~~(3)~~ (5) The duplicated count of pupils in programs for communication disorders multiplied by five
12 hundred dollars (\$500).

13 ~~(4)~~ (6) The cumulative count of pupils in homebound programs multiplied by five hundred dollars
14 (\$500).

15 ~~(5)~~ (7) The nonduplicated count of pupils in special preschool education programs multiplied by the
16 following:

17 (A) Two thousand eight hundred seventy-five dollars (\$2,875) for the state fiscal year beginning
18 July 1, 2019.

19 (B) Three thousand dollars (\$3,000) for the state fiscal year beginning July 1, 2020: three
20 thousand dollars (\$3,000).

21 SECTION 116. IC 20-43-8-7.5, AS AMENDED BY P.L.108-2019, SECTION 227, IS AMENDED
22 TO READ AS FOLLOWS [EFFECTIVE JUNE 29, 2021]: Sec. 7.5. (a) The department of workforce
23 development shall designate each career and technical education program as:

24 (1) an apprenticeship program;

25 (2) a cooperative education program;

26 (3) a work based learning program;

27 (4) a high value program;

28 (5) a moderate value program;

29 ~~(6) a less than moderate value program;~~

30 ~~(7)~~ (6) an introductory program; or

31 ~~(8)~~ (7) a foundational career and technical education course.

32 The designation of career and technical education programs by the department of workforce development
33 under this section must be reviewed and approved by the state board as provided in this section.

34 (b) Not later than December 1, 2019, and each December 1 thereafter, the department of workforce
35 development shall designate each career and technical education program as:

36 (1) an apprenticeship program;

37 (2) a work based learning program;

38 (3) a high value level 1 program;

39 (4) a high value level 2 program;

40 (5) a moderate value level 1 program;

41 (6) a moderate value level 2 program;

42 ~~(7) a less than moderate value level 1 program;~~

43 ~~(8) a less than moderate value level 2 program;~~

44 ~~(9)~~ (7) a planning for college and career course; or

45 ~~(10)~~ (8) an introductory program.

46 The designation of career and technical education programs by the department of workforce development
47 under this section must be reviewed and approved by the state board as provided in this section.



1 (c) If a new career and technical education program is created by rule, the department of workforce
2 development shall determine the category in which the program is designated under subsection (a) or (b).
3 A career and technical education program must be approved by the department of workforce development
4 in order for a school corporation to be eligible to receive a grant amount for the career and technical
5 education program under section 15 of this chapter.

6 (d) Not later than December 1 of each year, the department of workforce development shall provide
7 a report to the state board that includes the following information:

8 (1) A list of the career and technical education courses for the next school year that are designated
9 by the department of workforce development under this section.

10 (2) The labor market demand used to designate each career and technical education program under
11 this section.

12 (3) The average wage level used to designate each career and technical education program under
13 this section.

14 (4) If applicable, the labor market demand and average wage level data for specific regions, counties,
15 and municipalities.

16 (5) Any other information pertinent to the methodology used by the department of workforce
17 development to designate each career and technical education program under this section.

18 (e) Not later than January 1 of each year, the state board shall review and approve the report provided
19 by the department of workforce development under subsection (d) at a public meeting to ensure that the
20 list of courses is in compliance with the long range state plan developed under IC 20-20-38-4. Not later
21 than January 1 of each year, the state board shall send its determination to the department of workforce
22 development. Upon receipt of the state board's determination, the department of workforce development
23 shall provide the approved report to the department.

24 (f) The department of workforce development shall publish the approved report under subsection (e)
25 on the department of workforce development's Internet web site, including the following:

26 (1) The list of career and technical education programs that are designated by the department of
27 workforce development under this section.

28 (2) The labor market demand used to designate each career and technical education program under
29 this section.

30 (3) The average wage level used to designate each career and technical education program under
31 this section.

32 (4) If applicable, the labor market demand and average wage level data for specific regions, counties,
33 and municipalities.

34 (5) Any other information pertinent to the methodology used by the department of workforce
35 development to designate each career and technical education program under this section.

36 In addition, the department shall notify all school corporations of the state board's approval of the report
37 under subsection (e) and provide a link within the notice to the approved report published on the
38 department of workforce development's Internet web site under this subsection.

39 SECTION 117. IC 20-43-8-15, AS AMENDED BY P.L.154-2020, SECTION 42, IS AMENDED TO
40 READ AS FOLLOWS [EFFECTIVE JUNE 29, 2021]: Sec. 15. ~~(a) This subsection applies to the state~~
41 ~~fiscal year beginning July 1, 2019. A school corporation's career and technical education enrollment grant~~
42 ~~for a state fiscal year is the sum of the amounts determined under the following STEPS:~~

43 STEP ONE: ~~Determine for each career and technical education program provided by the school~~
44 ~~corporation:~~

45 ~~(A) the number of credit hours of the program (one (1) credit; two (2) credits; or three (3)~~
46 ~~credits); multiplied by~~

47 ~~(B) the number of pupils enrolled in the program; multiplied by~~



(C) the following applicable amount:

(i) Six hundred eighty dollars (\$680) for a career and technical education program designated by the department of workforce development as a high value program under section 7.5 of this chapter.

(ii) Four hundred dollars (\$400) for a career and technical education program designated by the department of workforce development as a moderate value program under section 7.5 of this chapter.

(iii) Two hundred dollars (\$200) for a career and technical education program designated by the department of workforce development as a less than moderate value program under section 7.5 of this chapter.

STEP TWO: Determine the number of pupils enrolled in an apprenticeship program; a cooperative education program; a foundational career and technical education course; or a work based learning course designated under section 7.5 of this chapter multiplied by one hundred fifty dollars (\$150).
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 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, 2020. 2021. 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 ten dollars (\$710)** 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 one hundred fifty dollars (\$1,150)** 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 118. IC 20-43-10-3.5, AS AMENDED BY P.L.108-2019, SECTION 231, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JUNE 29, 2021]: 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:

(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



1 distributed equals the amount of the appropriation for that particular state fiscal year.

2 (f) The annual teacher appreciation grant to which a school is entitled for a state fiscal year shall be
3 distributed to the school before December 5 of that state fiscal year.

4 (g) The following apply to a school's policy under subsection (c) concerning the distribution of teacher
5 appreciation grants:

6 (1) The governing body shall differentiate between a teacher rated as a highly effective teacher and
7 a teacher rated as an effective teacher. The policy must provide that the amount of a stipend awarded
8 to a teacher rated as a highly effective teacher must be at least twenty-five percent (25%) more than
9 the amount of a stipend awarded to a teacher rated as an effective teacher.

10 (2) The governing body of a school may differentiate between school buildings.

11 (3) A stipend to an individual teacher in a particular year is not subject to collective bargaining, but
12 is discussable, and is in addition to the minimum salary or increases in salary set under
13 IC 20-28-9-1.5. The governing body may provide that an amount not exceeding fifty percent (50%)
14 of the amount of a stipend to an individual teacher in a particular state fiscal year becomes a
15 permanent part of and increases the base salary of the teacher receiving the stipend for school years
16 beginning after the state fiscal year in which the stipend is received. The addition to base salary is
17 not subject to collective bargaining, but is discussable.

18 (h) A teacher appreciation grant received by a school shall be allocated among and used only to pay
19 cash stipends to all licensed teachers employed in the classroom who are rated as effective or as highly
20 effective and employed by the school as of December 1. A school may allocate up to twenty percent
21 (20%) of the grant received by the school to provide a supplemental award to teachers with less than five
22 (5) years of service who are rated as effective or as highly effective. The supplemental award is in
23 addition to the award made from the part of the grant that is allocated to all eligible teachers.

24 (i) The lead school corporation or interlocal cooperative administering a cooperative or other special
25 education program or administering a career and technical education program, including programs
26 managed under IC 20-26-10, IC 20-35-5, IC 20-37, or IC 36-1-7, shall award teacher appreciation grant
27 stipends to and carry out the other responsibilities of an employing school corporation under this section
28 for the teachers in the special education program or career and technical education program.

29 (j) A school shall distribute all stipends from a teacher appreciation grant to individual teachers within
30 twenty (20) business days of the date the department distributes the teacher appreciation grant to the
31 school. Any part of the teacher appreciation grant not distributed as stipends to teachers before February
32 must be returned to the department on the earlier of the date set by the department or June 30 of that state
33 fiscal year.

34 (k) The department, after review by the budget committee, may waive the December 5 deadline under
35 subsection (f) to distribute an annual teacher appreciation grant to the school under this section for that
36 state fiscal year and approve an extension of that deadline to a later date within that state fiscal year, if
37 the department determines that a waiver and extension of the deadline are in the public interest.

38 (l) The state board may adopt rules under IC 4-22-2, including emergency rules in the manner provided
39 in IC 4-22-2-37.1, as necessary to implement this section.

40 (m) This section expires June 30, ~~2021~~. **2023**.

41 SECTION 119. IC 20-43-13-4, AS AMENDED BY P.L. 108-2019, SECTION 233, IS AMENDED TO
42 READ AS FOLLOWS [EFFECTIVE JUNE 29, 2021]: Sec. 4. (a) Except as provided in subsection (c),
43 the complexity index is the percentage of the school corporation's students who were receiving
44 Supplemental Nutrition Assistance Program (SNAP) benefits, Temporary Assistance for Needy Families
45 (TANF) benefits, or foster care services as of October 1 in the school year ending in the later of:
46 (1) ~~2019~~; **2021**; or
47 (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) If a school corporation's complexity index is less than the school corporation's complexity index for the preceding state fiscal year, the school corporation's complexity index for the state fiscal year is the greater of:

(1) the school corporation's complexity index for the state fiscal year; or

(2) the school corporation's complexity index for the preceding state fiscal year minus twenty-five thousandths (0.025).

(c) For the state fiscal year beginning July 1, 2021, if a school corporation's complexity index is:

(1) greater than:

(A) the school corporation's complexity index for the preceding state fiscal year; plus

(B) twenty-five thousandths (0.025);

the school corporation's complexity index for the state fiscal year is equal to the school corporation's complexity index for the preceding state fiscal year plus twenty-five thousandths (0.025); or

(2) less than:

(A) the school corporation's complexity index for the preceding state fiscal year; minus

(B) twenty-five thousandths (0.025);

the school corporation's complexity index for the state fiscal year beginning July 1, 2021, is equal to the school corporation's complexity index for the preceding state fiscal year minus twenty-five thousandths (0.025).

(d) For the state fiscal year beginning July 1, 2022, if a school corporation's complexity index is:

(1) greater than:

(A) the school corporation's complexity index for the preceding state fiscal year; plus

(B) twenty-five thousandths (0.025);

the school corporation's complexity index for the state fiscal year is equal to the school corporation's complexity index for the preceding state fiscal year plus twenty-five thousandths (0.025); or

(2) less than:

(A) the school corporation's complexity index for the preceding state fiscal year; minus

(B) twenty-five thousandths (0.025);

the school corporation's complexity index for the state fiscal year beginning July 1, 2021, is equal to the school corporation's complexity index for the preceding state fiscal year minus twenty-five thousandths (0.025).

(d) (e) For a participating innovation network charter school, the percentage determined under this section is the greater of the percentage for the:

(1) participating innovation network charter school; or

(2) school corporation with which the participating innovation network charter school has contracted.

SECTION 120. IC 20-51-1-4.3, AS AMENDED BY P.L.184-2017, SECTION 34, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: 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; and

(3) is a member of a household with an annual income of not more than:

(A) for a school year beginning after June 30, 2021, and before July 1, 2022, two hundred



1 twenty-five percent (225%) of the amount required for the individual to qualify for the
2 federal free or reduced price lunch program; or

3 (B) for a school year beginning after June 30, 2022, three hundred percent (300%) of the
4 amount required for the individual to qualify for the federal free or reduced price lunch
5 program; and

6 (3) (4) meets at least one (1) of the following conditions:

7 (A) The individual is

8 (i) a student with a disability who requires special education and for whom an individualized
9 education program has been developed under IC 20-35 or a service plan developed under 511
10 IAC 7-34. and

11 (ii) a member of a household with an annual income of not more than two hundred percent
12 (200%) of the amount required for the individual to qualify for the federal free or reduced price
13 lunch program.

14 (B) The individual is

15 (i) an individual who, because of the school corporation's residency requirement, would be
16 required to attend a specific public school within a school corporation that has been placed in
17 the lowest category or designation of school improvement under IC 20-31-8-4 (has been
18 assigned an "F" grade). and

19 (ii) except as provided in IC 20-51-4-2.5, is a member of a household with an annual income
20 of not more than one hundred fifty percent (150%) of the amount required for the individual
21 to qualify for the federal free or reduced price lunch program.

22 An individual to whom this clause applies is not required to attend the public school before
23 becoming eligible for a choice scholarship, and may not be required to return to the public school
24 if the public school is placed in a higher category or designation under IC 20-31-8-4.

25 (C) Except as provided in IC 20-51-4-2.5, the individual is a member of a household with an
26 annual income of not more than one hundred fifty percent (150%) of the amount required for the
27 individual to qualify for the federal free or reduced price lunch program and The individual was
28 enrolled in kindergarten through grade 12, in a public school, including a charter school, in
29 Indiana for at least two (2) semesters immediately preceding the first semester for which the
30 individual receives a choice scholarship under IC 20-51-4.

31 (D) The individual or a sibling of the individual who, except as provided in IC 20-51-4-2.5, is
32 a member of a household with an annual income of not more than one hundred fifty percent
33 (150%) of the amount required for the individual to qualify for the federal free or reduced price
34 lunch program and satisfies either of the following:

35 (i) The individual or a sibling of the individual received before July 1, 2013, a scholarship from
36 a scholarship granting organization under IC 20-51-3 or a choice scholarship under IC 20-51-4
37 in a preceding school year, including a school year that does not immediately precede a school
38 year in which the individual receives a scholarship from a scholarship granting organization
39 under IC 20-51-3 or a choice scholarship under IC 20-51-4.

40 (ii) The individual or a sibling of the individual receives for the first time after June 30, 2013,
41 a scholarship of at least five hundred dollars (\$500) from a scholarship granting organization
42 under IC 20-51-3 or a choice scholarship under IC 20-51-4 in a preceding school year,
43 including a school year that does not immediately precede a school year in which the individual
44 receives a scholarship from a scholarship granting organization under IC 20-51-3 or a choice
45 scholarship under IC 20-51-4.

46 (E) Subject to IC 20-51-4-2.7, the individual:

47 (i) received an early education grant under IC 12-17.2-7.2;



1 (ii) used the grant described in item (i) to attend a prekindergarten program at an eligible
2 school; and
3 (iii) continues to meet the income eligibility requirements the individual was required to meet
4 to receive an early education grant under IC 12-17-2-7.2; and
5 (iv) (iii) continues to attend the eligible school at which the individual attended a
6 prekindergarten program as described in item (ii).

7 **(F) The individual is in foster care.**

8 SECTION 121. IC 20-51-1-5, AS AMENDED BY P.L.211-2013, SECTION 7, IS AMENDED TO
9 READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 5. "Eligible student" refers to an individual
10 who:

- 11 (1) has legal settlement in Indiana;
12 (2) is at least five (5) years of age and less than twenty-two (22) years of age on the date in the
13 school year specified in IC 20-33-2-7;
14 (3) either has been or is currently enrolled in a participating school; and
15 (4) is a member of a household with:

16 **(A) for taxable years ending before January 1, 2022**, an annual income of not more than two
17 hundred percent (200%) of the amount required for the individual to qualify for the federal free
18 or reduced price lunch program;

19 **(B) for the taxable year beginning after December 31, 2021, and ending before January 1,**
20 **2023, an annual income of not more than two hundred twenty-five percent (225%) of the**
21 **amount required for the individual to qualify for the federal free or reduced price lunch**
22 **program; and**

23 **(C) for taxable years beginning after December 31, 2022, an annual income of not more**
24 **than three hundred percent (300%) of the amount required for the individual to qualify for**
25 **the federal free or reduced price lunch program.**

26 SECTION 122. IC 20-51-1-5.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO
27 READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 5.5. "Parent", for purposes of IC 20-51-4,
28 includes the foster parent of an eligible choice scholarship student.

29 SECTION 123. IC 20-51-4-2, AS AMENDED BY P.L.211-2013, SECTION 9, IS AMENDED TO
30 READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 2. (a) ~~Subject to subsection (b),~~ **Except as**
31 **provided in subsection (b),** an eligible choice scholarship student is entitled to a choice scholarship
32 under this chapter for each school year ~~beginning after June 30, 2011,~~ that the eligible choice scholarship
33 student enrolls in an eligible school.

34 ~~(b) The department may not award more than:~~

35 ~~(1) seven thousand five hundred (7,500) choice scholarships for the school year beginning July 1,~~
36 ~~2011, and ending June 30, 2012; and~~

37 ~~(2) fifteen thousand (15,000) choice scholarships for the school year beginning July 1, 2012, and~~
38 ~~ending June 30, 2013.~~

39 The department shall establish the standards used to allocate choice scholarships among eligible choice
40 scholarship students.

41 **(b) An eligible choice scholarship student is not entitled to a choice scholarship under this**
42 **chapter for a particular year if the eligible choice scholarship student receives an annual grant**
43 **amount under IC 20-51.4-4-2 under the Indiana education scholarship account program for the**
44 **same school year.**

45 SECTION 124. IC 20-51-4-2.5 IS REPEALED [EFFECTIVE JULY 1, 2021]. Sec. 2.5.
46 Notwithstanding IC 20-51-1-4.3(3)(B), IC 20-51-1-4.3(3)(C), or IC 20-51-1-4.3(3)(D)(ii), an individual
47 who initially meets the income requirements under IC 20-51-1-4.3(3)(B), IC 20-51-1-4.3(3)(C), or



1 ~~IC 20-51-1-4.3(3)(D)(ii)~~ and is a member of a household whose income subsequently increases is
2 considered to meet the income requirements for as long as the individual is enrolled in an eligible school
3 and is a member of a household with an annual income of not more than two hundred percent (200%) of
4 the amount required for the individual to qualify for the federal free or reduced price lunch program.

5 SECTION 125. IC 20-51-4-2.7, AS ADDED BY P.L.184-2017, SECTION 35, IS AMENDED TO
6 READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 2.7. An eligible choice scholarship student
7 described in ~~IC 20-51-1-4.3(3)(E)~~ **IC 20-51-1-4.3(4)(E)** may only use a choice scholarship awarded to
8 the eligible choice scholarship student under this chapter to attend an eligible school at which the
9 individual used an early education grant under IC 12-17.2-7.2 to attend a prekindergarten program unless
10 the eligible choice scholarship student otherwise qualifies for a choice scholarship under
11 ~~IC 20-51-1-4.3(3)(A)~~ **IC 20-51-1-4.3(4)(A)** through ~~IC 20-51-1-4.3(3)(D)~~ **IC 20-51-1-4.3(4)(D)** or
12 **IC 20-51-1-4.3(4)(F)** and this chapter.

13 SECTION 126. IC 20-51-4-4, AS AMENDED BY P.L.108-2019, SECTION 234, IS AMENDED TO
14 READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 4. (a) The amount an eligible choice
15 scholarship student is entitled to receive under this chapter for a school year is equal to the following:

16 (1) The least of the following:

17 (A) The sum of the tuition **or** transfer tuition and fees required for enrollment or attendance of
18 the eligible choice scholarship student at the eligible school selected by the eligible choice
19 scholarship student for a school year that the eligible choice scholarship student (or the parent
20 of the eligible choice scholarship student) would otherwise be obligated to pay to the eligible
21 school.

22 (B) An amount equal to

23 (i) ninety percent (90%) of the state tuition support amount determined under section 5 of this
24 chapter. ~~if the eligible choice scholarship student is a member of a household with an annual~~
25 ~~income of not more than the amount required for the eligible choice scholarship student to~~
26 ~~qualify for the federal free or reduced price lunch program;~~

27 (ii) seventy percent (70%) of the state tuition support amount determined under section 5 of
28 this chapter ~~if the eligible choice scholarship student is a member of a household with an~~
29 ~~annual income of; in the case of an individual not described in section 2.5 of this chapter or~~
30 ~~item (i); not more than one hundred twenty-five percent (125%) of the amount required for the~~
31 ~~eligible choice scholarship student to qualify for the federal free or reduced price lunch~~
32 ~~program; and~~

33 (iii) fifty percent (50%) of the state tuition support amount determined under section 5 of this
34 chapter ~~if the eligible choice scholarship student is a member of a household with an annual~~
35 ~~income of; in the case of an individual not described in section 2.5 of this chapter or item (i)~~
36 ~~or (ii); not more than one hundred fifty percent (150%) of the amount required for the eligible~~
37 ~~choice scholarship student to qualify for the federal free or reduced price lunch program or; in~~
38 ~~the case of an individual described in section 2.5 of this chapter; not more than two hundred~~
39 ~~percent (200%) of the amount required for the eligible choice scholarship student to qualify~~
40 ~~for the federal free or reduced price lunch program.~~

41 (2) In addition **to the amount described in subdivision (1)**, if the eligible choice scholarship
42 student has been identified as eligible for special education services under IC 20-35 and the eligible
43 school provides the necessary special education or related services to the eligible choice scholarship
44 student, any amount that a school corporation would receive under IC 20-43-7 for the eligible choice
45 scholarship student if the eligible choice scholarship student attended the school corporation.
46 However, if an eligible choice scholarship student changes schools during the school year after the
47 December 1 count under IC 20-43-7-1 of eligible pupils enrolled in special education programs and



the eligible choice scholarship student enrolls in a different eligible school, any choice scholarship amounts paid to the eligible choice scholarship student for the remainder of the school year after the eligible choice scholarship student enrolls in the different eligible school shall not include amounts that a school corporation would receive under IC 20-43-7 for the eligible choice scholarship student if the eligible choice scholarship student attended the school corporation.

(b) The amount an eligible choice scholarship student is entitled to receive under this chapter if the eligible student applies for the choice scholarship under section 7(e) of this chapter shall be reduced on a prorated basis in the manner prescribed in section 6 of this chapter.

SECTION 127. IC 20-51-4-5, AS AMENDED BY P.L.106-2016, SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: 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, ~~excluding~~ **including the basic tuition support amount made under IC 20-43-6 and grants made under IC 20-43-10-2. 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.

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 128. IC 20-51-4-10, AS AMENDED BY P.L.106-2016, SECTION 23, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 10. The department shall distribute choice scholarships at least once each semester, or at equivalent intervals. The department may distribute the choice scholarship to the eligible choice scholarship student (or the parent of the eligible choice scholarship student) for the purpose of paying the educational costs described in section ~~4(1)(A) of this chapter (before July 1, 2017) or in section 4(a)(1)(A) of this chapter. (after June 30, 2017).~~ For the distribution to be valid, the eligible choice scholarship student (or the parent of the eligible choice scholarship student) and the eligible school providing educational services to the eligible choice scholarship student must annually sign a form, prescribed by the department to endorse distributions for the particular school year. If:

(1) an eligible choice scholarship student who is receiving a choice scholarship for a school year changes schools during the school year after signing the form to endorse distributions for that school year; and

(2) the eligible choice scholarship student enrolls in a different eligible school that has not signed the form to endorse distributions for that school year;

the eligible choice scholarship student (or the parent of the eligible choice scholarship student) and the eligible school must sign the form prescribed by the department to endorse distributions for the particular school year.

SECTION 129. IC 20-51.4 IS ADDED TO THE INDIANA CODE AS A NEW ARTICLE TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]:

ARTICLE 51.4. INDIANA EDUCATION SCHOLARSHIP ACCOUNT PROGRAM

Chapter 1. Applicability

Sec. 1. This article applies to a school year beginning after June 30, 2021, and each school year



1 thereafter.

2 Chapter 2. Definitions

3 Sec. 1. The definitions in this chapter apply throughout this article.

4 Sec. 2. "Account" refers to an Indiana education scholarship account established by an eligible
5 student's parent or an emancipated (as described in IC 20-26-11-4) eligible student under
6 IC 20-51.4-4-1.

7 Sec. 3. "Annual grant amount" refers to the annual grant amount deposited into the eligible
8 student's account under IC 20-51.4-4-2.

9 Sec. 4. "Approved postsecondary educational institution" has the meaning set forth in
10 IC 21-7-13-6(a).

11 Sec. 5. "Council" refers to the Indiana education scholarship account program advisory council
12 established under IC 20-51.4-3-7.

13 Sec. 6. "Eligible student" refers to an individual who:

14 (1) has legal settlement in Indiana;

15 (2) is at least five (5) years of age and less than twenty-two (22) years of age on the date in the
16 school year specified in IC 20-33-2-7;

17 (3) is:

18 (A) a student with a disability at the time the account is established who requires special
19 education and for whom:

20 (i) an individualized education program;

21 (ii) a service plan developed under 511 IAC 7-34; or

22 (iii) a choice special education plan developed under 511 IAC 7-49;

23 has been developed;

24 (B) a student with a parent who, at the time the account is established, is on active duty
25 service in the armed forces of the United States or national guard; or

26 (C) placed in foster care or otherwise under care and supervision of the department of child
27 services at the time the account is established and has received authorization from the
28 department of child services to establish the account; and

29 (4) either:

30 (A) established an account; or

31 (B) had an account established on behalf of the individual;

32 that has not been frozen by the treasurer of state under IC 20-51.4-4-9.

33 Sec. 7. "Parent" has the meaning set forth in IC 20-18-2-13 and includes for a student described
34 in section 6(3)(C) of this chapter, a foster parent.

35 Sec. 8. "Participating entity" refers to an individual or entity authorized by the treasurer of state
36 to participate in the program under IC 20-51.4-5-2.

37 Sec. 9. "Program" refers to the Indiana education scholarship account program established by
38 IC 20-51.4-3-1.

39 Sec. 10. "Public school" refers to a school maintained by a school corporation or a charter
40 school.

41 Sec. 11. "Qualified expenses" refers to the following expenses related to the education of an
42 eligible student for which scholarship money in an account may be used:

43 (1) Tuition and fees at a qualified school, public school, or other participating entity.

44 (2) Curricular materials required to be used by the eligible student at a qualified school, public
45 school, or other participating entity.

46 (3) Payment for the purchase of curricular materials or any supplemental materials required
47 to administer the curriculum.



- 1 (4) Fees for:
2 (A) national norm referenced or criterion referenced examinations;
3 (B) advanced placement examinations, Cambridge International courses, International
4 Baccalaureate courses, or College-Level Examination Program (CLEP) examinations;
5 (C) any examinations necessary for admission to an approved postsecondary educational
6 institution; or
7 (D) assessments associated with industry recognized credentials.
8 (5) Educational services for an eligible student who is a student with a disability, provided in
9 accordance with the eligible student's:
10 (A) individualized education program developed under IC 20-35 or service plan developed
11 under 511 IAC 7-34; or
12 (B) plan established in accordance with Section 504 of the Rehabilitation Act of 1973, 29
13 U.S.C. 794.
14 (6) Payments associated with the use of paraprofessional or educational aides.
15 (7) Tuition and fees at an approved postsecondary educational institution or vocational school.
16 (8) Curricular materials required for courses in which the eligible student is enrolled at an
17 approved postsecondary educational institution.
18 (9) Services contracted for and provided by a school corporation, charter school, or magnet
19 school, including:
20 (A) individual classes; or
21 (B) extracurricular activities or programs.
22 (10) Occupational therapy for a student with a disability, provided in accordance with the
23 eligible student's individualized education program developed under IC 20-35 or service plan
24 developed under 511 IAC 7-34.
25 (11) Additional services and therapies prescribed by the eligible student's treating physician
26 in accordance with generally accepted standards of care to improve outcomes for the student
27 in addition to any services currently being provided by the school, insurance, or the Medicaid
28 program.
29 (12) Tuition, fees, instructional material, and examination fees at a career or technical school.
30 (13) Computer hardware or other technological devices one (1) time every three (3) years if
31 used for an eligible student's educational needs and approved by the treasurer of state.
32 (14) Subject to IC 20-51.4-4-7, fees for transportation paid to a fee-for-service transportation
33 provider for the eligible student to travel to and from an approved service provider.
34 (15) Costs of up to two hundred dollars (\$200) associated with obtaining a school uniform.
35 (16) Tuition and fees to attend training programs and camps that have a focus on:
36 (A) vocational skills;
37 (B) academic skills;
38 (C) life skills;
39 (D) independence; or
40 (E) soft job skills that are character traits and interpersonal skills that characterize a
41 person's relationships with other people.
42 (17) Fees for the management of the account, as described in IC 20-51.4-3-2(c).
43 (18) An expense approved by the council under IC 20-51.4-3-6.
44 Sec. 12. "Qualified school" refers to a nonpublic school accredited by either the state board or
45 a national or regional accreditation agency that is recognized by the state board:
46 (1) to which an eligible student is required to pay tuition to attend;
47 (2) that agrees to enroll an eligible student; and



(3) that administers the statewide assessment or an assessment that is correlated to the statewide assessment under IC 20-51.4-3-9.

Chapter 3. Administration of Indiana Education Scholarship Accounts

Sec. 1. The Indiana education scholarship account program is established to provide grants to a parent of an eligible student or an emancipated student under IC 20-51.4-4 after June 30, 2022.

Sec. 2. (a) The program shall be administered by the treasurer of state in consultation with the state board and the department.

(b) The treasurer of state may contract with one (1) or more entities to maintain and manage accounts established under IC 20-51.4-4-1 after issuing a request for proposal under IC 5-22-9.

Each entity shall:

(1) meet qualification requirements established by the treasurer of state; and

(2) comply with generally accepted accounting principles.

(c) The treasurer of state shall establish reasonable fees for entities described in subsection (b) participating in the program based upon market rates.

Sec. 3. (a) The program is subject to annual audit by an independent public accounting firm retained by the treasurer of state.

(b) The treasurer of state shall promptly transmit copies of each annual audit to the governor and, in an electronic format under IC 5-14-6, the general assembly. Upon request, the treasurer of state shall make copies of the audit available to the public.

Sec. 4. (a) After June 30, 2022, the treasurer of state shall administer an annual survey of parents of eligible students and emancipated eligible students who maintain an account under IC 20-51.4-4-1. The survey must request information:

(1) regarding when the account was established and the number of grants received;

(2) relating to relative satisfaction with the program; and

(3) regarding opinions on any topics, items, or issues that the treasurer of state determines may improve the effectiveness of the program or the education experience of the eligible student or the eligible student's family.

(b) Not later than November 1, 2022, and each November 1 thereafter, the treasurer of state shall annually provide a summary of the survey administered under subsection (a) to the governor and, in an electronic format under IC 5-14-6, the legislative council.

Sec. 5. The treasurer of state shall provide online services and capabilities including, but not limited to, the following:

(1) A method for parents to submit an application agreement described in IC 20-51.4-4-1(a).

(2) A method for an eligible school and a participating entity to submit the intent of the eligible school or participating entity to participate in the program.

(3) A method for parents to identify and select eligible schools and participating entities participating in the program.

(4) A method for parents and participating entities to initiate and receive payments from an eligible student's account.

(5) A method for parents to rate the parent's experience with a participating entity and the ability for other parents of eligible students to see the rating.

(6) Methods that are intuitive and allow for contributions to be easily made to an eligible student's account.

(7) Resources the family of an eligible student described in IC 20-51.4-2-6(3)(A) or IC 20-51.4-2-6(3)(C) can access to learn about advocacy groups available to provide information and resources to the eligible student's family.

Sec. 6. Not later than July 1, 2023, the treasurer of state, in consultation with the state board and



1 the department, shall establish a procedure to allow a parent of an eligible student or an
2 emancipated eligible student to petition the council for the approval of an expense not listed under
3 IC 20-51.4-2-11(1) through IC 20-51.4-2-11(17).

4 Sec. 7. (a) The Indiana education scholarship account program advisory council is established
5 to:

6 (1) provide guidance on the implementation of the program as well as to provide
7 recommendations for program improvements to the treasurer of state and, in an electronic
8 format under IC 5-14-6, to the general assembly; and

9 (2) review a summary of the surveys administered by the treasurer of state under section 4 of
10 this chapter and make recommendations to the department or, in an electronic format under
11 IC 5-14-6, to the general assembly, to improve the educational experience offered by the
12 program.

13 (b) The council consists of the following members:

14 (1) A representative of the treasurer of state's office, appointed by the treasurer of state.

15 (2) A representative of the department, appointed by the secretary of education.

16 (3) A representative of the Indiana Council of Administrators of Special Education (ICASE),
17 appointed by the secretary of education.

18 (4) One (1) member who is a representative of a statewide advocacy organization for
19 individuals with intellectual and developmental disabilities, appointed by the treasurer of state.

20 (5) One (1) member who is a representative of an organization advocating for foster children,
21 appointed by the treasurer of state.

22 (6) One (1) member who is a representative of an organization advocating for military
23 families, appointed by the treasurer of state.

24 (7) One (1) member who must be the parent of an eligible student described in
25 IC 20-51.4-2-6(3)(A), appointed by the president pro tempore of the senate.

26 (8) One (1) member who must be the parent of an eligible student described in
27 IC 20-51.4-2-6(3)(B), appointed by the president pro tempore of the senate.

28 (9) One (1) member who must be the parent of an eligible student described in
29 IC 20-51.4-2-6(3)(C), appointed by the president pro tempore of the senate.

30 (10) Two (2) members who are parents of an eligible student described in IC 20-51.4-2-6(3)(A),
31 IC 20-51.4-2-6(3)(B), or IC 20-51.4-2-6(3)(C), appointed by the speaker of the house of
32 representatives.

33 (11) One (1) member who is a representative of nonpublic schools appointed by the secretary
34 of education.

35 (12) One (1) member who is an eligible student, appointed by the speaker of the house of
36 representatives.

37 (c) The member described in subsection (b)(1) shall act as chairperson of the council. The council
38 shall meet at the call of the chairperson. The treasurer of state shall provide staffing support for
39 the council. A majority of the entire membership of the council shall constitute a quorum. No action
40 of the council shall be valid unless approved by at least seven (7) members.

41 (d) The council shall make recommendations to the treasurer of state regarding the
42 establishment of a program handbook.

43 Sec. 8. (a) The department shall provide services that offer objective advice upon request to
44 parents of an eligible student or an emancipated eligible student relating to services that can help
45 meet the eligible student's or emancipated eligible student's particular needs.

46 (b) The department may contract with a third party provider to provide the services described
47 in subsection (a).



1 Sec. 9. The department shall maintain a list of assessments that are correlated to the statewide
2 assessment, and upon request from a school, perform an assessment correlation if the assessment
3 correlation is feasible.

4 Chapter 4. Indiana Education Scholarship Accounts

5 Sec. 1. (a) After June 30, 2022, a parent of an eligible student or an emancipated eligible student
6 may establish an Indiana education scholarship account for the eligible student by entering into a
7 written agreement with the treasurer of state on a form prepared by the treasurer of state. The
8 treasurer of state shall establish a date by which an application to establish an account for the
9 2022-2023 school year must be submitted. However, for a school year beginning after July 1, 2022,
10 applications must be submitted for an eligible student not later than April 1 for the immediately
11 following school year. The account of an eligible student shall be made in the name of the eligible
12 student. The treasurer of state shall make the agreement available on the Internet web site of the
13 treasurer of state. To be eligible, a parent of an eligible student or an emancipated eligible student
14 wishing to participate in the program must agree that:

15 (1) a grant deposited in the eligible student's account under section 2 of this chapter and any
16 interest that may accrue in the account will be used only for the eligible student's qualified
17 expenses;

18 (2) money in the account when the account is terminated reverts to the state tuition reserve
19 account established by IC 4-12-1-15.7;

20 (3) the parent of the eligible student or the emancipated eligible student will use part of the
21 money in the account:

22 (A) for the eligible student's study in the subject of reading, grammar, mathematics, social
23 studies, or science; or

24 (B) for use in accordance with the eligible student's:

25 (i) individualized education program;

26 (ii) service plan developed under 511 IAC 7-34;

27 (iii) choice special education plan developed under 511 IAC 7-49; or

28 (iv) plan developed under Section 504 of the federal Rehabilitation Act of 1973, 29 U.S.C.
29 794; and

30 (4) the eligible student will not be enrolled in a school that receives tuition support under
31 IC 20-43.

32 (b) A parent of an eligible student may enter into a separate agreement under subsection (a) for
33 each child of the parent. However, not more than one (1) account may be established for each
34 eligible student.

35 (c) The account must be established under subsection (a) by a parent of an eligible student or an
36 emancipated eligible student for a school year on or before a date established by the treasurer of
37 state, which must be at least thirty (30) days before the fall ADM count date established by the state
38 board under IC 20-43-4-3. A parent of an eligible student or an emancipated eligible student may
39 not enter into an agreement under this section or maintain an account under this chapter if the
40 eligible student receives a choice scholarship under IC 20-51-4 for the same school year. An eligible
41 student may not receive a grant under section 3 of this chapter if the eligible student is currently
42 included in a school corporation's ADM count under IC 20-43-4.

43 (d) Except as provided in subsections (e) and (f), an agreement made under this section is valid
44 for one (1) school year while the eligible student is in kindergarten through grade 12 and may be
45 renewed annually, and money in the account at the end of the school year remains in the account.
46 Upon graduation or receipt of a certificate of completion under the eligible student's individualized
47 education program, the parent of an eligible student or an emancipated eligible student shall



1 annually renew the account and may elect to keep the account open until the money in the account
2 is depleted or the account is terminated. However, money in the account may not be used for
3 anything other than qualified expenses.

4 (e) An agreement entered into under this section terminates automatically for an eligible student
5 if:

6 (1) the eligible student no longer resides in Indiana while the eligible student is eligible to
7 receive grants under section 2 of this chapter; or

8 (2) the account is not renewed within three hundred ninety-five (395) days after the date the
9 account was either established or last renewed.

10 If an account is terminated under this section, money in the eligible student's account, including any
11 interest accrued, reverts to the state tuition reserve account.

12 (f) An agreement made under this section for an eligible student while the eligible student is in
13 kindergarten through grade 12 may be terminated before the end of the school year if the parent
14 of the eligible student or the emancipated eligible student notifies the treasurer of state in a manner
15 specified by the treasurer of state.

16 (g) A distribution made to an account under section 3 of this chapter is considered tax exempt
17 as long as the distribution is used for a qualified expense. The amount is subtracted from the
18 definition of adjusted income under IC 6-3-1-3.5 to the extent the distribution used for the qualified
19 expense is included in the taxpayer's adjusted federal gross income under the Internal Revenue
20 Code.

21 (h) The department shall establish a student test number as described in IC 20-19-3-9.4 for each
22 eligible student. The treasurer of state shall provide the department information necessary for the
23 department to comply with this subsection.

24 Sec. 2. (a) An eligible student who currently maintains an account is entitled to an annual grant
25 amount for each school year until the student graduates or obtains a certificate of completion under
26 the student's individualized education program. An eligible student may not receive a grant under
27 this section after graduating or obtaining a certificate of completion. The annual grant amount shall
28 be paid from the amount appropriated as state tuition support under IC 20-43-2-1. The treasurer
29 of state, with notice to the department, shall deposit the annual grant amount under this section,
30 in quarterly deposits, into an eligible student's account in a manner established by the treasurer of
31 state. The treasurer of state may deduct an amount of not more than one and five-tenths percent
32 (1.5%) from each quarterly distribution to accounts under this article to cover the costs of
33 managing the accounts and administering the program. However, the amount deducted under this
34 subsection may not exceed a maximum annual fee amount of two hundred fifty thousand dollars
35 (\$250,000). The administrative fees collected under this subsection must be reduced proportionately
36 in a manner necessary to comply with the maximum annual fee amount requirements.

37 (b) At the end of the year in which an account is established, the parent of an eligible student or
38 the emancipated eligible student may roll over for use in a subsequent year a maximum of two
39 thousand dollars (\$2,000). However, for each year thereafter, the parent of the eligible student or
40 the emancipated student may roll over two thousand dollars (\$2,000) plus any amount rolled over
41 in a previous year.

42 Sec. 3. (a) Subject to sections 4 and 11 of this chapter, the annual grant amount under section
43 2 of this chapter for an eligible student equals, subject to subsection (b), ninety percent (90%) of
44 the amount determined in the last STEP of the following formula:

45 STEP ONE: Determine the school corporation in which the eligible student has legal
46 settlement.

47 STEP TWO: Determine the amount of state tuition support that the school corporation



1 identified under STEP ONE is eligible to receive under IC 20-43-6 for the state fiscal year in
2 which the immediately preceding school year begins. The amount does not include amounts
3 provided for special education grants under IC 20-43-7, career and technical education grants
4 under IC 20-43-8, or grants under IC 20-43-10.

5 STEP THREE: Determine the result of:

6 (A) the STEP TWO amount; divided by

7 (B) the current ADM (as defined in IC 20-43-1-10) for the school corporation identified
8 under STEP ONE for the state fiscal year used in STEP TWO.

9 (b) An eligible student may choose to receive special education services from the school
10 corporation required to provide the special education services to the eligible student under 511
11 IAC 7-34-1. However, if an eligible student described in subsection (a) chooses not to receive special
12 education or related services from a school corporation required to provide the services to the
13 eligible student under 511 IAC 7-34-1, the annual grant amount for the eligible student shall, in
14 addition to the amount described in subsection (a), include the amount the school corporation would
15 receive under IC 20-43-7 for the eligible student if the eligible student attended the school
16 corporation.

17 (c) The annual grant amounts provided in subsection (a) shall be rounded as provided in
18 IC 20-43-3-1(4).

19 Sec. 4. If an eligible student's agreement under section 1 of this chapter is in effect for less than
20 an entire school year, the annual grant amount provided under section 2 of this chapter for that
21 school year shall be reduced on a prorated basis in a manner prescribed by the treasurer of state
22 to reflect the length of the agreement. In the event an eligible student's account is terminated
23 because the eligible student enrolls in a school that receives tuition support under IC 20-43, the
24 balance in the account at the time the account is terminated shall be transferred to the school
25 corporation or charter school in which the eligible student enrolls.

26 Sec. 5. Upon entering into or renewing an agreement under this chapter, the treasurer of state
27 shall provide to the parent of an eligible student or an emancipated eligible student a written
28 explanation of the authorized uses of the money in the account and the responsibilities of the parent
29 of an eligible student or an emancipated eligible student and the treasurer of state regarding an
30 account established under section 1 of this chapter.

31 Sec. 6. This chapter does not prohibit a parent of an eligible student or an emancipated eligible
32 student from making a payment for any qualified expense from a source other than the eligible
33 student's account. The parent of an eligible student or an emancipated eligible student is responsible
34 for the payment of any tuition required by a qualified school that is not paid from the eligible
35 student's account.

36 Sec. 7. A parent of an eligible student or an emancipated eligible student may use not more than
37 seven hundred fifty dollars (\$750) of the annual grant amount received under this chapter each
38 school year for fees for transportation paid to a fee-for-service transportation provider for the
39 eligible student to travel to and from an approved service provider. However, the treasurer of state,
40 in consultation with the department, shall establish criteria and a process by which a parent of an
41 eligible student described in IC 20-51.4-2-6(3)(A) may receive a waiver from the limit imposed on
42 transportation fees under this section.

43 Sec. 8. (a) A participating entity that receives a payment for a qualified expense may not:

- 44 (1) refund any part of the payment to the parent of the eligible student or the emancipated
45 eligible student unless the refund is for an item that has been returned to the place of original
46 purchase or is for an item or service that has not been provided by the participating entity; or
47 (2) rebate or otherwise share any part of the payment with the parent of the eligible student



1 or the emancipated eligible student who made the payment.

2 (b) A parent of an eligible student or an emancipated eligible student who receives a refund
3 under subsection (a) shall deposit the refund into the account from which the money was paid.

4 Sec. 9. (a) The treasurer of state shall freeze the account established under section 1 of this
5 chapter of any parent of an eligible student or an emancipated eligible student who:

6 (1) fails to comply with the terms of the agreement established under section 1 of this chapter;

7 (2) fails to comply with applicable laws or regulations; or

8 (3) substantially misuses funds in the account.

9 (b) The treasurer of state shall send written notice to the parent of the eligible student or the
10 emancipated eligible student stating the reason for the freeze under subsection (a). The treasurer
11 of state may also send notice to the attorney general or the prosecuting attorney in the county in
12 which the parent of the eligible student or the emancipated eligible student resides if the treasurer
13 of state believes a crime has been committed or a civil action relating to the account is necessary.

14 (c) A parent of an eligible student or an emancipated eligible student whose account has been
15 frozen under subsection (a) may petition the treasurer of state for redetermination of the decision
16 under subsection (a) within thirty (30) days after the date the treasurer of state sends notice to the
17 parent of the eligible student or the emancipated eligible student under subsection (b). The petition
18 must contain a written explanation stating why the treasurer of state was incorrect in freezing the
19 account under subsection (a). If the treasurer of state does not receive a timely submitted petition
20 from a parent of an eligible student or an emancipated eligible student under this subsection, the
21 treasurer of state shall terminate the account.

22 (d) The treasurer of state shall review a petition received under subsection (c) within fifteen (15)
23 business days of receipt of the petition and issue a redetermination letter to the parent of the eligible
24 student or the emancipated eligible student. If the treasurer of state overturns the treasurer of
25 state's initial decision under subsection (a), the treasurer of state shall immediately unfreeze the
26 account. If the treasurer of state affirms the decision under subsection (a), the treasurer of state
27 shall give notice of the affirmation to the parent of the eligible student or the emancipated eligible
28 student and terminate the account.

29 Sec. 10. Notwithstanding 511 IAC 7-34-1(d)(4), a public school is not required to make available
30 special education and related services to an eligible student if the eligible student receives funds
31 under section 2 of this chapter and the special education services are provided to the eligible student
32 by the participating entity. This section may not be construed as a restriction or limitation on any
33 of the rights, benefits, and protections granted to an individual under the federal Individuals with
34 Disabilities Education Improvement Act of 2004 (20 U.S.C. 1400 et seq.).

35 Sec. 11. Distributions made to an account under section 2 of this chapter or money in the account
36 may not be treated as income or a resource for purposes of qualifying for any other federal or state
37 grant or program administered by the state or a political subdivision.

38 Chapter 5. Participating Entities

39 Sec. 1. It is the intent of the general assembly to honor the autonomy of nonpublic schools that
40 choose and are authorized to become participating entities under this article. A nonpublic eligible
41 school is not an agent of the state or federal government, and therefore:

42 (1) the treasurer of state, state board, department, or any other state agency may not in any
43 way regulate the educational program of a nonpublic school that accepts money from an
44 account under this article, including the regulation of curriculum content, religious instruction
45 or activities, classroom teaching, teacher and staff hiring requirements, and other activities
46 carried out by the nonpublic school;

47 (2) the creation of the program does not expand the regulatory authority of the state or the



1 state's officers to impose additional regulation of nonpublic schools beyond those necessary
2 to enforce the requirements of the program; and

3 (3) an accredited nonpublic school that is a participating entity may provide for the
4 educational needs of students without governmental control.

5 Sec. 2. (a) The following individuals or entities may become a participating entity by submitting
6 an application to the treasurer of state in a manner prescribed by the treasurer of state:

7 (1) A qualified school.

8 (2) An approved postsecondary educational institution.

9 (3) An individual who or tutoring agency that provides private tutoring.

10 (4) An individual who or entity that provides services to a student with a disability in
11 accordance with an individualized education program developed under IC 20-35 or a service
12 plan developed under 511 IAC 7-34 or generally accepted standards of care prescribed by the
13 eligible student's treating physician.

14 (5) An individual who or entity that offers a course, program, or distance learning program
15 to an eligible student.

16 (6) A licensed occupational therapist.

17 (b) The treasurer of state shall approve an application submitted under subsection (a) if the
18 individual or entity meets the criteria to serve as a participating entity.

19 (c) If it is reasonably expected by the treasurer of state that a participating entity will receive,
20 from payments made under the program, more than fifty thousand dollars (\$50,000) during a
21 particular school year, the participating entity shall, on or before a date prescribed by the treasurer
22 of state:

23 (1) post a surety bond in an amount equal to the amount expected to be paid to the
24 participating entity under the program for the particular school year; or

25 (2) provide the treasurer of state evidence, in a manner prescribed by the treasurer of state,
26 indicating that the participating entity has unencumbered assets sufficient to pay the treasurer
27 of state an amount equal to the amount expected to be paid to the participating entity under
28 the program during the particular school year.

29 (d) Each participating entity that accepts payments made from an account under this article
30 shall provide a receipt to the parent of an eligible student or to the emancipated eligible student for
31 each payment made.

32 Sec. 3. (a) Each qualified school that is a participating entity that accepts payments for tuition
33 and fees made from an account under the program shall administer to its eligible students the
34 statewide assessment or an assessment that is correlated to the statewide assessment unless
35 otherwise prescribed by the eligible student's:

36 (1) individualized education program;

37 (2) service plan developed under 511 IAC 7-34;

38 (3) choice special education plan developed under 511 IAC 7-49; or

39 (4) plan developed under Section 504 of the federal Rehabilitation Act of 1973, 29 U.S.C. 794.

40 (b) Upon receipt of the statewide assessment or an assessment that is correlated to the statewide
41 assessment test results, the department shall, subject to the federal Family Educational Rights and
42 Privacy Act (20 U.S.C. 1232g) and any regulations adopted under that act:

43 (1) aggregate the statewide assessment or an assessment that is correlated to the statewide
44 assessment test results according to the grade level, gender, race, and family income level of
45 all eligible students; and

46 (2) make the results determined under subdivision (1) available on the department's Internet
47 web site.



1 Sec. 4. (a) The treasurer of state may refuse to allow a participating entity to continue
2 participation in the program and revoke the participating entity's status as a participating entity
3 if the treasurer of state determines that the participating entity accepts payments made from an
4 account under this article and:

5 (1) has failed to provide any educational service required by state or federal law to an eligible
6 student receiving instruction from the participating entity; or

7 (2) has routinely failed to meet the requirements of a participating entity under the program.

8 (b) If the treasurer of state revokes a participating entity's status as a participating entity in the
9 program, the treasurer of state shall provide notice of the revocation within thirty (30) days of the
10 revocation to each parent of an eligible student and to each emancipated eligible student receiving
11 instruction from the participating entity who has paid the participating entity from the eligible
12 student's account.

13 (c) The treasurer of state may permit a former participating entity described in subsection (a)
14 to reapply with the treasurer of state for authorization to be a participating entity on a date
15 established by the treasurer of state, which may not be earlier than one (1) year after the date on
16 which the former participating entity's status as a participating entity was revoked under
17 subsection (a). The treasurer of state may establish reasonable criteria or requirements that the
18 former participating entity must meet before being reapproved by the treasurer of state as a
19 participating entity.

20 Sec. 5. An approved participating entity:

21 (1) may not charge an eligible student participating in the program an amount greater than
22 a similarly situated student who is receiving the same or similar services; and

23 (2) shall provide a receipt to a parent of an eligible student or an emancipated eligible student
24 for each qualified expense charged for education or related services provided to the eligible
25 student.

26 Sec. 6. The treasurer of state shall annually make available on the treasurer of state's Internet
27 web site a list of participating entities.

28 Chapter 6. Rulemaking

29 Sec. 1. (a) The treasurer of state shall adopt rules under IC 4-22-2 necessary to administer this
30 article.

31 (b) The state board shall adopt rules under IC 4-22-2 to establish a procedure to establish an
32 Indiana education scholarship account education service plan for an eligible student defined in
33 IC 20-51.4-2-6(3)(A).

34 SECTION 130. IC 21-18.5-4-3, AS AMENDED BY P.L.81-2019, SECTION 11, IS AMENDED TO
35 READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 3. For purposes of administering this chapter,
36 the commission shall do the following:

37 (1) Prepare and supervise the issuance of public information concerning this chapter, IC 21-12-2,
38 IC 21-12-3, and IC 21-12-4.

39 (2) Prescribe the form and regulate the submission of applications for higher education awards and
40 the commission's programs.

41 (3) Conduct conferences and interviews with applicants as appropriate.

42 (4) Determine the eligibility of applicants.

43 (5) Select qualified applicants.

44 (6) Determine annually the maximum higher education award (IC 21-12-3) and freedom of choice
45 award (IC 21-12-4), **with any increases** subject to approval by the budget agency. ~~with review by~~
46 ~~the budget committee.~~

47 (7) Determine the respective amounts of, and award, the appropriate higher education awards,



1 grants, and scholarships.

2 (8) Determine eligibility for, and award, annual renewals of higher education awards, grants, and
3 scholarships.

4 (9) Act as the designated state agency for participation in any federal program for reinsurance of
5 student loans.

6 (10) Receive federal funds made available to the commission for awards, grants, and scholarships,
7 and disburse these funds in the manner prescribed by federal law.

8 (11) One (1) time every year, submit a report to the legislative council that provides data and
9 statistical information regarding the number of individuals who received assistance under IC 21-12-6
10 and IC 21-12-6.5. The report made to the legislative council must be in an electronic format under
11 IC 5-14-6.

12 (12) One (1) time every year, submit a report to the budget committee that provides data and
13 statistical information regarding the number of individuals who received assistance under IC 21-12,
14 IC 21-13, and IC 21-14.

15 SECTION 131. IC 33-34-8-3, AS AMENDED BY P.L.39-2017, SECTION 2, IS AMENDED TO
16 READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 3. (a) Payment for all costs made as a result
17 of proceedings in a small claims court shall be to the _____ Township of Marion County Small Claims
18 Court (with the name of the township inserted). The court shall issue a receipt for all money received on
19 a form numbered serially in duplicate.

20 (b) This subsection applies only to a low caseload court (as defined in section 5 of this chapter). All
21 township docket fees and late fees received by the court shall be paid to the township trustee at the close
22 of each month.

23 (c) This subsection does not apply to a low caseload court. This subsection applies to all other
24 township small claims courts in Marion County. One dollar and fifty cents (\$1.50) of the township docket
25 fee shall be paid to the township trustee of each low caseload court at the end of each month. The
26 remaining township docket fees and late fees received by the court shall be paid to the township trustee
27 at the close of each month.

28 (d) The court shall:

29 (1) semiannually distribute to the auditor of state:

30 (A) all automated record keeping fees (IC 33-37-5-21) received by the court for deposit in the
31 homeowner protection unit account established by IC 4-6-12-9 and the state user fee fund
32 established under IC 33-37-9;

33 (B) all public defense administration fees collected by the court under IC 33-37-5-21.2 for
34 deposit in the state general fund;

35 (C) sixty percent (60%) of all court administration fees collected by the court under
36 IC 33-37-5-27 for deposit in the state general fund;

37 (D) all judicial insurance adjustment fees collected by the court under IC 33-37-5-25 for deposit
38 in ~~the judicial branch insurance adjustment account established by IC 33-38-5-8.2;~~ **the state**
39 **general fund.**

40 (E) seventy-five percent (75%) of all judicial salaries fees collected by the court under
41 IC 33-37-5-26 for deposit in the state general fund; and

42 (F) one hundred percent (100%) of the pro bono legal services fees collected before July 1, 2022,
43 by the court under IC 33-37-5-31; and

44 (2) distribute monthly to the county auditor all document storage fees received by the court.

45 The remaining twenty-five percent (25%) of the judicial salaries fees described in subdivision (1)(E) shall
46 be deposited monthly in the township general fund of the township in which the court is located. The
47 county auditor shall deposit fees distributed under subdivision (2) into the clerk's record perpetuation fund



1 under IC 33-37-5-2.

2 (e) The court semiannually shall pay to the township trustee of the township in which the court is
3 located the remaining forty percent (40%) of the court administration fees described under subsection
4 (d)(1)(C) to fund the operations of the small claims court in the trustee's township.

5 SECTION 132. IC 33-37-5-25, AS AMENDED BY P.L.1-2006, SECTION 510, IS AMENDED TO
6 READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 25. (a) This subsection does not apply to the
7 following:

8 (1) A criminal proceeding.

9 (2) A proceeding to enforce a statute defining an infraction.

10 (3) A proceeding for an ordinance violation.

11 In each action filed in a court described in IC 33-37-1-1, the clerk shall collect a judicial insurance
12 adjustment fee of one dollar (\$1) **and deposit the amount collected in the state general fund.**

13 (b) In each action in which a person is:

14 (1) convicted of an offense;

15 (2) required to pay a pretrial diversion fee;

16 (3) found to have committed an infraction; or

17 (4) found to have violated an ordinance;

18 the clerk shall collect a judicial insurance adjustment fee of one dollar (\$1) **and deposit the amount**
19 **collected in the state general fund.**

20 SECTION 133. IC 33-37-7-2, AS AMENDED BY P.L.156-2020, SECTION 124, IS AMENDED TO
21 READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 2. (a) The clerk of a circuit court shall
22 distribute semiannually to the auditor of state as the state share for deposit in the homeowner protection
23 unit account established by IC 4-6-12-9 one hundred percent (100%) of the automated record keeping fees
24 collected under IC 33-37-5-21 with respect to actions resulting in the accused person entering into a
25 pretrial diversion program agreement under IC 33-39-1-8 or a deferral program agreement under
26 IC 34-28-5-1 and for deposit in the state general fund seventy percent (70%) of the amount of fees
27 collected under the following:

28 (1) IC 33-37-4-1(a) (criminal costs fees).

29 (2) IC 33-37-4-2(a) (infraction or ordinance violation costs fees).

30 (3) IC 33-37-4-3(a) (juvenile costs fees).

31 (4) IC 33-37-4-4(a) (civil costs fees).

32 (5) IC 33-37-4-6(a)(1)(A) (small claims costs fees).

33 (6) IC 33-37-4-7(a) (probate costs fees).

34 (7) IC 33-37-5-17 (deferred prosecution fees).

35 (b) The clerk of a circuit court shall distribute semiannually to the auditor of state for deposit in the
36 state user fee fund established in IC 33-37-9-2 the following:

37 (1) Twenty-five percent (25%) of the drug abuse, prosecution, interdiction, and correction fees
38 collected under IC 33-37-4-1(b)(5).

39 (2) Twenty-five percent (25%) of the alcohol and drug countermeasures fees collected under
40 IC 33-37-4-1(b)(6), IC 33-37-4-2(b)(4), and IC 33-37-4-3(b)(5).

41 (3) One hundred percent (100%) of the child abuse prevention fees collected under
42 IC 33-37-4-1(b)(7).

43 (4) One hundred percent (100%) of the domestic violence prevention and treatment fees collected
44 under IC 33-37-4-1(b)(8).

45 (5) One hundred percent (100%) of the highway worksite zone fees collected under
46 IC 33-37-4-1(b)(9) and IC 33-37-4-2(b)(5).

47 (6) Seventy-five percent (75%) of the safe schools fee collected under IC 33-37-5-18.



1 (7) One hundred percent (100%) of the automated record keeping fee collected under IC 33-37-5-21
2 not distributed under subsection (a).
3 (c) The clerk of a circuit court shall distribute monthly to the county auditor the following:
4 (1) Seventy-five percent (75%) of the drug abuse, prosecution, interdiction, and correction fees
5 collected under IC 33-37-4-1(b)(5).
6 (2) Seventy-five percent (75%) of the alcohol and drug countermeasures fees collected under
7 IC 33-37-4-1(b)(6), IC 33-37-4-2(b)(4), and IC 33-37-4-3(b)(5).
8 The county auditor shall deposit fees distributed by a clerk under this subsection into the county drug free
9 community fund established under IC 5-2-11.
10 (d) The clerk of a circuit court shall distribute monthly to the county auditor one hundred percent
11 (100%) of the late payment fees collected under IC 33-37-5-22. The county auditor shall deposit fees
12 distributed by a clerk under this subsection as follows:
13 (1) If directed to do so by an ordinance adopted by the county fiscal body, the county auditor shall
14 deposit forty percent (40%) of the fees in the clerk's record perpetuation fund established under
15 IC 33-37-5-2 and sixty percent (60%) of the fees in the county general fund.
16 (2) If the county fiscal body has not adopted an ordinance described in subdivision (1), the county
17 auditor shall deposit all the fees in the county general fund.
18 (e) The clerk of the circuit court shall distribute semiannually to the auditor of state for deposit in the
19 sexual assault victims assistance fund established by IC 5-2-6-23(d) one hundred percent (100%) of the
20 sexual assault victims assistance fees collected under IC 33-37-5-23.
21 (f) The clerk of a circuit court shall distribute monthly to the county auditor the following:
22 (1) One hundred percent (100%) of the support and maintenance fees for cases designated as
23 non-Title IV-D child support cases in the Indiana support enforcement tracking system (ISETS) or
24 the successor statewide automated support enforcement system collected under IC 33-37-5-6.
25 (2) The percentage share of the support and maintenance fees for cases designated as Title IV-D
26 child support cases in ISETS or the successor statewide automated support enforcement system
27 collected under IC 33-37-5-6 that is reimbursable to the county at the federal financial participation
28 rate.
29 The county clerk shall distribute monthly to the department of child services the percentage share of the
30 support and maintenance fees for cases designated as Title IV-D child support cases in ISETS, or the
31 successor statewide automated support enforcement system, collected under IC 33-37-5-6 that is not
32 reimbursable to the county at the applicable federal financial participation rate.
33 (g) The clerk of a circuit court shall distribute monthly to the county auditor the following:
34 (1) One hundred percent (100%) of the small claims service fee under IC 33-37-4-6(a)(1)(B) or
35 IC 33-37-4-6(a)(2) for deposit in the county general fund.
36 (2) One hundred percent (100%) of the small claims garnishee service fee under
37 IC 33-37-4-6(a)(1)(C) or IC 33-37-4-6(a)(3) for deposit in the county general fund.
38 (3) Twenty-five percent (25%) of the safe schools fee collected under IC 33-37-5-18 for deposit in
39 the county general fund.
40 (h) This subsection does not apply to court administration fees collected in small claims actions filed
41 in a court described in IC 33-34. The clerk of a circuit court shall semiannually distribute to the auditor
42 of state for deposit in the state general fund one hundred percent (100%) of the following:
43 (1) The public defense administration fee collected under IC 33-37-5-21.2.
44 (2) The judicial salaries fees collected under IC 33-37-5-26.
45 (3) The DNA sample processing fees collected under IC 33-37-5-26.2.
46 (4) The court administration fees collected under IC 33-37-5-27.
47 (5) **The judicial insurance adjustment fee collected under IC 33-37-5-25.**



1 ~~(i)~~ The clerk of a circuit court shall semiannually distribute to the auditor of state for deposit in the
2 judicial branch insurance adjustment account established by IC 33-38-5-8.2 one hundred percent (100%)
3 of the judicial insurance adjustment fee collected under IC 33-37-5-25.

4 ~~(j)~~ (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
5 be distributed as follows:

6 (1) The clerk shall distribute one hundred percent (100%) of the service fees collected in a circuit,
7 superior, county, or probate court to the county auditor for deposit in the county general fund.

8 (2) The clerk shall distribute one hundred percent (100%) of the service fees collected in a city or
9 town court to the city or town fiscal officer for deposit in the city or town general fund.

10 ~~(k)~~ (j) The proceeds of the garnishee service fee collected under IC 33-37-5-28(b)(3) or
11 IC 33-37-5-28(b)(4) shall be distributed as follows:

12 (1) The clerk shall distribute one hundred percent (100%) of the garnishee service fees collected in
13 a circuit, superior, county, or probate court to the county auditor for deposit in the county general
14 fund.

15 (2) The clerk shall distribute one hundred percent (100%) of the garnishee service fees collected in
16 a city or town court to the city or town fiscal officer for deposit in the city or town general fund.

17 ~~(l)~~ (k) The clerk of the circuit court shall distribute semiannually to the auditor of state for deposit in
18 the home ownership education account established by IC 5-20-1-27 one hundred percent (100%) of the
19 following:

20 (1) The mortgage foreclosure counseling and education fees collected under IC 33-37-5-33 (before
21 its expiration on July 1, 2017).

22 (2) Any civil penalties imposed and collected by a court for a violation of a court order in a
23 foreclosure action under IC 32-30-10.5.

24 ~~(m)~~ (l) The clerk of a circuit court shall distribute semiannually to the auditor of state one hundred
25 percent (100%) of the pro bono legal services fees collected before July 1, 2022, under IC 33-37-5-31.
26 The auditor of state shall transfer semiannually the pro bono legal services fees to the Indiana Bar
27 Foundation (or a successor entity) as the entity designated to organize and administer the interest on
28 lawyers trust accounts (IOLTA) program under Rule 1.15 of the Rules of Professional Conduct of the
29 Indiana supreme court. The Indiana Bar Foundation shall:

30 (1) deposit in an appropriate account and otherwise manage the fees the Indiana Bar Foundation
31 receives under this subsection in the same manner the Indiana Bar Foundation deposits and manages
32 the net earnings the Indiana Bar Foundation receives from IOLTA accounts; and

33 (2) use the fees the Indiana Bar Foundation receives under this subsection to assist or establish
34 approved pro bono legal services programs.

35 The handling and expenditure of the pro bono legal services fees received under this section by the
36 Indiana Bar Foundation (or its successor entity) are subject to audit by the state board of accounts. The
37 amounts necessary to make the transfers required by this subsection are appropriated from the state
38 general fund.

39 SECTION 134. IC 33-37-7-8, AS AMENDED BY P.L.144-2019, SECTION 19, IS AMENDED TO
40 READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 8. (a) The clerk of a city or town court shall
41 distribute semiannually to the auditor of state as the state share for deposit in the homeowner protection
42 unit account established by IC 4-6-12-9 one hundred percent (100%) of the automated record keeping fees
43 collected under IC 33-37-5-21 with respect to actions resulting in the accused person entering into a
44 pretrial diversion program agreement under IC 33-39-1-8 or a deferral program agreement under
45 IC 34-28-5-1 and for deposit in the state general fund fifty-five percent (55%) of the amount of fees
46 collected under the following:

47 (1) IC 33-37-4-1(a) (criminal costs fees).



1 (2) IC 33-37-4-2(a) (infraction or ordinance violation costs fees).
 2 (3) IC 33-37-4-4(a) (civil costs fees).
 3 (4) IC 33-37-4-6(a)(1)(A) (small claims costs fees).
 4 (5) IC 33-37-5-17 (deferred prosecution fees).
 5 (b) The city or town fiscal officer shall distribute monthly to the county auditor as the county share
 6 twenty percent (20%) of the amount of fees collected under the following:
 7 (1) IC 33-37-4-1(a) (criminal costs fees).
 8 (2) IC 33-37-4-2(a) (infraction or ordinance violation costs fees).
 9 (3) IC 33-37-4-4(a) (civil costs fees).
 10 (4) IC 33-37-4-6(a)(1)(A) (small claims costs fees).
 11 (5) IC 33-37-5-17 (deferred prosecution fees).
 12 (c) The city or town fiscal officer shall retain twenty-five percent (25%) as the city or town share of
 13 the fees collected under the following:
 14 (1) IC 33-37-4-1(a) (criminal costs fees).
 15 (2) IC 33-37-4-2(a) (infraction or ordinance violation costs fees).
 16 (3) IC 33-37-4-4(a) (civil costs fees).
 17 (4) IC 33-37-4-6(a)(1)(A) (small claims costs fees).
 18 (5) IC 33-37-5-17 (deferred prosecution fees).
 19 (d) The clerk of a city or town court shall distribute semiannually to the auditor of state for deposit in
 20 the state user fee fund established in IC 33-37-9 the following:
 21 (1) Twenty-five percent (25%) of the drug abuse, prosecution, interdiction, and correction fees
 22 collected under IC 33-37-4-1(b)(5).
 23 (2) Twenty-five percent (25%) of the alcohol and drug countermeasures fees collected under
 24 IC 33-37-4-1(b)(6), IC 33-37-4-2(b)(4), and IC 33-37-4-3(b)(5).
 25 (3) One hundred percent (100%) of the highway worksite zone fees collected under
 26 IC 33-37-4-1(b)(9) and IC 33-37-4-2(b)(5).
 27 (4) Seventy-five percent (75%) of the safe schools fee collected under IC 33-37-5-18.
 28 (5) One hundred percent (100%) of the automated record keeping fee collected under IC 33-37-5-21
 29 not distributed under subsection (a).
 30 (e) The clerk of a city or town court shall distribute monthly to the county auditor the following:
 31 (1) Seventy-five percent (75%) of the drug abuse, prosecution, interdiction, and correction fees
 32 collected under IC 33-37-4-1(b)(5).
 33 (2) Seventy-five percent (75%) of the alcohol and drug countermeasures fees collected under
 34 IC 33-37-4-1(b)(6), IC 33-37-4-2(b)(4), and IC 33-37-4-3(b)(5).
 35 The county auditor shall deposit fees distributed by a clerk under this subsection into the county drug free
 36 community fund established under IC 5-2-11.
 37 (f) The clerk of a city or town court shall distribute monthly to the city or town fiscal officer (as defined
 38 in IC 36-1-2-7) one hundred percent (100%) of the following:
 39 (1) The late payment fees collected under IC 33-37-5-22.
 40 (2) The small claims service fee collected under IC 33-37-4-6(a)(1)(B) or IC 33-37-4-6(a)(2).
 41 (3) The small claims garnishee service fee collected under IC 33-37-4-6(a)(1)(C) or
 42 IC 33-37-4-6(a)(3).
 43 (4) Twenty-five percent (25%) of the safe schools fee collected under IC 33-37-5-18.
 44 The city or town fiscal officer (as defined in IC 36-1-2-7) shall deposit fees distributed by a clerk under
 45 this subsection in the city or town general fund.
 46 (g) The clerk of a city or town court shall semiannually distribute to the auditor of state for deposit in
 47 the state general fund one hundred percent (100%) of the following:



1 (1) The public defense administration fee collected under IC 33-37-5-21.2.
2 (2) The DNA sample processing fees collected under IC 33-37-5-26.2.
3 (3) The court administration fees collected under IC 33-37-5-27.
4 **(4) The judicial insurance adjustment fee collected under IC 33-37-5-25.**
5 ~~(h) The clerk of a city or town court shall semiannually distribute to the auditor of state for deposit in~~
6 ~~the judicial branch insurance adjustment account established by IC 33-38-5-8.2 one hundred percent~~
7 ~~(100%) of the judicial insurance adjustment fee collected under IC 33-37-5-25.~~
8 ~~(i) (h)~~ (h) The clerk of a city or town court shall semiannually distribute to the auditor of state for deposit
9 in the state general fund seventy-five percent (75%) of the judicial salaries fee collected under
10 IC 33-37-5-26. The city or town fiscal officer shall retain twenty-five percent (25%) of the judicial salaries
11 fee collected under IC 33-37-5-26. The funds retained by the city or town shall be prioritized to fund city
12 or town court operations.
13 ~~(j) (i)~~ (i) The clerk of a city or town court shall distribute semiannually to the auditor of state one hundred
14 percent (100%) of the pro bono legal services fees collected before July 1, 2022, under IC 33-37-5-31.
15 The auditor of state shall transfer semiannually the pro bono legal services fees to the Indiana Bar
16 Foundation (or a successor entity) as the entity designated to organize and administer the interest on
17 lawyers trust accounts (IOLTA) program under Rule 1.15 of the Rules of Professional Conduct of the
18 Indiana supreme court. The Indiana Bar Foundation shall:
19 (1) deposit in an appropriate account and otherwise manage the fees the Indiana Bar Foundation
20 receives under this subsection in the same manner the Indiana Bar Foundation deposits and manages
21 the net earnings the Indiana Bar Foundation receives from IOLTA accounts; and
22 (2) use the fees the Indiana Bar Foundation receives under this subsection to assist or establish
23 approved pro bono legal services programs.
24 The handling and expenditure of the pro bono legal services fees received under this section by the
25 Indiana Bar Foundation (or its successor entity) are subject to audit by the state board of accounts. The
26 amounts necessary to make the transfers required by this subsection are appropriated from the state
27 general fund.
28 SECTION 135. IC 33-38-5-8.2, AS AMENDED BY P.L.2-2005, SECTION 110, IS AMENDED TO
29 READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 8.2. (a) ~~As used in this section, "account"~~
30 ~~refers to the judicial branch insurance adjustment account established by subsection (d).~~
31 ~~(b)~~ As used in this section, "employees of the judicial branch" includes the following:
32 (1) Each judge described in section 6 of this chapter.
33 (2) Each magistrate:
34 (A) described in section 7 of this chapter; and
35 (B) receiving a salary under IC 33-23-5-10.
36 (3) Each justice and judge described in section 8 of this chapter.
37 (4) The judge described in IC 33-26.
38 (5) A prosecuting attorney whose entire salary is paid by the state.
39 ~~(e) (b)~~ Employees of the judicial branch are entitled to a health care adjustment in any year that the
40 governor provides a health care adjustment to employees of the executive branch.
41 ~~(d)~~ The judicial branch insurance adjustment account within the state general fund is established for
42 the purpose of providing health care adjustments under subsection (c). The account shall be administered
43 by the supreme court.
44 (e) The expenses of administering the account shall be paid from money in the account.
45 (f) The treasurer of state shall invest the money in the account not currently needed to meet the
46 obligations of the account in the same manner as other public money may be invested. Interest that
47 accrues from these investments shall be deposited in the account.



(g) Money in the account at the end of a state fiscal year does not revert to the state general fund.
(h) Money in the account is annually appropriated to the supreme court for the purpose of this section.
(i) If the funds appropriated for compliance with this section are insufficient, there is annually appropriated from the state general fund sufficient funds to carry out the purpose of this section.

SECTION 136. IC 35-52-6-56.1 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: **Sec. 56.1. IC 6-7-4-9 defines a crime concerning the electronic cigarette tax.**

SECTION 137. IC 35-52-6-56.2 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: **Sec. 56.2. IC 6-7-4-10 defines a crime concerning the electronic cigarette tax.**

SECTION 138. IC 36-7.6-3-5, AS AMENDED BY P.L.237-2017, SECTION 48, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 5. (a) A development authority shall prepare a comprehensive strategic development plan that includes detailed information concerning the following:

(1) The proposed projects to be undertaken or financed by the development authority.

(2) The following information for each project included under subdivision (1):

(A) Timeline and budget.

(B) The return on investment.

(C) The projected or expected need for an ongoing subsidy.

(D) Any projected or expected federal matching funds.

(b) The development authority shall, not later than January 1 of the second year following the year in which the development authority is established, submit the comprehensive strategic development plan for review by the budget committee and approval by the director of the office of management and budget and the Indiana economic development corporation. However, a development authority that has already submitted its comprehensive strategic development plan as part of an application for a grant or a loan under IC 5-28-37 (before its repeal) or IC 5-28-38 (**before its repeal**) is not required to resubmit its comprehensive strategic development plan under this subsection.

SECTION 139. P.L.108-2019, SECTION 249, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JUNE 29, 2021]: SECTION 249. (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, ~~2021~~: **2023**.



1 SECTION 140. [EFFECTIVE UPON PASSAGE] (a) One hundred ten million dollars
2 (\$110,000,000) is appropriated from the state general fund to the budget agency for the state fiscal
3 year ending June 30, 2021, to defease any remaining bonds issued by the state office building
4 commission, the recreational development commission, or the state fair commission.

5 (b) Money appropriated under this section may not be used for any other purpose.

6 (c) This SECTION expires June 30, 2022.

7 SECTION 141. [EFFECTIVE UPON PASSAGE] (a) For the state fiscal year beginning July 1,
8 2020, and ending June 30, 2021, the budget agency may augment the county jail maintenance
9 contingency fund appropriation from the state general fund by an amount necessary to cover jail
10 and parole holds. Any augmentation may only be used to pay for additional jail and parole holds
11 and may not be used to provide additional funding to sheriffs for persons convicted of Level 6
12 felonies or to increase the jail and parole hold per diem above thirty-seven dollars and fifty cents
13 (\$37.50).

14 (b) This SECTION expires June 30, 2022.

15 SECTION 142. [EFFECTIVE JULY 1, 2021] (a) The following definitions apply throughout this
16 SECTION:

17 (1) "Department" means the Indiana department of gaming research established by
18 IC 4-33-18-2, before its amendment by this act.

19 (2) "Commission" means the Indiana gaming commission established under IC 4-33.

20 (3) "Gaming research division" means the gaming research division of the commission
21 established by IC 4-33-18-2, as amended by this act.

22 (b) On July 1, 2021, all functions, powers, authorities, duties, agreements, and liabilities of the
23 department are transferred to the gaming research division.

24 (c) On July 1, 2021, all records, property, and funds under the control of the department are
25 transferred to the gaming research division.

26 (d) Employees of the department on June 30, 2021, become employees of the gaming research
27 division on July 1, 2021.

28 (e) After June 30, 2021, a reference to the department in any statute, rule, or other document is
29 considered a reference to the gaming research division.

30 SECTION 143. [EFFECTIVE UPON PASSAGE] (a) Any balance in the exoneration fund
31 established by IC 5-2-23-7, as repealed by this act, shall be transferred to the state general fund on
32 June 30, 2021.

33 (b) This SECTION expires July 1, 2021.

34 SECTION 144. [EFFECTIVE UPON PASSAGE] (a) Any balance in the judicial branch insurance
35 adjustment account established by IC 33-38-5-8.2(d), before its elimination by this act, shall be
36 transferred to the state general fund on June 30, 2021.

37 (b) This SECTION expires July 1, 2021.

38 SECTION 145. P.L.108-2019, SECTION 255, IS AMENDED TO READ AS FOLLOWS
39 [EFFECTIVE UPON PASSAGE]: SECTION 255. (a) Notwithstanding IC 4-13-2-19 or any other law,
40 any part of an appropriation made for the legislative council and the legislative services agency, in a state
41 fiscal year beginning after June 30, 2018, and ending before July 1, ~~2020~~, **2022**, that is unexpended and
42 unencumbered at the close of that state fiscal year does not lapse and is not returned to the state general
43 revenue fund but remains available for expenditure during either state fiscal year in ~~the~~ **a** biennium
44 beginning ~~July 1, 2019~~, **after June 30, 2019**, and ending ~~June 30, 2021~~, **before July 1, 2023**. The
45 unexpended and unencumbered amount may be used to supplement the amounts appropriated in this act
46 for each state fiscal year in the biennium and shall be allotted, as requested by the executive director of
47 the legislative services agency, for the total operating expenses of the legislative council or the legislative



- 1 services agency, or both.
- 2 (b) This SECTION expires ~~June 30, 2021~~ **July 1, 2023**.
- 3 SECTION 146. **An emergency is declared for this act.**



COMMITTEE REPORT

Mr Speaker: Your Committee on Ways and Means, to which was referred House Bill No. 1001, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be AMENDED as follows:

Delete everything after the enacting clause and insert the following:

(SEE TEXT OF BILL)

and when so amended that said bill do pass.

(Reference is to HB 1001 as introduced.)

BROWN T

Committee Vote: Yeas 16, Nays 8

HOUSE MOTION

Mr. Speaker: I move that House Bill 1001 be amended to read as follows:

Page 25, line 21, delete "GUN CRIMES" and insert "**CRIME GUNS**".

Page 35, line 20, delete "2,382,577 2,382,577" and insert "**882,577 882,577**".

Page 35, line 23, delete "Underground Petroleum Storage Tank Excess Liability Trust Fund (IC 13-23-7-1)" and insert "**Environmental Management Special Fund (IC 13-14-12)**".

(Reference is to HB 1001 as printed February 15, 2021.)

BROWN T

HB 1001—LS 7431/DI 120



HOUSE MOTION

Mr. Speaker: I move that House Bill 1001 be amended to read as follows:

Page 25, line 43, delete "1,501,708 1,501,708" and insert **"2,000,000 2,000,000"**.

(Reference is to HB 1001 as printed February 15, 2021.)

SULLIVAN

HOUSE MOTION

Mr. Speaker: I move that House Bill 1001 be amended to read as follows:

Page 130, line 33, after "disabilities" insert **"level one (1), including multiple disabilities, orthopedic impairment, emotional disability requiring full-time placement, severe intellectual disability, autism spectrum disorders, and traumatic brain injury,"**.

Page 130, between lines 34 and 35, begin a new line block indented and insert:

"(2) The nonduplicated count of pupils in programs for severe disabilities level (2), including blind or low vision, deaf or hard of hearing, and deaf and blind, multiplied by nine thousand one hundred fifty-six dollars (\$9,156)."

Page 130, line 35, strike "(2)" and insert "(3)".

Page 130, line 35, after "disabilities" insert **"level one (1), including specific learning disability, developmental delay, and other health impairment,"**.

Page 130, between lines 36 and 37, begin a new line block indented and insert:

"(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 two thousand three hundred dollars (\$2,300)."

Page 130, line 37, strike "(3)" and insert "(5)".

Page 130, line 39, strike "(4)" and insert "(6)".

Page 130, line 41, strike "(5)" and insert "(7)".

(Reference is to HB 1001 as printed February 15, 2021.)

CLERE

HB 1001—LS 7431/DI 120



HOUSE MOTION

Mr. Speaker: I move that House Bill 1001 be amended to read as follows:

Page 25, between lines 33 and 34, begin a new line and insert:

"LOCAL LAW ENFORCEMENT TRAINING GRANTS

Total Operating Expense 3,500,000 3,500,000

The above appropriations are for the purpose of providing grants to city, town, and county law enforcement agencies to conduct law enforcement training, including the purchase of supplies and training materials. Law enforcement agencies may apply for grants in accordance with policies and procedures established by the criminal justice institute. A grant awarded by the criminal justice institute 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."

(Reference is to HB 1001 as printed February 15, 2021.)

SMALTZ

