



February 21, 2020

ENGROSSED HOUSE BILL No. 1082

DIGEST OF HB 1082 (Updated February 19, 2020 3:19 pm - DI 110)

Citations Affected: IC 21-16; IC 21-18; IC 21-44.

Synopsis: Various higher education matters. Makes changes to the: (1) definition of "eligible secondary school student"; and (2) requirements regarding agreements between the commission for higher education (commission) and eligible employers; for purposes of the employment aid readiness network (EARN) Indiana program. Makes changes to the name of the "return and complete" project. Makes changes to the definitions regarding the project, including repealing definitions regarding the return and complete project. Requires the commission to: (1) collect and maintain certain information regarding the project; and (2) submit a report to the general assembly and governor regarding the information. Provides that money in the graduate medical education fund does not revert to any other fund. (Current law provides that money in the graduate medical education fund does not revert to the state general fund.) Repeals provisions that do the following: (1) Require state educational institutions to report annually to the commission regarding return and complete students. (2) Expire the return and complete project provisions.

Effective: Upon passage; June 30, 2020; July 1, 2020.

Heaton, DeVon, May, Pfaff

(SENATE SPONSORS — FORD JON, MELTON)

January 7, 2020, read first time and referred to Committee on Education.

January 23, 2020, amended, reported — Do Pass.

January 27, 2020, read second time, ordered engrossed.

January 28, 2020, engrossed. Read third time, passed. Yeas 97, nays 0.

SENATE ACTION

February 5, 2020, read first time and referred to Committee on Education and Career Development.

February 20, 2020, amended, reported favorably — Do Pass.

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February 21, 2020

Second Regular Session of the 121st General Assembly (2020)

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 2019 Regular Session of the General Assembly.

ENGROSSED HOUSE BILL No. 1082

A BILL FOR AN ACT to amend the Indiana Code concerning higher education.

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

1 SECTION 1. IC 21-16-1-7.5, AS ADDED BY P.L.287-2019,
2 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2020]: Sec. 7.5. "Eligible secondary school student" means a
4 student, beginning with the cohort of students that is expected to
5 graduate in the 2022-2023 school year, who:

6 (1) is enrolled in a secondary school in Indiana; **and**
7 ~~(2) completes and files a Free Application for Federal Student~~
8 ~~Aid; and~~
9 ~~(3) (2) meets any other criteria established by the commission.~~

10 SECTION 2. IC 21-16-2-4, AS AMENDED BY P.L.287-2019,
11 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
12 UPON PASSAGE]: Sec. 4. An agreement entered into under this
13 chapter must:

14 (1) provide for employment by the eligible employer of eligible
15 students and eligible secondary school students:
16 (A) for a minimum average of twelve (12) hours per week; and
17 (B) a maximum average of:

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- 1 (i) twenty (20) hours per week, if the student is enrolled in
 2 courses at the time of employment; or
 3 (ii) forty (40) hours per week if the employment occurs
 4 during the summer term; ~~and the student is not enrolled in~~
 5 ~~courses during the summer term;~~
 6 (2) provide for the reimbursement, to the extent possible under
 7 the then current biennial appropriation, by the state to the
 8 employer of at least fifty percent (50%) of the federal minimum
 9 hourly wage for each hour worked by the student for the
 10 employer;
 11 (3) provide that any work performed by a student under this
 12 chapter must not result in the displacement of employed workers
 13 or impair existing contracts for services;
 14 (4) provide that any work performed by a student under this
 15 chapter shall not involve any partisan or nonpartisan political or
 16 sectarian activities;
 17 (5) provide that wage rates must be established by the eligible
 18 employer, but must not be less than the current federal minimum
 19 wage rate; and
 20 (6) contain any other provisions necessary to carry out this
 21 chapter.

22 SECTION 3. IC 21-18-14-1 IS REPEALED [EFFECTIVE JULY 1,
 23 2020]. ~~Sec. 1. As used in this chapter, "return and complete student"~~
 24 ~~means an individual who:~~

- 25 ~~(1) is an Indiana resident;~~
 26 ~~(2) earned course credit from a postsecondary educational~~
 27 ~~institution before January 1, 2014;~~
 28 ~~(3) has not earned an associate or baccalaureate degree as of~~
 29 ~~January 1, 2015; and~~
 30 ~~(4) has not been enrolled in any postsecondary educational~~
 31 ~~institution since January 1, 2014.~~

32 SECTION 4. IC 21-18-14-1.5 IS ADDED TO THE INDIANA
 33 CODE AS A NEW SECTION TO READ AS FOLLOWS
 34 [EFFECTIVE JULY 1, 2020]: **Sec. 1.5. As used in this chapter,**
 35 **"project student" means an individual who:**

- 36 **(1) is an Indiana resident;**
 37 **(2) has previously enrolled in a postsecondary educational**
 38 **institution;**
 39 **(3) has not earned an associate or baccalaureate degree; and**
 40 **(4) is not currently enrolled in a postsecondary educational**
 41 **institution.**

42 SECTION 5. IC 21-18-14-2 IS REPEALED [EFFECTIVE JULY 1,



2020]. Sec. 2: As used in this chapter, "return and complete project" means a project administered by the commission in partnership with postsecondary educational institutions to encourage return and complete students to complete an associate or baccalaureate degree or a technical certificate by 2020.

SECTION 6. IC 21-18-14-2.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 2.5. The commission, in partnership with postsecondary educational institutions, shall administer a project to encourage project students to complete an associate or baccalaureate degree or a technical certificate.**

SECTION 7. IC 21-18-14-3, AS ADDED BY P.L.213-2015, SECTION 236, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3. Not later than August 1 ~~2015~~, **of each year**, the commission, in consultation with postsecondary educational institutions, shall adopt guidelines for postsecondary educational institutions concerning the administration of the ~~return and complete~~ project, including the exchange of data **and coordinated messaging** to support targeted outreach under section ~~4~~ **5** of this chapter.

SECTION 8. IC 21-18-14-4, AS ADDED BY P.L.213-2015, SECTION 236, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 4. Postsecondary educational institutions shall ~~either~~:

- (1) ~~conduct targeted outreach to return and complete students~~; or
- (2) provide student record data to the commission for use in targeted outreach.

SECTION 9. IC 21-18-14-5, AS ADDED BY P.L.213-2015, SECTION 236, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 5. The commission shall conduct targeted outreach to ~~return and complete project~~ students. ~~who previously attended an institution that does not conduct targeted outreach under section 4(1) of this chapter.~~

SECTION 10. IC 21-18-14-6, AS ADDED BY P.L.213-2015, SECTION 236, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 6. A postsecondary educational institution may offer financial aid or tuition discounts that are exclusively for ~~return and complete project~~ students.

SECTION 11. IC 21-18-14-8 IS REPEALED [EFFECTIVE JULY 1, 2020]. ~~Sec. 8: Beginning November 1, 2016, and not later than November 1 each year thereafter, state educational institutions shall report annually to the commission the number of return and complete~~



1 students who attended the postsecondary educational institution who
2 have:

- 3 (1) received targeted outreach by the postsecondary educational
4 institution; and
5 (2) earned an associate or baccalaureate degree or a technical
6 certificate from the postsecondary educational institution.

7 SECTION 12. IC 21-18-14-9 IS REPEALED [EFFECTIVE JUNE
8 30, 2020]. Sec. 9: This chapter expires July 1, 2020.

9 SECTION 13. IC 21-18-14-10 IS ADDED TO THE INDIANA
10 CODE AS A NEW SECTION TO READ AS FOLLOWS
11 [EFFECTIVE JULY 1, 2020]: **Sec. 10. (a) The commission shall
12 collect and maintain complete and accurate information of the
13 following:**

- 14 (1) The total number of project students reported to the
15 commission by each postsecondary educational institution.
16 (2) The total number of project students contacted by the
17 commission.
18 (3) The total number of project students contacted by the
19 commission who reenroll in postsecondary education.
20 (4) The total number of students described in subdivision (3)
21 who continue to be enrolled in a postsecondary educational
22 institution.
23 (5) The total number of degrees and credentials earned by
24 students described in subdivision (3).

25 (b) Not later than November 1, 2021, and each November 1
26 thereafter, the commission shall submit a report that summarizes
27 the information described in subsection (a) to the following:

- 28 (1) The governor.
29 (2) The general assembly in an electronic format under
30 IC 5-14-6.

31 SECTION 14. IC 21-44-7-8, AS ADDED BY P.L.190-2015,
32 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
33 JULY 1, 2020]: Sec. 8. (a) The graduate medical education fund is
34 established within the state treasury. Subject to subsection (b), money
35 in the fund is to be used for the purposes specified in sections 2(1),
36 2(3), and 7 of this chapter.

37 (b) Except as provided in section 7(b) of this chapter, a recipient of
38 money from the fund must agree to provide matching funds equal to at
39 least twenty-five percent (25%) of the money provided.

40 (c) The fund consists of the following:

- 41 (1) Appropriations by the general assembly.
42 (2) Grants.



- 1 (3) Gifts.
- 2 (d) The board shall administer the fund.
- 3 (e) The expenses of administering the fund may be paid from the
- 4 fund.
- 5 (f) Money in the fund that is not needed to meet the obligations of
- 6 the fund may be invested in the manner that other public money is
- 7 invested. Interest or other investment returns on money in the fund
- 8 become part of the fund.
- 9 (g) Money in the fund at the end of a state fiscal year does not revert
- 10 to the state general fund: **any other fund and remains available for**
- 11 **expenditure for the purposes specified in sections 2(1), 2(3), and 7**
- 12 **of this chapter.**
- 13 SECTION 15. **An emergency is declared for this act.**



COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred House Bill 1082, 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:

Page 2, delete lines 22 through 28.

Page 3, between lines 12 and 13, begin a new paragraph and insert:

"SECTION 6. IC 21-18-14-2.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 2.5. The commission, in partnership with postsecondary educational institutions, shall administer a project to encourage project students to complete an associate or baccalaureate degree or a technical certificate.**"

Page 3, line 19, after "data" insert "**and coordinated messaging**".

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1082 as introduced.)

BEHNING

Committee Vote: yeas 13, nays 0.

 COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred House Bill No. 1082, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 3, line 19, strike "4" and insert "5".

and when so amended that said bill do pass.

(Reference is to HB 1082 as printed January 24, 2020.)

RAATZ, Chairperson

Committee Vote: Yeas 13, Nays 0.

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