

# HOUSE BILL No. 1195

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 2-5-1.3-18; IC 22-4-18-1.

**Synopsis:** Oversight of unemployment trust fund. Requires that the department of workforce development provide an annual report to the interim study committee on employment and labor (committee) concerning the status of the unemployment compensation system, including any recommendations for maintaining the solvency of the unemployment insurance benefit fund. Authorizes the committee to receive the report and requires the committee to submit to the legislative council recommendations, if any, concerning the unemployment compensation system. Changes from December 1 to November 1 the due date for an annual report to the general assembly and the governor concerning the unemployment compensation system.

**Effective:** July 1, 2017.

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January 10, 2017, read first time and referred to Committee on Employment, Labor and Pensions.

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First Regular Session of the 120th General Assembly (2017)

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 2016 Regular Session of the General Assembly.

## HOUSE BILL No. 1195

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

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

1 SECTION 1. IC 2-5-1.3-18 IS ADDED TO THE INDIANA CODE  
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
3 1, 2017]: **Sec. 18. In addition to any issues assigned for study by the**  
4 **legislative council under section 13 of this chapter, the interim**  
5 **study committee on employment and labor shall:**

6 (1) **receive from the department of workforce development**  
7 **the report required under IC 22-4-18-1(f)(2) concerning the**  
8 **status of the unemployment compensation system, including**  
9 **any recommendations for maintaining the solvency of the**  
10 **unemployment insurance benefit fund established under**  
11 **IC 22-4-26-1; and**

12 (2) **submit to the legislative council in an electronic format**  
13 **under IC 5-14-6 recommendations, if any, concerning the**  
14 **unemployment compensation system.**

15 SECTION 2. IC 22-4-18-1, AS AMENDED BY P.L.171-2016,  
16 SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
17 JULY 1, 2017]: Sec. 1. (a) There is created a department under



- 1 IC 22-4.1-2-1 which shall be known as the department of workforce  
2 development.
- 3 (b) The department of workforce development may:
- 4 (1) Administer the unemployment insurance program.
- 5 (2) Enter into agreements with the United States government that  
6 may be required as a condition of obtaining federal funds related  
7 to activities of the department under this article.
- 8 (3) Enter into contracts or agreements and cooperate with local  
9 governmental units or corporations, including profit or nonprofit  
10 corporations, or combinations of units and corporations to carry  
11 out the duties of the department imposed by this article, including  
12 contracts for the delegation of the department's administrative,  
13 monitoring, and program responsibilities and duties set forth in  
14 this article.
- 15 (c) The payment of unemployment insurance benefits must be made  
16 in accordance with 26 U.S.C. 3304.
- 17 (d) The department of workforce development may do all acts and  
18 things necessary or proper to carry out the powers expressly granted  
19 under this article, including the adoption of rules under IC 4-22-2.
- 20 (e) The department of workforce development may not charge any  
21 claimant for benefits for providing services under this article, except as  
22 provided in IC 22-4-17-12.
- 23 (f) The department of workforce development shall do the  
24 following:
- 25 (1) Submit a report to the general assembly in an electronic  
26 format under IC 5-14-6 and to the governor before ~~December 1~~  
27 **November 1** of each year concerning the status of the  
28 unemployment compensation system, including the following:
- 29 (A) Recommendations for maintaining the solvency of the  
30 unemployment insurance benefit fund established under  
31 IC 22-4-26-1.
- 32 (B) Information regarding expenditures from the special  
33 employment and training services fund.
- 34 (C) Information regarding money released under  
35 IC 22-4-25-1(c).
- 36 (2) ~~Make a presentation to the budget committee at each meeting~~  
37 ~~of the budget committee held before November 1, 2016;~~  
38 ~~concerning the status of the unemployment compensation system;~~  
39 ~~including the following:~~
- 40 (A) Recommendations for maintaining the solvency of the  
41 unemployment insurance benefit fund established under  
42 IC 22-4-26-1.



- 1           (B) Information regarding expenditures from the special  
2           employment and training services fund:  
3           (C) Information regarding money released under  
4           ~~IC 22-4-25-1(c)~~.  
5           ~~(D) Any other information requested by the budget committee.~~  
6           **(2) Before November 1 each year provide a report to the**  
7           **interim study committee on employment and labor**  
8           **(established under IC 2-5-1.3-4) concerning the status of the**  
9           **unemployment compensation system, including any**  
10           **recommendations for maintaining the solvency of the**  
11           **unemployment insurance benefit fund established under**  
12           **IC 22-4-26-1.**  
13           (g) In addition to the duties prescribed in subsections (a) through (f),  
14           the department of workforce development shall establish, implement,  
15           and maintain a training program in the nature and dynamics of  
16           domestic and family violence for training of all employees of the  
17           department who interact with a claimant for benefits to determine  
18           whether the claim of the individual for unemployment benefits is valid  
19           and to determine that employment separations stemming from domestic  
20           or family violence are reliably screened, identified, and adjudicated and  
21           that victims of domestic or family violence are able to take advantage  
22           of the full range of job services provided by the department. The  
23           training presenters shall include domestic violence experts with  
24           expertise in the delivery of direct services to victims of domestic  
25           violence, including using the staff of shelters for battered women in the  
26           presentation of the training. The initial training shall consist of  
27           instruction of not less than six (6) hours. Refresher training shall be  
28           required annually and shall consist of instruction of not less than three  
29           (3) hours.

