

# HOUSE BILL No. 1247

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 11-10-12-7; IC 20-20-47-4; IC 20-30-5.6-3; IC 21-12; IC 21-18-19-1; IC 22-6-6; IC 35-52-22-14.5.

**Synopsis:** Repeal of right to work law. Repeals the chapter prohibiting an employer from requiring: (1) labor organization membership; (2) payment of dues or fees to a labor organization; or (3) payment to a charity or other third party an amount equivalent to fees required by a labor organization; as a condition of employment. Makes corresponding changes.

**Effective:** July 1, 2024.

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## Moseley

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January 9, 2024, read first time and referred to Committee on Employment, Labor and Pensions.

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Second Regular Session of the 123rd General Assembly (2024)

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 2023 Regular Session of the General Assembly.

# HOUSE BILL No. 1247

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 11-10-12-7, AS AMENDED BY THE  
2 TECHNICAL CORRECTIONS BILL OF THE 2024 GENERAL  
3 ASSEMBLY, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
4 JULY 1, 2024]: Sec. 7. (a) As used in this section, "intermediary" has  
5 the meaning set forth in IC 21-18-1-3.5.  
6 (b) As used in this section, "labor organization" has the meaning set  
7 forth in ~~IC 22-6-6-5~~; **IC 20-20-47-4**.  
8 (c) Except as provided in subsections (g), (h), and (i), the  
9 department, during the one hundred eighty (180) days before a  
10 committed offender is:  
11 (1) released on parole;  
12 (2) assigned to a community transition program;  
13 (3) discharged from the department; or  
14 (4) released on probation;  
15 shall require the committed offender to meet in person at least one (1)  
16 time with an intermediary, an employer, or a labor organization to  
17 discuss current and future career opportunities and the necessary



- 1 education levels for various careers.
- 2 (d) The department shall provide space for the meeting required  
3 under subsection (c).
- 4 (e) For purposes of subsection (c), an offender may meet only with  
5 an intermediary, an employer, or a labor organization that is included  
6 on the list prepared under IC 21-18-19-1.
- 7 (f) An intermediary, an employer, or a labor organization that meets  
8 with a committed offender under subsection (c) shall submit an annual  
9 report to the commission for higher education in the manner  
10 established by the commission for higher education under  
11 IC 21-18-19-1.
- 12 (g) The meeting requirement under subsection (c) does not apply to  
13 a committed offender who is participating in the department's Hoosier  
14 Initiative for Re-Entry Program.
- 15 (h) If the department determines that no intermediaries, employers,  
16 or labor organizations are willing to meet with committed offenders  
17 under subsection (c), the department may submit to the ~~governor's~~  
18 ~~workforce cabinet~~ **commission for higher education** a written request  
19 to waive the meeting requirement.
- 20 (i) The meeting requirement under subsection (c) does not apply if  
21 the department determines that a meeting under subsection (c) cannot  
22 be safely held. If the department makes a determination under this  
23 subsection, the department shall provide notice to the ~~governor's~~  
24 ~~workforce cabinet~~ **commission for higher education**.
- 25 SECTION 2. IC 20-20-47-4, AS ADDED BY P.L.202-2023,  
26 SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
27 JULY 1, 2024]: Sec. 4. As used in this chapter, "labor organization"  
28 has the meaning set forth in ~~IC 22-6-6-5~~: **means:**
- 29 (1) **an organization;**  
30 (2) **an agency;**  
31 (3) **a union; or**  
32 (4) **an employee representation committee;**  
33 **that exists, in whole or in part, to assist employees in negotiating**  
34 **with employers concerning grievances, labor disputes, wages, rates**  
35 **of pay, or other terms or conditions of employment.**
- 36 SECTION 3. IC 20-30-5.6-3, AS ADDED BY P.L.202-2023,  
37 SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
38 JULY 1, 2024]: Sec. 3. As used in this chapter, "labor organization"  
39 has the meaning set forth in ~~IC 22-6-6-5~~: **IC 20-20-47-4.**
- 40 SECTION 4. IC 21-12-3-9.2, AS ADDED BY P.L.202-2023,  
41 SECTION 72, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
42 JULY 1, 2024]: Sec. 9.2. (a) As used in this section, "intermediary" has



- 1 the meaning set forth in IC 21-18-1-3.5.
- 2 (b) As used in this section, "labor organization" has the meaning set  
3 forth in ~~IC 22-6-6-5~~ **IC 20-20-47-4**.
- 4 (c) Except as provided in subsection (g), a student who receives an  
5 award under this chapter shall, during the:
- 6 (1) first undergraduate academic year that the student receives an  
7 award under this chapter; and
- 8 (2) third undergraduate academic year that the student receives an  
9 award under this chapter;
- 10 meet with at least one (1) intermediary, employer, or labor organization  
11 for not less than thirty (30) minutes to discuss current and future career  
12 opportunities and the necessary education levels for various careers.
- 13 (d) For purposes of subsection (c), a student may meet only with an  
14 intermediary, an employer, or a labor organization that is included on  
15 the list prepared under IC 21-18-19-1.
- 16 (e) The meeting required under subsection (c) must occur at a time  
17 and place convenient for the student. The approved postsecondary  
18 educational institution at which the student is enrolled in courses shall,  
19 upon request by the student, provide space for the meeting on property  
20 owned, used, or occupied by the educational institution.
- 21 (f) Before meeting with a student under subsection (c), an employer,  
22 individual employed by an intermediary, or individual employed by a  
23 labor organization must pass any background checks required by the  
24 approved postsecondary educational institution at which the student is  
25 enrolled in courses.
- 26 (g) If the approved postsecondary educational institution at which  
27 the student is enrolled in courses determines that no intermediaries,  
28 employers, or labor organizations are willing to meet with students  
29 under subsection (c), the educational institution may submit to the  
30 commission for higher education a written request to waive the meeting  
31 requirement.
- 32 (h) An intermediary, an employer, or a labor organization that meets  
33 with a student under subsection (c) shall submit an annual report to the  
34 commission for higher education in the manner established by the  
35 commission for higher education under IC 21-18-19-1.
- 36 SECTION 5. IC 21-12-4-3.5, AS ADDED BY P.L.202-2023,  
37 SECTION 73, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
38 JULY 1, 2024]: Sec. 3.5. (a) As used in this section, "intermediary" has  
39 the meaning set forth in IC 21-18-1-3.5.
- 40 (b) As used in this section, "labor organization" has the meaning set  
41 forth in ~~IC 22-6-6-5~~ **IC 20-20-47-4**.
- 42 (c) Except as provided in subsection (g), a student who receives a



1 grant under this chapter shall, during the:

2 (1) first undergraduate academic year that the student receives a  
3 grant under this chapter; and

4 (2) third undergraduate academic year that the student receives a  
5 grant under this chapter;

6 meet with at least one (1) intermediary, employer, or labor organization  
7 for not less than thirty (30) minutes to discuss current and future career  
8 opportunities and the necessary education levels for various careers.

9 (d) For purposes of subsection (c), a student may meet only with an  
10 intermediary, an employer, or a labor organization that is included on  
11 the list prepared under IC 21-18-19-1.

12 (e) The meeting required under subsection (c) must occur at a time  
13 and place convenient for the student. The approved postsecondary  
14 educational institution at which the student is enrolled in courses shall,  
15 upon request by the student, provide space for the meeting on property  
16 owned, used, or occupied by the educational institution.

17 (f) Before meeting with a student under subsection (c), an employer,  
18 individual employed by an intermediary, or individual employed by a  
19 labor organization must pass any background checks required by the  
20 approved postsecondary educational institution at which the student is  
21 enrolled in courses.

22 (g) If the approved postsecondary educational institution at which  
23 the student is enrolled in courses determines that no intermediaries,  
24 employers, or labor organizations are willing to meet with students  
25 under subsection (c), the educational institution may submit to the  
26 commission for higher education a written request to waive the meeting  
27 requirement.

28 (h) An intermediary, an employer, or a labor organization that meets  
29 with a student under subsection (c) shall submit an annual report to the  
30 commission for higher education in the manner established by the  
31 commission for higher education under IC 21-18-19-1.

32 SECTION 6. IC 21-12-6-6.8, AS ADDED BY P.L.202-2023,  
33 SECTION 75, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
34 JULY 1, 2024]: Sec. 6.8. (a) As used in this section, "intermediary" has  
35 the meaning set forth in IC 21-18-1-3.5.

36 (b) As used in this section, "labor organization" has the meaning set  
37 forth in ~~IC 22-6-6-5~~. **IC 20-20-47-4**.

38 (c) Except as provided in subsection (g), a student who applies for  
39 a scholarship under section 6 of this chapter must agree, in writing, that  
40 the student will, during the:

41 (1) first undergraduate academic year that the student receives a  
42 scholarship under this chapter; and



1 (2) third undergraduate academic year that the student receives a  
 2 scholarship under this chapter;  
 3 meet with at least one (1) intermediary, employer, or labor organization  
 4 for not less than thirty (30) minutes to discuss current and future career  
 5 opportunities and the necessary education levels for various careers.

6 (d) For purposes of subsection (c), a student may meet only with an  
 7 intermediary, an employer, or a labor organization that is included on  
 8 the list prepared under IC 21-18-19-1.

9 (e) The meeting required under subsection (c) must occur at a time  
 10 and place convenient for the student. The eligible institution at which  
 11 the student is enrolled in courses shall, upon request by the student,  
 12 provide space for the meeting on property owned, used, or occupied by  
 13 the eligible institution.

14 (f) Before meeting with a student under subsection (c), an employer,  
 15 individual employed by an intermediary, or individual employed by a  
 16 labor organization must pass any background checks required by the  
 17 eligible institution at which the student is enrolled in courses.

18 (g) If the eligible institution at which the student is enrolled in  
 19 courses determines that no intermediaries, employers, or labor  
 20 organizations are willing to meet with students under subsection (c),  
 21 the eligible institution may submit to the commission for higher  
 22 education a written request to waive the meeting requirement.

23 (h) An intermediary, an employer, or a labor organization that meets  
 24 with a student under subsection (c) shall submit an annual report to the  
 25 commission for higher education in the manner established by the  
 26 commission for higher education under IC 21-18-19-1.

27 SECTION 7. IC 21-18-19-1, AS ADDED BY P.L.202-2023,  
 28 SECTION 78, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 29 JULY 1, 2024]: Sec. 1. (a) As used in this section, "applicable statutes"  
 30 means the following:

- 31 (1) IC 11-10-12-7.
- 32 (2) IC 20-30-5.6-5.
- 33 (3) IC 21-12-3-9.2.
- 34 (4) IC 21-12-4-3.5.
- 35 (5) IC 21-12-6-6.8.
- 36 (6) IC 21-18-20.

37 (b) As used in this section, "labor organization" has the meaning set  
 38 forth in ~~IC 22-6-6-5~~. **IC 20-20-47-4.**

39 (c) The commission shall:

- 40 (1) develop application forms by which an intermediary, an  
 41 employer, or a labor organization may apply for inclusion on the  
 42 lists described in subdivisions (2) and (4);



- 1 (2) create a list of approved intermediaries, employers, and labor  
 2 organizations for the purposes set forth in the applicable statutes;  
 3 (3) establish, in a manner that complies with:  
 4 (A) state privacy laws; and  
 5 (B) federal privacy laws, including the privacy provisions of  
 6 the federal Family Educational Rights and Privacy Act (20  
 7 U.S.C. 1232g);  
 8 annual reporting requirements for an intermediary, an employer,  
 9 or a labor organization that meets with an individual under the  
 10 applicable statutes; and  
 11 (4) create a list of intermediaries, employers, and labor  
 12 organizations that are approved for purposes of the applicable  
 13 statutes.
- 14 (d) An intermediary, an employer, or a labor organization may apply  
 15 for inclusion on the lists described in subsection (c)(2) and (c)(4) by  
 16 submitting to the commission an application on the appropriate form  
 17 described in subsection (c)(1).
- 18 (e) The commission shall publish the lists created under subsection  
 19 (c)(2) and (c)(4) on the commission's website.
- 20 (f) The commission may:  
 21 (1) update the lists created under subsection (c)(2) and (c)(4), as  
 22 needed; and  
 23 (2) approve or deny a request for a waiver of the meeting  
 24 requirement submitted under the applicable statutes.
- 25 (g) The commission may:  
 26 (1) adopt rules under IC 4-22-2;  
 27 (2) issue a request for proposals under IC 5-22-9; and  
 28 (3) issue a request for information;  
 29 for the purpose of implementing this section.
- 30 SECTION 8. IC 22-6-6 IS REPEALED [EFFECTIVE JULY 1,  
 31 2024]. (Right to Work).
- 32 SECTION 9. IC 35-52-22-14.5 IS REPEALED [EFFECTIVE JULY  
 33 1, 2024]. ~~Sec. 14.5. IC 22-6-6-10 defines a crime concerning labor~~  
 34 ~~relations.~~

