



January 19, 2016

HOUSE BILL No. 1248

DIGEST OF HB 1248 (Updated January 19, 2016 11:38 am - DI 116)

Citations Affected: IC 21-12; IC 21-16; IC 21-35.

Synopsis: Higher education matters. Amends, applying in an academic year beginning after August 31, 2017, the definition of "accelerated progress" for purposes of additional awards for state financial aid for higher education. Amends, beginning in an academic year beginning after August 31, 2017, eligibility requirements for: (1) larger award amounts under the Frank O'Bannon grant; (2) renewal of Frank O'Bannon grant awards; and (3) renewal of scholarships under the twenty-first century scholars program. Removes a provision that allows the commission for higher education to increase, but not decrease, amounts of Frank O'Bannon grant awards. Amends an eligibility requirement for the Frank O'Bannon grant. Provides that a student who participates in a technical certificate or associate degree program at Vincennes University is eligible to receive a Frank O'Bannon grant. Restates and amends the eligibility requirements for the twenty-first century scholars program and scholarship. Requires that the expense of administering the adult student grant fund be paid from money in the fund. Amends eligibility requirements for the Mitch Daniels early graduation scholarship. Amends the definition of "eligible student" for purposes of the EARN Indiana program. Adds buildings used for academic instruction and student dormitories and other residence facilities to types of buildings and equipment that may be developed and managed through an agreement between a state educational institution and a private entity.

Effective: July 1, 2016.

Truitt, Dermody, Clere

January 11, 2016, read first time and referred to Committee on Education.
January 19, 2016, amended, reported — Do Pass.

HB 1248—LS 6632/DI 110



January 19, 2016

Second Regular Session of the 119th General Assembly (2016)

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 2015 Regular Session of the General Assembly.

HOUSE BILL No. 1248

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 21-12-1.7-2, AS ADDED BY P.L.281-2013,
2 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2016]: Sec. 2. **(a) This subsection expires June 30, 2017.** For
4 purposes of this chapter, "accelerated progress" means successfully
5 completing
6 (1) at least thirty-nine (39) credit hours or the equivalent by the
7 end of the student's first academic year; or
8 (2) at least seventy-eight (78) credit hours or the equivalent by the
9 end of the student's second academic year.
10 **(b) This subsection applies to an academic year beginning after**
11 **August 31, 2017. For purposes of this chapter, "accelerated**
12 **progress" means successfully completing at least thirty-nine (39)**
13 **credit hours or the equivalent during the student's first academic**
14 **year or second academic year.**
15 SECTION 2. IC 21-12-1.7-3, AS AMENDED BY P.L.2-2014,
16 SECTION 91, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
17 JULY 1, 2016]: Sec. 3. (a) This section applies to an academic year

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1 beginning after August 31, 2014. The commission shall publish
 2 annually a schedule of award amounts for the higher education award
 3 and freedom of choice grant issued under this article. The schedule
 4 must provide award amounts on the basis of the recipient's expected
 5 family contribution. The expected family contribution shall be derived
 6 from information submitted on the recipient's financial aid application
 7 form. The commission shall determine award amounts separately for:

- 8 (1) recipients attending approved public state educational
 9 institutions (except Ivy Tech Community College);
 10 (2) Ivy Tech Community College;
 11 (3) recipients attending a nonprofit college or university listed in
 12 IC 21-7-13-6(a)(1)(C); and
 13 (4) recipients attending approved postsecondary credit bearing
 14 proprietary institutions.

15 (b) **This subsection expires June 30, 2017.** The schedule of award
 16 amounts published under subsection (a) shall offer a larger award to a
 17 recipient who, as of the student's most recently concluded academic
 18 year, has successfully completed:

- 19 (1) at least thirty (30) credit hours or the equivalent by the end of
 20 the student's first academic year;
 21 (2) at least sixty (60) credit hours or the equivalent by the end of
 22 the student's second academic year; or
 23 (3) at least ninety (90) credit hours or the equivalent by the end of
 24 the student's third academic year.

25 A student's academic years used to determine if the student meets the
 26 requirements of this subdivision are not required to be successive
 27 calendar years.

28 (c) **This subsection applies to an academic year beginning after**
 29 **August 31, 2017. The schedule of award amounts published under**
 30 **subsection (a) must offer a larger award to first time and prior**
 31 **recipients who successfully completed:**

- 32 (1) **at least thirty (30) credit hours or the equivalent during**
 33 **the last academic year in which the student received state**
 34 **financial aid; or**
 35 (2) **at least thirty (30) credit hours or the equivalent during**
 36 **the last academic year in which the student was enrolled in a**
 37 **postsecondary educational institution.**

38 (d) **In determining eligibility under subsection (c), the**
 39 **commission shall apply all the following types of credits regardless**
 40 **of whether the credits were completed during the last academic**
 41 **year described in subsection (c)(1) or (c)(2):**

- 42 (1) **Credits earned from dual credit, advanced placement, and**



1 **international baccalaureate courses.**

2 **(2) College credits earned during high school.**

3 **(3) Credits earned exceeding thirty (30) credit hours during**
 4 **a previous academic year in which a student received state**
 5 **financial aid.**

6 ~~(e)~~ **(e)** The schedule of award amounts shall set forth an amount for
 7 recipients described in subsection (a)(1) that is equal to fifty percent
 8 (50%) of the amount for recipients described in subsection (a)(3).

9 ~~(d)~~ **(f)** This subsection expires September 1, 2016. A student that
 10 initially enrolls in an eligible institution for an academic year beginning
 11 before September 1, 2013, is eligible for the larger award determined
 12 under subsection (b) regardless of the student's credit completion.

13 SECTION 3. IC 21-12-1.7-5, AS AMENDED BY P.L.234-2015,
 14 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 15 JULY 1, 2016]: Sec. 5. ~~(a)~~ If the sum of awards under sections 3 and
 16 4 of this chapter exceeds the appropriation in a given year, the
 17 commission shall reduce the level of awards offered under section 4 of
 18 this chapter as necessary so that the sum of awards under sections 3
 19 and 4 of this chapter does not exceed the appropriation.

20 ~~(b) The commission may increase, but shall not decrease, the~~
 21 ~~amounts of awards published under section 3 of this chapter from the~~
 22 ~~amount offered the previous academic year.~~

23 SECTION 4. IC 21-12-3-1, AS AMENDED BY P.L.217-2015,
 24 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 25 JULY 1, 2016]: Sec. 1. (a) An applicant is eligible for a first year
 26 higher education award under this chapter if the student meets the
 27 following requirements:

28 (1) The applicant is a resident of Indiana, as defined by the
 29 commission.

30 (2) The applicant:

31 (A) has successfully completed the program of instruction at
 32 an approved secondary school;

33 (B) has been granted a:

34 (i) high school equivalency certificate before July 1, 1995;
 35 or

36 (ii) state of Indiana general educational development (GED)
 37 diploma under IC 20-10.1-12.1 (before its repeal),
 38 IC 20-20-6 (before its repeal), or IC 22-4.1-18; or

39 (C) is a student in good standing at an approved secondary
 40 school and is engaged in a program that in due course will be
 41 completed by the end of the current academic year.

42 (3) The financial resources reasonably available to the applicant,



1 as defined by the commission, are such that, in the absence of a
 2 higher education award under this chapter, the applicant would be
 3 deterred from completing the applicant's education at the
 4 approved postsecondary educational institution that the applicant
 5 has selected and that has accepted the applicant. In determining
 6 the financial resources reasonably available to an applicant to
 7 whom IC 21-18.5-4-8 applies, the commission must consider the
 8 financial resources of the applicant's legal parent.

9 (4) The applicant will use the award initially at that approved
 10 postsecondary educational institution.

11 (5) ~~If~~ The student is ~~already~~ enrolled **full time** in an approved
 12 postsecondary educational institution ~~the applicant must be a~~
 13 ~~full-time student~~ and ~~be~~ making satisfactory progress, as
 14 determined by the ~~commission~~; **postsecondary educational**
 15 **institution**, toward a first baccalaureate degree.

16 (6) The student declares, in writing, a specific educational
 17 objective or course of study and enrolls in:

18 (A) courses that apply toward the requirements for completion
 19 of that objective or course of study; or

20 (B) courses designed to help the student develop the basic
 21 skills that the student needs to successfully achieve that
 22 objective or continue in that course of study.

23 (7) The student is not eligible to receive a twenty-first century
 24 scholarship under IC 21-12-6.

25 (8) The student is not eligible to receive a:

26 (A) National Guard tuition supplement grant under
 27 IC 21-13-4; or

28 (B) scholarship under the National Guard scholarship
 29 extension program under IC 21-13-5.

30 (b) This subsection applies to an individual who:

31 (1) meets the requirements set forth in subsection (a); and

32 (2) before the date that eligibility is determined by the
 33 commission, has been placed by or with the consent of the
 34 department of child services, by a court order, or by a licensed
 35 child placing agency in:

36 (A) a foster family home;

37 (B) the home of a relative or other unlicensed caretaker;

38 (C) a child caring institution; or

39 (D) a group home.

40 The commission shall consider an individual to whom this subsection
 41 applies as a full-need student under the commission's rules when
 42 determining the eligibility of the individual to receive financial aid



1 administered by the commission under this chapter.

2 SECTION 5. IC 21-12-3-4, AS AMENDED BY P.L.107-2012,
3 SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
4 JULY 1, 2016]: Sec. 4. A student who:

5 (1) participates in:

6 (A) a nursing diploma program that is accredited by the
7 Indiana state board of nursing and operated by a hospital;

8 (B) a technical certificate or associate degree program at Ivy
9 Tech Community College; ~~or~~

10 **(C) a technical certificate or associate degree program at**
11 **Vincennes University; or**

12 ~~(D)~~ **(D)** an associate degree program at a postsecondary credit
13 bearing proprietary educational institution that qualifies as an
14 approved postsecondary educational institution; and

15 (2) meets the requirements in sections 1 and 2 of this chapter for
16 a first year higher education award except the requirement of
17 satisfactory progress toward a first baccalaureate degree;

18 is eligible to receive a state higher education award under this chapter.

19 However, the student must make satisfactory progress toward obtaining
20 the diploma, technical certificate, or associate degree to remain eligible
21 for the award.

22 SECTION 6. IC 21-12-3-9, AS AMENDED BY P.L.281-2013,
23 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
24 JULY 1, 2016]: Sec. 9. (a) A higher education award for a student in

25 a program leading to a baccalaureate degree may be renewed for a total
26 of three (3) undergraduate academic years following the academic year
27 of the first award or until an earlier time as the student receives a
28 degree normally obtained in four (4) undergraduate academic years. A
29 higher education award for a student in a program leading to a
30 technical certificate or an undergraduate associate degree may be
31 renewed for the number of academic years normally required to obtain
32 a certificate or degree in the student's program. The commission may
33 grant a renewal only upon application and only upon its finding that:

34 (1) the applicant has successfully completed the work of a
35 preceding year;

36 (2) the applicant remains domiciled in Indiana;

37 (3) the recipient's financial situation continues to warrant an
38 award, based on the financial requirements set forth in section

39 (1)(a)(3) of this chapter;

40 (4) the applicant is eligible under section 2 of this chapter;

41 (5) ~~if the student initially enrolls in an eligible institution for a~~
42 ~~semester (or its equivalent) beginning after June 30, 2012; the~~



1 student maintains at least a cumulative grade point average that
 2 the eligible institution determines is satisfactory academic
 3 progress; and

4 **(6) beginning in an academic year beginning after August 31,**
 5 **2017, the student successfully completes:**

6 **(A) at least twenty-four (24) credit hours or the equivalent**
 7 **during the last academic year in which the student**
 8 **received state financial aid; or**

9 **(B) at least twenty-four (24) credit hours or the equivalent**
 10 **during the last academic year in which the student was**
 11 **enrolled in a postsecondary educational institution; and**

12 ~~(6)~~ **(7) if the student initially enrolls in an eligible institution for**
 13 **an academic year beginning after August 31, 2013, the student**
 14 **successfully completes:**

15 **(A) at least twenty-four (24) credit hours or the equivalent by**
 16 **the end of the student's first academic year;**

17 **(B) at least forty-eight (48) credit hours or the equivalent by**
 18 **the end of the student's second academic year; and**

19 **(C) at least seventy-two (72) credit hours or the equivalent by**
 20 **the end of the student's third academic year.**

21 A student's academic years used to determine if the student meets
 22 the requirements of this subdivision are not required to be
 23 successive calendar years. A recipient who fails to meet the credit
 24 hour requirement for a particular academic year becomes
 25 ineligible for an award during the next academic year. The
 26 recipient may regain eligibility for an award in subsequent
 27 academic years if the recipient meets the aggregate credit hour
 28 requirements commensurate with the recipient's academic
 29 standing. In addition, the commission may allow a student who is
 30 otherwise ineligible under this subdivision for an award during
 31 the next academic year to maintain eligibility for an award if the
 32 student submits a petition to the commission and the commission
 33 makes a determination that extenuating circumstances (as
 34 determined by the commission) prevented the student from
 35 meeting the requirements of this subdivision. **This subdivision**
 36 **expires June 30, 2017.**

37 **(b) In determining eligibility under subsection (a)(6), the**
 38 **commission shall apply all the following types of credits regardless**
 39 **of whether the credits were completed during the last academic**
 40 **year described in subsection (a)(6)(A) or (a)(6)(B):**

41 **(1) Credits earned from dual credit, advanced placement, and**
 42 **international baccalaureate courses.**



1 **(2) College credits earned during high school.**

2 **(3) Credits earned exceeding thirty (30) credit hours during**
 3 **a previous academic year in which a student received state**
 4 **financial aid.**

5 SECTION 7. IC 21-12-6-5, AS AMENDED BY P.L.281-2013,
 6 SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 7 JULY 1, 2016]: Sec. 5. (a) **Unless a student qualifies under**
 8 **subsection (b)**, to qualify to participate in the program, a student must
 9 meet the following requirements:

10 (1) Be a resident of Indiana.

11 (2) Be:

12 (A) enrolled in grade 7 or 8 at a:

13 (i) public school; or

14 (ii) nonpublic school that is accredited either by the state
 15 board of education or by a national or regional accrediting
 16 agency whose accreditation is accepted as a school
 17 improvement plan under IC 20-31-4-2; or

18 (B) otherwise qualified under the rules of the commission that
 19 are adopted under IC 21-18.5-4-9(2) to include students who
 20 are in grades other than grade 8 as eligible students.

21 (3) Be a member of a household with an annual income of not
 22 more than the amount required for the individual to qualify for
 23 free or reduced priced lunches under the national school lunch
 24 program, as determined for the immediately preceding taxable
 25 year for the household **for which the student was claimed as a**
 26 **dependent.**

27 (4) Agree, in writing, together with the student's custodial parents
 28 or guardian, that the student will:

29 (A) graduate from a secondary school located in Indiana that
 30 meets the admission criteria of an eligible institution;

31 (B) not illegally use controlled substances (as defined in
 32 IC 35-48-1-9);

33 (C) not commit a crime or an infraction described in
 34 IC 9-30-5;

35 (D) not commit any other crime or delinquent act (as described
 36 in IC 31-37-1-2 or IC 31-37-2-2 through IC 31-37-2-5 (or
 37 IC 31-6-4-1(a)(1) through IC 31-6-4-1(a)(5) before their
 38 repeal));

39 (E) timely apply, when the eligible student is a senior in high
 40 school:

41 (i) for admission to an eligible institution; and

42 (ii) for any federal and state student financial assistance



- 1 available to the eligible student to attend an eligible
 2 institution;
- 3 (F) achieve a cumulative grade point average upon graduation
 4 of:
- 5 (i) at least 2.0, if the student graduates from high school
 6 before July 1, 2014; and
- 7 (ii) at least 2.5, if the student graduates from high school
 8 after June 30, 2014;
- 9 on a 4.0 grading scale (or its equivalent if another grading
 10 scale is used) for courses taken during grades 9, 10, 11, and
 11 12; and
- 12 (G) ~~participate in~~ **complete** an academic success program
 13 required under the rules adopted by the commission, if the
 14 student initially enrolls in high school after June 30, 2013.
- 15 (b) A student is ~~also qualified~~ **qualifies** to participate in the program
 16 if the student:
- 17 (1) before or during grade 7 or grade 8, is placed by or with the
 18 consent of the department of child services, by a court order, or by
 19 a child placing agency in:
- 20 (A) a foster family home;
- 21 (B) the home of a relative or other unlicensed caretaker;
- 22 (C) a child caring institution; or
- 23 (D) a group home;
- 24 **(2) meets the requirements in subsection (a)(1) through (a)(2);**
 25 **and**
- 26 ~~(2)~~ **(3)** agrees in writing, together with the student's caseworker
 27 (as defined in IC 31-9-2-11) **or legal guardian**, to the conditions
 28 set forth in subsection (a)(4). ~~and~~
- 29 ~~(3) except as provided in subdivision (2); otherwise meets the~~
 30 ~~requirements of subsection (a).~~
- 31 (c) The commission may require that an applicant apply
 32 electronically to participate in the program using an online Internet
 33 application on the commission's web site.
- 34 SECTION 8. IC 21-12-6-6, AS AMENDED BY P.L.234-2015,
 35 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 36 JULY 1, 2016]: Sec. 6. (a) A student may apply to the commission for
 37 a scholarship. To qualify for a scholarship, the student must meet the
 38 following requirements:
- 39 (1) Be an eligible student who qualified to participate in the
 40 program under section 5 of this chapter.
- 41 (2) Be a resident of Indiana.
- 42 (3) Be a graduate from a secondary school located in Indiana that



1 meets the admission criteria of an eligible institution and have
2 achieved a cumulative grade point average in high school of:

3 (A) at least 2.0 on a 4.0 grading scale, if the student is
4 expected to graduate from high school before July 1, 2014; and

5 (B) at least 2.5 on a 4.0 grading scale, if the student is
6 expected to graduate from high school after June 30, 2014.

7 (4) Have applied to attend and be accepted to attend as a full-time
8 student an eligible institution.

9 (5) Certify in writing that before the student's graduation from
10 high school the student:

11 (A) did not illegally use controlled substances (as defined in
12 IC 35-48-1-9);

13 (B) did not illegally consume alcoholic beverages;

14 (C) did not commit any other crime or a delinquent act (as
15 described in IC 31-37-1-2 or IC 31-37-2-2 through
16 IC 31-37-2-5 (or IC 31-6-4-1(a)(1) through IC 31-6-4-1(a)(5)
17 before their repeal));

18 (D) timely filed an application for other types of financial
19 assistance available to the student from the state or federal
20 government; and

21 (E) ~~participated in~~ **completed** an academic success program
22 required under the rules adopted by the commission.

23 (6) Submit to the commission all the information and evidence
24 required by the commission to determine eligibility as a
25 scholarship applicant.

26 (7) This subdivision applies only to applicants who initially enroll
27 in the program under section 5 of this chapter or IC 21-12-6.5-2
28 after June 30, 2011. For purposes of this chapter, applicants who
29 are enrolled in the program before July 1, 2011, will not have an
30 income or financial resources test applied to them when they
31 subsequently apply for a scholarship. Have a lack of financial
32 resources reasonably available to the applicant, as defined by the
33 commission, that, in the absence of an award under this chapter,
34 would deter the scholarship applicant from completing the
35 applicant's education at the approved postsecondary educational
36 institution that the applicant has selected and that has accepted
37 the applicant.

38 (8) Meet any other minimum criteria established by the
39 commission.

40 (b) This section applies to an individual who graduates from high
41 school after December 31, 2011. To be eligible for a scholarship under
42 this section, a student must initially attend ~~the~~ **an** eligible institution



1 described in subsection (a)(4) not later than the fall semester (or its
 2 equivalent, as determined by the commission) in the year immediately
 3 following the year in which the student graduates from high school.

4 SECTION 9. IC 21-12-6-7, AS AMENDED BY P.L.281-2013,
 5 SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 6 JULY 1, 2016]: Sec. 7. (a) Subject to IC 21-12-13-2, a scholarship
 7 awarded under section 6 of this chapter or this section may be renewed.
 8 To qualify for a scholarship renewal, a scholarship recipient must do
 9 the following:

10 (1) Submit to the commission a renewal application that contains
 11 all the information and evidence required by the commission to
 12 determine eligibility for the scholarship renewal.

13 (2) Continue to be enrolled as a full-time student in good standing
 14 at an eligible institution.

15 (3) This subdivision applies only to applicants who initially enroll
 16 in the program under section 5 of this chapter or IC 21-12-6.5-2
 17 after June 30, 2011. For purposes of this chapter, applicants who
 18 are enrolled in the program before July 1, 2011, will not have an
 19 income or financial resources test applied to them when they
 20 subsequently apply to renew a scholarship. Continue to have a
 21 lack of financial resources reasonably available to the applicant,
 22 as defined by the commission, that, in the absence of an award
 23 under this chapter, would deter the scholarship applicant from
 24 completing the applicant's education at the approved
 25 postsecondary educational institution that the applicant has
 26 selected and that has accepted the applicant.

27 (4) If the student initially enrolls in an eligible institution for a
 28 semester (or its equivalent) beginning after June 30, 2012,
 29 maintain at least a cumulative grade point average that the
 30 eligible institution determines is satisfactory academic progress.

31 (5) If the student initially enrolls in an eligible institution for an
 32 academic year beginning after August 31, 2013, the student
 33 successfully completes:

34 (A) at least thirty (30) credit hours or the equivalent by the end
 35 of the student's first academic year;

36 (B) at least sixty (60) credit hours or the equivalent by the end
 37 of the student's second academic year; and

38 (C) at least ninety (90) credit hours or the equivalent by the
 39 end of the student's third academic year.

40 A student's academic years used to determine if the student meets
 41 the requirements of this subdivision are not required to be
 42 successive calendar years. A recipient who fails to meet the credit



1 hour requirement for a particular academic year becomes
 2 ineligible for an award during the next academic year. The
 3 recipient may become eligible for an award in subsequent
 4 academic years if that recipient meets the aggregate credit hour
 5 requirements commensurate with the recipient's academic
 6 standing. In addition, the commission may allow a student who is
 7 otherwise ineligible under this subdivision for an award during
 8 the next academic year to maintain eligibility for an award if the
 9 student submits a petition to the commission and the commission
 10 makes a determination that extenuating circumstances (as
 11 determined by the commission) prevented the student from
 12 meeting the requirements of this subdivision. **This subdivision
 13 expires June 30, 2017.**

14 **(6) Beginning in an academic year beginning after August 31,
 15 2017, the student successfully completes:**

16 **(A) at least thirty (30) credit hours or the equivalent
 17 during the last academic year in which the student
 18 received state financial aid; or**

19 **(B) at least thirty (30) credit hours or the equivalent during
 20 the last academic year in which the student was enrolled in
 21 postsecondary education.**

22 ~~(6)~~ **(7) Continue to meet any other minimum criteria established
 23 by the commission.**

24 **(b) In determining eligibility under subsection (a)(6), the
 25 commission shall apply all the following types of credits regardless
 26 of whether the credits were completed during the last academic
 27 year described in subsection (a)(6)(A) or (a)(6)(B):**

28 **(1) Credits earned from dual credit, advanced placement, and
 29 international baccalaureate courses.**

30 **(2) College credits earned during high school.**

31 **(3) Credits earned exceeding thirty (30) credit hours during
 32 a previous academic year in which a student received state
 33 financial aid.**

34 **(c) The commission may allow a student who is otherwise
 35 ineligible under subsection (a)(6) for an award during the next
 36 academic year to maintain eligibility for an award if the student
 37 submits a petition to the commission and the commission makes a
 38 determination that extenuating circumstances (as determined by
 39 the commission) prevented the student from meeting the
 40 requirements under subsection (a)(6).**

41 SECTION 10, IC 21-12-8-1, AS AMENDED BY P.L.234-2015,
 42 SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE



1 JULY 1, 2016]: Sec. 1. (a) The adult student grant fund is established
2 to make awards authorized under this chapter to eligible applicants.

3 (b) The fund consists of the following:

4 (1) Appropriations made by the general assembly.

5 (2) Gifts, grants, devises, or bequests made to the state to achieve
6 the purposes of the fund.

7 (3) Amounts transferred to the fund as directed by the
8 commission under IC 21-12-1.2-2.

9 (c) The fund shall be administered by the commission.

10 **(d) The expenses of administering the fund shall be paid from**
11 **money in the fund.**

12 ~~(d)~~ (e) The fund must be separate and distinct from other funds
13 administered by the commission.

14 ~~(e)~~ (f) The treasurer of state shall invest the money in the fund not
15 currently needed to meet the obligations of the fund in the same
16 manner as other public funds are invested.

17 ~~(f)~~ (g) Money in the fund at the end of a state fiscal year does not
18 revert to the state general fund but remains available to be used for
19 providing money for adult student grants under this chapter, or it may
20 be transferred to another fund under this article as directed by the
21 commission under IC 21-12-1.2-2.

22 SECTION 11. IC 21-12-10-3, AS AMENDED BY P.L.233-2015,
23 SECTION 314, IS AMENDED TO READ AS FOLLOWS
24 [EFFECTIVE JULY 1, 2016]: Sec. 3. An individual is eligible for a
25 Mitch Daniels early graduation scholarship if the individual:

26 (1) is a resident of Indiana, as defined by the commission;

27 (2) attended a publicly supported school on a full-time
28 equivalency basis for at least the last two (2) semesters before the
29 individual graduated from high school;

30 (3) had legal settlement (as defined in IC 20-18-2-11) in Indiana
31 for at least the last two (2) semesters before the individual
32 graduated from high school;

33 ~~(4) met at least the minimum requirements set by the Indiana state~~
34 ~~board of education for granting a~~ **received a Core 40** high school
35 diploma by the end of grade 11 (including any summer school
36 courses completed before July 1 of a year) ~~and was awarded~~
37 ~~after~~ **from the** December 31, 2010, a high school diploma by the
38 publicly supported school that the individual last attended for
39 course credits; ~~earned before the end of grade 11;~~

40 (5) was not enrolled in a publicly supported school for any part of
41 grade 12;

42 (6) applies to the commission for a Mitch Daniels early



1 graduation scholarship in the manner specified by the
2 commission; and

3 (7) within five (5) months after graduating from high school:

4 (A) becomes a student in good standing at an approved
5 postsecondary educational institution whose students are
6 eligible to receive, before September 1, 2014, a higher
7 education award (IC 21-12-3-11) or a freedom of choice grant
8 (IC 21-12-4-4); or, after August 31, 2014, a higher education
9 award or freedom of choice grant published under
10 IC 21-12-1.7-3; and

11 (B) is engaged in a program that will lead to an approved
12 postsecondary degree or credential.

13 **(7) enrolls as a full-time student at an eligible institution not**
14 **later than the fall semester (or its equivalent, as determined**
15 **by the commission) in the academic year immediately**
16 **following the year in which the student graduates from high**
17 **school.**

18 SECTION 12. IC 21-16-1-8, AS AMENDED BY P.L.217-2015,
19 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
20 JULY 1, 2016]: Sec. 8. "Eligible student" means a student who:

21 (1) is enrolled as a full-time student **or is eligible to receive an**
22 **adult student grant (as defined in IC 21-12-1-4.5)** at an
23 approved institution of higher education in Indiana;

24 (2) completes a Free Application for Federal Student Aid;

25 (3) meets financial eligibility requirements based on the student's
26 financial aid application, regardless of the date on which the
27 application is filed; and

28 (4) meets any other criteria established by the commission.

29 SECTION 13. IC 21-35-1-4, AS ADDED BY P.L.2-2007,
30 SECTION 276, IS AMENDED TO READ AS FOLLOWS
31 [EFFECTIVE JULY 1, 2016]: Sec. 4. "Facilities", for purposes of
32 IC 21-35-7, means buildings and equipment located on or immediately
33 adjacent to a university campus, the primary purpose of which is to
34 make available or provide:

35 (1) offstreet parking;

36 (2) alternative transportation systems;

37 (3) office space;

38 (4) convenience, retail, and service establishments;

39 (5) bookstores;

40 (6) research;

41 (7) outpatient and extended care;

42 (8) food service;



- 1 (9) temporary lodging quarters or similar structures used by:
- 2 (A) students;
- 3 (B) faculty;
- 4 (C) staff;
- 5 (D) patients; or
- 6 (E) visitors;
- 7 (10) housing used by students in connection with:
- 8 (A) hospitals; ~~or~~
- 9 (B) health care units; ~~or~~
- 10 (C) **dormitories; or**
- 11 (D) **other residence facilities;**
- 12 (11) **academic instruction; or**
- 13 (H) (12) any combination of the buildings and services listed in
- 14 this section.

15 ~~The term does not include undergraduate dormitories.~~

16 SECTION 14. IC 21-35-7-2, AS AMENDED BY P.L.205-2013,
 17 SECTION 332, IS AMENDED TO READ AS FOLLOWS
 18 [EFFECTIVE JULY 1, 2016]: Sec. 2. This chapter applies to buildings
 19 and equipment located on or immediately adjacent to a campus of a
 20 state educational institution, the primary purpose of which is to make
 21 available or provide:

- 22 (1) offstreet parking;
- 23 (2) alternative transportation systems;
- 24 (3) office space;
- 25 (4) convenience, retail, and service establishments;
- 26 (5) bookstores;
- 27 (6) research;
- 28 (7) outpatient and extended care;
- 29 (8) food service;
- 30 (9) temporary lodging quarters or similar structures used by
- 31 students, faculty, staff, patients, or visitors; or
- 32 (10) housing used by students in connection with hospitals, health
- 33 care units, ~~or~~ hospitality facilities, **dormitories, or other**
- 34 **residence facilities.**

35 ~~The term does not include undergraduate dormitories.~~

36 SECTION 15. IC 21-35-7-7, AS AMENDED BY P.L.205-2013,
 37 SECTION 333, IS AMENDED TO READ AS FOLLOWS
 38 [EFFECTIVE JULY 1, 2016]: Sec. 7. If the management and operation
 39 of the property are to be by a developer or user, the specifications for
 40 the property must require that the property will be generally available
 41 ~~to:~~ **to its occupants and visitors**

- 42 (I) ~~the students, faculty, staff, patients in hospitals or health care~~



1 units;
2 ~~(2) visitors to hospitals or health care units; and~~
3 ~~(3) students, faculty, staff, or visitors to a hospitality facility;~~
4 without discrimination and at reasonable charges. These charges shall
5 be reviewed and revised periodically by the board of trustees of the
6 state educational institution to assure that the charges are at all times
7 nondiscriminatory and reasonable.



COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred House Bill 1248, 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, line 39, delete "credits:" and insert "**credits regardless of whether the credits were completed during the last academic year described in subsection (c)(1) or (c)(2):**".

Page 6, line 36, delete "credits:" and insert "**credits regardless of whether the credits were completed during the last academic year described in subsection (a)(6)(A) or (a)(6)(B):**".

Page 11, line 21, delete "credits:" and insert "**credits regardless of whether the credits were completed during the last academic year described in subsection (a)(6)(A) or (a)(6)(B):**".

Page 13, after line 11, begin a new paragraph and insert:

"SECTION 12. IC 21-16-1-8, AS AMENDED BY P.L.217-2015, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 8. "Eligible student" means a student who:

- (1) is enrolled as a full-time student **or is eligible to receive an adult student grant (as defined in IC 21-12-1-4.5)** at an approved institution of higher education in Indiana;
- (2) completes a Free Application for Federal Student Aid;
- (3) meets financial eligibility requirements based on the student's financial aid application, regardless of the date on which the application is filed; and
- (4) meets any other criteria established by the commission.

SECTION 13. IC 21-35-1-4, AS ADDED BY P.L.2-2007, SECTION 276, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 4. "Facilities", for purposes of IC 21-35-7, means buildings and equipment located on or immediately adjacent to a university campus, the primary purpose of which is to make available or provide:

- (1) offstreet parking;
- (2) alternative transportation systems;
- (3) office space;
- (4) convenience, retail, and service establishments;
- (5) bookstores;
- (6) research;
- (7) outpatient and extended care;
- (8) food service;
- (9) temporary lodging quarters or similar structures used by:



- (A) students;
 - (B) faculty;
 - (C) staff;
 - (D) patients; or
 - (E) visitors;
- (10) housing used by students in connection with:
- (A) hospitals; ~~or~~
 - (B) health care units; ~~or~~
 - (C) dormitories; or**
 - (D) other residence facilities;**
- (11) academic instruction; or**
- ~~(H)~~ **(12) any combination of the buildings and services listed in this section.**

~~The term does not include undergraduate dormitories:~~

SECTION 14. IC 21-35-7-2, AS AMENDED BY P.L.205-2013, SECTION 332, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 2. This chapter applies to buildings and equipment located on or immediately adjacent to a campus of a state educational institution, the primary purpose of which is to make available or provide:

- (1) offstreet parking;
- (2) alternative transportation systems;
- (3) office space;
- (4) convenience, retail, and service establishments;
- (5) bookstores;
- (6) research;
- (7) outpatient and extended care;
- (8) food service;
- (9) temporary lodging quarters or similar structures used by students, faculty, staff, patients, or visitors; or
- (10) housing used by students in connection with hospitals, health care units, ~~or~~ hospitality facilities, **dormitories, or other residence facilities.**

~~The term does not include undergraduate dormitories:~~

SECTION 15. IC 21-35-7-7, AS AMENDED BY P.L.205-2013, SECTION 333, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 7. If the management and operation of the property are to be by a developer or user, the specifications for the property must require that the property will be generally available ~~to:~~ **to its occupants and visitors**

- ~~(1) the students; faculty; staff; patients in hospitals or health care units;~~



~~(2) visitors to hospitals or health care units; and~~
~~(3) students, faculty, staff, or visitors to a hospitality facility;~~
without discrimination and at reasonable charges. These charges shall be reviewed and revised periodically by the board of trustees of the state educational institution to assure that the charges are at all times nondiscriminatory and reasonable."

and when so amended that said bill do pass.

(Reference is to HB 1248 as introduced.)

BEHNING

Committee Vote: yeas 11, nays 1.

