



March 17, 2023

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# ENGROSSED HOUSE BILL No. 1449

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DIGEST OF HB 1449 (Updated March 15, 2023 4:59 pm - DI 110)

**Citations Affected:** IC 21-12.

**Synopsis:** Twenty-first century scholars program. Amends the twenty-first century scholars program (program) eligibility requirements for certain students. Provides that the commission for higher education shall do the following: (1) In cooperation with the department of education, identify students who meet the requirements to participate in the program. (2) Notify the student and the custodial parent or guardian of the student, if the student is an unemancipated minor, that: (A) the student is eligible to participate in the program; (B) the student must agree to the conditions required to participate in the program; and (C) the student has the right to opt out of the program at any time.

**Effective:** July 1, 2023.

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## Harris, Smith V, Behning, Morris

(SENATE SPONSORS — RAATZ, MELTON, FORD JON, QADDOURA,  
YODER, FORD J.D., LEISING)

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January 17, 2023, read first time and referred to Committee on Education.  
February 2, 2023, amended, reported — Do Pass. Referred to Committee on Ways and Means pursuant to Rule 127.  
February 9, 2023, reported — Do Pass.  
February 13, 2023, read second time, ordered engrossed.  
February 14, 2023, engrossed.  
February 16, 2023, read third time, passed. Yeas 92, nays 1.

SENATE ACTION

February 27, 2023, read first time and referred to Committee on Education and Career Development.  
March 16, 2023, amended, reported favorably — Do Pass; reassigned to Committee on Appropriations.

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March 17, 2023

First Regular Session of the 123rd General Assembly (2023)

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 2022 Regular Session of the General Assembly.

## ENGROSSED HOUSE BILL No. 1449

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 21-12-6-5, AS AMENDED BY P.L.92-2020,  
2 SECTION 99, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2023]: Sec. 5. (a) Unless a student qualifies under subsection  
4 (b), to qualify to participate in the program, a student must meet the  
5 following requirements:  
6 (1) Be a resident of Indiana.  
7 (2) Be:  
8 (A) enrolled in grade 7 or 8 at a:  
9 (i) public school; or  
10 (ii) nonpublic school that is accredited either by the **Indiana**  
11 state board of education or by a national or regional  
12 accrediting agency whose accreditation is accepted as a  
13 school improvement plan under IC 20-31-4.1-2; or  
14 (B) otherwise qualified under the rules of the commission that  
15 are adopted under IC 21-18.5-4-9(2) to include students who  
16 are in grades other than grade 8 as eligible students.  
17 (3) Be a member of a household with an annual income of not

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1 more than the amount required for the individual to qualify for  
 2 free or reduced priced lunches under the national school lunch  
 3 program, as determined for the immediately preceding taxable  
 4 year for the household for which the student was claimed as a  
 5 dependent.

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

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

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

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

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

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

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

21 (ii) for any federal and state student financial assistance  
 22 available to the eligible student to attend an eligible  
 23 institution;

24 (F) achieve a cumulative grade point average upon graduation  
 25 of:

26 (i) at least 2.0, if the student graduates from high school  
 27 before July 1, 2014; and

28 (ii) at least 2.5, if the student graduates from high school  
 29 after June 30, 2014;

30 on a 4.0 grading scale (or its equivalent if another grading  
 31 scale is used) for courses taken during grades 9, 10, 11, and  
 32 12; and

33 (G) complete an academic success program required under the  
 34 rules adopted by the commission, if the student initially enrolls  
 35 in high school after June 30, 2013.

36 (b) A student qualifies to participate in the program if the student:

37 (1) before or during grade 7 ~~or through~~ grade 8; **12**, is placed by  
 38 or with the consent of the department of child services, by a court  
 39 order, or by a child placing agency in:

40 (A) a foster family home;

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

42 (C) a child caring institution; or



- 1 (D) a group home;
- 2 (2) meets the requirements in subsection (a)(1) ~~through (a)(2)~~;
- 3 and is:
- 4 (A) enrolled in grade 7 through grade 12 at a:
  - 5 (i) public school; or
  - 6 (ii) nonpublic school that is accredited either by the
  - 7 Indiana state board of education or by a national or
  - 8 regional accrediting agency whose accreditation is
  - 9 accepted as a school improvement plan under
  - 10 IC 20-31-4.1-2; or
  - 11 (B) otherwise qualified under the rules of the commission
  - 12 that are adopted under IC 21-18.5-4-9(2); and
  - 13 (3) agrees in writing, together with the student's caseworker (as
  - 14 defined in IC 31-9-2-11) or legal guardian, to the conditions set
  - 15 forth in subsection (a)(4).
  - 16 (c) The commission may require that an applicant apply
  - 17 electronically to participate in the program using an online Internet
  - 18 application on the commission's ~~internet web site~~. **website**.
  - 19 SECTION 2. IC 21-12-6-5.5 IS ADDED TO THE INDIANA CODE
  - 20 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
  - 21 1, 2023]: **Sec. 5.5. The commission shall do the following:**
  - 22 (1) **In cooperation with the department of education, identify**
  - 23 **students who meet the requirements under section 5 of this**
  - 24 **chapter to participate in the program.**
  - 25 (2) **Notify a student identified under subdivision (1) and the**
  - 26 **custodial parent or guardian of the student, if the student is**
  - 27 **an unemancipated minor, that:**
    - 28 (A) **the student is eligible to participate in the program;**
    - 29 (B) **to participate in the program, the student must agree**
    - 30 **to the conditions listed in section 5(a)(4) of this chapter;**
    - 31 **and**
    - 32 (C) **the student has the right to opt out of the program at**
    - 33 **any time.**



COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred House Bill 1449, 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 1449 as introduced.)

BEHNING

Committee Vote: yeas 11, nays 0.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred House Bill 1449, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1449 as printed February 2, 2023.)

THOMPSON

Committee Vote: Yeas 24, Nays 0

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COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred House Bill No. 1449, 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, delete lines 19 through 24, begin a new paragraph and insert:

"SECTION 2. IC 21-12-6-5.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: **Sec. 5.5. The commission shall do the following:**

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**(1) In cooperation with the department of education, identify students who meet the requirements under section 5 of this chapter to participate in the program.**

**(2) Notify a student identified under subdivision (1) and the custodial parent or guardian of the student, if the student is an unemancipated minor, that:**

**(A) the student is eligible to participate in the program;**

**(B) to participate in the program, the student must agree to the conditions listed in section 5(a)(4) of this chapter; and**

**(C) the student has the right to opt out of the program at any time."**

and when so amended that said bill do pass and be reassigned to the Senate Committee on Appropriations.

(Reference is to HB 1449 as printed February 9, 2023.)

RAATZ, Chairperson

Committee Vote: Yeas 13, Nays 0.

