



February 27, 2024

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**ENGROSSED  
SENATE BILL No. 2**

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DIGEST OF SB 2 (Updated February 27, 2024 12:28 pm - DI 134)

**Citations Affected:** IC 5-28; IC 12-7; IC 12-8; IC 12-14; IC 12-17.2; noncode.

**Synopsis:** Child care. Requires the Indiana economic development corporation to annually report to the general assembly regarding funds  
(Continued next page)

**Effective:** Upon passage.

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**Charbonneau, Deery, Yoder,  
Walker K, Donato, Bohacek,  
Brown L, Ford J.D., Alting, Rogers,  
Leising, Pol Jr., Bassler,  
Randolph Lonnie M, Qaddoura,  
Becker**

(HOUSE SPONSORS — DEVON, MCGUIRE, PATTERSON,  
SHACKLEFORD)

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January 16, 2024, read first time and referred to Committee on Health and Provider Services.

January 18, 2024, amended, reported favorably — Do Pass; reassigned to Committee on Appropriations.

January 25, 2024, reported favorably — Do Pass.

January 29, 2024, read second time, ordered engrossed. Engrossed.

January 30, 2024, read third time, passed. Yeas 48, nays 1.

HOUSE ACTION

February 6, 2024, read first time and referred to Committee on Family, Children and Human Affairs.

February 22, 2024, reported — Do Pass. Referred to Committee on Ways and Means pursuant to Rule 127.

February 27, 2024, amended, reported — Do Pass.

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ES 2—LS 6562/DI 119



dedicated to supporting child care under specified state and federal programs. Defines an "out-of-school-time program". Requires the office of the secretary of family and social services (FSSA) to publish on the FSSA website a dashboard providing monthly information regarding state and federal child care subsidies available to Indiana residents. Provides that a household is eligible to begin receiving assistance under the federal Child Care and Development Fund (CCDF) voucher program if the household, at the time of FSSA's initial determination of the household's income eligibility: (1) has a household income that does not exceed 85% of Indiana's state median income for the household's family size; (2) includes an individual who is employed by a licensed child care center, a licensed child care home, or a licensed or registered child care ministry; and (3) otherwise meets federal eligibility requirements for the CCDF program. Provides, with respect to the individual with certification in cardiopulmonary resuscitation (CPR) required to be present at all times when a child is in the care of a child care provider that is eligible to receive reimbursement through the CCDF program, that the individual is not required to be recertified in CPR annually. Provides that: (1) the early learning advisory committee must commission a third party evaluation to assess existing regulations for child care providers not later than May 1, 2024 (rather than July 1, 2024, under current law); and (2) FSSA must initiate the process of amending FSSA's rules in consideration of the findings of the third party evaluation not later than July 1, 2024. Requires, not later than September 30, 2024, the early learning advisory committee to: (1) complete a study regarding compensation in Indiana for early childhood educators and caregivers at out-of-school-time programs; (2) create an online dashboard to allow access to compensation data; and (3) issue a report containing the committee's findings and recommendations. Amends provisions regarding the On My Way Pre-K voucher program (program) to: (1) provide eligibility for children of child care employees; and (2) amend references to funds provided to children under the program as prekindergarten vouchers, rather than grants. Requires FSSA to establish a micro facility pilot program, under which FSSA shall: (1) develop a regulatory model that: (A) is applicable only to certain licensed or registered child care providers that provide child care for not less than three children and not more than 30 children for at least four hours per day (micro facilities); and (B) incorporates waivers or variances from FSSA's rules applicable to certain child care providers; (2) apply the regulatory model to at least three micro facilities and evaluate the operation of the micro facilities under the regulatory model; and (3) not later than October 1, 2026: (A) make a determination as to whether FSSA will adopt rules specific to micro facilities that incorporate some or all aspects of the regulatory model; and (B) submit to the general assembly a report regarding the pilot program. Requires FSSA to do the following: (1) Amend FSSA's rules to define a "substitute educator" caregiver type for purposes of FSSA's rules pertaining to all categories of child care providers regulated by FSSA. (2) Amend FSSA's rules to allow an employee of a child care provider who: (A) is 16 or 17 years of age; (B) is assigned to a lead caregiver who supervises the employee at all times during which the employee is supervising a child; (C) is never left alone with a child; and (D) meets specified qualifications; to be counted in child/staff ratios for school age child care rooms. (3) Amend FSSA's rules to allow an employee of a child care provider who: (A) is at least 18 years of age; and (B) meets specified qualifications; to serve as the staff person in charge of an infant/toddler room. (4) Issue a report to the general assembly not later than October 31, 2024, documenting the results attributable to: (A) the employer sponsored child care fund; and (B) the employer child care expenditure credit. (5) Study, in collaboration with other specified state agencies, opportunities for resource sharing across

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Digest Continued

state agencies and local units of government to facilitate the fingerprinting of individuals for purposes of conducting national criminal history background checks and issue a report to the governor and the general assembly regarding the results of the study. Makes technical corrections.

**ES 2—LS 6562/DI 119**





February 27, 2024

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.

## ENGROSSED SENATE BILL No. 2

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A BILL FOR AN ACT to amend the Indiana Code concerning human services.

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

1 SECTION 1. IC 5-28-6-10 IS ADDED TO THE INDIANA CODE  
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE  
3 UPON PASSAGE]: **Sec. 10. Not later than October 1, 2024, and not**  
4 **later than October 1 of each year thereafter, the corporation shall**  
5 **submit to the executive director of the legislative services agency,**  
6 **for distribution to the members of the general assembly, a report**  
7 **regarding funds dedicated to supporting child care under:**  
8 (1) the regional economic acceleration and development  
9 initiative (READI) under IC 5-28-41; and  
10 (2) the CHIPS Act of 2022 (P.L. 117-167, 136 Stat. 1366).  
11 The corporation's report under this section must be in an  
12 electronic format under IC 5-14-6.  
13 SECTION 2. IC 12-7-2-25.2 IS ADDED TO THE INDIANA CODE  
14 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE  
15 UPON PASSAGE]: **Sec. 25.2. "CCDF", for purposes of**

ES 2—LS 6562/DI 119



1 **IC 12-17.2-7.2, has the meaning set forth in IC 12-17.2-7.2-0.4.**

2 SECTION 3. IC 12-7-2-28.5 IS ADDED TO THE INDIANA CODE  
3 AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE  
4 UPON PASSAGE]: **Sec. 28.5. "Child care employee", for purposes**  
5 **of IC 12-17.2-7.2, has the meaning set forth in IC 12-17.2-7.2-0.5.**

6 SECTION 4. IC 12-7-2-31.4 IS ADDED TO THE INDIANA CODE  
7 AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE  
8 UPON PASSAGE]: **Sec. 31.4. "Child of a child care employee", for**  
9 **purposes of IC 12-17.2-7.2, has the meaning set forth in**  
10 **IC 12-17.2-7.2-0.6.**

11 SECTION 5. IC 12-7-2-135.7 IS ADDED TO THE INDIANA  
12 CODE AS A **NEW SECTION** TO READ AS FOLLOWS  
13 [EFFECTIVE UPON PASSAGE]: **Sec. 135.7. "Out-of-school-time**  
14 **program", for purposes of IC 12-17.2, means child care provided**  
15 **to a child who is at least five (5) years of age but less than fifteen**  
16 **(15) years of age:**

- 17 (1) before school is in session or after the school day;
- 18 (2) during the summer; or
- 19 (3) any other time when school is not in session.

20 SECTION 6. IC 12-8-1.5-20 IS ADDED TO THE INDIANA CODE  
21 AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE  
22 UPON PASSAGE]: **Sec. 20. Not later than September 30, 2024, the**  
23 **office of the secretary shall publish on the website of the office of**  
24 **the secretary a dashboard providing monthly information**  
25 **regarding state and federal child care subsidies available to**  
26 **Indiana residents, including the following information:**

- 27 (1) The number of child care subsidies available.
- 28 (2) The average copayment required under each available  
29 subsidy.
- 30 (3) The number of children on a wait list for each available  
31 subsidy.
- 32 (4) Other key indicators, as determined by the office of the  
33 secretary, of the effectiveness of the available child care  
34 subsidies in each Indiana county.

35 SECTION 7. IC 12-14-31-3 IS ADDED TO THE INDIANA CODE  
36 AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE  
37 UPON PASSAGE]: **Sec. 3. A household that, at the time of the office**  
38 **of the secretary's initial determination of the household's income**  
39 **eligibility for purposes of entry into the CCDF program:**

- 40 (1) has a household income that does not exceed eighty-five  
41 percent (85%) of Indiana's state median income for the  
42 household's family size;



1           **(2) includes a child care employee (as defined in**  
 2           **IC 12-17.2-7.2-0.5); and**

3           **(3) otherwise meets federal eligibility requirements for the**  
 4           **CCDF program;**

5           **is eligible for assistance under the CCDF program.**

6           SECTION 8. IC 12-17.2-3.5-8, AS AMENDED BY P.L.171-2014,  
 7           SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 8           UPON PASSAGE]: Sec. 8. (a) At least one (1) adult individual who  
 9           maintains ~~annual~~ certification in a course of cardiopulmonary  
 10          resuscitation applicable to all age groups of children cared for by a  
 11          provider shall be present at all times when a child is in the care of the  
 12          provider.

13          (b) The following apply to an individual who is employed or  
 14          volunteers as a caregiver at a facility where a provider operates a child  
 15          care program:

16          (1) The individual shall maintain current certification in first aid  
 17          applicable to all age groups of children cared for by the provider.

18          (2) If the individual is:

19                (A) at least eighteen (18) years of age, the individual may act  
 20                as a caregiver without supervision of another caregiver; or

21                (B) less than eighteen (18) years of age, the individual may act  
 22                as a caregiver only if the individual:

23                   (i) is at least fourteen (14) years of age; and

24                   (ii) is, at all times when child care is provided, directly  
 25                   supervised by a caregiver who is at least eighteen (18) years  
 26                   of age.

27          (3) Before beginning employment or volunteer duties, the  
 28          individual must receive a formal orientation to the facility and the  
 29          child care program.

30          (4) Beginning July 1, 2015, unless the provider is a parent,  
 31          stepparent, guardian, custodian, or other relative to each child in  
 32          the care of the provider, the individual annually must receive at  
 33          least twelve (12) hours of continuing education approved by the  
 34          division and related to the age appropriate educational  
 35          development, care, and safety of children. The hours of  
 36          continuing education required by this subdivision may include the  
 37          training described in this chapter concerning child abuse  
 38          detection and prevention, first aid, cardiopulmonary resuscitation,  
 39          and safe sleeping practices.

40          (5) Not more than three (3) months after the individual begins  
 41          employment or volunteer duties, the individual must receive  
 42          training approved by the division concerning child abuse



- 1 detection and prevention.
- 2 (c) A provider shall:
- 3 (1) maintain at the facility where the provider operates a child
- 4 care program documentation of all training and completion of
- 5 continuing education required by this section; and
- 6 (2) make the documentation available to the division upon
- 7 request.
- 8 SECTION 9. IC 12-17.2-3.8-5, AS AMENDED BY P.L.246-2023,
- 9 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 10 UPON PASSAGE]: Sec. 5. (a) The early learning advisory committee
- 11 is established to do the following:
- 12 (1) Establish child developmental and educational goals for
- 13 Indiana's early learning system, including the development of
- 14 standards and objectives for early education programs that receive
- 15 state or federal funds.
- 16 (2) Design and maintain an approach to measuring progress
- 17 toward the goals established under subdivision (1) that include
- 18 objective measures of academic quality.
- 19 (3) Assess the attainment of the goals established under
- 20 subdivision (1) and evaluate the efficacy of state and federal
- 21 spending on Indiana's early learning system.
- 22 (4) Assess whether the requirements for early education program
- 23 licensure:
- 24 (A) create an equitable standard for health and safety across all
- 25 early education program types;
- 26 (B) reinforce the goals established under subdivision (1); and
- 27 (C) support the sustainability of Indiana's early learning
- 28 system.
- 29 (5) Conduct periodic statewide needs assessments concerning the
- 30 quality and availability of early education programs for children
- 31 from birth to the age of school entry, including the availability of
- 32 high quality prekindergarten education for low income children
- 33 in Indiana.
- 34 (6) Identify opportunities for, and barriers to, collaboration and
- 35 coordination among federally and state funded child development,
- 36 child care, and early childhood education programs and services,
- 37 including governmental agencies that administer the programs
- 38 and services.
- 39 (7) Design early education workforce strategies, including
- 40 recommendations on how to advance professional development.
- 41 (8) Assess the capacity and effectiveness of pathways to support
- 42 training and recruitment of early educators.





1 (9) Not later than November 30 of each year, develop and make  
 2 recommendations to the governor and, in an electronic format  
 3 under IC 5-14-6, to the legislative council concerning the results  
 4 of the committee's work under subdivisions (1) through (8).

5 (10) Not later than ~~July~~ **May** 1, 2024, commission a third party  
 6 evaluation to assess existing regulations for child care providers  
 7 and provide **a report containing** recommendations to:

8 (A) maintain health and safety standards;

9 (B) streamline administrative burdens, program standards, and  
 10 reporting requirements for child care providers;

11 (C) provide flexibility for a child care provider with a Level 3  
 12 or Level 4 paths to QUALITY program rating to expand to  
 13 other locations; and

14 (D) assist accredited kindergarten through grade 12  
 15 institutions in establishing and providing high quality onsite  
 16 child care and early learning programs.

17 **Not later than July 1, 2024, the office of the secretary shall**  
 18 **initiate the process of amending the rules adopted by the**  
 19 **office under IC 12-17.2-7.2 in consideration of the**  
 20 **recommendations of the third party evaluation.** This  
 21 subdivision expires January 1, 2025.

22 (11) Not later than December 31, 2023, develop recommendations  
 23 for implementing a revised paths to QUALITY program that:

24 (A) maintains health and safety standards;

25 (B) integrates objective measures of kindergarten readiness;

26 (C) contemplates accredited kindergarten through grade 12  
 27 institutions as onsite providers; and

28 (D) incentivizes child care providers to increase wages for  
 29 child care workers who complete education and training that  
 30 result in a postsecondary degree or industry recognized  
 31 credential.

32 This subdivision expires July 1, 2024.

33 **(12) Not later than September 30, 2024, do the following:**

34 **(A) Complete a study regarding compensation in Indiana**  
 35 **for:**

36 **(i) early childhood educators; and**

37 **(ii) caregivers at out-of-school-time programs;**

38 **by collecting compensation data throughout Indiana.**

39 **(B) Create an online dashboard to allow access to**  
 40 **compensation data.**

41 **(C) Issue a report containing the committee's findings and**  
 42 **recommendations on compensation in Indiana for:**



- 1                   **(i) early childhood educators; and**  
 2                   **(ii) caregivers at out-of-school-time programs.**  
 3       (b) The committee consists of the following thirteen (13) members:  
 4           (1) The secretary of education or the secretary's designee.  
 5           (2) The secretary of family and social services or the secretary's  
 6           designee.  
 7           (3) Seven (7) members appointed by the governor as follows:  
 8               (A) A representative of an organization with an interest in  
 9               training the early childhood education workforce.  
 10              (B) A representative of a Head Start program under 42 U.S.C.  
 11              9831 et seq.  
 12              (C) A member of the general public who has an interest in  
 13              early childhood education.  
 14              (D) A representative of an early childhood education provider.  
 15              (E) A representative from a school corporation who has an  
 16              interest in strengthening the transition from early childhood  
 17              education to elementary education.  
 18              (F) A representative of business with an interest in early  
 19              childhood education.  
 20              (G) A representative of the nonprofit or philanthropic  
 21              community with an interest in early childhood education.  
 22           (4) One (1) member who:  
 23               (A) is appointed by the speaker of the house of representatives;  
 24               (B) is not a member of the general assembly; and  
 25               (C) shall serve as a nonvoting member.  
 26           (5) One (1) member who:  
 27               (A) is appointed by the president pro tempore of the senate;  
 28               (B) is not a member of the general assembly; and  
 29               (C) shall serve as a nonvoting member.  
 30           (6) One (1) member who:  
 31               (A) is appointed by the minority leader of the house of  
 32               representatives;  
 33               (B) is not a member of the general assembly; and  
 34               (C) shall serve as a nonvoting member.  
 35           (7) One (1) member who:  
 36               (A) is appointed by the minority leader of the senate;  
 37               (B) is not a member of the general assembly; and  
 38               (C) shall serve as a nonvoting member.  
 39       (c) Subject to section 5.1 of this chapter, members appointed under  
 40       subsection (b)(3) through (b)(7) serve for three (3) year terms. The  
 41       members of the committee serve at the pleasure of the appointing  
 42       authority.



1 (d) The governor shall appoint a member of the committee to serve  
 2 as chairperson of the committee. The committee shall meet at least six  
 3 (6) times each calendar year at the call of the chairperson.

4 (e) The division shall, in consultation with the department of  
 5 education, staff the committee.

6 (f) The expenses of the committee shall be paid from the funds of  
 7 the division.

8 (g) Each member of the committee who is not a state employee is  
 9 entitled to the minimum salary per diem provided by IC 4-10-11-2.1(b).  
 10 The member is also entitled to reimbursement for traveling expenses  
 11 as provided under IC 4-13-1-4 and other expenses actually incurred in  
 12 connection with the member's duties as provided in the state policies  
 13 and procedures established by the Indiana department of administration  
 14 and approved by the budget agency.

15 (h) Each member of the committee who is a state employee but who  
 16 is not a member of the general assembly is entitled to reimbursement  
 17 for traveling expenses as provided under IC 4-13-1-4 and other  
 18 expenses actually incurred in connection with the member's duties as  
 19 provided in the state policies and procedures established by the Indiana  
 20 department of administration and approved by the budget agency.

21 (i) Each member of the committee who is a member of the general  
 22 assembly is entitled to receive the same per diem, mileage, and travel  
 23 allowances paid to legislative members of interim study committees  
 24 established by the legislative council. Per diem, mileage, and travel  
 25 allowances paid under this section shall be paid from appropriations  
 26 made to the legislative council or the legislative services agency.

27 (j) The affirmative votes of a majority of the voting members  
 28 appointed to the committee are required for the committee to take  
 29 action on any measure, including final reports.

30 SECTION 10. IC 12-17.2-7.2-0.4 IS ADDED TO THE INDIANA  
 31 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
 32 [EFFECTIVE UPON PASSAGE]: **Sec. 0.4. As used in this chapter,**  
 33 **"CCDF" refers to the federal Child Care and Development Fund**  
 34 **program administered under 45 CFR 98 and 45 CFR 99.**

35 SECTION 11. IC 12-17.2-7.2-0.5 IS ADDED TO THE INDIANA  
 36 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
 37 [EFFECTIVE UPON PASSAGE]: **Sec. 0.5. As used in this chapter,**  
 38 **"child care employee" means an individual who:**

39 **(1) receives compensation as a full-time employee of an entity**  
 40 **licensed or regulated under this article, as determined by the**  
 41 **office; or**

42 **(2) receives compensation as a part-time employee of an entity**



1 licensed or regulated under this article while also pursuing  
 2 postsecondary study or educational training in child care or  
 3 early childhood education, as determined by the office.

4 SECTION 12. IC 12-17.2-7.2-0.6 IS ADDED TO THE INDIANA  
 5 CODE AS A NEW SECTION TO READ AS FOLLOWS  
 6 [EFFECTIVE UPON PASSAGE]: Sec. 0.6. As used in this chapter,  
 7 "child of a child care employee" means an individual who:

8 (1) is at least four (4) years of age and less than five (5) years  
 9 of age on August 1 of the state fiscal year for which a  
 10 prekindergarten voucher is sought for the individual under  
 11 the prekindergarten program;

12 (2) is a resident of Indiana or otherwise has legal settlement  
 13 in Indiana, as determined under IC 20-26-11;

14 (3) receives qualified early education services from an eligible  
 15 provider, as determined by the office;

16 (4) has a parent or guardian who agrees to ensure that the  
 17 child meets the attendance requirements determined by the  
 18 office;

19 (5) resides with a parent or guardian who is a child care  
 20 employee, as determined by the office;

21 (6) has a household income that does not exceed eighty-five  
 22 percent (85%) of Indiana's state median income for the  
 23 household's family size; and

24 (7) meets the requirements of section 7.2(c) of this chapter.

25 SECTION 13. IC 12-17.2-7.2-2, AS AMENDED BY P.L.268-2019,  
 26 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 27 UPON PASSAGE]: Sec. 2. As used in this chapter, "eligible provider"  
 28 refers to a provider that satisfies the following conditions:

29 (1) The provider is:

30 (A) a:

31 ~~(i) public school, including a charter school;~~

32 ~~(ii) (i) child care center licensed under IC 12-17.2-4;~~

33 ~~(iii) (ii) child care home licensed under IC 12-17.2-5; or~~

34 ~~(iv) (iii) child care ministry registered under IC 12-17.2-6;~~

35 that meets the standards of quality recognized by a Level 3 or  
 36 Level 4 paths to QUALITY program rating;

37 **(B) a public school, including a charter school;**

38 ~~(B)~~ **(C) a nonpublic school** that is accredited by the state  
 39 board of education or a national or regional accreditation  
 40 agency that is recognized by the state board of education; or

41 ~~(C)~~ **(D) a nonpublic school** that is accredited to provide  
 42 qualified early education services by an accrediting agency



1 approved by the office of the secretary.

2 (2) The provider:

3 (A) provides qualified early education services to eligible ~~and~~  
4 **children**, limited eligibility children, and **children of child**  
5 **care employees**;

6 (B) complies with the agreement with the office concerning  
7 the delivery of qualified education services and the use of a  
8 **grant prekindergarten voucher** provided under this chapter;  
9 **and**

10 **(C) complies with CCDF provider eligibility standards in**  
11 **accordance with federal requirements for health and**  
12 **safety.**

13 SECTION 14. IC 12-17.2-7.2-2.5, AS AMENDED BY  
14 P.L.246-2023, SECTION 8, IS AMENDED TO READ AS FOLLOWS  
15 [EFFECTIVE UPON PASSAGE]: Sec. 2.5. As used in this chapter,  
16 "limited eligibility child" refers to an individual who:

17 (1) is at least four (4) years of age and less than five (5) years of  
18 age on August 1 of the state fiscal year for which a **grant**  
19 **prekindergarten voucher** is sought **for the individual** under the  
20 prekindergarten program;

21 (2) is a resident of Indiana or otherwise has legal settlement in  
22 Indiana, as determined under IC 20-26-11;

23 (3) receives qualified early education services from an eligible  
24 provider, as determined by the office;

25 (4) has a parent or guardian who agrees to ensure that the child  
26 meets the attendance requirements determined by the office;

27 (5) has a parent or guardian who participates in a parental  
28 engagement and involvement component provided by the eligible  
29 provider;

30 (6) is a member of a household with an annual income that does  
31 not exceed one hundred eighty-five percent (185%) of the federal  
32 poverty level;

33 (7) meets the requirements of section 7.2(b) and 7.2(c) of this  
34 chapter; and

35 (8) is not an eligible child **or a child of a child care employee.**

36 SECTION 15. IC 12-17.2-7.2-5.7, AS AMENDED BY  
37 P.L.216-2021, SECTION 4, IS AMENDED TO READ AS FOLLOWS  
38 [EFFECTIVE UPON PASSAGE]: Sec. 5.7. As used in this chapter,  
39 "priority enrollment period" refers to the period set forth by the office  
40 beginning not later than April 1 of each calendar year, except for  
41 calendar year ~~2021~~, **2024**, during which the priority enrollment period  
42 may begin later than April 1, ~~2021~~, **2024**.



1 SECTION 16. IC 12-17.2-7.2-6, AS AMENDED BY P.L.268-2019,  
 2 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 3 UPON PASSAGE]: Sec. 6. As used in this chapter, "qualified early  
 4 education services" refers to a program of early education services that:

5 (1) is provided by an eligible provider to:

6 (A) an eligible ~~or~~ **child**;

7 (B) a limited eligibility child; **or**

8 (C) a **child of a child care employee**;

9 (2) includes a parental engagement and involvement component  
 10 in the delivery of early education services that is based on the  
 11 requirements and guidelines established by the office;

12 (3) administers the kindergarten readiness assessment adopted by  
 13 the state board of education;

14 (4) aligns with the early learning development framework for  
 15 prekindergarten approved by the department of education under  
 16 IC 20-19-3-16; and

17 (5) meets the design parameters for inclusion in the longitudinal  
 18 study described in section 12 of this chapter, as determined by the  
 19 office.

20 SECTION 17. IC 12-17.2-7.2-7, AS AMENDED BY P.L.246-2023,  
 21 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 22 UPON PASSAGE]: Sec. 7. (a) The prekindergarten program is  
 23 established to provide: ~~grants for:~~

24 (1) **prekindergarten vouchers for** qualified early education  
 25 services in a manner consistent with how funds are distributed  
 26 under the ~~Child Care and Development Fund (CCDF) grant~~  
 27 **CCDF child care voucher** program; and

28 (2) **grants for** expansion plans as described in section 7.4(a)(2)  
 29 of this chapter.

30 (b) The office shall administer the prekindergarten program. The  
 31 prekindergarten program may include:

32 (1) eligible providers in Indiana; and

33 (2) potential eligible providers or existing eligible providers as  
 34 described in section 7.4 of this chapter.

35 (c) Beginning July 1, 2020, the total number of ~~grants~~  
 36 **prekindergarten vouchers provided** during the immediately  
 37 preceding state fiscal year shall include the number of ~~grants~~  
 38 **prekindergarten vouchers** issued under a preschool program  
 39 established in March 2015 that operates in a consolidated city.

40 (d) The prekindergarten program includes eligible providers in any  
 41 county in Indiana.

42 (e) Subject to the requirements of this chapter, the office shall



- 1 determine:
- 2 (1) the eligibility requirements, application process, and selection
- 3 process for ~~awarding grants~~ **providing prekindergarten**
- 4 **vouchers** under the prekindergarten program **and awarding**
- 5 **grants under section 7.4 of this chapter;**
- 6 (2) the administration and reporting requirements for:
- 7 (A) eligible providers; and
- 8 (B) potential eligible providers or existing eligible providers;
- 9 participating in the prekindergarten program; and
- 10 (3) with the assistance of the early learning advisory committee,
- 11 an appropriate outcomes based accountability system for:
- 12 (A) eligible providers; and
- 13 (B) potential eligible providers or existing eligible providers.
- 14 (f) The office shall, subject to the availability of funding, determine
- 15 the number of eligible children, **limited eligibility children, and**
- 16 **children of child care employees** who will participate in the
- 17 prekindergarten program. ~~After December 31, 2019, the office shall,~~
- 18 ~~subject to the availability of funding, determine the number of limited~~
- 19 ~~eligibility children who will participate in the prekindergarten program.~~
- 20 SECTION 18. IC 12-17.2-7.2-7.2, AS AMENDED BY
- 21 P.L.268-2019, SECTION 9, IS AMENDED TO READ AS FOLLOWS
- 22 [EFFECTIVE UPON PASSAGE]: Sec. 7.2. (a) For an eligible child to
- 23 qualify for a **grant prekindergarten voucher** under this chapter, the
- 24 eligible child must reside with a parent or guardian who is:
- 25 (1) working or attending a job training or an educational program;
- 26 or
- 27 (2) actively seeking employment, subject to the approval by the
- 28 United States Department of Health and Human Services as
- 29 provided in 45 CFR 98.21.
- 30 (b) For a limited eligibility child to qualify for a **grant**
- 31 **prekindergarten voucher** under this chapter, the limited eligibility
- 32 child must reside with a parent or guardian who:
- 33 (1) is working or attending a job training or an educational
- 34 program;
- 35 (2) is actively seeking employment, subject to the approval by the
- 36 United States Department of Health and Human Services as
- 37 provided in 45 CFR 98.21; or
- 38 (3) receives Social Security Disability Insurance, ~~or~~ Supplemental
- 39 Security Income benefits, **or disability benefits from the United**
- 40 **States Department of Veterans Affairs.**
- 41 (c) Before the office may ~~award~~ **provide a grant prekindergarten**
- 42 **voucher** to an eligible ~~or child,~~ **a limited eligibility child, or a child of**



1 **a child care employee** under this chapter, the office shall require that  
 2 a parent or guardian of the ~~eligible or limited eligibility~~ child agree to  
 3 the following:

4 (1) The ~~eligible or limited eligibility~~ child will attend the  
 5 prekindergarten program of an eligible provider selected by the  
 6 parent or guardian for the full duration of the prekindergarten  
 7 program year.

8 (2) The parent or guardian will not transfer to another  
 9 prekindergarten program during the prekindergarten program  
 10 year.

11 (3) The ~~eligible or limited eligibility~~ child will attend the  
 12 prekindergarten program at least eighty-five percent (85%) of the  
 13 days that the prekindergarten program is provided.

14 (4) The parent or guardian will allow the ~~eligible or limited~~  
 15 ~~eligibility~~ child to participate in an external evaluation conducted  
 16 by researchers, including the kindergarten readiness assessment  
 17 and measuring of developmental and academic progress.

18 (5) The parent or guardian will participate in family engagement  
 19 and involvement activities offered by the selected prekindergarten  
 20 program, including meetings with the ~~eligible or limited eligibility~~  
 21 child's teacher to discuss the ~~eligible or limited eligibility~~ child's  
 22 progress or any other conference concerning the ~~eligible or~~  
 23 ~~limited eligibility~~ child that is requested by the eligible provider.

24 (6) The parent or guardian will complete the necessary forms for  
 25 the ~~eligible child or limited eligibility~~ child to receive a student  
 26 test number from the department of education.

27 (7) The parent or guardian will send the ~~eligible or limited~~  
 28 ~~eligibility~~ child to kindergarten.

29 (8) The parent or guardian will read to the ~~eligible or limited~~  
 30 ~~eligibility~~ child each week.

31 (9) Any other condition the office determines is appropriate.

32 **(d) Priority shall be given to a child of a child care employee**  
 33 **under this section.**

34 ~~(d)~~ **(e)** Priority may be given to an eligible or limited eligibility child  
 35 under this section if a parent or guardian of the eligible or limited  
 36 eligibility child is:

37 (1) involved in activities that improve the parent's or guardian's  
 38 education; or

39 (2) involved in job training.

40 SECTION 19. IC 12-17.2-7.2-7.3, AS AMENDED BY  
 41 P.L.246-2023, SECTION 12, IS AMENDED TO READ AS  
 42 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 7.3. The office

ES 2—LS 6562/DI 119





1 shall require, for an eligible provider to enroll in the prekindergarten  
2 program, that the eligible provider agree to the following:

3 (1) Comply on a continuing basis with the requirements under this  
4 chapter and rules for participation established by the office.

5 (2) Maintain eligibility under this chapter throughout the  
6 prekindergarten program year.

7 (3) Report immediately any changes in eligibility status to the  
8 office, including the eligible provider's loss of national or regional  
9 accreditation.

10 (4) Participate in any training and mandatory meetings required  
11 by the office.

12 (5) Participate in all onsite visits conducted by the office,  
13 including fiscal auditing activities with regard to the  
14 prekindergarten program and prekindergarten program activity  
15 monitoring.

16 (6) Allow ~~families~~ **the family** of ~~an eligible or child,~~ a limited  
17 eligibility ~~children,~~ **child, or a child of a child care employee**  
18 enrolled in the prekindergarten program of the eligible provider  
19 to visit at any time the prekindergarten program is in operation.

20 (7) Maintain accurate online attendance records through the  
21 attendance portal for eligible ~~or children,~~ limited eligibility  
22 children, **and children of child care employees** enrolled in the  
23 prekindergarten program and submit attendance records as  
24 required by the office.

25 (8) Offer parental engagement and involvement activities in the  
26 prekindergarten program of the eligible provider in alignment  
27 with the family engagement framework adopted by the early  
28 learning advisory committee established by IC 12-17.2-3.8-5.

29 (9) Complete, within the period established by the office, the  
30 Indiana early childhood family engagement toolkit, including the  
31 family engagement self-assessment, adopted by the early learning  
32 advisory committee.

33 (10) Share information on the family engagement self-assessment  
34 described in subdivision (9) as required by the office.

35 (11) Participate in research studies as required by the office.

36 (12) Enforce minimum attendance requirements of at least  
37 eighty-five percent (85%) of the days that the prekindergarten  
38 program of the eligible provider is offered to an eligible ~~or child,~~  
39 **a limited eligibility child, or a child of a child care employee.**

40 (13) Inform the office that an eligible ~~or child,~~ a limited eligibility  
41 child, **or a child of a child care employee** has withdrawn from  
42 the prekindergarten program of the eligible provider not later than



- 1 five (5) days after the ~~eligible or limited eligibility~~ child is
- 2 withdrawn.
- 3 (14) That retroactive repayment to the state may be required or
- 4 future payments may be adjusted as a result of the withdrawal of
- 5 an eligible ~~or child, a~~ limited eligibility child, **or a child of a**
- 6 **child care employee** or changes in the law.
- 7 (15) Maintain records of participation by ~~a~~ **the** family of an
- 8 eligible ~~or child, a~~ limited eligibility child, **or a child of a child**
- 9 **care employee** in family engagement activities and submit
- 10 records as required by the office.
- 11 (16) Promote ~~an eligible or limited eligibility child's~~ the social,
- 12 emotional, and behavioral health **of an eligible child, a limited**
- 13 **eligibility child, or a child of a child care employee** and
- 14 eliminate or severely limit the use of expulsion, suspension, and
- 15 other exclusionary discipline practices.
- 16 (17) Use the exclusionary discipline practices described in
- 17 subdivision (16) only as a last resort in extraordinary
- 18 circumstances when there is a determination of a serious safety
- 19 threat that cannot otherwise be reduced or eliminated by the
- 20 provision of reasonable modifications.
- 21 (18) Inform and receive approval from the office before the
- 22 eligible provider expels, suspends, or uses other exclusionary
- 23 discipline practices.
- 24 (19) Assist a parent or guardian, upon request by the parent or
- 25 guardian, in obtaining information from, referral to, or both
- 26 information from and referral to, the public school that serves the
- 27 attendance area in which the parent or guardian resides for an
- 28 educational evaluation and determination of eligibility for special
- 29 education services if developmental delays or reasons to suspect
- 30 a disability are observed by the parent, guardian, or teacher of an
- 31 eligible ~~or child, a~~ limited eligibility child, **or a child of a child**
- 32 **care employee** during the prekindergarten program year.
- 33 SECTION 20. IC 12-17.2-7.2-7.8, AS AMENDED BY
- 34 P.L.246-2023, SECTION 15, IS AMENDED TO READ AS
- 35 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 7.8. (a) The office
- 36 shall make random onsite inspections each year, as determined
- 37 necessary by the office, at the facility of:
- 38 (1) an eligible provider **that receives a prekindergarten**
- 39 **voucher under this chapter;** or
- 40 (2) a potential eligible provider or existing eligible provider **that**
- 41 **receives a grant under section 7.4 of this chapter.**
- 42 ~~that receives a grant under this chapter.~~



1 (b) The office may determine that an eligible provider ~~or potential~~  
 2 ~~eligible provider or existing eligible provider~~ is not eligible to receive  
 3 a ~~grant~~ **prekindergarten voucher** under the prekindergarten program  
 4 **or that a potential eligible provider or existing eligible provider is**  
 5 **not eligible to receive a grant under section 7.4 of this chapter** if the  
 6 eligible provider or ~~the~~ potential eligible provider or existing eligible  
 7 provider:

8 (1) fails to comply with this chapter; or

9 (2) refuses to allow, during normal business hours, the office or  
 10 an agent of the office to inspect the facility at which the eligible  
 11 provider or potential eligible provider or existing eligible provider  
 12 operates a child care program for eligible ~~or~~ **children**, limited  
 13 eligibility children, **or children of child care employees**.

14 SECTION 21. IC 12-17.2-7.2-8, AS AMENDED BY P.L.268-2019,  
 15 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 16 UPON PASSAGE]: Sec. 8. (a) The office shall determine:

17 (1) which applicants shall be ~~awarded~~ **provided** a:

18 **(A) prekindergarten voucher under this chapter; or**

19 **(B) grant under section 7.4 of this chapter; and**

20 (2) subject to subsection (b) and to the availability of funding, the  
 21 amount of each **prekindergarten voucher or grant**.

22 (b) At least five percent (5%) but not more than fifty percent (50%)  
 23 of the:

24 (1) tuition for eligible or limited eligibility children under the  
 25 prekindergarten ~~pilot~~ program; or

26 (2) expansion plan described in section 7.4(a) of this chapter;  
 27 during the state fiscal year must be paid from donations, gifts, grants,  
 28 bequests, and other funds received from a private entity or person, from  
 29 the United States government, or from other sources (excluding funds  
 30 from a **prekindergarten voucher or grant** provided under this chapter  
 31 and excluding other state funding). The office may receive and  
 32 administer grants on behalf of the prekindergarten ~~pilot~~ program. The  
 33 grants shall be distributed by the office to fulfill the requirements of  
 34 this subsection.

35 (c) The amount of a ~~grant made~~ **prekindergarten voucher**  
 36 **provided** under the ~~pilot~~ **prekindergarten** program to an eligible ~~or~~  
 37 **child, a limited eligibility child, or a child of a child care employee:**

38 (1) who attends a prekindergarten program full time must equal  
 39 at least two thousand five hundred dollars (\$2,500) during the  
 40 state fiscal year; and

41 (2) may not exceed six thousand eight hundred dollars (\$6,800)  
 42 from state money provided under this chapter during the state



- 1 fiscal year.
- 2 SECTION 22. IC 12-17.2-7.2-8.1, AS AMENDED BY  
 3 P.L.246-2023, SECTION 16, IS AMENDED TO READ AS  
 4 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 8.1. (a) If funds are  
 5 appropriated by the general assembly, **grants prekindergarten**  
 6 **vouchers provided** to limited eligibility children may not exceed:  
 7 (1) twenty percent (20%) of the amount appropriated for a  
 8 particular state fiscal year if families with children four (4) years  
 9 of age are on the waiting list for funds available under the ~~Child~~  
 10 ~~Care Development Fund; CCDF~~; or  
 11 (2) forty percent (40%) of the amount appropriated for a  
 12 particular state fiscal year if there is no waiting list for children  
 13 four (4) years of age for funds available under the ~~Child Care~~  
 14 ~~Development Fund; CCDF~~.
- 15 (b) During the priority enrollment period, the office shall provide  
 16 **grants prekindergarten vouchers** to eligible children **and children of**  
 17 **child care employees** in the prekindergarten program on a first-come,  
 18 first-served basis. The office shall date stamp and reserve applications  
 19 for limited eligibility children received during the priority enrollment  
 20 period for processing during the extended enrollment period.
- 21 (c) During the extended enrollment period, the office shall provide  
 22 **grants prekindergarten vouchers** to eligible children, **children of**  
 23 **child care employees**, and limited eligibility children in the  
 24 prekindergarten program on a first-come, first-served basis to the  
 25 extent of available funding and in accordance with the limit established  
 26 by subsection (a).
- 27 SECTION 23. IC 12-17.2-7.2-10, AS ADDED BY P.L.202-2014,  
 28 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 29 UPON PASSAGE]: Sec. 10. The office shall apply for any available  
 30 waivers under the federal ~~Child Care and Development Fund (CCDF)~~  
 31 ~~grant CCDF voucher~~ program and the federal Head Start program.
- 32 SECTION 24. IC 12-17.2-7.2-11, AS AMENDED BY  
 33 P.L.201-2023, SECTION 139, AND AS AMENDED BY  
 34 P.L.246-2023, SECTION 17, AND AS AMENDED BY THE  
 35 TECHNICAL CORRECTIONS BILL OF THE 2024 GENERAL  
 36 ASSEMBLY, IS CORRECTED AND AMENDED TO READ AS  
 37 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 11. *Except as*  
 38 *provided under IC 20-51-1-4.3(4)(E)*; The receipt of a **grant**  
 39 **prekindergarten voucher** under the *pilot prekindergarten* program  
 40 does not qualify, nor have an effect on the qualification or eligibility,  
 41 of a child for a choice scholarship under IC 20-51-4.
- 42 SECTION 25. IC 12-17.2-7.2-13, AS AMENDED BY



1 P.L.246-2023, SECTION 19, IS AMENDED TO READ AS  
 2 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 13. (a) The office  
 3 shall, before November 1 of each year, submit a report to the governor,  
 4 the budget committee, the state board of education, the department of  
 5 education, and, in an electronic format under IC 5-14-6, the general  
 6 assembly regarding the prekindergarten program.

7 (b) The report under subsection (a) must include the following:

8 (1) The total number of children who received a ~~grant~~  
 9 **prekindergarten voucher** under the prekindergarten program for  
 10 the immediately preceding state fiscal year, disaggregated by  
 11 county.

12 (2) The total amount of funds budgeted for and spent under the  
 13 prekindergarten program during the immediately preceding state  
 14 fiscal year.

15 (3) The balance remaining in the fund at the end of the  
 16 immediately preceding state fiscal year.

17 SECTION 26. IC 12-17.2-7.2-13.1, AS AMENDED BY  
 18 P.L.246-2023, SECTION 20, IS AMENDED TO READ AS  
 19 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 13.1. The office  
 20 shall post monthly on the office's website the total enrollment of and  
 21 number of ~~grants~~ **prekindergarten vouchers** awarded to:

22 (1) ~~all~~ eligible children; ~~(before January 1, 2020); and~~

23 ~~(2) after December 31, 2019; both:~~

24 ~~(A) all eligible children; and~~

25 ~~(B) (2) all limited eligibility children; and~~

26 **(3) children of child care employees;**

27 for each county that participates in the prekindergarten program.

28 SECTION 27. IC 12-17.2-7.2-13.5, AS AMENDED BY  
 29 P.L.246-2023, SECTION 21, IS AMENDED TO READ AS  
 30 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 13.5. (a) The  
 31 prekindergarten program fund is established to:

32 (1) provide ~~grants~~ **prekindergarten vouchers** to eligible ~~or~~  
 33 **children**, limited eligibility children, **and children of child care**  
 34 **employees** for qualified early education services under this  
 35 chapter;

36 (2) carry out the longitudinal study described in section 12 of this  
 37 chapter;

38 (3) provide grants to potential eligible providers and existing  
 39 eligible providers as set forth in section 7.4 of this chapter; and

40 (4) make payments to reimburse costs incurred to provide  
 41 in-home early education services under IC 12-17.2-7.5.

42 (b) The fund consists of:



- 1 (1) money appropriated to the fund by the general assembly; and
- 2 (2) grants or gifts to the fund.
- 3 (c) The fund shall be administered by the office.
- 4 (d) The expenses of administering the fund shall be paid from
- 5 money in the fund.
- 6 (e) Money in the fund is continuously appropriated for the purposes
- 7 provided under this article.
- 8 (f) The treasurer of state shall invest the money in the fund not
- 9 currently needed to meet the obligations of the fund in the same
- 10 manner as other public funds may be invested.

11 SECTION 28. IC 12-17.2-7.6 IS ADDED TO THE INDIANA  
 12 CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS  
 13 [EFFECTIVE UPON PASSAGE]:

14 **Chapter 7.6. Micro Facility Pilot Program**

15 **Sec. 1. As used in this chapter, "micro facility" means an entity**  
 16 **licensed under this article that provides child care for not less than**  
 17 **three (3) children and not more than thirty (30) children for at**  
 18 **least four (4) hours per day.**

19 **Sec. 2. As used in this chapter, "pilot program" refers to the**  
 20 **pilot program established under section 3 of this chapter.**

21 **Sec. 3. (a) Not later than January 1, 2025, after soliciting and**  
 22 **considering recommendations from appropriate stakeholders, the**  
 23 **office of the secretary shall develop a regulatory model that:**

- 24 (1) is applicable only to micro facilities;
- 25 (2) incorporates waivers or variances from the office of the
- 26 secretary's rules applicable to providers under this article;
- 27 and
- 28 (3) provides for a balance between the goals of:
  - 29 (A) increasing the availability of child care, particularly in
  - 30 geographic areas facing a critical shortage of child care, by
  - 31 reducing the costs of operating a micro facility; and
  - 32 (B) ensuring the health and safety of children for whom a
  - 33 micro facility provides child care.

34 **(b) In determining waivers or variances to be incorporated**  
 35 **under subsection (a)(2), the office of the secretary shall consider**  
 36 **efficiencies such as:**

- 37 (1) allowing a micro facility to be operated in either a
- 38 residential or nonresidential building;
- 39 (2) prescribing educational requirements for staff members of
- 40 a micro facility that are tailored to the needs of providing
- 41 child care to groups of thirty (30) children or less; and
- 42 (3) allowing for supervision of children of diverse age groups



1           **in a manner that maximizes use of limited facility space.**

2           **(c) Not later than March 1, 2025, the office of the secretary shall**  
3 **establish and administer a pilot program under which:**

4           **(1) a licensee under IC 12-7-2-28.4 or IC 12-7-2-28.8 that:**

5           **(A) operates an existing micro facility; or**

6           **(B) proposes to begin operating a new micro facility not**  
7 **more than sixty (60) days after the date of the licensee's**  
8 **application under this subdivision;**

9           **may apply to participate in the pilot program in a manner**  
10 **prescribed by the office of the secretary;**

11           **(2) the office of the secretary shall select at least three (3)**  
12 **licensees that apply under subdivision (1) and:**

13           **(A) allow a selected licensee described in subdivision (1)(A)**  
14 **to operate the licensee's existing micro facility; and**

15           **(B) allow a selected licensee described in subdivision (1)(B)**  
16 **to operate the licensee's proposed micro facility;**

17 **under the regulatory model developed under subsection (a);**  
18 **and**

19           **(3) the office of the secretary shall:**

20           **(A) monitor the operation of the micro facilities operating**  
21 **under the regulatory model under subdivision (2); and**

22           **(B) evaluate the degree to which the operation of the micro**  
23 **facilities under the regulatory model serves the balance**  
24 **described in subsection (a)(3).**

25           **(d) The office of the secretary shall, to the extent practicable,**  
26 **select licensees for participation in the pilot program such that the**  
27 **micro facilities operated by the licensees are located in areas:**

28           **(1) that are geographically diverse from one another; and**

29           **(2) in which there exists a critical shortage of child care**  
30 **providers.**

31           **(e) A waiver or variance applied to a micro facility under this**  
32 **section expires on the earlier of:**

33           **(1) the date specified by the office of the secretary; or**

34           **(2) December 31, 2026.**

35           **Sec. 4. Not later than October 1, 2026, the office of the secretary**  
36 **shall do the following:**

37           **(1) Make a determination as to whether the operation of the**  
38 **micro facilities under the regulatory model developed under**  
39 **section 3(a) of this chapter served the balance described in**  
40 **section 3(a)(3) of this chapter.**

41           **(2) Based on the office of the secretary's determination under**  
42 **subdivision (1), make a determination as to whether the office**



1 of the secretary will adopt rules specific to micro facilities that  
 2 incorporate some or all aspects of the regulatory model  
 3 developed under section 3(a) of this chapter.

4 (3) Submit to the executive director of the legislative services  
 5 agency, for distribution to the members of the general  
 6 assembly, a report regarding the pilot program that describes  
 7 the office of the secretary's determinations under subdivisions  
 8 (1) and (2). The office of the secretary's report under this  
 9 subdivision must be in an electronic format under IC 5-14-6.

10 **Sec. 5. This chapter expires January 1, 2027.**

11 SECTION 29. [EFFECTIVE UPON PASSAGE] (a) As used in this  
 12 SECTION, "CCDF" refers to the federal Child Care and  
 13 Development Fund program administered under 45 CFR 98 and 45  
 14 CFR 99.

15 (b) As used in this SECTION, "office" means the office of the  
 16 secretary of family and social services established by IC 12-8-1.5-1.

17 (c) Not later than September 30, 2024, the office shall do the  
 18 following:

19 (1) Amend 470 IAC 3 to define a "substitute educator"  
 20 caregiver type for purposes of the office's rules pertaining to  
 21 all categories of child care providers regulated by the office  
 22 under IC 12-17.2.

23 (2) Amend 470 IAC 3-4.7-24 to allow an employee of a child  
 24 care provider who:

25 (A) is sixteen (16) or seventeen (17) years of age;

26 (B) meets CCDF qualified caregiver requirements;

27 (C) is assigned to a lead caregiver who:

28 (i) is at least eighteen (18) years of age;

29 (ii) meets the qualifications of a lead caregiver under  
 30 rules adopted under IC 12-13-5-3; and

31 (iii) supervises the employee at all times during which  
 32 the employee is supervising one (1) or more children;

33 (D) is never left alone with a child; and

34 (E) meets other reasonable requirements related to  
 35 ensuring the health, safety, and welfare of children as  
 36 established by the office;

37 to be counted in child/staff ratios for school age child care  
 38 rooms.

39 (3) Amend 470 IAC 3-4.7-121 to allow an employee of a child  
 40 care provider who:

41 (A) is at least eighteen (18) years of age;

42 (B) meets CCDF qualified caregiver requirements; and





- 1           (C) meets other reasonable requirements related to
- 2           ensuring the health, safety, and welfare of children as
- 3           established by the office;
- 4           to serve as the staff person in charge of an infant/toddler
- 5           room.
- 6           (d) Not later than October 31, 2024, the office, in collaboration
- 7           with the department of state revenue, shall provide to the executive
- 8           director of the legislative services agency for distribution to the
- 9           members of the general assembly a report in an electronic format
- 10          under IC 5-14-6 documenting the results attributable to:
- 11           (1) the employer sponsored child care fund, including any
- 12           tri-share model programs; and
- 13           (2) the employer child care expenditure credit.
- 14          (e) Not later than December 31, 2024, the office shall:
- 15           (1) submit to the United States Department of Health and
- 16           Human Services any state plan amendment necessary to
- 17           implement; and
- 18           (2) amend the rules of the office's division of family resources
- 19           in conformance with;
- 20          IC 12-14-31-3, as added by this act, and IC 12-17.2-7.2, as amended
- 21          by this act.
- 22          (f) This SECTION expires January 1, 2025.
- 23          SECTION 30. [EFFECTIVE UPON PASSAGE] (a) As used in this
- 24          SECTION, "secretary" refers to the secretary of family and social
- 25          services appointed under IC 12-8-1.5-2.
- 26          (b) The secretary, in collaboration with the department of
- 27          administration, the department of education, the department of
- 28          child services, the criminal justice institute, and the state police,
- 29          shall study opportunities for resource sharing across state agencies
- 30          and local units of government to facilitate the fingerprinting of
- 31          individuals for purposes of conducting a national criminal history
- 32          background check (as defined by IC 10-13-3-12) or any similar
- 33          criminal history check involving fingerprint identification.
- 34          (c) Not later than November 1, 2024, the secretary shall submit
- 35          a report of the secretary's findings under subsection (b) to the
- 36          following:
- 37           (1) The governor.
- 38           (2) The legislative council in an electronic format under
- 39           IC 5-14-6.
- 40          The report must include recommendations to facilitate
- 41          fingerprinting for individuals in rural areas.
- 42          (d) This section expires December 31, 2025.



1           **SECTION 31. An emergency is declared for this act.**



COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred Senate Bill No. 2, 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 20, line 17, after "(i)" insert "**is at least eighteen (18) years of age;**

**(ii)**".

Page 20, line 19, delete "(ii)" and insert "**(iii)**".

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

(Reference is to SB 2 as introduced.)

CHARBONNEAU, Chairperson

Committee Vote: Yeas 11, Nays 0.

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COMMITTEE REPORT

Madam President: The Senate Committee on Appropriations, to which was referred Senate Bill No. 2, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is to SB 2 as printed January 19, 2024.)

MISHLER, Chairperson

Committee Vote: Yeas 11, Nays 0



## COMMITTEE REPORT

Mr. Speaker: Your Committee on Family, Children and Human Affairs, to which was referred Senate Bill 2, 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 SB 2 as printed January 26, 2024.)

DEVON

Committee Vote: Yeas 8, Nays 0

## COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred Engrossed Senate Bill 2, 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, between lines 10 and 11, begin a new paragraph and insert:

"SECTION 5. IC 12-7-2-135.7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 135.7. "Out-of-school-time program", for purposes of IC 12-17.2, means child care provided to a child who is at least five (5) years of age but less than fifteen (15) years of age:**

- (1) before school is in session or after the school day;**
- (2) during the summer; or**
- (3) any other time when school is not in session."**

Page 5, delete lines 24 through 33, begin a new line block indented and insert:

- "(12) Not later than September 30, 2024, do the following:**
- (A) Complete a study regarding compensation in Indiana for:**
    - (i) early childhood educators; and**
    - (ii) caregivers at out-of-school-time programs;****by collecting compensation data throughout Indiana.**
  - (B) Create an online dashboard to allow access to compensation data.**
  - (C) Issue a report containing the committee's findings and recommendations on compensation in Indiana for:**
    - (i) early childhood educators; and**
    - (ii) caregivers at out-of-school-time programs."**



Renumber all SECTIONS consecutively.  
and when so amended that said bill do pass.

(Reference is to ESB 2 as printed February 22, 2024.)

THOMPSON

Committee Vote: yeas 20, nays 0.

